



A CIVIL LAW SUIT

A civil law suit differs from a criminal trial in that there is no right to an attorney, no 5th amendment protections, and there are (usually) no criminal sanctions at its conclusion.

III FOUNDATION FOR
DEMOCRACY & JUSTICE

INITIATING THE LAW SUIT

BURDEN OF PROOF

The plaintiff must prove their case by a preponderance of the evidence, or that there is a greater than 50 percent chance that their story is true.

FILING A COMPLAINT | SERVICE | DISCOVERY

The plaintiff files a complaint to begin the law suit, and must serve the defendant. The defendant then has the opportunity to respond. Each party then has the ability to seek information from one another through various means, including: interrogatories, requests for production of documents, and depositions of interested parties.

MOTION FOR SUMMARY JUDGEMENT

At the conclusion of discovery, if all parties can agree to the material facts, either party may bring a motion asking the court to apply the law to the agreed upon facts. If the motion is granted the case ends, if denied, the case proceeds to trial.

TRIAL AND RESOLUTION

PRE-TRIAL | TRIAL

Both parties may bring pre-trial motions to exclude evidence before picking a jury. Both parties will then present evidence to prove their claims and mount legal defenses.

POST TRIAL

After the parties have presented their evidence and made their arguments a jury will decide the case (or judge in a bench trial) by giving a verdict. The losing party may choose to appeal their case.

