Legal Research 5803 Section S
FALL 2018 Syllabus

Class Schedule
Class meeting time: Fridays, 9:00-9:50 a.m.
Class location: MLAC 209

1 credit (for both semesters combined)

Instructor
Shamika Dalton
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352-273-0702

Office Hours
Tuesday 11:00am-12:00 pm
(or by appointment)

Purpose of the Course
To acquire basic competence in researching Florida and federal law as part of preparation for future success in law school and the professional practice of law.

Course Website
All course materials are accessible on Canvas at https://ufl.instructure.com/courses/355170.

Textbook
Mark K. Osbeck, Impeccable Research: A Concise Guide to Mastering Legal Research Skills (2d. ed. 2016).

Course Objectives
The aim of this course is to introduce students to the basic principles of legal research. Students will learn how to formulate a research plan; identify and consult secondary legal materials; interpret legal citations; locate, expand, and update relevant primary legal materials; and assess research progress to determine next steps. For a more detailed discussion of the goals and learning objectives for the course, please see Appendix A attached hereto.

Course Schedule
Legal Research is a two semester course, spanning the Fall 2018 and Spring 2019 semesters. There will be seven classes in the Fall and seven classes in the Spring. The two semesters taken together are worth one credit hour.

Grading
The components of the final grade for the course are as follows:

Assignments (55%)   Final Exam (40%)   Attendance/Participation (5%)

The final grade for the course will be given at the end of the Spring semester. During the semester, students will receive grades for assignments, as well as for class participation; these grades will be computed into the final grade for the course. Per law school policy, this class will be graded on a curve. The curve will not be applied until the end of the Spring semester, after completion and grading of all work. Information on current College of Law grading policies for

assigning grade points can be found at: https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current%20students/academic-policies and below:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

Assignments
Assignments will be posted on the course website (under the "Assignments" tab) after class. The due date for each assignment is **9:00 a.m. the Wednesday following class**. **Students must work individually on assignments.** Assignments submitted after the due date will receive feedback, but will only be eligible for half-credit.

Class Preparation
ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every "classroom hour" of in-class instruction. Accordingly, you will have about 10-15 pages of reading each week, including readings in your textbook and PowerPoint presentations, plus time spent completing out-of-class assignments. It is anticipated that you will spend approximately two hours out of class reading, preparing for in-class exercises, and completing out-of-class assignments and quizzes for every one hour in class.

Final Exam
The final exam is an essay exam that will test your ability to synthesize the skills you learned and apply them to a hypothetical situation. It will be graded anonymously on a curve. The final exam will become accessible at **8:00 a.m. on Friday, March 15, 2019 (tentative), and will close at 11:59 p.m. on Sunday, March 17, 2019** (tentative). You will have **a maximum of eight hours** to complete the exam once you have gained access.

Core Competencies Assessment
The core competencies assessment is a pass/fail measurement of skills that all students must possess to successfully complete the course. The tentative date for the exam is the **week of February 25th, 2019**. Students will have two hours to complete the exam. The results of this assessment will *not* be incorporated into your final grade. However, you *must* successfully pass this assessment to take the final exam and to receive credit for the course. The core competencies assessment tests the following nine (9) core competencies:

1. The ability to interpret contemporary legal citations (the ability to identify a citation and its jurisdiction);
2. Given a legal citation to contemporary U.S. statutes and case law, the ability to find the full text of the case or statute;
3. Given a statute, the ability to use annotated statutes to find cases interpreting the statute;
4. Given a case, the ability to determine whether a holding in a specific case is still good law;
5. Given a legal topic, the ability to identify secondary sources that would prove valuable in researching that topic;
6. Using the Topic & KeyNumber and Headnote systems, the ability to search for a case in a specific jurisdiction;
7. The ability to create a research plan;
8. The ability to find dockets, briefs, complaints, etc.; and
9. Knowledge of legal information finding tools and methods (e.g., terms and connectors searching, natural language searching, indexes, annotations, and legal classification systems such as headnotes) and the ability to identify their strengths and weaknesses.

Participation

The participation grade is determined by attendance, preparation for class, participation in class, and overall effort to complete the weekly assignments, including contacting the instructor when encountering difficulties with the assignment.

Attendance

Attendance will be taken at the beginning of each class. Missing 3 or more classes without prior notice to the instructor will result in referral to Student Affairs. Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with University policies that can be found at:
https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx.

