

COURSE TITLE:	ADVANCED LEGAL RESEARCH (Digitally-Based)
COURSE NUMBER:	LAW R500
UNITS:	2
COURSE TYPE:	Required
PROFESSOR(S) NAME:	Gary Hoenig, JD, PhD
PROFESSOR CONTACT INFO:	(707) 545-0900
SCHEDULE:	Spring 2014, Wednesday 6-9:00pm, Room # 216 - Class meets for 3 hour sessions with study weeks at regular intervals.
PREREQUISITES:	Preferred completion of 2 nd year, required completion of 1 st year.
COREQUISITES:	None
TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.)	<i>Fundamentals of Legal Research 9th Edition</i> ; Jacobstein, Mersky & Dunn, Foundation Press; ISBN# 9781599412184 Access to both a Lexis-Nexis and a WestLaw on-line research account is required and is available through the Law School Office. Course materials consist of readings from the assigned text, tutorials and on-line user's manuals as provided by the various legal database publishers. Other recommended reading materials will be given as appropriate for further clarification of the use of the resources.
COURSE DESCRIPTION:	Introduces students to Federal and California primary and secondary legal sources and to research methods to locate relevant authority in support a legal proposition. Students will be taught techniques to plan a search, perform searching, modify searching and validate legal authority using digitally accessible libraries and services including Lexis Nexis, Westlaw, and other on-line and computer access resources.
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<p>Students will practice in-depth Study and Application of Advanced Legal Research Techniques, including computer-based systems, to practical legal issues.</p> <p>Traditional legal research methods and materials have been augmented and, in most circumstances, improved upon by electronic research tools. Legal research and access to legal materials are now readily accessible in electronic form. Further, the ability to effectively perform legal research is one of the skills that every competent practitioner must possess. Each student passing this course should have a working knowledge of the fundamental tools of legal research and the process of devising and implementing a coherent and effective research strategy.</p> <p>Attentive and participating students should:</p> <ul style="list-style-type: none"> • Gain a working understanding of the legal resources available including Judicial, Legislative and Executive Branch documents and publications, and the appropriate application

	<p>of each.</p> <ul style="list-style-type: none"> • Learn how to locate Federal and California primary and secondary authority. • Learn how to appropriately cite legal material. • Learn how to select the appropriate legal resource for supporting a legal premise and to identify mandatory and persuasive authority. • Gain or improve expertise to organize and conduct a search for materials in electronic databases and to confidently manipulate the databases to yield relevant and exhaustive searches. • Gain or improve expertise in the use of Boolean syntax text and concept searching. • Learn how to determine the validity of legal authority. • Gain an understanding of how to locate secondary materials. • Begin to develop techniques to minimize research time. • Attain a minimum level of research skills and proficiency to locate relevant legal authority for preparation of Legal Memos, Points and Authorities, Legal Pathfinders and the like. • Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.
<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p>	<p>Course material is presented in a lecture-discussion format within a practicum environment including supervised practical application of the lecture content. Students should be prepared to participate and demonstrate comprehension of the reading and lecture material. The purposes of the class meetings are to introduce various advanced legal research tools, demonstrate the efficient application of legal research to practical examples, explore primary and secondary legal resources, engage students in the research process, develop efficient and effective research skills, share research strategies, and explore legal research materials in various areas of law. When available, guest speakers will present research strategies in specialized areas of law. Assistance will be provided to students during the designated class times.</p>
<p>EXAMS:</p>	<p>Take-home exams, projects, and papers must be submitted to the Law School office by 6 p.m. on the assigned exam due date, unless otherwise noted.</p>

**GRADING / ASSESSMENT
CRITERIA:**

This course is graded as follows:

Pass/Fail Classes:

65 - 100 P Pass/Credit

64 and Below F Fail/No Credit

To obtain a passing grade, students must:

1. Timely complete and submit all Legal Research Assignments as assigned in class. *Points will be deducted for late submittals.*
2. Complete Research Database Tutorials including Lexis, Westlaw.
3. Participate in class. Students are expected to demonstrate improvement of their research skill proficiency through active participation in class discussions and research projects.
4. Timely submit the Final Research Project and receive a passing grade as defined by the Empire College School of Law School Catalog.

The grade consists of:

Class Participation	20%
Research Assignments (incl. Mid-Term)	30%
Final Research Project	50%

The Final Research Project consists of five legal research questions, to be researched and documented in Legal Memo format, or a Legal Path Finder. The Final Research Project must be submitted no later than 6:00PM of the day of the scheduled final exam period for the class. Failure to submit Final Research Project results in a Fail grade.

