

ITT Technical Institute
PL106
Legal Research and Writing I
Onsite Course

SYLLABUS

Credit hours: 4

Contact/Instructional hours: 50 (30 Theory Hours, 20 Lab Hours)

Prerequisite(s) and/or Corequisite(s):

Prerequisites: GE217 Composition II, PL103 Technology in the Law Office

Course Description:

This course introduces how to use a law library and online resources to find statutes, precedents, and other relevant legal authority and how to cite them. Basic principles of legal analysis are covered. Correct and effective written communication through letters, legal memoranda, briefs, and other documents is emphasized.

Syllabus: Legal Research and Writing I

Instructor:	_____
Office hours:	_____
Class hours:	_____

Major Instructional Areas

1. Research responsibilities of a paralegal in the American legal system
2. Ethical considerations related to legal research
3. The main sources for legal research
4. The main products of legal research
5. The significance of mandatory authority and persuasive authority
6. The major components of a reported court decision
7. Legal written communications used by paralegals

Course Objectives

1. Summarize research practices used by a paralegal.
2. Analyze ethical issues related to research.
3. Describe two of the main products of legal research.
4. Classify legal research sources.
5. Differentiate mandatory authority from persuasive authority.
6. Research enacted law.
7. Analyze enacted law.
8. Research case law.
9. Analyze case law.
10. Use secondary sources as part of legal research.
11. Prepare legal documents.
12. Validate case law using a citator.

SCANS Objectives

SCANS is an acronym for Secretary's Commission on Achieving Necessary Skills. The committee, created by the National Secretary of Labor in the early 1990s, created a list of skills and competencies that the committee feels are necessary for employees to function in a high-tech job market.

1. Locate, understand, and interpret written information in prose and in documents such as manual, graphs, and schedules.
2. Communicate thoughts, ideas, information, and messages in writing.
3. Create documents such as letters, directions, manuals, reports, graphs, and flow charts.
4. Receive, attend to, interpret and respond to verbal messages and other cues.
5. Organize and process symbols, pictures, objects and other information.
6. Discover a rule or principle underlying the relationships between two or more objects and apply it when solving a problem.
7. Exert a high level of effort and persevere towards goal attainment.
8. Choose ethical courses of action.
9. Acquire, evaluate, organize, and maintain information.
10. Interpret and communicate information.
11. Use computers to process information.

Course Outline

Note: All graded activities, except the final exam and portfolio project, are listed below in the pattern of <Unit Number>. <Assignment Number>. For example, Labs: 3.1 refers to the 1st lab activity in Unit 3.

Unit	Activities
1— Basics of the Research System	<ul style="list-style-type: none"> • Content covered: <ul style="list-style-type: none"> <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 1, “Introduction to Legal Research, Writing, and Analysis” ○ Appendix C, “Research Strategies: An Overview” • Assignments: 1.1 • Labs: 1.1
2— Case Law and Citations	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 3, “Finding and Analyzing Case Law” ○ Chapter 10, “Computer–Assisted Legal Research (CALR)” ○ Appendix B, “Basic Citation Reference Guide” • Assignments: 2.1 • Labs: 2.1
3— Briefing a Case and the Memorandum of Law	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 4, “How to Brief a Case,” pp. 76-86, stop at “A Point to Remember,” on p. 86. ○ Chapter 12, “Predictive Legal Writing: The Memorandum of Law,” stop at section 12-5, “Writing the Memorandum of Law,” pp. 304-317 ○ Appendix G, “Supplemental Cases,” Supreme Court of the United States, No 04-1544 <i>Vickie Lynn Marshall, Petitioner v. E. Pierce Marshall</i>, pp. 483-490 • Quizzes: 3.1 • Assignments: 3.1 • Paralegal Student Portfolio Part 1: Start • Labs: 3.1
4— Enacted Law	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 5, “Constitutions, Statutes, and Administrative Regulations” • Assignments: 4.1 • Labs: 4.1
5— Statutory and Constitutional Analysis	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 6, “Statutory and Constitutional Analysis” • Assignments 5.1 • Labs: 5.1 • Paralegal Student Portfolio Part 1: Submit
6— Secondary Sources	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 7, “Secondary Sources” ○ Chapter 8, “Digests” • Quizzes: 6.1 • Assignments: 6.1 • Labs: 6.1 • Paralegal Student Portfolio Part 2: Start
7— Facts and Legal Issues	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing:</i> <ul style="list-style-type: none"> ○ Chapter 2, “The Starting Point: Analyzing Facts and Identifying Legal Issues”

Unit	Activities
	<ul style="list-style-type: none"> ○ Chapter 11, "Basic Legal Writing Tools" • Assignments 7.1 • Labs: 7.1
8— Introduction to IRAC	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing</i>: <ul style="list-style-type: none"> ○ Chapter 4, "How to Brief a Case," start at section 4-3, "How to Write a Case Brief," pp. 85-95 • Assignments: 8.1 • Labs: 8.1 • Paralegal Student Portfolio Part 2: Submit
9— Applying IRAC	<p>Read:</p> <ul style="list-style-type: none"> ○ Case Study: <i>Klasa v. Rogers</i> available from ITT Tech Virtual Library LexisNexis Academic • Assignments: 9.1 • Labs: 9.1 • Paralegal Student Portfolio Part 3: Start
10— Validating Research	<ul style="list-style-type: none"> • Read from <i>Legal Research, Analysis, and Writing</i>: <ul style="list-style-type: none"> ○ Chapter 9, "Validating Your Research: Using Shepard's, KeyCite, and Other Citators" • Assignments: 10.1 • Labs: 10.1
11— Review and Final Exam	<ul style="list-style-type: none"> • Course Review • Final Exam • Paralegal Student Portfolio Part 3: Submit

Instructional Methods

This Legal Research and Writing I course is designed to use a variety of teaching methods that will help students grasp the key concepts and provide an opportunity to practice real-world paralegal responsibilities by conducting legal research and developing legal communications. Delivery makes use of various methods and media, including lectures and labs, as well as in-class assessments and homework assignments. The course culminates with a final exam and the completion of an internal memorandum of law, which will be the Paralegal Student Portfolio element for this course.

