

## ADVANCED LEGAL RESEARCH

Law 242 --2 credits

SPRING 2022

T, Th 8:00 a.m.- 9:00 a.m.

Mary Rumsey

12/30/21

### COURSE REQUIREMENTS:

Class attendance and participation

Completion of all graded and ungraded assignments

Final project

**TEXT:** No required text. Some readings and exercises will be assigned from a free electronic casebook, BEAU STEENKEN & TINA M. BROOKS, SOURCES OF AMERICAN LAW: AN INTRODUCTION TO LEGAL RESEARCH (4th ed. 2019) (available from <https://www.cali.org/books/sources-american-law-introduction-legal-research>). The CALI registration code is WILMETstu241.

**OFFICE HOURS:** Most days, between about 8:00-4:30. Email: [mrumsey@willamette.edu](mailto:mrumsey@willamette.edu). I will normally return emails within 12 hours. I am happy to speak with you by phone or Zoom during my regular office hours or outside of them if that works better for you.

### FINAL GRADE:

The final grade is based on the following percentages:

1. In-class participation is weighted at 15 percent. Absences may affect your grade; please explain absences as soon as possible, preferably in advance. Class participation includes class discussion, in-class exercises (ungraded), collaboration, and brief presentations.
2. There will be six graded assignments, which will be weighted altogether at 45 percent.
3. The final project exercise is weighted at 40 percent.

### LEARNING OUTCOMES:

Students will become power users of print and online research sources. Specifically, you will

- Understand principles of information organization and retrieval
- Be able to assess a legal issue and make an effective plan to research it
- Know the strengths and weaknesses of print and online sources
- Know when to choose free websites versus subscription databases
- Understand how to evaluate the authenticity and reliability of online information
- Know how to use research tools such as finding tools and search engines
- Be able to find practice materials including forms and sources for specialized research
- Understand processes for legislative history and administrative law research
- Become familiar with basic sources and approaches to researching non-legal information

### Teaching philosophy:

I believe every law student can learn to be a good legal researcher. The best way to learn to do effective legal research is to practice and get feedback. You will complete exercises that introduce or reinforce skills, with some repetition to ensure mastery. I will give you feedback along the way, and I encourage

you to ask me or your classmates for help with ungraded exercises.

### **Evaluating student performance:**

In-Class Workshops: You will work independently and in small groups to explore and compare strategies and resources, participating in class discussion by explaining to the class your evaluative methods and conclusions. **Workshops will involve written, ungraded, work-product, which you may need to complete outside of class. These assignments are not specified on the syllabus.**

Graded Take-Home Assignments: Take-home assignments may consist of research plans or short-answer exercises. Assignments build on the skills you will learn so I want you to keep up. To receive full credit, you must turn in your assignments on time. As a rule, one point (out of 20) will be deducted for each day an assignment is late. (Of course, I will accommodate delays caused by illness, child-care emergencies, etc.)

Final project: The final project will be a research problem for which you will create a research plan and identify key resources.

### **Student Services:**

Health, counseling and insurance services are available to all students through the Bishop Wellness Center, located on the main campus. You may call (503) 370-6062 for an appointment. You should also feel free to contact me regarding particular questions or concerns.

The University maintains an Accessible Education Services (“AES”) Office for students eligible for and desiring academic accommodation due to a disability. You may call (503) 370-6062 for an appointment. Students should make an appointment as soon as possible, preferably at or before the beginning of the semester. Dean Melodye McAlpine is the Law School Liaison for disability services. You may call Dean McAlpine at 503-370-6078; her email address is [mjmacalpine@willamette.edu](mailto:mjmacalpine@willamette.edu).

### **NOTICE: Syllabus is subject to change.**

**Before class -- Read for Tuesday Jan. 11:** Mary Whisner, [\*How Do You Know When Research Is Good?\*](#), 98 LAW LIBR. J. 721 (2006); and Kevin O’Keefe, *Should Lawyers Avoid Online Legal Resources Because They’re Free?*, ABOVE THE LAW, <https://abovethelaw.com/2016/11/should-lawyers-avoid-online-legal-resources-because-theyre-free/> (Nov. 30, 2016). Write a page in response to the articles (not researched, just based on your experience and opinions). Due: Second day of class, Thursday Jan. 13 (ungraded).

