LEGAL RESEARCH SECTION I, FALL 2015

1 credit hour, Fall 2015 & Spring 2016

Class location, Fall: Holland Hall 359

Class meeting time, Fall: Mondays, 2pm–2:50pm

INSTRUCTOR: Taryn Marks

Holland Hall 184E
tlmarks@law.ufl.edu
352-273-0719

Please contact me with any questions, comments, thoughts.

OFFICE HOURS: Mondays, 3pm–4pm
Wednesdays, 11am–1pm
Fridays, 11am–1pm

COURSE TEACHING ASSISTANTS: Kristen McMann (kmcmann@ufl.edu) & Edgar Sanchez (sanchezgedgar@gmail.com)

TEACHING ASSISTANT LAB HOURS: TBD

COURSE WEBSITE: https://ufl.instructure.com/courses/320769 (section I)


COURSE PURPOSE, DESCRIPTION & EXPECTATIONS

COURSE PURPOSE

Legal research is a fundamental part of being an attorney. Regardless of the type of practice you choose, you will always have to research what law applies to your client’s case. Even when you become an expert in your field, you will still have to update your knowledge because the law changes all the time.

You are required to take this course during your first year precisely because of its importance. In your courses as a 2L or 3L, you will have to write a substantial research paper. You will be doing research for the rest of your career.

As such, the purpose of this course is to introduce you to legal research and to some of the tools and resources that are available to you. I focus on teaching you methodology
and process, so that regardless of the materials or problem you may face in the future, you will be able to research it.

**COURSE DESCRIPTION**

Legal research is a two-semester class, with 14 total classes. You will have 7 classes in the Fall and 7 classes in the Spring. The course is designed to complement your Legal Writing class.

**COURSE EXPECTATIONS**

- Assume responsibility for your own learning. Ask questions to clarify your understanding and to enhance your learning experience.
- Attend class and be on time.
- Turn in Assignments on time. Late assignments will not receive credit but must be turned in.
- Be curious and eager to learn about the very important process of legal research.
- Come to class prepared and with any questions, and actively participate in classroom discussions and activities.

**COURSE POLICIES**

**ATTENDANCE POLICY**

Attendance will be taken at the beginning of each class. Missing 3 classes without prior notice will result in referral to Student Affairs.

**ASSIGNMENT POLICY**

Assignments will be posted on the course website immediately after class. Assignments are due at 11:59pm on the Friday following class.

Late assignments will not receive credit.

Students may consult with other students when working on an assignment (unless otherwise indicated) but each student must submit his/her own, individual assignments.

Please see the grading policies and assignments sections below for more detailed information about assignments.
COURSE RESOURCES

COURSE DISCUSSION BOARDS

To help facilitate conversation between you and your classmates about the homework or the class materials, you can post to the Canvas discussion boards whenever you have questions or thoughts.

Frequently, you’ll find that your classmates have the same questions or are struggling with the same issues. This discussion board allows you to post those questions and struggles.

You have both a general discussion board, and a discussion board for each Module/Assignment. Feel free to post in either, as you choose.

I will be reading all of your posts and will respond to those that I think necessitate my thoughts. I will also respond if you ask me.

ADDITIONAL RESOURCES

I will post additional resources on Canvas, in two different formats:

General additional resources: apply to the class as a whole and include road discussions of legal research, legal research strategies, useful videos, etc.

Additional resources for each Module: includes more detailed explanations of the topics and sources discussed that week, suggested websites or videos to help with the concepts of that week, or interesting articles related to the process of legal research.

COURSE SCHEDULE

READINGS

Readings specific to each Module will be posted on Canvas. Please complete any required readings before class that week. You can also look through any of the additional resources if you would like more information or have questions.

QUIZZES

After each class (at the end of each module), a quiz will appear on the module’s page that will test your grasp of the material learned in that module.

The quiz will not be graded (it is for your own purposes, to test your own understanding), but if you do not complete the quiz before Sunday at 9pm, you will be docked participation points.
For example: after we finish module 2 on August 24, you will have until the following Sunday at 9pm, to complete the quiz on module 2. If you do not complete the quiz, your participation points for module 2 will go down.