Instructional Materials and References

Student Textbook Package

- Hames, J. B., & Ekern, Y. (2012). *Legal research, analysis, and writing* (Custom 3rd ed.). Boston, MA: Pearson Custom.

Other Required Resources

In addition to the student textbook package, the following are also required in this course:

- LexisNexis Academic access. This database is accessible through the ITT Technical Virtual Library and is listed in the References section below.

References

ITT Tech Virtual Library

Log on to the ITT Tech Virtual Library at <http://library.itt-tech.edu/> to access online books, journals, and other reference resources selected to support ITT Tech curricula.

Periodicals

You may click “Periodicals” or use the “Search” function on the home page to find the following periodical.

- Periodicals> LexisNexis Academic

Organized into five categories, this database includes articles from international newspapers, magazines, transcripts, legal research, and medical journals.

Program Links

You may click “Program Links” or use the “Search” function on the home page to find the following program links.

- School of Criminal Justice> Recommended Links> Law> Legal Information Institute
- School of Criminal Justice> Recommended Links> Law> FindLaw

Other References

The following resources may be found **outside** of the ITT Tech Virtual Library, whether online or in hard copy.

Books

- Feinman, Jay M. *1001 Legal Words You Need to Know: The Ultimate Guide*. Oxford University Press, 2005.
- Garner, Bryan A. *Black’s Law Dictionary*. 9th ed. Eagan, MN: West Publishing, 2009.
- Martin, Elizabeth A., and J. Law. *A Dictionary of Law*. New York: Oxford University Press, 2009.

Periodicals

- Law.com
<http://www.law.com/jsp/law/index.jsp>

Legal news headlines, opinion, and information for lawyers, law students, and the public. Also includes legal blogs, newsletters, and other services, connecting readers to more than 20 publications online

Web sites

- United States Code
<http://www.gpoaccess.gov/uscode/>

From the U.S. Government Printing Office, GPO Access contains the 2006, 2000, and 1994 editions of the U.S. Code, plus annual supplements.

- Dictionary Law.com
<http://dictionary.law.com/>
This site provides a quick reference to for legal terms and legal definitions.
- US Legal.com
<http://definitions.uslegal.com/>
This site provides a quick reference tool for legal definitions and legal terms
- Nolo.com
<http://www.nolo.com/dictionary.index.html>
Quick reference legal dictionary and legal definitions
- United States Department of Labor, Bureau of Labor Statistics, Occupational Outlook Handbook, 2009-09 Edition
<http://www.bls.gov/oco/ocos114.htm>
Information about paralegal training and projections of job prospects and earning

- Association of Legal Assistants and Paralegals
<http://www.nala.org/>
 A non-profit professional organization providing continuing education and professional development programs for paralegals
- The National Federation of Paralegal Associations <http://www.paralegals.org/>
 Created as a non-profit federation, NFPA is an issues-oriented, policy-driven professional association, directed by its membership.
- The American Bar Association’s Standing Committee on Paralegals
<http://www.abanet.org/legalservices/paralegals/>
 The Standing Committee on Paralegals develops and promotes policies relating to the education, employment, training, and effective use of paralegals and sets standards for paralegal education.
- Law Library Research Guide: A Dictionary for First Year Students
<http://gmu.edu/departments/law/libtech/dictionary.html>
 This site is George Mason University’s online glossary of terms for new law students.
- Oyez Project
<http://www.oyez.org/>
 This multimedia archive offers access to databases on the major constitutional cases heard by the U.S. Supreme Court. It aims to be a complete and authoritative source for all audio recorded in the Court since the installation of a recording system in October 1955.
- Georgetown University site for secondary sources
<http://www.ll.georgetown.edu/guides/secondary.cfm>
 Links from the Georgetown Law Library to secondary research sources, including periodical indexes, treatises, legal encyclopedias, and Annotated Law Reports (ALR)

All links to Web references outside of the ITT Tech Virtual Library are always subject to change without prior notice.

Course Evaluation and Grading

Evaluation Criteria Table

The final grades will be based on the following categories:

CATEGORY	WEIGHT
Assignments	20%

CATEGORY	WEIGHT
Quizzes	10%
Labs	30%
Paralegal Student Portfolio	25%
Final Exam	15%
Total	100%

Note: Students are responsible for abiding by the Plagiarism Policy.

Grade Conversion Table

The final grades will be calculated from the percentages earned in the course, as follows:

A	90–100%	4.0
B+	85–89%	3.5
B	80–84%	3.0
C+	75–79%	2.5
C	70–74%	2.0
D+	65–69%	1.5
D	60–64%	1.0
F	<60%	0.0

(End of Syllabus)