LEGAL RESEARCH SECTION Y, FALL 2016

1 credit hour, Fall 2016 & Spring 2017

Class location, Fall: Holland Hall 355B

Class meeting time, Fall: Fridays, 9:00am-9:50am

INSTRUCTOR: Taryn Marks

Holland Hall 175C
tlmarks@law.ufl.edu
352-273-0719

Please contact me with any questions, comments, thoughts.

OFFICE HOURS: Tuesdays, 2pm–4pm
Wednesdays, 4pm–5pm
Fridays, 11:30am–1:30pm

COURSE TEACHING ASSISTANTS: Marissa de los Reyes (mdelosreyes@ufl.edu)
Edgar Sanchez (edgarsanchez@ufl.edu)

COURSE WEBSITE: https://ufl.instructure.com/courses/331675


COURSE PURPOSE, DESCRIPTION & EXPECTATIONS

COURSE PURPOSE

Legal research is the analysis, search process, information evaluation, and reasoning necessary to ethically solve problems and provide legal advice. Legal research is integral to lawyers’ professional competence and 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 also 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 RESOURCES

All course material will be posted on Canvas.

The course website is organized by Modules, which corresponds to one week in class. Under each Module, you will find an overview page, information about the readings due that week in class, any in-class exercises that were done that week, any Assignments (and Assignment answer keys), any additional resources, and a quiz about that week’s material.

The overview page will link you to each of the individual pages noted above, or you can navigate to them through the Modules.

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 Thursday at 3pm, you will be docked quiz points.
CLASS SCHEDULE

Module 1
Friday, August 19  Introduction to legal research and the 5 steps of legal research

Readings to be completed before class:

- Review the course Syllabus, Learning Objectives, and Core Competencies
- Impeccable Research, pp. 1-12
- John Tedesco, How to solve impossible problems: Daniel Russell's awesome Google search techniques
- Scaros_Learning about the law_Excerpts Module 1

Assignment: none.

Quiz: complete Module 1 quiz on Canvas by Thursday, August 25 at 3pm.

Module 2
Friday, August 26  Planning your research; creating a research plan

Readings to be completed before class:

- Impeccable Research, pp. 106-08
- Berring_Finding the Law_Excerpt_Module 2
- Process of Legal Research_Kunz_Excerpt_Module 2

Assignment: Assignment 1, Creating a research plan & the 5 steps of legal research, due Wednesday, August 31, at 11:59pm.

Quiz: complete Module 2 quiz on Canvas by Thursday, September 1 at 3pm.

Module 3
Friday, September 2  Finding and using secondary sources

Readings to be completed before class:

- Impeccable Research, pp. 23-31, 137-44
- Overview of Secondary Sources Powerpoint
- Legal Research in a Modern World_Excerpt_Module 3
- Legal Research Methods_demurry_Excerpt_Module 3
- Using TOC and Indexes Powerpoints
Assignment: Assignment 2, Finding & using secondary sources, due **Wednesday, September 7, at 11:59pm.**

Quiz: complete Module 3 quiz on Canvas by **Thursday, September 8 at 3pm.**

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**Module 4**

Friday, September 9  
Finding and using primary sources

**Readings** to be completed before class:

- Scaros_Excerpt_Module 4
- Primary Sources Prezi

Assignment: Assignment 3, Finding & using primary sources, due **Wednesday, September 14, at 11:59pm.**

Quiz: complete Module 4 quiz on Canvas by **Thursday, September 15 at 3pm.**

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**Module 5**

Friday, September 16  
Expanding your research to find additional relevant materials

**Readings** to be completed before class:

- Cases and Digests Powerpoint
- Kunz_Excerpt_Module 5

Assignment: Assignment 4, Expanding your research, due **Wednesday, September 21, at 11:59pm** – you will be using print resources.

Quiz: complete Module 5 quiz on Canvas by **Thursday, September 22 at 3pm.**

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**Module 6**

Friday, September 23  
Updating your research to ensure you are using appropriate sources

**Readings** to be completed before class:

- *Impeccable Research*, pp. 65-68, 103-04
- LR Modern World_Excerpt_Module 6
- Murray_Excerpt_Module 6
- Using Citators handout
Assignment: Assignment 5, Updating your research, due **Wednesday, September 28, at 11:59pm.**

Quiz: complete Module 6 quiz on Canvas by Thursday, September 29 at 9pm.

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**Module 7**

Friday, September 30

Analyzing your research; organizing your research results; answering the question asked

Readings to be completed before class:

- **Impeccable Research**, pp. 69-82, 128-36
- Analyzing research powerpoint

Assignment: no assignment

Quiz: complete Module 7 quiz on Canvas by Thursday, October 6 at 3pm.

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**Core Competency Exam and Exam Review**

The Core Competency Exam is tentatively scheduled for either Tuesday, February 21 or Wednesday, February 22, from 8am to 10am. The exact date and location will be announced in the spring.

If the class would like a review session for the Core Competency Exam, it will be held the week before the exam. I will poll the class in the spring to determine interest

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**Final Exam and Exam Review**

The final exam is tentatively scheduled for the weekend of March 10-March 12. You will choose an eight-hour time period during that weekend to complete the exam. More details will come in the spring semester.

If the class would like a review session for the final exam, we will hold one the week before the final exam. I will poll the class mid-semester to determine interest.
INDIVIDUAL CLASS STRUCTURE
Each class will follow a similar pattern:

1. Review homework or 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 2017 (specific date and time TBD).

The final exam will be an online, eight-hour take home exam.

CORE COMPETENCIES EXAM: February 2017 (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. The Core Competencies exam is not graded nor is it part of your grade, but you must pass it in order to take the final exam.

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 Wednesday 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. Any work you turn in must have been written by you.

Please see the grading policies and assignments sections below for detailed information about assignments.
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:

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<thead>
<tr>
<th>Component</th>
<th>Fall 2016</th>
<th>Spring 2017</th>
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<tbody>
<tr>
<td>Assignment 1</td>
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<td>Assignment 6</td>
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<tr>
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<td>Assignment 7</td>
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<td>Assignment 10</td>
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<tr>
<td>Participation</td>
<td>5% (over both semesters)</td>
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<td>Quizzes 5% (over both semesters)</td>
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<tr>
<td>Final Exam</td>
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PARTICIPATION AND QUIZZES

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 quiz grade is based on completion of each end of Module quiz by the due date (Thursday before class at 3pm). The quiz grade is not based on performance on the quizzes.

ASSIGNMENTS

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

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.

If you are spending a significant amount of time on an assignment (more than five hours), 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/sccr/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.