

LEGAL RESEARCH SYLLABUS, SPRING 2012
WEEKDAY SECTIONS

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Course Description:

This course is designed to provide students with a working knowledge and an understanding of the basic legal research materials and tools.

Course Learning Objectives:

Students will learn how to analyze a research question, develop a research strategy, and locate and evaluate supporting primary law and secondary materials.

Textbook:

Required: Steven M. Barkan et al., *Legal Research Illustrated*, 9th Ed. (2009)

Recommended: Steven M. Barkan et al., *Assignments to Fundamentals of Legal Research & Legal Research Illustrated*, 9th Ed. (2009)

Office Hours:

Your legal research instructor's office hours are the same as her reference hours. Feel free to visit your instructor's office during these hours or, when needed, by appointment. You also may seek assistance from any librarian instructor while she is on reference duty.

The reference schedule for this semester will be distributed on the first day of class.

E-mails and phone calls will be answered during office hours if not earlier. E-mails and phone calls generally will not be answered during the evening or weekend.

Grading:

Grading is based on pre-class quizzes, post-class exercises, a final exam, and participation. Weights are as follows:

Post-class exercises	40%
Final exam	35%
Pre-class quizzes	10%
In-class exercises	10%
Participation	5%

Assignments:

Preparation

You are expected to read assignments before the scheduled class and come prepared to participate actively with relevant questions and insights.

Submission

Pre-class quizzes must be completed on TWEN prior to class on their due date.

Post-class exercises must be printed and then submitted and date-stamped at the library circulation desk by 11:59 p.m. on the due date. Do not wait until the last minute, as desk staff may be occupied with other patrons or library closing procedures. Late assignments and assignments without a date stamp are not accepted.

Research Logs

For post-class assignments, your grade depends not on the answers themselves but on your statement of the research sources and techniques you used to arrive at the answers. Credit is based on your research process as you describe it in your answer to each question, not on the accuracy or inaccuracy of the result. The description should summarize the resources used and steps that you applied for each resource, including your unsuccessful efforts as well as the successful ones.

Logs must be completed in the form of the chart in Attachment A. Logs must be typed, not handwritten.

Use clear but succinct explanations in a style such as the following: "First checked the index to ABC Resource under X but found nothing. Looked under Y and located a reference to page 54, where I found the such-and-such information. So I concluded it might be a so-and-so situation, calling for a Z approach. Switched to the DEFGH Resource to try to find the rest of the information, but..." Stated differently, points are awarded for **describing your reasoning and research process, step by step**, not for merely listing final answers.

General rubrics will be provided to illustrate levels of performance needed to earn full or partial credit.

Research Histories/Trails

For post-class assignments, you must attach your **printed** research history/trail for both Westlaw and Lexis when requested, with labeling indicating which portions of the trail pertain to which exercises. Use terms and connectors for searches; **do not use natural language unless specifically instructed to do so**.

On average, a well-prepared student can complete each post-class exercise set in approximately 2 hours. Do not expend unreasonable time and effort on any one problem. Contact the instructor for

assistance, if practical, or write up and hand in the process you followed in your attempts to find an answer.

Student Collaboration Policy

Students may work independently or with other students currently enrolled in this course. We recommend a somewhat independent approach, as you will be taking your final exam independently and entering a profession that rewards some self-sufficiency. In any case, each student must be present for the research of each problem in order to provide a meaningful summary in the student's own words. Each student must participate actively in the research process from start to finish; for example, **do not "divide up the work"** by assigning responsibility for different exercises to different students in a study group. As should go without saying, **do not copy answers from someone else or allow someone else to copy from you**. If it appears that a student may not be doing his or her own work, instructors will set an appointment with the student for investigation.

The following, without limitation, may be pursued as honor code violations: giving or receiving help from anyone other than a Hamline law librarian, except as permitted under the limited collaboration standards stated above; using electronic tools to complete a print-only question; otherwise using shortcuts that are not fair game given the instructions and that are not reported in the statement of your research process; or taking, without authorization, concealing, or destroying materials from any library where the result is to deny access to such materials to other students.

Citation Format

The librarians do not teach or grade Bluebook citation format. However, your citations must contain sufficient information to identify the particular source you have in mind; for example, a published case generally is identified by title, reporter name, volume number, page number, date, and sometimes an additional court abbreviation. If you include all the cite elements required by Bluebook, whether or not your punctuation or style is correct, you will ensure you have identified a source sufficiently.