CLASS SCHEDULE

Module 1
Monday, August 17  Introduction to legal research and the 5 steps of legal research

Readings to be completed before class:

- Impeccable Research, pp. 1-10
- John Tedesco, How to solve impossible problems: Daniel Russell's awesome Google search techniques (online)
- Scaros_Learning about the law_Excerpts Module 1 (online)
- Review the Course Syllabus
- Post an introduction on the Introductions board

Assignment: none.

Quiz: complete Module 1 quiz on Canvas by Sunday, August 23 at 9pm.

Module 2
Monday, August 24  Planning your research; creating a research plan

Readings to be completed before class:

- Impeccable Research, pp. 84-86
- Berring_Finding the Law_Excerpt_Module 2 (online)
- Legal Reasoning, Writing, and Other Lawyering Skills_Excerpt_Module 2 (online)
- Legal Research Methods_demurry_Excerpt_Module 2 (online)
- Process of Legal Research_Kunz_Excerpt_Module 2 (online)
- Framing a Legal Question (PDF) (online)

Assignment: Assignment 1, Creating a research plan & the 5 steps of legal research, due Friday, August 28, at 11:59pm.

Quiz: complete Module 2 quiz on Canvas by Sunday, August 30 at 9pm.
Module 3

Monday, August 31  Finding and using secondary sources

Readings to be completed before class:

- Impeccable Research, pp. 18-22; 110-115
- Overview of Secondary Sources Powerpoint (online)
- Berring_Finding the Law_Excerpt_Module 3 (online)
- Legal Research in a Modern World_Excerpt_Module 3 (online)
- Legal Research Methods_demurry_Excerpt_Module 3 (online)
- Finding Aids PDF (online)
- Searching Using Boolean and Natural Language PDF (online)

Assignment: Assignment 2, Finding & using secondary sources, due Friday, September 4, at 11:59pm.

Quiz: complete Module 3 quiz on Canvas by Sunday, September 7 at 9pm.

Module 4

Tuesday, September 8, 3:25pm, HOL382  Finding and using primary sources

Readings to be completed before class:

- Impeccable Research, pp. 29-37, 40-43
- Berring_Finding the Law_Excerpt_Module 4 (online)
- Kunz Process LR_Module 4 (online)
- LR Modern World_Excerpt_Module 4 (online)
- Olson_Principles of LR_Excerpt_Module 4 (online)
- Scaros_Excerpt_Module 4 (online)

Assignment: Assignment 3, Finding & using primary sources, due Saturday, September 12, at 11:59pm.

Quiz: complete Module 4 quiz on Canvas by Sunday, September 13 at 9pm.

Module 5

Monday, September 14  Expanding your research to find additional relevant materials

Readings to be completed before class:
Assignment: Assignment 4, Expanding your research, due Friday, September 18, at 11:59pm – you will be using print resources.

Quiz: complete Module 5 quiz on Canvas by Sunday, September 20 at 9pm.

Module 6

Monday, September 21  Updating your research to ensure you are using appropriate sources

Readings to be completed before class:

Assignment: Assignment 5, Updating your research, due Friday, September 25, at 11:59pm.

Quiz: complete Module 6 quiz on Canvas by Sunday, September 27 at 9pm.

Module 7

Monday, September 28  Analyzing your research; organizing your research results; answering the question asked

Readings to be completed before class:

Assignment: no assignment

Quiz: complete Module 7 quiz on Canvas by Friday, October 2 at 9pm.
INDIVIDUAL CLASS STRUCTURE
Each class will follow a similar pattern:

1. Either review homework or review of the readings for that class.
2. In-class exercise designed to support and enhance the readings for the class. I will expect you to have completed the readings, because you will be lost during the in-class exercise if you do not.
3. Review the in-class exercise in the context of the learning objectives for the module.
4. If time permits, we will briefly discuss the homework that will be due at the end of that week.

COURSE EXAMS

FINAL EXAM: March 2016 (specific date and time TBD).
Most likely, the final exam will be an online, eight-hour take home exam. I’ll provide more information in the Spring.

