

**University of Idaho College of Law
Advanced Legal Research (LAW 970)
Syllabus
Summer 2020**

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I have no set office hours, but I am easiest to reach by email. Please feel free to reach out if you have any questions or want to discuss the class, and I will be happy to set a time to meet with you.

Course Overview

This course provides a deep look at legal research materials, processes, and strategies. It will include an in-depth analysis of primary and secondary legal sources, practice-oriented materials, and finding aids, both print and electronic, and techniques and methods for utilizing those resources. The schedule is designed to be flexible enough to accommodate additional topics that might be of interest to the class, or to adjust the time spent on any given topic as necessary.

Learning Outcomes

This course will address College of Law Learning Outcome 4 – Problem Solving

At the end of the course, students will be able to:

- Identify appropriate legal research resources, print and electronic, for conducting legal research tasks
- Construct and use research strategies to find and synthesize legal information
- Understand how federalism and the three branches of government impact the American legal system and legal research
- Distinguish between primary and secondary, and mandatory and persuasive legal materials
- Locate and update, in print and electronic form, primary legal materials
- Know when and how to use secondary sources effectively, both to obtain background information and to find citations to mandatory and persuasive authority
- Analyze the credibility of legal and non-legal information sources

Meeting Time

This class meets Monday through Friday from 3:00-4:15 P.M. Mountain Time/ 2:00 to 3:15 Pacific Time.

Communication and Posting of Materials

Materials and information will be posted on the course's BbLearn site. Registration for the class is required; please register as soon as possible.

Texts and Materials

Required: *Principles of Legal Research (Concise Hornbook Series)*, (2nd ed., West), by Kent Olson.

The text is available to you for free, via the West Study Aids link on the Law Library's Research Databases webpage, <https://libguides.law.uidaho.edu/az.php>. Additional readings may, and probably will, be assigned at other times throughout the semester; students will be notified promptly should this occur. Any additional readings will be made available to the student.

Readings

The weekly reading assignments in this class are critical as they lay the foundation for what will be discussed in class and covered in the weekly assignments. Questions on information presented in the readings will be in the assignments.

Summary of Grading

This is a 2-credit, graded course.

- 20% of the final grade will be based on the shorter, “daily” assignments.
- 20% of the final grade will be based on your 6-8-minute, 20 slide presentation on the topic of your choice connected to the class.
- 40% of the final grade will be based on longer, “weekly” assignments (excluding the final assignment).
- 20% of the final grade will be based on the final project, due on July 8th.
- I reserve the right to increase or decrease any score a half letter grade (so a B could become either a B+ or a B-) at my discretion. This will be based on class participation and other aspects of the class that matter but don't lend themselves to specific grades.

Assessment Tools for Grades

- There will be daily assignments, due the class after they are assigned, Monday through Thursday. While your effort will be taken into consideration, these will largely be graded for completion. Extensions will be given on a case-by-case basis.
- Each student will be expected to give a short presentation on a topic related to class. While this is flexible, I will attempt to tie each student's chosen topic to in-class discussion of the topic. Scheduling will depend on topics chosen, but plan on presenting before the end of the semester.
- There will be weekly assignments issued on Friday of each of the first five weeks. You will have one week to complete each of these assignments, due the following Friday.
- A Final Synthesis Project will be issued towards the end of the semester; it is due the last day of finals (Wednesday, July 8).

Credit Hours for Coursework

In accordance with ABA Standard 310, the College of Law awards one credit hour for experiences that are reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week, or at least the equivalent amount of work for academic activities including simulation, field placement, clinical, and other academic work leading to the award of credit hours.

The Course requirements outlined above with respect to materials and assignments, in my professional judgement, are complex enough in nature that it is expected that the amount of out-of-class time it will take students to complete the assignments will meet the rule.

Submitting Your Work

Each assignment will be posted to the BbLearn site as a Word document. You can type your answers, but all assignments must be turned in to me in through BbLearn. All due dates for assignments are noted in the Class Schedule section and will also appear on each assignment. Assignments are due by the beginning of class, on announced due dates.

Plagiarism will not be tolerated in any form. Your work must be your own, original, and properly attributed if quoted or sourced. There are no group assignments in this course. Any student determined to have submitted plagiarized work will receive a failing grade and be referred to law school administration for possible disciplinary action.

Preparation, Attendance, and Participation

You are required to read the assigned reading materials prior to each class, attend class regularly and promptly, participate in class discussions and exercises, and complete all required assignments and projects.

ABA and College of Law attendance policies are in effect; class attendance will be taken for each class. Please be prompt; there is a lot of material to cover in class and late arrivals can cause disruptions. Please try to resolve attendance conflicts or issues with me before a class is scheduled to meet. Absences will be allowable for illness, but if such an illness requires you to miss a significant number of classes, please discuss your circumstances with me as your health permits. All personal issues will be kept confidential, unless it is necessary to discuss the situation with the law school administration.

Any non-weather-related class cancellations will be announced via email.

Recording Class Sessions

Each class will be recorded and available on the class BbLearn page. Students may not electronically record classes unless they have the express consent of the instructor, except where the Dean of Students has allowed recording as a disability accommodation pursuant to a recommendation by CDAR. Recording classes without the instructor's express consent violates the Honor Code.