ATTENDANCE:

Regular and punctual attendance is essential for the successful completion of law school and this class. Students should plan to attend every class. Students must attend a **minimum of 80% (24 hours, or 8 of 10 classes)** of the class hours to be eligible to pass the course. Roll will be taken at each class. **No more than 2 absences permitted.** Class attendance is of particular importance in learning the language and concepts of the law.

Make-up classes will be scheduled on evenings when classes are not usually held or on weekends or made up on another night by staying longer. Class sessions which are delayed or canceled because of holidays or policy of Empire College School of Law, and which are re-scheduled for a different date are considered regularly scheduled class sessions, not make-up classes. A student who has exceeded the absence limits outlined will be automatically dropped from the course. A student who is dropped from a course will be required to repeat the course at its next offering in order to meet graduation requirements.

Times and course sessions may change as the class proceeds and changes will be notified accordingly. If a student misses a class, the student is responsible for determining whether there has been a change from this syllabus. Class meets for 3 hour sessions with study weeks at regular intervals.

ASSIGNMENTS:	<u>Assignment Plan:</u> Assignments will be given as the course proceeds. If you miss a class you MUST make arrangements to receive handouts and any assignments given; and, to turn in any assignments due or you may jeopardize credit for that assignment.
Week 1: 1/8/14	Introduction to Advanced Legal Research. Overview of Legal Materials. Mandatory and Persuasive Legal Authorities. Bring Lexis and Westlaw Username and Password. Activate your Lexis and Westlaw accounts before class. Review the on-line Lexis and Westlaw tutorials before class. Reading: Text: Chapter 1, An Introduction to Legal Research, pp 1-13, Chapter 2, The Legal Research Process, pp 14-20, Chapter 3, Communicating Research Results, pp 21-31.
Week 2: 1/15/14	Boolean Math. Developing Search Strategies. Constructing an effective Boolean search syntax. Legal Citation. Reading: Thamus (Handout), Text: Chapter 23, Electronic Legal Research, pp 518-543, Chapter 24, Legal Citation Form, pp 562-588.
Week 3: 1/22/14	Boolean vs Natural/Freestyle Language searching. Federal and California Case Research. Reading: Text : Chapter 4, Court Reports, pp 32-47, Chapter 5, Federal Court Reports, pp 48-68, Chapter 6, State Court Reports and the National Reporter System, pp 69-77, Chapter 7, Digests for Court Reports, pp 78-107, Reply to Thamus (Handout).
Week 4: 1/29/14	Federal and California Legislation. Reading: Text: Chapter 9, Federal Legislation, pp 128-155, Chapter 11, State and Municipal Legislation, pp 195-210. How Laws are Made (Handout).
Week 5: 2/5/14	Updating and Citators. Reading: Text: Chapter 15, Citators, pp 274-316.
Week 6: 2/12/14	Federal and California Legislative History. Reading: Text: Chapter 10, Federal Legislative Histories, pp 157-194.
Week 7: 2/19/14	Administrative Law, Rules, Regulations, CFRs, CCRs, Agency Decisions. Reading: Text: Chapter 13, Administrative Law, pp 226-256.
Week 8: 2/26/14	Secondary Materials. Reading: Text: Chapter 16, Legal Encyclopedias, pp 317-326, Chapter 17, American Law Reports, pp 327-342. Chapter 18, Legal Periodicals and Indexes, pp 343-369, Chapter 19, Treatises, Restatements, Uniform Laws, and Model Acts, pp 370-398.
Week 9: 3/5/14	Mid-Term, Assignments, Project. Class Does Not Meet This Week
Week 10: 3/12/14	Mid-Term, Assignments, Project. Class Does Not Meet This Week

Week 11: 3/19/14	Review. Using the Internet for Legal research, Other resources, Reading: Text: Chapter 23, Electronic Legal Research, Section F. The Internet, pp 543-561, Chapter 20 Practice Materials and Other Resources, pp 399-418.
Week 12: 3/26/14	Final Project. Class Does Not Meet This Week.
Week 13: 4/2/14	Final Project. Class Does Not Meet This Week.
Week 14: 4/9/14	Final Project. Class Does Not Meet This Week.
Week 15: 4/16/14	Final Project due. Final Project must be submitted no later than 6:00PM on the day of the scheduled final exam period for the class. The Exam Schedule will be published by the Law School Staff. Submit your Final Project identified with your Student ID.