

Syllabus
Advanced Legal Research
Spring, 2014
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. Both Texas and Federal legal research will be studied and practiced. You will be introduced to a number of free and subscription online databases, and will receive instruction in West, Lexis, and Bloomberg Law databases and in specialized resources. Since the goal of research is the production of usable analysis, there will be a research memo assignment culminating in a written analysis of a legal problem. You will also develop a research guide to 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 memo assignment counts for 45% of your grade. The research guide counts for 40% of your grade. Periodic assignments for discussion in class will count for 15% of your grade. The Law Center's standards for attendance apply.

There will be no final exam.

Assigned Texts: *Federal Legal Research*, Mary Garvey Algero, et al.
Carolina Academic Press, 2012.

Texas Legal Research, Spencer L. Simons
Carolina Academic Press, Revised Printing 2012.

Readings for First Week: Algero, pp. 3 – 21, 23 – 42; Simons, pp. 193 – 201.

Class 1: Monday, January 13

Introduction to Course
Introduction to legal research as a process

Assign: Research Guide to a specialized topic
Due: April 24, with presentation to class
Tips on researching and guide development

Class 2: Wednesday, January 15

Review: American legal and governmental systems
Documents produced by system
Organization of legal information
Publication system
Finding tools

Readings for second week of class: Simons, pp. 33–45; Algero, pp. 81 – 99.

[No Class Monday, January 20. MLK day]

Class 3: Wednesday, January 22

Texas Constitution
Constitutional law research, Texas and Federal
Finding tools
Annotations

Readings for next week: Algero, pp. 101 – 123, 157 – 176
Simons, pp. 96 – 99, 105 – 110, 141 – 147, 153 – 154.

Class 4: Monday, January 27

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

Class 5: Wednesday, January 29

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

Readings for fourth week of class: Algero, pp. 177 – 193, 195 – 214

Simons, pp. 49 – 57, 59 – 60, 61 – 64, 74 - 77

Class 6: Monday, February 3

Refresher: Court systems, Federal and Texas

- Case Reporters

- Judicial opinions; mandatory and persuasive precedent

- Unpublished cases

Class 7: Wednesday, February 5

- Texas writ/petition notation

- Searching for Cases:

 - Finding tools

 - Key number system

 - Updating in print resources

 - Online sources

Reading for next week: Algero, pp. 42 – 53, 215 – 231; Simons, p. 166 (C.)

Assignment for next Monday: Handout Worksheet I and Handout Worksheet II

Assignment for next Wednesday: Handout Worksheet III

Class 8: Monday, February 10

Do Worksheet I and Worksheet II in class

Updating cases and other authority with citators

- KeyCite and Shepard's

Class 9: Wednesday, February 12

Do Worksheet III in class

Westlaw and Lexis: Primary Law Research
Updating

Visiting lecturer: Reference Librarian TBA

Readings for next week: Algero, pp. 55 – 78; Simons, pp. 175 – 176, 189 – 191

Class 10: Monday, February 17

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

Class 11: Wednesday, February 19

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

Readings for next week: Simons, pp. 6–13, 185-187, 206–213

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

Class 12: Monday, February 24

The seven step research process
The Journal

Class 13: Wednesday, February 26

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

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

Class 14: Monday, March 3

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

Class 15: Wednesday, March 5

Review in class: Research process assignment results
Overview of bankruptcy law

Readings for week following Spring Break: Algero, pp. 125 – 156
Simons, pp. 115–121, 122 – 135

[Spring Break]

Class 16: Monday, March 17

Assign memo research assignment. Discuss unfamiliar terms in fact pattern; general expectations for research documentation and memo. Due: Wednesday, April 9
Specialized bankruptcy law resources, primary and secondary
Tips on research and writing strategy

Class 17: Wednesday, March 19

Special Research Topic: Legislative history, Federal and Texas
Bill tracking, Federal and Texas.

Assignment for next Monday: Handout Worksheet V (Legislative History)

Class 18: Monday, March 24

Do Handout Worksheet V in class

Special Research Topic: International and foreign legal research

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

Class 19: Wednesday, March 26

Office visits with Partner scheduled for this period [2]

Readings for next week: Algero, pp. 233 – 240

Simons, pp. 112–113, 189–191

Class 20: Monday, March 31

Office visits with Partner scheduled for this period [2]

Class 21: Wednesday, April 2

Special Research Topic: Empirical (non-legal) research, including Bloomberg Law and other selected online resources. Presenter Mon Yin Lung

Other: Ethics opinions

Court Rules

Other codified rules

Jury Instructions

POF; COA; Trials

Class 22: Monday, April 7

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

Class 23: Wednesday, April 9

Bankruptcy memo due, including journals and time sheets.

Review Bankruptcy memo: process used; Journals and time sheets;

Analysis of Bankruptcy memo problem.

Readings for next week: Simons, pp. 182 – 184

Assignment for next Wednesday: Each student brings a formbook to class, prepared to discuss features

Class 24: Monday, April 14

Drafting aids, “formbooks”
Researching for transactions
Bloomberg Law for transactional research and forms
Tips on Drafting

Class 25: Wednesday, April 16

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

Class 26: Monday, April 21

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

Class 27: Wednesday, April 23

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

Class 28: Monday, April 28 LAST DAY OF CLASS

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