

# Syllabus

## Advanced Legal Research Spring, 2010 Spencer L. Simons

**Purpose of Course:** to develop understanding of legal research as a process. You will learn to plan, track, and assess your research progress in a way that gets you on the right track and guides you to completion with a minimum of wasted effort, duplication, and time. After establishing a solid research process, using the core legal resources used by all attorneys, the course will develop your expertise in critical areas less familiar to many attorneys, such as international and foreign law, empirical (non-legal) research, legislative history, and the increasingly important administrative law. You will be introduced to a number of free and subscription online databases, and will receive instruction in specialized Westlaw and Lexis resources and advanced techniques. Since the goal of research is the production of usable analysis, there will be a research assignment culminating in a written analysis of a legal problem. You will also develop a guide to research resources and techniques in a specialized subject of your choosing. Also explored will be the use of tools to identify and properly develop transactional documents, and, as time permits, tips on drafting skills to allow you to develop common documents while avoiding drafting pitfalls.

**Grading:** The research written assignment and the research guide each count for 40% of your grade. Periodic assignments for discussion in class will count for 20% of your grade. The Law Center's standards for attendance apply.

**There will be no final exam.**

**Assigned Text:** *Texas Legal Research*, Spencer L. Simons  
Carolina Academic Press, 2009.

**Readings for First Week:** Text, pp. 3–31, 193–201

### **Class 1: Tuesday, January 19**

Introduction to Course  
Introduction to legal research as a process

Assign: Research Guide to a specialized topic  
Due: April 27, with presentation to class  
Tips on researching and guide development

## **Class 2: Thursday, January 21**

Review: American legal and governmental systems  
Documents produced by system  
Organization of Legal Information  
Publication system  
Finding Tools  
Review of basic citation formats: *Greenbook/Bluebook*  
Readings for second week of class: Text, pp. 33–45, 95–113

## **Class 3: Tuesday, January 26**

Texas Constitution  
Constitutional Law Research, Texas and Federal  
Finding Tools  
Annotations

## **Class 4: Thursday, January 28**

Refresher: Legislative system  
Statutes  
Codes  
Texas subject code/revised civil statute issues  
Finding tools  
Annotations  
Key number system again; how it ties everything together  
Online sources

Readings for third week of class: Text, pp. 47–94, 202–205, 155–171  
Assignment for next Thursday: Handout Worksheet I

## **Class 5: Tuesday, February 2**

Refresher: Court system  
Judicial opinions; mandatory and persuasive precedent  
Texas writ/petition notation  
Unpublished cases  
Finding tools  
Key number system  
Online sources  
Updating statutes

**Class 6: Thursday, February 4**

Review Handout Worksheet I in class

Updating: Cases – Citators  
KeyCite and Shepard's

Readings for fourth week of class: Text, pp. 139–154  
Assignment for Tuesday: Handout Worksheet II  
Assignment for Thursday: Handout Worksheet III

**Class 7: Tuesday, February 9**

Review Handout Worksheet II in class

Refresher: Administrative agencies and administrative law basics  
    Regulations, ALJ decisions, other documents of administrative law  
    Administrative law research  
    Finding tools  
    Online sources  
    Updating rules and regulations

**Class 8: Thursday, February 11**

Review Handout Worksheet III in class

Lexis session: Primary law research  
    Updating  
Visiting lecturer: Reference librarian Chris Dykes

Readings for fifth week of class: Text, pp. 173–191  
Assignment for next Tuesday: Handout Worksheet IV (Admin Law Research)

**Class 9: Tuesday, February 16**

Do Handout Worksheet IV in class

Westlaw: Primary Law Research  
    Updating  
Visiting lecturer: Reference librarian Dan Baker

**Class 10: Thursday, February 18**

Secondary Resources: Dictionaries  
Encyclopedias  
Words and Phrases  
ALR  
Treatises, hornbooks, nutshells  
Legal periodicals  
Restatements  
Practice guides  
Jury instructions

Readings for sixth week of class: Text, pp. 185–187

Assignment for Thursday: each student team to report in depth on one “looseleaf service”

**Class 11: Tuesday, February 23**

Theory of information management and organization  
Classification systems  
Descriptors and controlled languages  
Access points  
Catalogs – power users  
Indexes  
Abstracting Services  
Full text searching, strengths and weaknesses  
Natural language searching, strengths and weaknesses

**Class 12: Thursday, February 25**

Looseleaf services  
Student teams explain use of selected looseleaf service in depth

Readings for seventh week of class: Text, pp. 6–13, 206–213

**Class 13: Tuesday, March 2**

The seven step research process  
The Journal

Assignment: Research problem – apply research process, due next Tuesday

**Class 14: Thursday, March 4**

Power searching in CALR databases (e.g. Westlaw/Lexis). How principles of information organization and retrieval used: full text; segments; indexes; TOCs; limiting sets. Emphasis on Westlaw key number system and Lexis headnote system.  
Reference Librarian Lauren Schroeder

**Class 15: Tuesday, March 9**

Review in class: Research process assignment results  
Overview of Bankruptcy Law

**Class 16: Thursday, March 11**

Assign memo research assignment. Discuss unfamiliar terms in fact pattern; general expectations for research documentation and memo. Due: Tuesday, April 13  
Specialized bankruptcy law resources, primary and secondary  
Tips on research and writing strategy

Readings for next week: Text, pp. 115–137  
Assignment for next Thursday: Handout Worksheet V (Legislative History)

**[Spring Break]**

**Class 17: Tuesday, March 23**

Special Research Topic: Legislative History, Federal and Texas  
Bill Tracking.

**Class 18: Thursday, March 25**

Review Handout Worksheet V in class  
Special Research Topic: International and foreign legal research

Assignment for next week: Office presentation (make appointment) to “partner” on research project progress

**Class 19: Tuesday, March 30**

**Office visits with Partner scheduled for this period [2]**

**Class 20: Thursday, April 1**

**Office visits with Partner scheduled for this period [2]**

Readings for next week: Text, pp. 112–113, 189–191

**Class 21: Tuesday, April 6**

Special Research Topics: Special Research Topics: Empirical (non-legal) research  
Selected online resources and research. Presenter Mon Yin Lung

Other: Ethics opinions  
Court Rules  
Other codified rules  
Jury Instructions  
POF; COA; Trials

**Class 22: Thursday, April 8**

**No Class: Individual meetings with professor to review progress on Research Guide.**

**Class 23: Tuesday, April 13**

Bankruptcy memo due, including journals and time sheets.  
Review Bankruptcy memo: process used; Journals and time sheets;  
Analysis of Bankruptcy memo problem.

**Class 24: Thursday, April 15**

Drafting aids, “formbooks”  
Researching for transactions  
Tips on Drafting

Readings for next week: none  
Assignment for next Tuesday: Each student brings a formbook to class, prepared to discuss features

**Class 25: Tuesday, April 20**

Discussion of features of formbooks brought by students  
Continuation: Tips on drafting

**Class 26: Thursday, April 22**

**No Class: individual meetings with professor to review progress on research guide**

**Class 27: Tuesday, April 27**

Research Guide due  
Each student gives presentation on Research Guide to specialized research topic.

**Class 28: Thursday, April 29    LAST DAY OF CLASS**

Continued: student presentations on Research Guides to specialized research topics.