Legal Research
LAW 5803, Section 2B
Fall 2021 Syllabus
** subject to change **

Instructor
Patricia Morgan
Holland Hall - 184L
morganp@law.ufl.edu
(352) 273-0710

Class Schedule
Fridays, 1:15 p.m. – 2:25 p.m.
Holland Hall - Room 270

Office Hours
Monday, 11:00-12:00 (noon)
Thursday, 1:00-2:00

Course Canvas Page
All course materials are accessible on Canvas at: https://ufl.instructure.com/courses/433554

Textbook
Kent C. Olson, Aaron S. Kirschenfeld & Ingrid Mattson, Principles of Legal Research (3d ed. 2020); available through our West Academic Study Aids subscription (subscription.westacademic.com – need to register while on campus in order to access material off campus)

Course Objectives
The aim of this course is to introduce students to the basic principles of legal research. Students will develop legal research skills by learning how to formulate a research plan; identifying and consulting secondary legal materials; interpreting legal citations; locating, expanding, and updating relevant primary legal materials; and assessing research progress to determine next steps. Students will be able to effectively research and communicate the results of their research. For a more detailed discussion of the goals and learning objectives for the course, please see attached Appendix A.

Course Schedule
Legal Research is a fall semester course. We will meet for 10 classes in total. The course is worth one-credit hour.

Grading
The components of the final grade for the course are listed below:

<table>
<thead>
<tr>
<th>Component</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homework Assignments (8)</td>
<td>20%</td>
</tr>
<tr>
<td>Midsemester Essay</td>
<td>10%</td>
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<tr>
<td>Midsemester Multiple Choice Quiz</td>
<td>5%</td>
</tr>
<tr>
<td>Word Training via OTT</td>
<td>5%</td>
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<tr>
<td>Participation</td>
<td>5%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>55%</td>
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</tbody>
</table>
Per law school policy, this class will be graded on a curve. Points received for assignments during the semester represent raw scores only. 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-students/uf-law-student-handbook-and-academic-policies](https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies) and below:

<table>
<thead>
<tr>
<th>Letter Grade</th>
<th>Point Equivalent</th>
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<tbody>
<tr>
<td>A (Excellent)</td>
<td>4.0</td>
</tr>
<tr>
<td>A-</td>
<td>3.67</td>
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<tr>
<td>B+</td>
<td>3.33</td>
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<tr>
<td>B</td>
<td>3.0</td>
</tr>
<tr>
<td>B-</td>
<td>2.67</td>
</tr>
<tr>
<td>C+</td>
<td>2.33</td>
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<tr>
<td>C (Satisfactory)</td>
<td>2.0</td>
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<tr>
<td>C-</td>
<td>1.67</td>
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<tr>
<td>D+</td>
<td>1.33</td>
</tr>
<tr>
<td>D (Poor)</td>
<td>1.0</td>
</tr>
<tr>
<td>D-</td>
<td>0.67</td>
</tr>
<tr>
<td>E (Failure)</td>
<td>0.0</td>
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</tbody>
</table>

**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 reading each week, from your textbook and other sources that will be posted on the course Canvas page. Additionally, you should review the PowerPoints posted on the course Canvas page and watch all of the assigned instructional videos. It is anticipated that you will spend approximately two and ½ hours out of class each week on reading, reviewing PowerPoints, watching videos, preparing for in-class exercises, and completing out-of-class assignments.

**Homework Assignments**  
Homework assignments will be posted on the course Canvas page (under the “Assignments” tab) after class. The due date for each assignment is **11:59 p.m. on the Tuesday following class.** Full credit for assignments will be given to those who demonstrate a good faith effort. A good faith effort includes fully responding to all questions and turning in assignments on time. Cursory responses to questions that ask for an explanation will be penalized. Late assignments will be graded beginning at 75% the available points, unless prior permission has been received from the instructor for an excused exception. Completion of the 8 homework assignments is worth 20% of the final grade. **Students must work individually on homework assignments.**
**Mid-semester Essay**
The mid-semester essay is worth 10% of the final grade and will be graded to provide students with feedback about what to expect on the final exam. This essay will require students to independently research a fact pattern, explain their research process, and provide an answer to the legal questions posed by the fact pattern.

