

ADVANCED LEGAL RESEARCH SYLLABUS FALL 2018

COURSE: Advanced Legal Research, 2 credit hours
Class location: Holland Hall 359
Class meeting time: Thursdays, 9:00am-10:40am

PROFESSOR: Taryn Marks
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352-273-0719

Please contact me with any questions, comments, thoughts.

OFFICE HOURS: Tuesdays, 1-2pm
Thursdays, 3-4pm
Fridays, 12pm-2pm
By appointment

COURSE SITE: <https://ufl.instructure.com/courses/354433>

TEXTBOOK: None. All readings/homework will be posted on the course site.

COURSE PURPOSE, LEARNING OBJECTIVES, AND EXPECTATIONS

COURSE PURPOSE & GOALS

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.

The purpose of this course is to broaden your knowledge of the databases, sources, and primary materials that you may encounter during your legal career. Each week, we will examine different research topics through the lens of a new database.

The course learning objectives are: (1) students will create methods for research using new and unfamiliar databases and sources of information, by conducting a database review and utilizing several unfamiliar databases to research problems; and (2) students will demonstrate an understanding and familiarity with several types of primary and secondary sources, from a variety of discrete legal areas, by identifying when those sources should be used to address a legal problem,

and by utilizing those sources and different methods to locate and analyze those materials to solve a research problem.

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.
- Keep track of the time you spend on assignments using a billable hour format.
- Be curious and eager to learn about 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, the readings due that week in class, any in-class exercises that were done that week, any Assignments (and Assignment answer keys), and any additional resources.

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. Specific information about the books from which the readings are taken are posted on Canvas.

DATABASE PRESENTATION

In each class, we will examine the topic through the lens of a different database. For each database, one or two students will be assigned to explore the database, answer additional questions about the database, and then briefly discuss the database during the class session. Written answers to the additional questions will be due on Wednesdays at 12pm, the day before the scheduled database presentation in class. Database assignments and the questions are posted on Canvas. I will demonstrate what I expect in the first class; I will also post a recording to Canvas.

Your written review and oral presentation will count for 10% of your final grade in this class.

CLASS SCHEDULE

Module 1 Thursday, August 16 **Introduction and Review**

Readings to be completed before class:

- Syllabus, assignment guidelines, database assignments
- Fundamentals of LR, pp. 9-10, 16-25
- Svengalis, pp. 22-23

Database examined: Cornell LII

Module 2 Thursday, August 23 **Statutes and Legislative History**

Readings to be completed before class:

- LR Methods in a Modern World, pp. 104-07
- Fundamentals of LR, pp. 167-75, 179-83
- Statute and legislative history handout

Database examined: Congress.gov & ProQuest Congressional

Module 3 Thursday, August 30 **Statutes and Legislative History, part 2**

Readings to be completed before class:

- Constantine, pp. 20-23
- Guide to Florida LR, pp. 2-7, 2-9, 2-14-2-16, 2-17-2-18

Database examined: FL Senate Archives

Assignment: Assignment 1, Statutes, Administrative Law, and Regulations, posted on Canvas. Due **Friday, September 14, at 3pm.**

Module 4 Thursday, September 6 **Administrative Law: Overview and Federal Regulations**

Readings to be completed before class:

- Process of Legal Research, pp. 320, 322-23, 326, 331-32
- LR Methods in a Modern World, pp. 125-30
- Environmental Information: Research, Access & Environmental Decisionmaking, pp. 14-21, 46-48

Database examined: GovInfo; regulations.gov

Assignment: Continue working on Assignment 1, due **Friday, September 14, at 3pm.**

Module 5 Thursday, September 13 **Administrative Law: Decisions & Other
Administrative Law Sources**

Readings to be completed before class:

- Process of LR, pp. 348-49, 355, 357, 359, 363
- Fundamentals of LR, pp. 267-72

Database examined: flrules.org; nlr.gov (Cases & Decisions); EPA website

Assignment: Assignment 1 due **Friday, September 14, at 3pm.**

Module 6 Thursday, September 20 **A Wide Range of Secondary Sources**

Readings to be completed before class:

- Fundamentals of LR, pp. 383-85, 389, 393-410
- Svengalis, pp. 29-46
- Basic LR, pp. 29-31; skim 36, 38-40

Database examined: HeinOnline; LegalTrac

Assignment: Assignment 2, Business Law Research, posted on Canvas. Due **Friday, October 5, at 3pm.**

Module 7 Thursday, September 27 **Business Law Research**

Readings to be completed before class:

- Legal Reasoning, pp. 353-55
- Business Law Research: Public companies powerpoint

Database examined: Hoover's; Business Essentials; Edgar

Assignment: Continue working on Assignment 2, due **Friday, October 5, 3pm.**

Module 8 Thursday, October 4 **Business Law and People Research**

Readings to be completed before class:

