# **Advanced Legal Research**

Spring 2010 Syllabus Fridays, 10:00-11:50 AM Room 240A Professor Grace Mills

Office: 240H Office hours: Tuesdays, Wednesdays and

Office phone: 651-523-2119 Thursdays, 2-4 PM Email: gmills01@hamline.edu and by appointment

### **Course Overview:**

Legal research is a critical skill one needs for practicing law in this ever changing global environment. An attorney may be faced with legal issues requiring one to use more detailed resources than those of United States domestic case and statutory law. We will review US cases and statutory sources then look at US legislative, US administrative, and US executive orders. Our research will include more specialized legal research sources such as US treaties, materials of the United Nations and the European Union. Finding the law and the legal principles necessary for one's answer is as crucial as writing and communicating it to one's client.

This semester we will investigate the research sources needed to address a problem created specifically for this course. I am not interested in your finding the legal solution to the problem: I am interested in the process of legal research you used when investigating the problem.

Each class participant will take on the role of a practicing attorney: class participants will be divided into four groups. This will enable collaboration and cooperation between parties. A presentation by each group and a final paper by each individual are required.

## **Required textbook:**

Where The Law Is: An Introduction to Advanced Legal Research, Third Edition by J.D.S. Armstrong and Christopher A. Knott.

*The Bluebook*, 18<sup>th</sup> Edition, is strongly suggested as this will be included in classroom discussion and it is necessary for citations used in your group paper.

## **Learning Outcomes of This Course:**

At the conclusion of this course it is anticipated that students will have the following learning outcomes:

1. Identify the strategies needed for a successful plan of legal research.

- 2. Demonstrate an understanding of, and a facility with, the sources used in successful legal research: both electronic and print.
- 3. Prepare a complete legal research plan within the limitations of a budget.

# Preparation, Participation and Attendance:

This course is an upper level elective class and I expect that you are interested in sharpening your legal research skills. This course will be highly interactive and will depend upon the participation of <u>all</u> the course participants. Your class participation will benefit you and your classmates. The course's first weeks are rather intensive, as you will be investigating and using a variety of legal research sources. The last few weeks will be devoted to the group presentations.

As the value of this course depends upon the interaction between <u>all</u> the participants, punctuality and prepared attendance is required. Attendance will be circulated at class' beginning. It is the responsibility of each student to sign the Registrar's attendance sheet. Please note that this class is held once a week so excessive absences, any unexcused absences twice or more from class, will result in a ½ grade drop. Unexcused lateness's, three or more times, will result in a ½ grade drop. It is imperative that a student notify the professor of any absence or lateness <u>as early as possible</u> so any alternative arrangements may be made. I will endeavor to make any reasonable accommodation when given notice in a timely manner.

# **Grading:**

A student's final grade is derived from the group presentation (40%), the individual's class presentation (20%), the individual's final paper (20%) and the individual's assignments (20%) (minus any absences accrued because of failure to adhere to the attendance policy). Continuous quality (not quantity) and student participation are necessary components for your final grade.

Group Presentation: Each team will discuss the legal research strategy employed for addressing the problem. Each team member will talk for at least 15 minutes. The presentation's format will be selected by the team. It does not matter what format is used. The group presentation must address the process used to investigate the problem **not the ultimate legal solution**.

Individual Class Presentation: Each student will lead a class discussion involving a legal research source used in the class. The presentation will discuss the merits of the source, when it is best used, when it is not used and how it is best used (whether in print, microforms or electronic media).

Individual Paper: Each student shall complete a twenty (20) page paper due on the last day of class. The paper discusses the research strategy used by the individual's group when addressing the course problem. The Paper will include a detailed bill of the billable hours of each group member. If the group total bill is over the dollar amount given to the group this will not detrimentally affect one's grade. If one cheats on their billing this will only cheat the member and one's classmates. It also is an exhibition of a lack of professionalism.

Individual Assignments: There will be a series of assignments using each individual legal research source. These assignments will be completed before each subsequent class date where the item was discussed. A copy will be turned in electronically via TWEN. Working collaboratively in groups is fine; however, the copy turned in will be the individual's work and should not be copied from another student. This copy will be graded. The assignments will be discussed in class as the students evaluate each other's work.

## **Computer Usage and Classroom etiquette:**

Classroom laptop usage is encouraged as we will frequently view electronic legal research sources. Please be aware that if you are on your computer looking at YouTube, writing email or interacting with other sites your fellow classmates may be distracted and not focus on the classroom discussion. <u>Usage of electronic devices for other purposes is very distractive</u>, disruptive and exhibits a lack of professionalism.

