Course Syllabus

**University of Baltimore School of Law**

**SPRING 2020**

**Course**: Legal Research Workshop

LAW 837

Section 512

**Instructors**: Charles A. Pipins II David E. Matchen, Jr.

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410-837-4373 410-837-4674

AL 830 AL 727

Office Hours: Feel free to talk to us whenever you find us in or near our offices. We also spend several hours at the library’s user services desk each week. We are happy to make a specific appointment with you as well.

**Days/Time:** Thursdays, 5:45-7:35 p.m.

**Location:**  AL 602

**Course Description**:

Welcome to the Legal Research Workshop! Strong legal research skills are highly valued by legal employers, and research can take up to 40% of a new lawyer’s time. We know it doesn’t feel like it right now, but three years is not nearly enough time to cover everything you will need to know in practice. There is *so much* information crammed into the first year of law school that research skills almost always get glossed over. This course is designed to fill that gap and teach you essential and practical skills that will benefit you in your academic career and beyond.

This workshop offers an in-depth look at research methods and resources. Topics include: designing a research strategy; research in judicial, legislative and executive materials, both federal and state; extensive coverage of secondary and non-legal resources.

**Course Materials:**

No textbook. Readings as assigned.

You must have easy reliable access to the newest edition of the Bluebook. Several copies are on Reserve in the Law Library, but you may find it more convenient to purchase a personal copy.

**Student Learning Outcomes:**

Student Learning Outcomes:

1. Develop and implement research strategies:
	1. Identify significant facts
	2. Synthesize significant facts, knowledge of legal system, and knowledge of legal sources to develop the best research plan for a particular situation
	3. Frame issues
	4. Reframe issues and reevaluate strategies as research progresses
	5. Use a combination of appropriate print and online resources
	6. Use both free and fee-based databases in conjunction with each other
	7. Construct effective and efficient online searches
2. Distinguish secondary sources and primary legal authority
3. Identify legal research sources specific to topical areas of law.
4. Locate primary and secondary legal research sources in print and online formats.
5. Evaluate the relative authority and value of these sources.
6. Analyze a complex legal issue or topic using appropriate primary and secondary legal authority.

**Grades:**

Grading will reflect weekly exercises to reinforce class work (25%); 6 Research Assessments (65%) and attendance/participation/professionalism (10%). Class participation is required.

**Class Preparation**

There is no assigned textbook for this class. Instead, you will be expected to read short articles that will be posted on the course page. You will also be assigned follow-up exercises to be completed prior to the next class.

The class involves searching on Westlaw, Lexis Advance, Bloomberg Law, and other specialty databases. IF YOU DO NOT CURRENTLY HAVE A BLOOMBERG PASSWORD, please register by going to <http://www.bloomberglaw.com/activate>. You should be able to register simply by using your ubalt email address. \*Have your Lexis Advance, Bloomberg Law, and Westlaw passwords and a laptop at each class.\*

**If you come to any class meeting and are unable to log into Bloomberg Law, Lexis Advance, or Westlaw your final grade will be lowered.**

You will also need reliable access to either the print or online version of The Bluebook.

**Course Expectations:**

American Bar Association Standards for Law Schools establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work per week for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

Legal research is a very practical, hands-on skill that cannot be mastered through readings and lectures alone. There are 14 units, and each session is a combination of presentation and in-class exercises. Class attendance and participation are therefore essential to successful completion of the course. If you absolutely cannot make a class, be sure to contact us in advance so we can make arrangements for you to do the exercises independently.

**Attendance**:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

|  |
| --- |
| Regular Semester Hours |
| Credit Hours | Meetings Per Week |
|  | 1 | 2 |
| 2 | 2 absences | 5 absences |
| 3 | 2 absences | 5 absences |
| 4 | -- | 5 absences |

**Course Website:**

This course uses the TWEN platform.

**Computers:**

Students are expected to bring a laptop to class. If you do not have one, please check one out at the Law Library’s 7th-floor Service Desk prior to class.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another’s book or study materials without consent; unapproved multiple submissions; material misrepresentation of one’s academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. The School of Law Honor Code and information about the process is available at <https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm>.

**Course Evaluations**

It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

**Title IX Sexual Misconduct and Nondiscrimination Policy:**

The University of Baltimore’s Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at: http://www.ubalt.edu/titleix.

**Disability Policy:**

If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University’s facilities, please contact the Office of Academic Affairs, at ublawacadaff@ubalt.edu or

(410) 837-4468.

**Course Calendar & Schedule**

This schedule is not only subject to change, but will absolutely be changed to address the needs of the class as we progress through the semester. Please check back often and if anything is unclear, ask questions.