**Mid-semester Multiple Choice Quiz**
The multiple-choice quiz is worth 5% of the final grade and will be graded to provide students with feedback about what to expect on the final exam. This quiz will consist of 20 multiple choice questions.

**Office Technology Training for Law Students**
In order to ensure that all UF Law students meet basic technology competency standards, you will be required to complete the Word 2019 path of NSLT’s Office Technology Training. Full credit for the assessments will be given to those who complete the assessments by 11:59 pm on Thursday, **November 4, 2021**. Completion of the Word 2019 Path is worth 5% of the final grade. Additional information about this assignment will be provided during class.

**Final Exam**
The final exam is a take-home exam that consists of multiple-choice questions and essays. The multiple-choice questions will test:

1. Your knowledge of the five-step legal research process, including identifying the steps, the actions taken in each step, and the proper order of the steps;
2. Your knowledge of the jurisdictional authority of the federal and state courts, respectively;
3. Your knowledge of the structure of the federal and Florida court systems;
4. Your ability to recognize proper citation formats for cases, statutes, and regulations (federal and Florida), and to identify publication and jurisdiction from a citation;
5. Your understanding of the meaning of “primary source” and “secondary source” in the context of legal research, and your ability to identify whether a given resource is a primary or secondary source;
6. Your understanding of the documents involved in the legislative process (federal and Florida) and their sequence, from bill through annotated code, including the ability to identify specific publications and what is contained in them;
7. Your ability to interpret the history of a statute (federal and Florida);
8. Your ability to identify the publications in which federal and Florida regulations are published and what is contained in them;
9. Your familiarity with the features of Westlaw Edge and Lexis+ (e.g., finding aids, annotations, filters, citators), including what happens when you click on a given tab, link, or symbol, and what different symbols mean;
10. Given a case (federal or Florida) and citator information about it, the ability to identify any negative treatment and the consequences of such treatment, and what jurisdictions are bound by the decision;
11. Your knowledge of strengths and weaknesses of different legal information finding tools and methods (e.g., terms and connectors searching, natural language searching, indexes, annotations, and legal classification systems such as headnotes);
12. Your knowledge of Boolean (i.e., terms-and-connectors) search commands and how to make a search broader or narrower;
13. Your knowledge of the difference between court rules of general applicability and specific court rules;
14. Your knowledge of the meaning of “municipal law” and where Florida municipal law can be found; and
15. Your knowledge of what a docket is and what information is included on a docket.

The essay portion of the exam 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 be accessible at 3:00 p.m. on Friday, November 5, 2021 (tentative) and will close at 11:59 p.m. on Sunday, November 7, 2021 (tentative). You will have a maximum of eight hours to complete the exam once you have gained access. The law school policy on exam delays and accommodations can be found at https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form.

**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. Repeated lack of preparedness or participation, including not working on/participating in in-class exercises, will impact your participation grade.

**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. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school’s policy on attendance can be found here.