Jan. 11 Week 1

INTRODUCTION. In class, hands-on assessment to determine research knowledge and skills; discuss readings. Research plans and terms of art.

ASSIGNMENT: Due Thursday Jan. 13-- response to Whisner article above.

Recommended reading: Nancy Johnson, Best Practices: What First-Year Law Students Should Learn in a Legal Research Class,

[https://papers.ssrn.com/sol3/Delivery.cfm/SSRN\\_ID1341118\\_code851442.pdf?abstractid=1341118&mirid=1](https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID1341118_code851442.pdf?abstractid=1341118&mirid=1)

Jan. 18 Week 2

Secondary Sources- Searching and examining secondary sources.

Read for discussion Tuesday: Jamie J. Baker, *Teaching Legal Research in the Books: Necessary or Not?*, GINGER LIBRARIAN, <http://www.gingerlawlibrarian.com/2017/10/teaching-legal-research-in-books.html> (Oct. 17, 2017).

ASSIGNMENT: Due Tuesday Jan. 25: Catalog exercise (ungraded) and exercise on secondary sources [GRADED].

Jan. 25 Week 3

Statutes with annotations and citators; codification. Work with federal statutes including *Statutes at Large*; Georgia obscenity exercise; statutes worksheet.

ASSIGNMENT: federal piracy exercise. (Ungraded.) Due Tuesday Feb. 1.

Feb. 1 Week 4

More statutes, updating and validating. Query formulation, search terms.

ASSIGNMENT: **By Tuesday, Feb. 3: CALI lesson, Introduction to Search Logic and Strategies** (ungraded).

Send me a screenshot to show that you completed the lesson. This CALI exercise is a crucial assignment and will help you the rest of the semester.

ASSIGNMENT: Prepare and execute a research plan for a legal issue involving federal statutes, including key terms, secondary sources, and a tentative conclusion. Due Thursday Feb. 10 [GRADED].

Feb. 8 Week 5

More query formulation, search terms, terms of art, Fastcase.

Read: <https://ripslawlibrarian.wordpress.com/2016/11/17/google-think-and-the-new-associate>

ASSIGNMENT: Due Thursday, Feb. 17: Query formulation [GRADED]

Feb. 15 Week 6

Cases including citators--Updating cases with citators and other methods

ASSIGNMENT: Due Thursday, Feb. 24: Research legal issue and write research plan. [GRADED]

Feb. 22 Week 7

State (emphasizing Oregon) case law research including citators.

Using West Topic and Key Number system, Lexis's Topics, query formulation; working with search results.

ASSIGNMENT: Due Thursday, Mar. 3. Prepare a research plan for a legal issue with relevant Key Numbers, Lexis Topics, and citator results. [GRADED]

Mar. 1 Week 8

Federal legislative history, research plan practice

ASSIGNMENT: [Finish in-class assignment] (ungraded).

Mar. 8 Week 9

Federal and state administrative law

In-class exercises working with administrative regulations

ASSIGNMENT: Due Thursday, Mar. 17. Identify relevant rules for an administrative law problem [GRADED].

Mar. 15 Week 10

Free Oregon Legal Research, BarBooks, including FastCase and Oregon government websites

Mar. 15—Final project handed out; due any time up to and including the last day of exams, by 11:59 p.m.

**Mar. 22: No class—spring break**

Mar. 29 Week 11

Forms and Practice Materials

Locate a set of specified pre-trial and trial documents for a case OR complete a set of documents for a business acquisition.

ASSIGNMENT: Finish in-class assignment (ungraded)

Apr. 5 Week 12

Oregon Legislative History. Video, Lewis Zimmerman, formerly of the Oregon Supreme Court Law Library (now at University of Denver).

Work with Oregon statutes and legislative history materials.

ASSIGNMENT: Finish in-class assignment (ungraded).

Apr. 12 Week 13

Fact research and artificial intelligence tools.

ASSIGNMENT: Finish in-class assignment (ungraded)