The role of a student or practitioner in the dispute resolution (or litigation) department is to assist in the procedural and theoretical aspects of a client’s case. These latter aspects can include consideration of matters that can determine where an action proceeds and whether it is capable of proceeding. This chapter deals with issues that may be considered either before seeing a client on a new matter, at the first meeting, or, more commonly, after receiving detailed instructions and reflecting on the overall issues in the case. It considers jurisdiction and governing law; the capacity to sue or be sued; limitation; the legal components of an action; and remedies.
7. Pre-Action Substantive Matters

abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can't find the answer there, please contact us.