**Office Hours**
Office Hours will be held on Mondays from 11:00 a.m. to 12:00 noon and Thursdays from 1:00 p.m. to 2:00 p.m. I will be available both in-person and via Zoom during my office hours. If you wish to use Zoom, the meeting link for office hours is: https://ufl.zoom.us/j/7619375039. Please email me to set up other times to meet either via Zoom or in-person.
<table>
<thead>
<tr>
<th>Class Schedule/Topics</th>
<th>Before Class</th>
<th>Homework Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Week 1</strong> Aug. 27</td>
<td></td>
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<tr>
<td><strong>Introduction</strong></td>
<td>Review Course Canvas Page</td>
<td>Complete Homework Assignment #1 – Jurisdiction by 11:59 p.m. Tuesday, August 31</td>
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<tr>
<td></td>
<td>Review Syllabus</td>
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<td></td>
<td>Register for West Academic Study Aids</td>
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<td></td>
<td>Collection access</td>
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<td></td>
<td>Read Olson, pp.1-5</td>
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<td></td>
<td>Go to the Week 1 module in Canvas:</td>
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<tr>
<td></td>
<td>1. Review the Welcome to Course PowerPoint</td>
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<td></td>
<td>2. Watch <a href="#">State and Federal Jurisdiction</a> [5:25] (Link to external site opens in a new tab.)</td>
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<td></td>
<td>3. Watch <a href="#">Structure of the Court System</a> [6:58] (Link to external site opens in a new tab.)</td>
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<td>4. Watch Florida Bar Association <a href="#">Know Your Court System</a> [2:17] (Link to external site opens in a new tab.)</td>
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<td>5. Watch <a href="#">Binding and Persuasive Authorities (Stare Decisis)</a> (Link to external site opens in a new tab.)</td>
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<td>6. Complete Getting to Know You form at <a href="#">https://tinyurl.com/4vxkw7ae</a></td>
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<tr>
<td><strong>Week 2</strong> Sept. 3</td>
<td>Read Olson, pp. 9-30.</td>
<td>Complete Homework Assignment #2 – Formulating a Research Plan by 11:59 p.m. Tuesday, September 7</td>
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<tr>
<td><strong>Formulating a Research Plan</strong></td>
<td>Go to the Week 2 module in Canvas:</td>
<td></td>
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<td></td>
<td>1. Review the Class 2 PowerPoint</td>
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<td>2. Watch assigned videos</td>
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<td><strong>Week 3</strong> Sept. 10</td>
<td>Read Olson, pp. 31-32; 34-41; 57-70</td>
<td>Complete Homework Assignment #3 - Secondary Sources by 11:59 p.m. Tuesday, September 14</td>
</tr>
<tr>
<td><strong>Using Secondary Sources</strong></td>
<td>Go to the Week 3 module in Canvas:</td>
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<tr>
<td></td>
<td>1. Review the Class 3 PowerPoint</td>
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<td></td>
<td>2. Watch assigned videos</td>
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<tr>
<td><strong>Week 4</strong> Sept. 17</td>
<td>Read Olson, pp. 99-140</td>
<td>Complete Homework Assignment #4 - Primary Sources: Statutes by 11:59 p.m. Tuesday, September 21</td>
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<tr>
<td><strong>Finding and Using Statutes</strong></td>
<td>Go to the Week 4 module in Canvas:</td>
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<td></td>
<td>1. Review the Class 4 PowerPoint</td>
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<td></td>
<td>2. Watch assigned videos</td>
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</tbody>
</table>
| Week 5  | Sept. 24 | Finding and Using Case Law  
Expanding Case Law  
Research through Digest/Headnote Systems | Read Olson, pp. 255-325  
Go to Week 5 module in Canvas:  
1. Review the Class 5 PowerPoint  
2. Watch assigned videos | Complete Homework Assignment #5  
- Primary Sources: Cases by 11:59 p.m. Tuesday, September 28 |
|---|---|---|---|---|
| Week 6  | Oct. 1 | Expanding and Updating Case Law  
Analyzing and Organizing Your Results | Read Olson, pp. 326-334; 342-349  
Go to Week 6 module in Canvas:  
1. Review the Class 6 PowerPoint  
2. Watch assigned videos | Complete Homework Assignment #6 by 11:59 p.m. Tuesday, October 5  
Complete the Midsemester Essay by 11:59 p.m. Tuesday, October 12 |
| Week 7  | Oct. 15  
(NO CLASS OCT. 8) | Terms & Connectors v. Natural Language Searching  
Additional Secondary Sources | Read Olson, pp. 46-56, 336-341  
Read Lexis’ Search Commands and Connectors  
Read Westlaw’s Terms and Connectors Searching  
Go to Week 7 module in Canvas:  
1. Review the “Terms & Connectors v. Natural Language Searching; Additional Secondary Sources” PowerPoint  
2. Watch assigned videos | Complete the Multiple-Choice Quiz by 11:59 p.m. Tuesday, October 19 |
| Week 8  | Oct. 22 | Administrative Law: Florida and Federal Regulations | Read Olson, pp. 205-227  
Read A Primer on Florida’s Administrative Procedure Act, pp. 1-13  
http://www.japc.state.fl.us/Documents/Publications/PocketGuideFloridaAPA.pdf  
Go to Week 8 module in Canvas:  
1. Review the Administrative Law PowerPoint  
2. Watch assigned videos | Complete Homework Assignment #7 by 11:59 p.m. Tuesday, October 26 |
Week 9
Oct. 29
Court Rules, Dockets, and Municipal Law

Read Olson, pp. 349-364, 248-251

Go to Week 9 module in Canvas:
1. Review the Court Rules and Dockets PowerPoint
2. Watch assigned videos

Complete Homework Assignment #8 by 11:59 p.m. Tuesday, November 2

Week 10
Nov. 5
Review

Go to Week 10 module in Canvas:
1. Review the Summary and Review PowerPoint

BRING QUESTIONS TO CLASS!

