

Assignment 3 - Statutory Research

The following questions are open-ended; you need to use what we have discussed about locating and working with statutes to complete this assignment. I don't expect detailed and exhaustively written answers but please make an honest effort to answer the questions. As usual, retain a copy of your answers to facilitate classroom discussion this Friday.

1. Do not consult secondary sources for this question; locate the information using the tools related to the U.S.C. You represent a veteran who was honorably discharged from the military. She has come to you for assistance. She suffered a heart attack and was attended to by a non-governmental hospital during the emergency. At the time of the heart attack, she was registered with and was scheduled to see a doctor at a VA facility but had not yet received any care from the VA. She has a basic health insurance plan which will cover some, but not all, of the costs of her emergency treatment. She has been told, unofficially, that the VA will not reimburse for the amount not paid by her private insurance. Is this accurate?

A. Which code section applies to your client?

B. When was this code section last updated?

C. Please explain how you located the relevant section; be specific. If you tried more than one approach, please list all steps you took.

2. You are practicing in Iowa and a client has asked for your representation in his case. Your client is forty-one years of age and was recently laid-off from his job. The official reason given for the termination was lack of production on the job. The job was with a small company that employs only five persons. The client believes he was fired because he didn't fit in with the rest of the employees because they thought he acted feminine.

Which statutes might apply in a possible discrimination action? You may use any sources to assist in locating relevant material.

3. You are practicing law in California and are bringing this action in a federal district court in California. Your client is being charged under the Computer Fraud and Abuse Act. The claim is that he accessed a workplace computer at his employer's shop, which was the computer he used on a regular basis, and destroyed documents. He did this after becoming mad at the employer for disciplining him for being late to work. He was still an employee at the time the acts were committed. The question is whether he accessed the computer "without authorization."

Please identify where the relevant statutory language appears in the U.S.C. and make your best argument based upon the law.