Please be respectful of all comments made during class. Show courtesy to all and act in a professional manner. Please do not behave in such a way that your fellow classmates contact me and/or I see your behavior and call you in to discuss your behavior.

### TWEN:

You need to register for this course's TWEN page. All updates and modifications to course materials are on TWEN and it is the responsibility of each student to review the TWEN site for updates. Discussion questions and assignments will be posted on TWEN. CALI lessons are included on the TWEN site: while these lessons are not required they will be a part of the class discussion. It is strongly suggested that you complete these lessons as many of the weekly class meetings will discuss these lessons and your ability to complete the assignments.

The preferred method of assignment submission is via TWEN. The assignment due the following week will not appear on TWEN until the day of the class discussing the material (i.e., the case assignment due 2/5/10 will not appear until 1/29/10). Try not to wait until the last minute to submit your materials: If you have any submission troubles TWEN resources are staffed 24/7 daily. If you are unable to access TWEN from home for this course please let me know at the course's beginning so alternative arrangements can be made.

TWEN Technical support 1-800-850-9378
Send an email ( mailto:west.support@thomson.com)
TWEN Non-technical support 1-800-486-4876
Send an email ( mailto:west.twensupport@thomson.com)

#### **Class schedules:**

Class readings, dates and assignments are subject to future changes. Notices will be sent via TWEN.

Week One January 22, 2010

**Part I -- Introduction** 

Course Guidelines and Presentation Requirements discussed.

Presentation group members chosen by class members.

Library Tour.

Readings: Chapters 1 and 15 of the text.

Assignment: Class discussion on answers from 'Customized Polling.'

<u>Exercise:</u> Presentation group exercises completed in class.

**Part II --The Research Strategy** Why is it good to start with a Plan?

CALI Lesson: The Legal Research Methodology

<u>Exercise:</u> Presentation group research exercise completed in class.

Week Two January 29, 2010

Westlaw and Lexis representatives' refresher

Week Three February 5, 2010

**US Cases and Statutes** 

Readings: Chapters 2 and 5 of the text.

CALI Lessons: How to Find Case Law Using the Digests

Forms of Federal Statutory Publication.

Assignment: Comparison of Westlaw and Lexis

Week Four February 12, 2010

**Administrative Regulations** 

Readings: Chapter 8 of the text.

CALI Lessons: Researching Federal Administrative Regulations

(this is a long lesson)

Rulemaking: Federal Register and CFR

Assignment: Cases and statutes due via TWEN

Week Five February 19, 2010

**Executive Orders** 

CALI Lesson: Researching Federal Executive Orders

Assignment: Administrative Regulations due via TWEN

Week Six February 26, 2010

**Legislative History** 

Readings: Chapter 3 of the text.

CALI Lesson: Researching Federal Legislative History

Assignment: Executive orders due\_via TWEN

Weeks Seven and Eight – March 5 and March 12, 2010

**Secondary Sources** 

Readings: Chapters 4, 6, and 9 of the text.

CALI Lessons: Legal Encyclopedias

Mastering Looseleaf Services

Assignment: Legislative history due via TWEN

Week Nine March 19, 2010

The Internet: How Do You Use all of these Web Sites?

CALI Lessons: Evaluating Web Sites

**Internet Legal Resources** 

Non Legal Resources: Online News Sources

Assignment: Secondary sources due (this will be a longer assignment) via TWEN

Week Ten March 26, 2010

**International and Foreign Law** 

When to look to the United Nations materials? Does the European Union cover this situation?

What of the OAS or ANZUS?

Readings: Chapters 12 and 13 of the text.

Assignment: Web questions due via TWEN

Week Eleven

April 2, 2010 No Class: Spring Break

## Week Twelve

# April 9, 2010 Guest attorney TBA, Billing, Legal Ethics – ABA and State Rules

Readings: Chapters 10 and 11 of the text.

Assignment: International and foreign law sources due via TWEN

Assignment: 1. At least one question on legal research preparation for guest attorney

2. Rules and ethics due (discussed during second part of class)

Week Thirteen April 16, 2010

Group Presentations and Class Discussion.

Week Fourteen April 23, 2010

Group Presentations and Class Discussion.

Week Fifteen April 30, 2010

Last Class: Wrap Up