Complete Word 2019 Path of NSLT’s Office of Technology Training by 11:59 p.m.
Thursday, November 4

University of Florida Policies

Request Accommodation
Students requesting accommodations for disabilities must first register with the Disability Resource Center (https://disability.ufl.edu/). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester.

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 specifies a number of behaviors that are in violation of this code and the possible sanctions. Click here to read the Honor Code. Furthermore, you are obligated to report any condition that facilitates 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 professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click here for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via https://ufl.bluera.com/ufl/. Summaries of course evaluation results are available to students here

Recordings
Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1)
for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

**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/](http://elearning.ufl.edu/) (See “Message Us” at the top)

Other resources are available at [https://distance.ufl.edu/getting-help/](https://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.
Appendix A
Course Goals and Learning Objectives

Course Goals

Goal 1: Identify and apply the principles and processes of legal research

Goal 2: Understand the different sources of primary law when conducting legal research

Goal 3: Utilize secondary legal sources to locate relevant primary sources of law

Goal 4: Conduct legal research using subscription-based and free electronic resources

Goal 5: Identify and locate documents generated during litigation in federal and state courts.

Learning Objectives

Goal 1: Identify and apply the principles and processes of legal research

A. Apply the five steps of the research process
   1. Formulate a research plan including framing the legal question, generating key terms / search terms, and determining jurisdiction.
   2. Consult a secondary source to start your research.
   3. Navigate from a secondary source to primary law.
   4. Expand and update your research using headnotes, citing references and citators.
   5. Analyze and organize your research results.

Goal 2: Understand the different sources of primary law when conducting legal research

A. For case law:
   1. Identify the parts of a case law citation and be able to locate an opinion based on a citation.
   2. Understand the jurisdiction of the court issuing an opinion.
   3. Identify different parts of an opinion and understand what portions are citable.
   4. Use headnotes/citing references/KeyNumbers to expand case law research. Demonstrate how to use each tool, explain what each tool contains, and analyze the pros and cons of each.
   5. Use KeyCite/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.
6. Understand when to use F.R.A.P. 9.800 and when to use the Bluebook and the differences between the two formats.

B. For a statute:
   1. Identify the parts of a statutory citation and be able to locate a statute based on a citation.
   2. Identify the different parts of statute.
   3. Explain the difference between an annotated and an unannotated statute.
   4. Identify a statute’s history and be able to explain what happened to the statute from passage to most recent amendment.
   5. Use citing references/notes of decision/Table of Contents (TOC) to expand statutory research. Demonstrate how to use each of these tools.
   6. Use the TOC or 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.
   7. 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 how the statute applies, and demonstrating how to find what changed in a statute through an amendment.
   8. Understand when to use F.R.A.P. 9.800 and when to use the Bluebook and the differences between the two formats.

C. For a regulation
   1. Identify the parts of a regulatory citation and be able to locate a regulation based on a citation.
   2. Understand the regulatory rulemaking process in Florida and at the federal level.
   3. Explain what a regulation is and where to find them.
   4. When given a regulation, determine enacting statute and agency.
   5. Understand when to use F.R.A.P. 9.800 and when to use the Bluebook and the differences between the two formats.

**Goal 3: Utilize secondary legal sources to locate relevant primary sources of law**

A. Understand secondary sources
   1. Identify the parts of a citation to a secondary source and be able to locate a secondary source based on a citation.
2. Explain what a secondary source is, where to find, and the difference between general and specific secondary sources.
3. Compare searching broadly for a secondary source and searching within a secondary source using the TOC/index to locate a relevant section.
4. Demonstrate how to navigate from a secondary source to a primary source.

**Goal 4: Conduct legal research using subscription-based and free electronic resources**

A. 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.
B. 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.

**Goal 5: Identify and locate documents generated during litigation in federal and state courts.**

A. Understand how courts use dockets and understand the general type of documents that can be accessed via dockets.
B. Demonstrate how to locate a federal court or Florida court docket.