

## **Advanced Legal Research**

Spring 2009 Syllabus

Wednesdays, 9:30-11:20 AM

Room 240A

Professor Grace Mills

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Office hours: Tuesdays, Wednesdays and

Thursdays, 2-4 PM

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 and the course participants will be divided into four groups. This will enable collaboration and cooperation between parties. A presentation by each group and a final paper from each group is 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.

### **Goals and Objectives 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. Identify the various sources needed to complete a plan of legal research.
3. Demonstrate an understanding of, and a facility with, the sources used in successful legal research: both electronic and print.
4. Demonstrate the ability to use a variety of electronic and print sources necessary for completing a successful legal research plan.
5. Prepare a complete legal research plan within the limitations of a budget.
6. Articulate the legal research completed to a client.

### **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 all 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 all 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 as early as possible 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 (50%) and the final group paper (50%) (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 Paper: Each group shall complete a twenty (20) page paper. The paper discusses the research strategy used by the entire group in resolving 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.

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.

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

You may use computers or other electronic devices in class to take notes and access course-related web sites and TWEN. Usage of electronic devices for other purposes is very distracting and disruptive. This behavior exhibits a lack of professionalism. 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.

Please be respectful of all comments made during class. Please show courtesy to all and act in a professional manner. As I am leading the classroom discussion, I may be unable to see or immediately comment any unprofessional actions, but your fellow classmates may see it. 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 as soon as possible. All updates and modifications to course materials are on the TWEN site and it is the responsibility of each student to review the TWEN site for updates. Discussion questions 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 view these lessons as many of the weekly questions will consider aspects of the CALI lessons.

## **Class schedules:**

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

## **Week One – January 21, 2009**

### *Part I – First Hour*

#### **Introduction:**

Discussion of legal research in the context of facing a client and the resulting legal problem.  
Discussion of Course Guidelines and Presentation Requirements.  
Developing a legal research strategy: why?

Reading: Chapters 1, 2, 5 and 14 of the text.

Students must inform professor of status of group assignments in writing.

### *Part II – Second Hour*

#### **US Cases and Statutes**

Readings: Discussion of Chapters of the text.

CALI Lessons: How to Find Case Law Using the Digests  
Forms of Federal Statutory Publication.

**Week Two January 28, 2009**  
**Administrative Regulations**

Readings: Chapter 8 of the text.  
CALI Lessons: Researching Federal Administrative Regulations (this is a long lesson)  
Rulemaking: Federal Register and CFR

**Week Three February 4, 2009**  
**Executive Orders and Legislative History**

Readings: Chapter 3 of the text.  
CALI Lessons: Researching Federal Executive Orders  
Researching Federal Legislative History

**Week Four February 11, 2009**  
**Presentation of Guest Attorney**  
**Billing**  
**Legal Ethics**

Readings: Chapter 11 of the text.

**Week Five February 18, 2009**  
**Secondary Sources: Treatises, Encyclopedias, Looseleafs and Others**

Readings: Chapters 4, 6, and 9 of the text.  
CALI Lessons: Legal Encyclopedias  
Mastering Looseleaf Services

**Week Six February 25, 2009**  
**Foreign and International Law**

Readings: Chapters 12 and 13 of the text.

**Week Seven March 4, 2009**  
**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

**Week Eight            March 11, 2009**  
**The Research Strategy**

CALI Lessons: The Legal Research Methodology

**Week Nine            March 18, 2009**  
**The Research Strategy (continued)**

**Week Ten            March 25, 2009            No Class            Spring Break**

**Week Eleven        April 1, 2009**  
Group Presentations and Class Discussion.

**Week Twelve        April 8, 2009**  
Group Presentations and Class Discussion.

**Week Thirteen     April 15, 2009**  
Group Presentations and Class Discussion.

**Week Fourteen     April 22, 2009**  
Group Presentations and Class Discussion.

**Week Fifteen        April 29, 2009**  
**Last Class: Wrap up**