Center for Disability Access and Resources (CDAR) Reasonable Accommodations Statement:

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Ideally, students in Moscow and Boise should meet with CDAR by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by CDAR to Dean Ball and/or Dean Running for final approval. CDAR serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without CDAR first submitting a recommendation. You may contact CDAR by:

- Calling 208-885-6307
- Emailing cdar@uidaho.edu

It is ultimately the student's responsibility to seek a disability accommodation, and until an accommodation is approved by CDAR and Dean Ball/Running, no student will be entitled to receive any accommodations. To learn more about CDAR, visit its website at <http://www.uidaho.edu/current-students/cdar>. Moscow students may also visit CDAR in suite 127 of the Pitman Center. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.

Civility

In any environment in which people gather to learn, it is essential that all members feel as free and safe as possible in their participation. To this end, it is expected that everyone in this course will be treated with mutual

respect and civility, with an understanding that all of us (students, instructors, professors, guests, and teaching assistants) will be respectful and civil to one another in discussion, in action, in teaching, and in learning.

Should you feel our classroom interactions do not reflect an environment of civility and respect, you are encouraged to meet with your instructor during office hours to discuss your concern. Additional resources for expression of concern or requesting support include the College of Law Dean of Students (ktball@uidaho.edu and krunning@uidaho.edu), the University Dean of Students office and staff (885-6757), the UI Counseling & Testing Center's confidential services (885-6716), or the UI Office of Civil Rights & Investigations (885-4285).

Class Schedule

May 26

Introduction

- Readings – Olson: Chap 1 (Intro, §§1.1, 1.2)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

May 27

Standard Internet Searches

- Readings – Olson: Chap 1 (§§1.3, 1.4)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

May 28

Advanced Search/Terms and Connectors

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

May 29

Employer Research

- Readings
 - *Guerilla Tactics for Getting the Legal Job of your Dreams*, by Kimm Walton. Pgs. 507-518 (available on BbLearn).
 - “Legal Interview Basics” handout from Academic Success (available on BbLearn).
- Weekend Assignment (discussed in class and located on BbLearn- due by class the following Friday)

June 1

Constitutions

- Readings – Olson: Chap 2
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 2

Legislative Branch – Legislative History

- Readings – Olson: Chap 4 (Intro, §§4.1,4.2), Chap 3 (Intro, §§3.1, 3.4)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 3

Legislative Branch – Legislative History (Continued)

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 4

Legislative Branch – Statutory Research

- Readings – Olson: Chap 3 (§§3.2, 3.3)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 5

Legislative Branch – Congressional Research Resources

- Readings – Olson: Chap. 4 (§4.3)
- Weekend Assignment (discussed in class and located on BbLearn- due by class the following Friday)

June 8

Executive Branch (Federal) - Regulations – Structure and Process

- Readings – Olson: Chap 5 (Intro, §5.2(c))
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 9

Executive Branch (Federal) – Regulations – Structure and Process

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 10

Executive Branch (Federal) – Regulations - Research

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 11

Executive Branch (Federal) – Other Administrative Law

- Readings – Olson: Chap. 5 (§§5.1, 5.2(a), (b), (d), (e), (f), and (g))
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 12

Executive Branch (Federal) – Other Administrative Law

- Readings – From previous class.
- Weekend Assignment (discussed in class and located on BbLearn- due by class the following Friday)

June 15

Judicial Branch (Federal) – Structure and Process

- Readings – Olson: Chap. 6 (Intro, §6.1), Chap. 9 (Intro, §§9.1(a), 9.3, 9.6, and 9.4)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 16

Judicial Branch (Federal) - Structure and Process

- Readings – Olson: Chap 6 (§§6.2, 6.3 and 6.4), Chap. 7 (Intro, §§7.1, 7.2)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 17

Judicial Branch (Federal) – Research

- Readings – Olson: Chap. 8
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 18

Judicial Branch (Federal) – Research

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 19 – TBD – One more Federal Judiciary Class

Judicial Branch (Federal) – Other Administrative Law

- Readings – Olson: Chap. 5 (§§5.1, 5.2(a), (b), (d), (e), (f), and (g))
- Weekend Assignment (discussed in class and located on BbLearn- due by class the following Friday)

June 22

State Material – Legislative Branch

- Readings – Olson: Chap 3 (§3.5), Chap 4 (§4.4)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 23

State Material – Legislative Branch

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 24

State Material – Executive Branch

- Readings – Olson: Chap 5 (§5.4)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 25

State Material – Executive Branch

- Readings – From previous class.
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 26

State Material – Judicial Branch

- Readings – Olson: Chap 7 (§7.3), Chap. 9 (§9.1(b))
- Weekly Assignment (discussed in class and located on BbLearn- due by class **Thursday, July 2nd**)
- Final Assignment issued (discussed in class and located on BbLearn- due by 6:00 PT on **July 8th**)

June 29

Local Laws

- Readings – Olson: Chap 5 (§5.5)
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

June 30

Secondary Sources – Preliminary Research

- Readings – Olson: Chap 10
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

July 1

Secondary Sources – Advanced Research

- Readings – Olson: Chap. 11, Chap 12
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)

July 2

Final Class – Wrap-up

- Readings – TBD
- Daily Assignment (discussed in class and located on BbLearn- due by class the following day)