# Legal Research Section Y, Spring 2018

Course 5803, section 0292. 1 credit hour, Fall 2017 & Spring 2018

Class location, Spring: Holland Hall 359

Class meeting time, Spring: Thursdays, 9:00am-9:50am

Instructor: Taryn Marks

Holland Hall 175B   
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352-273-0719

Please contact me with any questions, comments, thoughts.

Office Hours: Mondays, 10am−1pm

Tuesdays, 3pm−5pm

Fridays, 4am−12pm

Course Teaching assistants: Marissa de los Reyes (mdelosreyes@ufl.edu)

Sydney Rodkey (srodkey@ufl.edu)

Course Website: https://ufl.instructure.com/courses/343611

Required Text Mark K. Osbeck, Impeccable Research: A Concise Guide to Mastering Legal Research Skills (2d ed. 2015).

## 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. As such, this course aims to introduce you to legal research and to some of its tools and resources. 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 or in the assigned textbook. 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 5pm, you will be docked quiz points.

### Class Schedule

**Module 8**

Thursday, January 11 Review of fall semester; creating a research log

Readings to be completed before class:

* Impeccable Research, pp. 6-12; 95-98; 105-08; 119-21; 195-97
* Spring 2018 Review of fall 2017
* Sample Research Logs

Assignment: Assignment 6, Final exam practice, due **Tuesday, January 16, 11:59pm. No working with others. You will have 3 hours to work on this Assignment**

Quiz: complete Module 8 quiz on Canvas by Thursday, January 11, 9pm.

**Module 9**

Thursday, January 18 Federal secondary sources; Boolean operators

Readings to be completed before class:

* Impeccable Research, pp. 12-21, 137-46, 150-55
* Searching Using Boolean and Natural Language
* Boolean operators in Westlaw and Lexis
* Process of Legal Research\_Kunz\_Module 9

Assignment: Assignment 7, Federal law hypothetical #1, due **Tuesday, January 23, 11:59pm.**

Quiz: complete Module 9 quiz on Canvas by Thursday, January 18, 9pm.

**Module 10**

Thursday, January 25 Federal primary sources; research log review

Readings to be completed before class:

* Impeccable Research, pp. 35-40; 163-69; 174-82
* Federal primary sources and legislation

Assignment: Assignment 8, Federal law hypothetical #2, due **Tuesday, February 6, 11:59pm.**

Quiz: complete Module 10 quiz on Canvas by Thursday, January 25, 9pm.

Thursday, February 1Federal primary sources, part 2; dockets

Readings to be completed before class:

* Federal cases
* Docket Research\_Yale Law School Library
* Using Bloomberg to find dockets
* Introduction to regulations

Assignment: Assignment 8, Federal law hypothetical #2, due **Tuesday, February 6, 11:59pm.**

Quiz: complete Module 11 quiz on Canvas by Thursday, February 1, 9pm.

**Module 12**

Thursday, February 8 Expanding your research to find additional relevant materials

Readings to be completed before class:

* Impeccable Research, pp. 61-65; 99-103; 113-132
* Expanding in Westlaw and Lexis review
* Power expanding

Assignment: Assignment 9, Create your own hypothetical & Assignment 10, Presenting research results, due **Tuesday, February 20, 11:59pm (Assignment 9) & Thursday, February 22, 9am & 9pm (Assignment 10). You must meet with me between February 8 and February 14.**

Quiz: complete Module 12 quiz on Canvas by Thursday, February 8, 9pm.

**Module 13**

**Monday, February 12, 10-10:50am, HOL359** Updating your research; analyzing & organizing

Readings to be completed before class:

* Impeccable Research, pp. 65-81; 103-04; review pp. 195-98
* Updating in Westlaw and Lexis review
* Power updating

Assignment: Assignment 9, Create your own hypothetical & Assignment 10, Presenting research results, due **Tuesday, February 20, 11:59pm (Assignment 9) & Thursday, February 22, 9am & 9pm (Assignment 10). You must meet with me between February 8 and February 14.**

Quiz: complete Module 13 quiz on Canvas by Monday, February 12, 9pm.

**Module 14**

Thursday, February 22 Presenting research results

Readings to be completed before class:

* None. Assignment 10 is due in class.

Assignment: Assignment 9, Create your own hypothetical & Assignment 10, Presenting research results, due **Tuesday, February 20, 11:59pm (Assignment 9) & Thursday, February 22, 9am & 9pm (Assignment 10).**

Quiz: complete Module 14 quiz on Canvas by Thursday, February 22, 9pm.

### Individual Class Structure

Each class will follow a similar pattern:

* 1. Lesson on specific topic.
  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: Friday–Sunday, March 16–18, 2018

The final exam will be an online, eight-hour take home exam. You will choose an eight-hour time period during that weekend to complete the exam. More details will come later in the semester. If the class would like a review session for the final exam, I will hold one on Tuesday, March 13, 3pm-4pm, HOL 285B.

Core competencies Exam: Tuesday, February 27, 2018, 3:30pm.

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. If the class would like a review session for the Core Competency Exam, I will hold one on Thursday, February 22, 12pm-1pm, HOL 359.

## 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. It is anticipated that you will spend approximately 2 hours out of class doing assignments for every 1 hour in 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.

### 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:

**Assignments:** 50% (25% for the fall assignments, 25% for the spring assignments)

**Participation:** 5%

**Quizzes**: 5%

**Final exam**: 40%

### 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 after class by 9pm). 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. 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.

**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 three 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.

I adhere to the law school’s mean and mandatory distributions and posted grading policies. I will assign a letter grade at the end of the semester. Per the College of Law, letter grade and point equivalents are as follows: A (4.0); A- (3.67); B+ (3.33); B (3.0); B- (2.67); C+ (2.33); C (2.0); C- (1.67); D+ (1.33); D (1.0); D- (0.67); E (0.0). Please see me for questions.

## 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. These plans may need to change to enhance the class learning opportunity.  Such changes, communicated clearly, are not unusual and should be expected.