Class	Topic	Preparation	Assignments
January 20	Introduction to Legal Research	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 1</p> <p><i>This is What I'm Thinking: A Dialogue Between Partner and Associate</i>, 25 Litigation 8 (1998).</p>	
January 23	Legal Research Strategy & Process	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 2-3</p> <p>Quiz: Legal Research Strategy & Process</p>	

January 27	Print and Electronic Formats	<p>Reading: <i>Legal Research Illustrated</i>, pg. 12 – 13 & Ch. 22</p> <p>Quiz: Print and Electronic Formats</p>	
January 30	Secondary Resources: Legal Encyclopedias and <i>American Law Reports</i>	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 16 &17</p> <p>Quiz: Legal Encyclopedias and <i>American Law Reports</i></p>	Post-Class: Introduction/ Strategy assignment due
February 3	Secondary Resources: Periodicals, Treatises, and <i>Restatements</i>	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 18 & 19</p> <p>Quiz: Periodicals, Treatises, and <i>Restatements</i></p>	
February 6	Case Law Research: Print Format	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 4-7</p> <p>Quiz: Case Law Research: Print Format</p>	Post-Class: Print/Electronic Formats assignment due
February 10	Case Law Research: Electronic Format	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 4-7, 15 & 22</p> <p>Quiz: Case Law Research: Electronic Format</p>	
February 13	Introduction to Legislative History	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 10</p> <p>Quiz: Introduction to Legislative History</p>	<p>In-Class: Legislative History exercise</p> <p>Post-Class: Case Law Research assignment</p>
February 17	Statutory Research: Print Format	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 9 & 11</p> <p>Quiz: Statutory Research: Print Format</p>	
February 20	Statutory Research: Electronic Format	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 9,11 & 22</p> <p>Quiz: Statutory Research: Electronic Format</p>	Post-Class: Print/Electronic Formats assignment due
February 24	Administrative Law Research	<p>Reading: <i>Legal Research Illustrated</i>, Ch. 13</p> <p>Quiz: Administrative Law Research</p>	In-Class: Administrative Law Research exercise

			Post-Class: Statutory Research assignment due
February 27	Review		
March 2	Exam		

Final Examination:

There will be a written final examination incorporating a variety of question types.

Attendance:

Unless a documented family or health emergency befalls you, be in class.

Students in violation of the law school’s attendance regulations will be referred to the academic dean for appropriate action.

It is your responsibility to locate and sign the attendance sheet for each class.

Computer Usage and Classroom Etiquette:

Please bring your laptop to class, as we will frequently view electronic legal research sources. Your instructor will indicate when computer use is necessary and permitted. Cell phones must be out of sight and turned off during class. Usage of electronic devices for other purposes during class is very distracting 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 Information:

You will be registered automatically for this course on TWEN. All updates and modifications to course materials are on TWEN: it’s each student’s responsibility to review the TWEN site for updates. Discussion questions and assignments are posted on TWEN.

If you need help using the TWEN pages, please contact Meg Koltes at 651-523-2737 or send an email to Reference_law@hamline.edu.

Research Log Instructions

Please note that the research log is designed to help you in your research, not make your life more difficult. In fact, in practice, many attorneys use a research log to help them stay organized, avoid research duplication, have a record of their research for consultation with the assigning attorney, and as a reminder for completing the end of the month billing chore.

Use this log to help you reflect back upon the paths taken and resources consulted in your research so that you may better learn from your success and mistakes. Remember, the use and completion of the research log in your post-class problem sets is required.

Information required for the successful completion of your research log:

Generally:

- The question you are attempting to answer
- Possible keywords and concepts to search
- The sources you researched
- Your search strategy for the source
- A description of every successful and unsuccessful step you pursued

For print resources:

- The indexes and/or tables you consulted
- Actual terms you employed in the index
- The bound volume of material you consulted
- The pocket part and/or softbound supplement(s) you consulted
- The coverage and/or date of the material you review

For electronic resources:

- The database(s) you used to search the topic
- The datafile(s) you used to search the topic
- The terms and connectors searches attempted
- The coverage and/or date of the material you searched

Format:

Research logs should be type written, using and 11 pt. or greater Arial font. Please do not abbreviate.

Template:

A Word document template has been uploaded to the Legal Research TWEN site. The template provided is only a starting point – your research problem may require more rows than are provided in the template.

Question: Clearly state your question or the desired information.

Keywords, Concepts, Search Terms: Note any useful words or concepts, including synonyms, that you want to search later on in the research process.

<i>Source Used</i>	<i>Search Strategy</i>	<i>Terms and Connectors OR Index search terms</i>	<i>Results:</i>	<i>Comments:</i>
<p>↑</p> <p>List either the database and datafile of the source you used or the print title and volume. Include the date that the source was last updated.</p>	<p>↑</p> <p>List your search strategy. For example - Index Search, Table of Contents, Terms and Connectors, Natural Language, etc.</p>	<p>↑</p> <p>If searching in a database, list the terms and connectors search string used. Do not search using natural language unless otherwise instructed.</p> <p>If searching in an index, list the key words searched .</p>	<p>↑</p> <p>If searching in a database, note the number of results returned.</p> <p>If searching in an index, list the topics found in the index, including subtopics or citation to cross-references.</p>	<p>↑</p> <p>Comment on your search.</p> <p>Was this a good search? Did you find what you were looking for? Did this search give you an idea to try later? Do you need to reevaluate your search strategy?</p>

Summary: Summarize your research process. List all the steps you took to research this issue. Use the chart above to fill in the blanks in your memory.