- Business Law Research: Private companies presentation
- Just Research, pp. 279-81, 286, 288, 291, 293-94, 296, 298, 300, 304

Database examined: MarketLine; Bloomberg Law's Corporate Practice Center

Assignment: Assignment 2 due **Friday, October 5, 3pm.**

Module 9 Thursday, October 11 **Municipal Law**

Readings to be completed before class:

- Where the Law Is, pp. 232-37
- Fundamentals of LR, pp. 229-30

Database examined: Municode

Assignment: Assignment 3, Municipal Law & Free Databases, posted on Canvas. Due **Friday, October 26, 3pm.**

Module 10 Thursday, October 18 **Free and Low Cost Databases, Online Literacy, and Online Searching**

Readings to be completed before class:

- Fundamentals of LR, pp. 538-49
- TBD

Database examined: Fastcase and Casemaker

Assignment: Continue working on Assignment 3, due **Friday, October 26, 3pm.**

Module 11 Thursday, October 25 **Foreign, Comparative, and International Law Research**

Readings to be completed before class:

- LR Methods in a Modern World, pp. 1-6, 10-11, 36, 38, 43-48, 349-54, 357-62, 364-67
- Where the Law Is, pp. 219-222, 226-27

Database examined: Globalex; Foreign Law Guide; UN.org and Europa.eu

Assignment: Assignment 3 due **Friday, October 26, 3pm.**

Module 12 Thursday, November 1 **Advanced Case law, Digests, Citators, and Finding Aids**

Readings to be completed before class:

- Digest powerpoint
- Index, TOC handout
- LR Methods in a Modern World, pp. 139-41, 151-54
- Where the Law Is, 123-25
- Fundamentals of LR, pp. 89-92, 114-15

Database examined: Ravel Law and Google Scholar

Assignment: Assignment 4, Florida Research, posted on Canvas. Due **Friday, November 16, 3pm.**

Module 13 Thursday, November 8 **Litigating in Florida: Forms, Complaints, Rules, Procedures, Dockets, and More**

Readings to be completed before class:

- Process of LR, pp. 379-82, 390-91, 394, 396
- Sample complaints, briefs, and forms
- TBD

Database examined: flcourts.org, Florida Law Weekly

Assignment: Continue working on Assignment 4 due **Friday, November 16, 3pm.**

Module 14 Thursday, November 15 **Professional Responsibility, Keeping Up, and New Technology for Legal Research**

Readings to be completed before class:

- Process of LR, pp. 400-01, 403, 408-09, 412, 415
- Where the Law Is, pp. 209-16

Database examined: aba.org; law.duke.edu/lib/researchguides/legale/

Assignment: Assignment 4 due **Friday, November 16, 3pm.**

Final Project

The final project will be to create your own law library for your new law firm. It will be due the first day of final exams.

For this project, you will be given a budget for the new law firm that you are creating with 2 other law graduates. You will first decide the practice area of your law firm. Then, taking what you've learned in class, you will select secondary sources, primary sources, and online database(s) to create the law library for your law firm, staying within your budget and justifying your decisions to the other partners.

More details about the final project will be distributed later in the semester.

COURSE POLICIES

GRADING POLICIES

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

Assignments: 50% (12.5% per assignments)

Participation: 5%

Time tracking: 5%

Database Review: 10%

Final Project: 30%

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.

All assignments will be graded based on a rubric, which will be available with the assignment.

GRADING SCALE

Per law school policy, this class will be graded on a curve. I do not apply the curve until the end of the 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.

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.

PARTICIPATION

Your participation grade will be based on your attendance, preparation for class (including contacting me with any questions), and active engagement in class and during the in-class exercises.

TIME TRACKING

You will need to keep track of any time that you spend reading, working as assignments, time in class, meetings with me, etc., using a spreadsheet or time tracking app that you will upload to Canvas every week. This will get you in the habit of keeping track of your time, an essential aspect of being an attorney. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

I will post directions and an example spreadsheet on Canvas. You will start keeping track of your time starting 9am on Thursday, August 16; you will post your weekly time tracking sheet to Canvas by 12pm each Thursday, with the first due Thursday, August 23.

ASSIGNMENTS

You will have four assignments over the course of the semester. All assignments must adhere to the Assignment Format and Policies, posted on the Canvas site under the Assignment tab.

Assignment Details

Assignments will be posted on the course website. Each assignment will explain the learning objectives so that you know what I expect you to learn from the assignment.

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, individually-written assignments. Any work you turn in must have been written by you.

Read the directions and the questions carefully, as they make clear what I want from your assignment, thus helping you earn a higher grade. Also consult the grading rubric. Note that the points available on an assignment do not correspond to the assignment's weight.

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 having trouble completing an assignment, come to office hours or make an appointment with me to talk about it.

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.

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.