

**Advanced Legal Research (2 Credits) - Law 70207**  
**Instructor: Warren Rees**  
**Syllabus**

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**Description**

This course will provide students with a practical understanding of the types of legal authority and how to access them in print and online using Lexis, Westlaw, and the World-Wide Web. Advantages and disadvantages of online and print resources will be covered as each type of authority is discussed. Methods for making research more efficient will also be covered.

**Schedule**

This class will meet every Friday from 1:00 - 2:40 pm in Room 121.

**Attendance**

Attendance is mandatory. Readings and assignments will be discussed and additional information will also be presented during class.

**Readings**

There is no required text for this course. Several readings will be assigned during the course of the semester. Reading assignments will consist of handouts in class, materials placed on reserve, and assigned materials available on the web.

**Assignments**

Use of the materials covered in class is essential for learning in a class of this nature. Approximately seven or eight assignments will be distributed throughout the semester. Assignments will not be graded but must be completed and returned. Students will be expected to discuss their results during the following class. Failure to complete an assignment will result in a grade reduction.

**Projects**

The class is divided into three units: cases, statutes/legislative history, and administrative law. At the end of the first two units, the student must complete a project. Each project will consist of questions requiring use of the knowledge learned during that unit. Each project is worth twenty-five percent of your grade; both projects will determine one-half of your grade.

**Final Exam**

The final exam will be an open book/open note exam over all information covered during the semester and is worth one-half of your final grade for the class. The final will consist of multiple choice/true false and short answer questions.

**Grading**

The final grade will be based upon the projects (50% ) and the final exam (50%). You may elect to take this class for a letter grade or pass/fail; **you must notify Anne Hamilton by Friday, Jan. 18th if you wish to take the class pass/fail.**

A class web page will be available online at <http://www.nd.edu/~lawlib/legalresearchadv> All handouts, class presentations, and assignments will be posed on this page.

## Class Outline

1. Review of authority hierarchy
2. Case law: from complaint to final decision
  - tracking cases
  - documents available
  - forms (Sources for sample forms)
  - Court Rules - details of case process
  - Review of using digests to locate cases by subject
  - Using online sources to access cases
    - principles of database selection
    - predetermined outline vs. free form
    - issues using predetermined outline
    - issues with free form
      - terms and connectors v. natural language
    - principles for formulating a free form search
    - natural language v. terms and connectors searching
    - working with a known authority
      - using cases to locate other relevant cases
      - using citators to locate other relevant cases
      - using citators to determine if a case still represents good law
3. Statutory law: the federal system
  - Bills, public laws, and codes
  - Legal status of public laws and codes
  - Research using codes: print and online (Westlaw, Lexis, web)
    - Predetermined outline
    - Free form searching online
      - Natural language v. terms and connectors
  - State statutory and local ordinance searching
  - Uniform laws
4. Legislative history
  - Legislative process
  - Materials used for statutory research
  - Relative value and use by courts of legislative history materials
5. Administrative law
  - The administrative process - how rules are made
    - Issues surrounding modern administrative law
  - Registers and codes
  - Administrative research:
    - print
    - online - Westlaw, Lexis, web
  - Administrative agency powers
    - decisions
    - enforcement
6. Use of specialized looseleaf sources
  - Print and online
  - Federal Income Taxation

7. General use of the web for legal information
  - Type of information found on the web
  - Reliability
  - Status of information