

GOVT 479 ADVANCED LEGAL RESEARCH

Syllabus

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COURSE CREDIT: Three Credit Hours

REQUIRED TEXT: (This text is available from the CLS Bookstore at 1-800-522-7737)

Cohen, Morris L., & Olson, Kent C. (most recent edition). *Legal research in a nutshell* (ISBN 0314147071).

Recommended: Garner, B, ed. (2006) Black's Law Dictionary, (3rd pocket ed.). Thomson West. (ISBN 0314158626).

COURSE DESCRIPTION:

In this course we will study advanced and specialized research approaches to utilize the legal resources available in a law library, online, and elsewhere. The conceptual differences between computer-assisted legal research and hard copy research will be taught. You will also learn how to formulate WESTLAW search queries and how to effectively and efficiently use WESTLAW and other online services as timesaving devices in legal research and writing.

COURSE OBJECTIVES:

After successfully completing the tests and assignments for this seven-week course, you will know: the hierarchy and structure of our court systems; the importance and applications of the different types of legal authority; the doctrine of *stare decisis*; the difference between common law and civil law; the necessity for preemption by the federal government; the concepts of jurisdiction and venue; the purposes of the different sets of law books; the elements of research; how to organize a research project; how to define issues; how to narrow and refine a research project; how to begin a research project; how to search by key number; how to search by topic; the purpose of headnotes and annotations; the necessity of using proper citation format; how to locate websites to access case law; how to locate websites to access constitutions and statutes; how to formulate a search query; how to locate pleadings, discovery, motions, and forms online; the sources available on the Internet free of charge and those that charge a small fee; and when Internet research is especially appropriate.

COURSE REQUIREMENTS:

Students must complete all tests and coursework with a 70 percent or higher to pass this class.

Grade Distribution:

4 Quizzes	100 points each
4 Essay Questions	25 points each
4 Reflection Assignments	<u>10 points each</u>
Total Points	540 points

Scale:

90-100%	A
80-89%	B
70-79%	C
60-69%	D
59% and below	F

COURSE INSTRUCTIONS:

Participation:

Each student is expected to read assigned material and complete all written assignments.

Written:

100 points. Each of the following questions is worth 25 points and must be answered in a closed-book format. Please allow an uninterrupted 60 minute period to answer all four questions. Submit your answers to the instructor to be graded *before* taking the fourth quiz.

1. Name the reporter in which Federal appellate court opinions are contained along with the publisher(s). Briefly explain whether you would consult these federal appellate court opinions as “case finders” to commence your state legal research projects and why.
2. Explain at least two methods of locating cases in the *Supreme Court Reporter* and briefly discuss the differences between each. Is the *Supreme Court Reporter* an official or unofficial publication, and what is the name of the publisher?
3. Briefly explain if the case summaries found in digests should be cited as secondary authority in an appellate brief that you are drafting for your supervising attorney. Should these case summaries in digests be cited in trial briefs as secondary authority, too?
4. Once relevant cases and statutes are found in the process of legal research, the legal researcher must be assured that the cases and statutes are still good law. Briefly explain how the methods of updating a case differ from updating a statute.

Quizzes:

There will be four quizzes, each worth 100 points, composed of multiple choice and short answer questions covering the material studied in this class.