CORE COMPETENCIES EXAM: February 2016 (specific date, time, and location TBD).
The Core Competencies exam is a 40-question, multiple choice exam that tests your knowledge of the nine core competencies, which are listed in the Course Goals and Learning Objectives document.

GRADING POLICIES

Your final grade for this class will be given to you at the end of the Spring semester.

You can check your current grade at any time through Canvas, but please remember that any grades given before the final grade are raw scores only and do not adhere to the law school’s curve requirement. Therefore, any raw score grade is only a rough estimate of your final grade.

Your final grade will be based on the following weighted components:

<table>
<thead>
<tr>
<th>Component</th>
<th>Fall 2015</th>
<th>Percentage</th>
<th>Spring 2016</th>
<th>Component</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assignment 1</td>
<td>3%</td>
<td></td>
<td>Assignment 6</td>
<td>5%</td>
<td></td>
</tr>
</tbody>
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### PARTICIPATION

Your participation grade will be based on your attendance, preparation for class (including contacting me or one of the TAs with any questions), and active engagement during class. Your participation grade will also be lowered if you do not complete the end of Module quiz by due date (Sunday before class at 9pm).

### ASSIGNMENTS

Assignments will be released immediately after class and will be due at 11:59pm on the Friday following class. All assignments must adhere to the Assignment Format and Policies, posted on the Canvas site under the Assignment tab.

### Assignment Details

Each Assignment will explain the learning objectives so that you know what I expect you to learn from the Assignment.

Read the directions and the questions carefully, as they make clear what I want from your Assignment, thus helping you earn a higher grade.

The points available on an Assignment do not correspond to the Assignment’s weight.

- Assignment 1 may be 20 points but is only 3% of your grade. Assignment 3 may be 10 points, but is worth 5% of your grade.
- I will list both the points available for an Assignment and the percentage weight of the Assignment on each Assignment.
Having trouble on Assignments

Research Assignments can be difficult and time consuming, as I will be asking you to apply recently-acquired knowledge to an unknown hypothetical, using a process and databases with which you are unfamiliar.

Assignments should take anywhere from an hour to three hours to complete.

If you are spending significantly less or significantly more time on an Assignment, please stop and think about why:

- Are you applying what you learned in class?
- Are you focused on what the question is asking? Legal research and the roads it leads you down can be fascinating, letting you browse and explore all the varied and interesting aspects of the law – but that can mean you aren’t focusing on answering the question at hand.
- Are you trying to find the perfect answer? Focus instead on finding an answer that makes sense and on analyzing and exploring the legal research process.

Although I will be asking you to locate specific statutes or cases, the majority of your time should be spent on analyzing how you located those cases and how you used those cases and statutes in answering the question.

If you are having trouble completing an Assignment, come to office hours or make an appointment with me to talk about it.

- I deliberately chose office hours immediately after or between your classes to make them as convenient as possible for you.
- You also will have additional opportunities to come to lab hours with the teaching assistants, during which time they will be reviewing what has been learned and answering some questions.

Always come ask for help if you need it. I am always eager to talk about legal research and your process, and to provide you with guidance on your assignments.

GRADING SCALE

Per law school policy, this class will be graded on a curve. I do not apply the curve until the end of Spring semester, after you have completed and I have graded everything. Thus, the points you receive for each Assignment is a raw score only.

Please come see me if you would like more detail about the required curve, or if you would like to get a rough estimate as to where you currently are if I were to apply the curve at that point in time.
UF POLICIES

UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES
Students requesting accommodation for disabilities must first register with main campus Student Affairs at the Disability Resource Center (352-392-3565; http://www.dso.ufl.edu/drc/), who will then contact the law school. You should also contact the law school’s student affairs office (http://www.law.ufl.edu/student-affairs/current-students). Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

UNIVERSITY POLICY ON ACADEMIC MISCONDUCT
Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand and abide by the UF Student Conduct & Honor Code at https://www.dso.ufl.edu/scsr/process/student-conduct-honor-code/.

Disclaimer: This syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.