Fall 2018

Class Schedule	Topics	Assignments
Week 1	▪ Introduce course website ▪ Review syllabus	
Week 2	▪ Assign research partners ▪ Formulate a Research Plan	**Before Class** ▪ Read Osbeck pgs. 5-16. ▪ Review the "Step 1: Formulate a Research Plan" PowerPoint located in the "Modules" tab of the course website under the "Formulate a Research Plan" module. ▪ Watch this YouTube video explaining the concept of precedence: http://youtu.be/QOfTQ6va4U0

		Assignment Complete the "Fall 2018-Research Plan" assignment located in the "Assignments" tab of the course website.
Week 3	▪ Consult Secondary Sources	**Before Class** ▪ Read Osbeck pgs. 17-27,109-111. ▪ Review the "Step 2: Consult Secondary Sources" PowerPoint located in the "Modules" tab of the course website under the "Consult Secondary Sources" module. ▪ Watch the video tutorials located in the "Modules" tab of the course website under the "Consult Secondary Sources" module. **Assignment** Complete the "Fall 2018-Secondary Sources" assignment located in the "Assignments" tab of the course website.
Week 4	▪ Find Primary Sources (Statutes & Cases)	**Before Class** ▪ Read Osbeck pgs. 28-37, 40-43, 125-130, 137-138. ▪ Review the "Step 3: Find Primary Sources" PowerPoint located in the "Modules" tab of the course website under the "Find Primary Sources" module. ▪ Watch the video tutorials located in the "Modules" tab of the course website under the "Find Primary Sources" module. **Assignment** Complete the "Fall 2018-Find Primary Sources" assignment located under the "Assignments" tab of the course website.
Week 5	▪ Expand Case Law Research through Digest/Headnote Systems	**Before Class** ▪ Read Osbeck pgs. 47-51, 119-122. ▪ Review the "Step 4(a): Expand Your Research" PowerPoint located in the "Modules" tab of the course website under the "Expand Your Research" module. ▪ Watch the video tutorials located in the "Modules" tab of the course website under the "Expand Your Research" module. **Assignment** Complete the "Fall 2018-Expand Your Research" assignment located under the "Assignments" tab of the course website.
Week 6	▪ Update Case Law Research through Citator Services	**Before Class** ▪ Review Osbeck pgs. 51-53, 122-124.

		▪ Review the "Step 4(b): Update Your Research" PowerPoint located in the "Modules" tab of the course website under the "Update Your Research" module. ▪ Watch the video tutorials located in the "Modules" tab of the course website under the "Update Your Research" module. **Assignment** Complete "Fall 2018-Citator Services" assignment located under the "Assignments" tab of the course website.
Week 7	▪ Assess Research Progress	**Before Class** ▪ Read Osbeck pgs. 54-63. ▪ Review the "Step 5: Analyze & Organize Your Research" PowerPoint located in the "Modules" tab of the course website under the "Analyze & Organize" module.

University of Florida Policies

University Policy on Accommodating Students with Disabilities
Students requesting accommodation for disabilities should register first with the Office of the Dean of Students (https://www.dso.ufl.edu/drc/). The Office of the Dean of Students will provide documentation to the student who then must provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking quizzes or exams. Because accommodations are not retroactive, students should contact the Office of the Dean of Students as soon as possible in the semester for which they are seeking accommodation.

University Policy on Academic Misconduct
UF students are bound by The Honor Pledge, which states: "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: 'On my honor, I have neither given nor received unauthorized aid in doing this assignment.'" The Honor Code (https://sccr.dso.ufl.edu/students/student-conduct-code/) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilities academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor.

University Policy on Course Evaluation
Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at https://evaluations.ufl.edu. Evaluations typically are open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at: https://evaluations.ufl.edu/results/.

Getting Help

For technical difficulties with E-learning in Canvas, please contact the UF Help Desk at:

- helpdesk@ufl.edu
- (352) 392-HELP
- http://elearning.ufl.edu/ (See "Message Us" at the top)

Other resources are available at http://www.distance.ufl.edu/getting-help for counseling and wellness, disability resources, student complaints, and library help desk support.

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.

<center>**Appendix A**</center>
<center>**Course Goals and Learning Objectives**</center>

Course Goals

Goal 1: Understand the principles of legal research

    A.   Recognize the structure of sources and their means of availability
    B.   Backtrack a citation by examining its structure
    C.   Focus on solving the legal question asked

Goal 2: Understand the process of legal research

    A.   Develop the habit of cyclically researching
    B.   Implement the five steps of legal research automatically
    C.   Apply the principles of legal research to efficiently locate an answer

Goal 3: Apply your knowledge to any legal research question using any database or resource

Goal 4: Demonstrate mastery of the Core Competencies

Course Learning Objectives

Goal 1: Understand the principles of legal research

    A.   Recognize the structure of sources and their means of availability
        1.   Understand a case:
            a.   Identify each part of a case (regardless of the database) with 100% accuracy.
            b.   Use headnotes/citing references/footnotes/KeyNumbers to expand a case. Demonstrate how to navigate to each of these tools (within and outside of a case), explain what each tool contains, and analyze the pros and cons of each.
            c.   Use headnotes/citing references/KeyNumbers/Shepard's to update a case. Analyze later-in-time statutes or cases to determine whether a case is still good law, explain the meaning of the different signals, demonstrate the process for updating a case, and justify the importance of updating.
        2.   Understand a statute:
            a.   From a statute text, label each part of the statute. Explain the difference between an annotated and an unannotated statute. Identify a statute's history and explain what happened to the statute from passage to most recent amendment.
            b.   Use citing references/notes of decision/Table of Contents (TOC) to expand a statute. Demonstrate how to navigate to each of these tools and

what each contains (including overlap between them). Explain why expanding a statute is important, and examine each means of expansion and reflect on when is best to use each one.