**Class 1 - January 16 Legal Research Theory and Process, Sources, and Research Plan**

CALI Lessons:

* [Decision Point: State or Federal?](https://www.cali.org/lessonlink/574/LWR13/6280/jq)
* [Where Does Law Come From?](https://www.cali.org/lessonlink/1072/LCS04/6280/jq)

Readings:

* [J.D.S. Armstrong, Christopher A. Knott, & R. Martin Witt, Where the Law Is: An Introduction to Advanced Legal Research 1-14 (5th ed. 2018).](https://lawschool.westlaw.com/DocForums/ViewSingleDocument.aspx?postingID=16391945&courseID=279882)

**Class 2 – January 23 Research Plan, Bluebooking, Secondary Sources**

CALI Lessons:

Readings:

* Yasmin Sokkar Harker, “*Information is Cheap, but Meaning is Expensive”: Building Analytical Skill into Legal Research*, 105 L. Lib. J. 79 (2013-2014).
* Richard A. Posner, *The* Bluebook *Blues*, 120 Yale L. J. 850 (2011).
* LexisNexis Insight Paper: Summer Associates Identify Writing and Legal Research Skills Required on the Job.

**Class 3 – January 30 Practice Materials & Dockets**

\*\*Assignment 1 Due February 6\*\*

**Class 4 – February 6 Current Awareness & Subject Specific Resources**

**Class 5 – February 13 Statutory Research & Court Rules**

\*\*Assignment 2 Due February 20\*\*

**Class 6 – February 20 Introduction to Legislative History**

**Class 7 – February 27 Legislative History and MD Legislative History**

* Miller, Michael S., “Ghosthunting: Searching for Maryland Legislative History”, <https://mdcourts.gov/lawlib/research/research-guides/ghost-hunting-md-legislative-history>
* Matchen, David E., “Maryland Legislative History Resources” – Libguide, <https://law.ubalt.libguides.com/c.php?g=518236>

**Class 8 – March 5 Case Law Research**

CALI Lessons:

* [Anatomy of a Case](https://www.cali.org/lessonlink/834/LR47/6280/jq)
* [Using Citators as Finding Tools](https://www.cali.org/lessonlink/8875/LR104/6280/jq)

Readings:

* Thurgood Marshall Law Library Guide to Legal Research Chapter 7 <https://www.law.umaryland.edu/media/SOL/pdfs/Library/TMLL-Guide/Chapter7.pdf>
* The Legal Research Survival Manual with Video Modules <https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F25221%2Fdocbook%2F11_Chapter03.xml#toc29>
* The art of selecting cases to cite

<https://www.westlaw.com/Document/Ic05c04114a7011db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0>

\*\*Assignment 3 Due March 12\*\*

**Class 9 – March 12 Advanced Case Law Research**

CALI Lessons:

* [Introduction to Search Logic and Strategies](https://www.cali.org/lessonlink/1121/LR59/6280/jq)
* [Updating/Validating Case Law Using Citators](https://www.cali.org/lessonlink/858/LWR36/6280/jq)

Readings:

* Principles of Legal Research Chapter 7-The Judiciary: Case Law Sources <https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F24137%2Fdocbook%2F16_chapter07.xml#ch7>
* Principles of Legal Research Chapter 8-The Judiciary: Case Research <https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F24137%2Fdocbook%2F17_chapter08.xml#ch8>

SPRING BREAK

**Class 10 – March 26 Federal Administrative Law**

CALI Lessons:

* [Introduction and Sources of Authority for Administrative Law](https://www.cali.org/lessonlink/765/LWR33/6280/jq)
* [Researching Federal Administrative Regulations](https://www.cali.org/lessonlink/566/LWR06/6280/jq)
* [Rulemaking: Federal Register and CFR](https://www.cali.org/lessonlink/580/LWR19/6280/jq)

Readings:

Congressional Research Service, *Counting Regulations: An Overview of Rulemaking, Types of Federal Regulations, and Pages in the Federal Register* July 14, 2015 – October 4, 2016 <https://www.everycrsreport.com/reports/R43056.html>

\*\*Assignment 4 Due April 2\*\*

**Class 11 – April 2 Administrative Law Continued**

CALI Lessons:

* [Researching Federal Executive Orders](https://www.cali.org/lessonlink/583/LWR22/6280/jq)
* [Attorney General Materials](https://www.cali.org/lessonlink/862/LR44/6280/jq)
* [Agency Decisions and Orders](https://www.cali.org/lessonlink/1223/LR57/6280/jq)

Readings:

**Class 12 – April 9 Maryland Administrative Law**

CALI Lessons:

* [Maryland Legal Research: Primary Resources](https://www.cali.org/lessonlink/864/LR46/6280/jq)

Readings:

Arnold Rochvarg, Principles and Practice of Maryland Administrative Law, Chs. 1 & 2.

\*\*Assignment 5 Due April 16\*\*

**Class 13 – April 16 International and Foreign Law**

Special Guest Speaker Harvey Morrell

**Class 14 – April 23 Catch Up**

\*\*Assignment 6 Due April 27\*\*