

## SYLLABUS

- Course Number:** C511A
- Course Name:** Advanced Legal Research
- Professor:** Gary Hoenig, JD, PhD  
(707) 545-0900
- Abstract:** In depth Study and Application of Advanced Legal Research Techniques, including computer based systems, to practical legal issues.
- Contract:** Times and course sessions may change as the class proceeds. If a student misses a class, the student is responsible for determining whether there has been a change from this syllabus.
- When:** Wednesdays, **6:00 p.m. to 9:00 p.m.**, beginning **January 4, 2012**. Class meets for 3 hour sessions with study weeks at regular intervals.
- Units:** 2 Units. There are 10 class sessions, each being 3 hours. Session 10 is the final project.
- Course Material:** Access to both a Lexis-Nexis and a WestLaw on-line research account is required and is available through the Law School. Course materials consist of readings from the assigned text, tutorials and on-line user's manuals as provided by the various legal database publishers. Other recommended reading materials will be given as appropriate for further clarification of the use of the resources.
- Required Text:** "Fundamentals of Legal Research", 9th Edition, Jacobstein, Mersky & Dunn, Foundation Press, ISBN# 9781599412184.
- Grading:** Pass/Fail
- To obtain a passing grade, students must:
1. Timely complete and submit all Legal Research Assignments as assigned in class. *Points will be deducted for late submittals.*
  2. Complete Research Database Tutorials including Lexis, Westlaw.
  3. Participate in Class. Students are expected to demonstrate improvement of their research skill proficiency through active participation in class discussions and research projects.
  4. Timely submit the Final Research Project and receive a passing grade as defined by the Empire College School of Law School

## 2011-2012 Catalog.

The grade consists of:

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| Class Participation                   | 20% |
| Research Assignments (incl. Mid-Term) | 30% |
| Final Research Project                | 50% |

The Final Research Project consists of five legal research questions, to be researched and documented in Legal Memo format, or a Legal Path Finder. The Final Research Project must be submitted no later than 6:00PM of the day of the scheduled final exam period for the class.

### **Goals:**

Traditional legal research methods and materials have been augmented and, in most situations, improved upon by electronic research tools. Legal research and access to legal materials are now readily accessible in electronic form. Further, the ability to effectively legal research is one of the skills that every competent practitioner must possess. Each student passing this course should have a working knowledge of the fundamental tools of legal research and the process of devising and implementing a coherent and effective research strategy.

### **Methodology:**

The purposes of the class meetings are to introduce various advanced legal research tools, demonstrate the efficient application of legal research to practical examples, explore primary and secondary legal resources, engage students in the research process, develop efficient and effective research skills, share research strategies, and explore legal research materials in various areas of law. When available, guest speakers will present research strategies in specialized areas of law. Assistance will be provided to students during the designated class times.

### **Attendance:**

Regular and punctual attendance is essential for the successful completion of law school and this class. Students should plan to attend every class. Students must attend a **minimum of 80%** of the class hours to be eligible to pass the course. Roll will be taken at each class.

### **Plan:**

Assignments will be given as the course proceeds. If you miss a class you **MUST** make arrangements to receive any assignments given and turn in any assignments due or you may jeopardize credit for that assignment.

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| <b>Week 1</b>  | <b>1/4</b>  | Introduction to Advanced Legal Research. Overview of Legal Materials. Mandatory and Persuasive Legal Authorities. Bring Lexis and Westlaw Username and Password. Activate your Lexis and Westlaw accounts before class. Review the on-line Lexis and Westlaw tutorials before class. Reading: Text: Chapter 1, An Introduction to Legal Research, pp 1-13, Chapter 2, The Legal Research Process, pp 14-20, Chapter 3, Communicating Research Results, pp 21-31. |
| <b>Week 2</b>  | <b>1/11</b> | Boolean Math. Developing Search Strategies. Constructing an effective Boolean search syntax. Legal Citation. Reading: Thamus (Handout), Text: Chapter 23, Electronic Legal Research, pp 518-543, Chapter 24, Legal Citation Form, pp 562-588.  |
| <b>Week 3</b>  | <b>1/18</b> | Boolean vs Natural/Freestyle Language searching. Federal and California Case Research. Reading: Text : Chapter 4, Court Reports, pp 32-47, Chapter 5, Federal Court Reports, pp 48-68, Chapter 6, State Court Reports and the National Reporter System, pp 69-77, Chapter 7, Digests for Court Reports, pp 78-107, Reply to Thamus (Handout).  |
| <b>Week 4</b>  | <b>1/25</b> | Federal and California Legislation. Reading: Text: Chapter 9, Federal Legislation, pp 128-155, Chapter 11, State and Municipal Legislation, pp 195-210. How Laws are Made (Handout).   |
| <b>Week 5</b>  | <b>2/1</b>  | Updating and Citators. Reading: Text: Chapter 15, Citators, pp 274-316.  |
| <b>Week 6</b>  | <b>2/8</b>  | Federal and California Legislative History. Reading: Text: Chapter 10, Federal Legislative Histories, pp 157-194.  |
| <b>Week 7</b>  | <b>2/15</b> | Administrative Law, Rules, Regulations, CFRs, CCRs, Agency Decisions. Reading: Text: Chapter 13, Administrative Law, pp 226-256.   |
| <b>Week 8</b>  | <b>2/22</b> | Secondary Materials. Reading: Text: Chapter 16, Legal Encyclopedias, pp 317-326, Chapter 17, American Law Reports, pp 327-342. Chapter 18, Legal Periodicals and Indexes, pp 343-369, Chapter 19, Treatises, Restatements, Uniform Laws, and Model Acts, pp 370-398.   |
| <b>Week 9</b>  | <b>2/29</b> | Mid-Term, Assignments, Project. Class Does Not Meet This Week  |
| <b>Week 10</b> | <b>3/7</b>  | Mid-Term, Assignments, Project. Class Does Not Meet This Week  |

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| <b>Week 11</b> | <b>3/14</b> | Mid-Term, Assignments, Project. Class Does Not Meet This Week   |
| <b>Week 12</b> | <b>3/21</b> | Review. Using the Internet for Legal research, Other resources, Reading: Text: Chapter 23, Electronic Legal Research, Section F. The Internet, pp 543-561, Chapter 20 Practice Materials and Other Resources, pp 399-418. |
| <b>Week 13</b> | <b>3/28</b> | Final Project. Class Does Not Meet This Week.   |
| <b>Week 14</b> | <b>4/4</b>  | Final Project. Class Does Not Meet This Week.   |
| <b>Week 15</b> | <b>4/11</b> | Final Project due 04/11/2012. Final Project must be submitted no later than 6:00PM of the day of the scheduled final exam period for the class. Submit your Final Project identified with your Student ID.                |