

## ADVANCED LEGAL RESEARCH

Spring 2014

### Ground Rules

Textbooks: Barkan, Mersky, & Dunn. Fundamentals of Legal Research, 9<sup>th</sup> ed. New York: Foundation Press, 2009. (referred to in syllabus as FLR) (On Reserve, KF/240/J3/2009)

Books on Reserve: Cohen, Berring, & Olson. How to Find the Law, 9<sup>th</sup> ed. St. Paul: West Publishing Co., 1989. (KF/240/H6/1989)

Morehead, Joe. Introduction to United States Government Information Sources, 6<sup>th</sup> ed. Englewood, CO: Libraries Unlimited, 1999. (Z/1223/M67/1999)

Olson & Berring. Practical Approaches to Legal Research. New York: Haworth Press, 1988. (KF/240/P677/1988)

Zich & McCann. The Lawyer's Research Companion: A Concise Guide to Sources. Buffalo, NY: William S. Hein, 1998. (Referred to in syllabus as LRC) (KF/240/L37/1998)

In addition, there will be articles on Reserve at the Circulation Desk, dealing with specific topics covered in the Syllabus.

The expectation is that the readings assigned for each of the topics will be completed before the classes dealing with those topics. You will be much better able to follow the class presentations if the readings are done beforehand.

### Classes--

Class will be held on Friday mornings, starting at 10:30am, and will normally run about 2 hours. Time in some of the meetings will be spent in the Law Library or the Main Library (e.g., Government Documents, Non-Legal Research Tools). There may also be a couple of sessions which are shorter in length (e.g., Computer-Assisted Legal Research).

## **Grading--**

There will be three elements in the grading process:

### 1. Exercises (30%)

There will be six (6) exercises, dealing with specific types of materials, to be completed during the course of the semester. These exercises will reinforce what has been covered in the prior class; each should take no more than an hour to complete. The exercises will be distributed during the class in which a topic is handled, and are due by the next class meeting. The exercises should reflect each student's individual effort in completing them.

### 2. Student Presentations (10%)

During the last three (3) classes of the semester, each student will summarize in 5-7 minutes his/her experience in preparing his/her Pathfinder.

### 3. Pathfinder (60%)

The bulk of the grade for this course will be generated by the production of a Pathfinder.

A Pathfinder is a critical, annotated guide to the literature of a particular subject which describes and evaluates materials available and places them in an appropriate research strategy. It should answer as many of the following questions as possible:

1. Is this area dealt with by federal or state statutes? Where are they located? What are their general provisions? Are there any congressmen or state legislators interested in your topic? Which legislative committees have jurisdiction over this area of Law? If new legislation has been proposed, have any committee hearings been held? Have any reports been generated?
2. Are government agencies charged with regulating this area? What are their responsibilities? Have they published rules and regulations? Proposed new rules or regulations?
3. Has the President of the United States or appropriate Governor had anything to say about your topic? Any Proclamations, Executive Orders, news conferences, comments?
4. Are there any special interest groups active in this area? What are their publications?
5. How can the novice gain a general background knowledge in the area--encyclopedias, ALR, treatises/hornbooks? Where does the expert go for more specialized information--journals, specialty publications, looseleaf services, databases, web sites?
6. Does the area have comprehensive bibliographies and research guides?
7. What are the most important articles dealing with your topic (legal and non-legal)? What

has been written lately on your topic in the New York Times, Wall Street Journal, or other newspaper?

8. As a result of your research, can you identify any unmet resource needs for practitioners in your area?

The Pathfinder should be 20-25 pages long. A length of less than 20 pages is unacceptable. A length greater than 25 pages is acceptable only with the permission of the instructor.

Criteria for grading the Pathfinder will include how it is organized for ease of use, how thorough the coverage of resources is, degree of difficulty in doing research in the area, creativity, and level of analysis of materials. The number of items included is less important than the methods of explaining how and why a researcher would use them to best advantage in researching your particular topic. Analysis of the advantage of sources or approaches and gaps in the literature will also be given some weight.

Topics may address a variety of issues, such as health, education, social services, intellectual property, technology, entertainment, business, labor, employment, the environment, civil rights, criminal law...

Some examples:

Citing Hazardous Waste Storage Facilities

Photographic Manipulation

All Black Schools: Separate but Equal?

Censorship in the Music Industry

Child Support Enforcement

Civil Forfeitures and the Government's War on Drugs

Superfund Regulation under CERCLA

Taxation of Private, Nonprofit Hospitals

Government Initiatives for Low Income Housing

Consumers' Right to Privacy in Their Credit and Financial Records

Pathfinders will be due by 5pm on the last day of the course, May 2, 2014.