    c. Navigate to the TOC/index of a statute. Demonstrate how to find a statute section using either method; and reflect on when TOC/index/search should be used and why specific instances would dictate use of one method over the others.

    d. Use Keycite/Shepard's to update a statute, determining whether a statute is still good law, explaining the meaning of the signals, analyzing the cases/statutes to determine whether the statute still applies, and demonstrating how to find what changed in a statute through an amendment.

3. Understand a regulation
    a. Explain what a regulation is and where to find them.
    b. When given a regulation, determine enacting statute and agency.
    c. Develop a set of search, expansion, and updating tools for regulations that can be used in a research problem to locate a relevant regulation.

4. Understand secondary sources
    a. Explain what a secondary source is, where to find, and the difference between general and specific secondary sources.
    b. Compare searching broadly for a secondary source with searching within a secondary source using the TOC/index to locate a relevant section
    c. Analyze when and under what circumstances each method would be most useful, including the pros and cons of searching v. browsing.
    d. Identify the typical parts of a secondary source and demonstrate how to navigate from a secondary source to a primary source. Compile a list of the top secondary sources available for Florida research.
    e. Explain good and bad ways to use a secondary source and why certain methods are preferred over others.

5. Understand how TOCs and indexes work.
    a. Explain what TOCs and indexes are.
    b. Demonstrate how to navigate to the TOC and/or index of (1) Florida Jurisprudence; (2) a Florida statute; (3) a specific secondary source.
    c. For each source, explain when and why to use the TOC v. the index v. a keyword search.
    d. From a hypothetical, analyze the situation and determine which search method to use, explain why that method was chosen, and demonstrate that method to find relevant secondary sources.

6. Understand generally how different sources are arranged and understand what to do when confronted with a new source.

a. At database level, recognize and remember to look for the help button/tutorial.
b. At source level, recognize and remember to look for the TOC/index and apply knowledge of the differences between them. Use both methods to locate relevant material.
c. Articulate why different search methods may be needed between databases and between different sources within an individual database.

B. Backtrack a citation by examining its structure
   1. Identify the parts of a citation to a statute and to a case.
   2. Explain how to read a case or statute citation and demonstrate how to write a citation from a case or a statute (both state and federal). Navigate to a document (case, statute, or secondary source) from a citation.
   3. Describe when to use F.R.A.P. 9.800 and when to use the Bluebook and the differences between the two formats.

C. Focus on solving the legal question asked
   1. Compile a checklist of common mistakes/important details to remember when performing any research problem.
   2. When presented with a research question, identify the precise issue. When researching, analyze your research to see if you are working towards an appropriate answer and to determine if you are lost in research tangents.

Goal 2: Understand the process of legal research

A. Develop the habit of cyclically researching
   Remember that research is cyclical.

B. Implement the five steps of legal research automatically
   1. Recite the 5 steps of legal research and summarize the goal and reason for each step.
   2. Apply the five steps to research process
      a. Create a research plan and always return to the research plan to reflect on your progress.
      b. Judge which secondary source is the best place to start your research.
      c. Navigate from a secondary source to a primary source, selecting a statute first and explaining why and how to do so.
      d. Utilize the expansion tool to find more relevant sources.
      e. Determine when to update, and understand and apply knowledge of updating to a research problem.

f. Integrate analysis of research process as you conduct your research; always reflect on what you are supposed to be researching and what you have found.

3. Analyze the 5 steps, determining what is needed, which step should start your research, and research and locate the answer using a thoughtful process.

C. Apply the principles of legal research to efficiently locate an answer
1. Demonstrate how to filter a search to find a statute or case within a specific jurisdiction. Craft search terms to find a statute or case on a certain topic and run the search. Analyze the results of the search for relevancy. Do the same with a secondary source.
2. Create folders or logs of your research to keep track of search terms, filters used, and sources found.
3. Analyze cases as you find them for relevancy. Circle back to the research problem to clarify what you are looking for.

Goal 3: Apply your knowledge to any legal research question using any database

A. Apply the legal research steps and process.
B. Check for and use the help materials and tutorials on any new database, system, resource.
C. Ask for help when you need it.

Goal 4: Demonstrate mastery of the Core Competencies

Pass the Core Competencies Assessment in the Spring.