I. Catalog Information

PARA 96B  Advanced Legal Research and Writing  4 Unit(s)

Prerequisites: Paralegal 94 or 95; Paralegal 96A.
Advisory: English Writing 1A or English as a Second Language 5.

Four hours lecture.

Researching complex legal disputes utilizing both print and online resources; drafting a memorandum of points and authorities.

II. Course Objectives

A. Identify and describe electronic sources used to do legal research.
B. Identify legal sources available on Westlaw, LEXIS and the Internet.
C. Find case law, statutory law and constitutional law on Westlaw, LEXIS and the Internet with a known citation.
D. Analyze factual situations and draft search queries to find controlling law on Westlaw, LEXIS and the Internet.
E. Explain the Shepard's online resource and conduct various Shepard's searches.
F. Analyze a hypothetical case involving a complex legal dispute and identify the legal issues to be researched.
G. Develop a plan to research a hypothetical case using legal resources in print.
H. Develop a plan to research a hypothetical case using legal resources online.
I. Research a hypothetical case locating appropriate state, federal and international law using legal resources in print and online.
J. Research a hypothetical case and draft a written Memorandum of Points and Authorities related to a hypothetical case.

III. Essential Student Materials

None

IV. Essential College Facilities

Online legal research database such as LEXIS or Westlaw.

V. Expanded Description: Content and Form

A. Identification and description of electronic sources for doing legal research
   1. CD-ROM products
   2. Fee-based online services
      a. LEXIS
      b. Westlaw
      c. Loislaw
   3. Free services available on the Internet
      a. Findlaw
      b. LexisOne
      c. Cornell Legal Institute

B. Identification of legal sources available on Westlaw, LEXIS and the Internet
   1. Primary legal sources: cases, statutes, constitutions
   2. Editorial enhancements available only on Westlaw and LEXIS
3. Secondary sources available on Westlaw and LEXIS
4. Secondary sources available on the Internet

C. Finding case law, statutory law and constitutional law on Westlaw, LEXIS and the Internet with a known citation
   1. Reviewing appropriate citation formats
   2. Finding case law with case reporter citations
   3. Finding case law with case name
   4. Finding statutory law with proper citation
   5. Finding constitutional law with proper citation

D. Analyzing factual situations and drafting search queries to find controlling law on Westlaw, LEXIS and the Internet
   1. Identifying key factual and legal vocabulary
   2. Drafting search queries using terms and connectors
   3. Drafting search queries using natural language

E. Explanation of Shepard's online resource and how to conduct a Shepard's search
   1. Comparison of Shepard's online resource to Shepard's in print
   2. Information available through the Shepard's resource
   3. How to Shepardize cases, statutes, constitutions and miscellaneous legal resources

F. Analyzing a complex hypothetical case involving a legal dispute and identifying the legal issues to be researched
   1. Distinguishing essential facts from immaterial facts
   2. How to identify the legal issue(s) to be researched
   3. Importance of creating a legal vocabulary list

G. Developing a plan to research a hypothetical case using legal resources in print
   1. Identifying relevant secondary sources in print
   2. Using a vocabulary list and an index
   3. Reassessing the legal issues
   4. Knowing when to access primary sources of law
   5. Organizing research findings
   6. Knowing when research is completed

H. Developing a plan to research a hypothetical case using legal resources online
   1. Evaluating the online service for content and timeliness
   2. Comparing and contrasting fee based and free online services
   3. Analyzing search capabilities of online services
   4. Determining whether to search secondary source databases or primary source databases
   5. Developing search queries from vocabulary lists
   6. Organizing research findings
   7. Knowing when research is completed

I. Researching a hypothetical case locating appropriate state, federal and international law using legal resources in print and online
   1. Reviewing features of legal research materials in print
   2. Utilizing special search features of LEXIS and Westlaw
   3. Locating and evaluating state law
   4. Locating and evaluating federal law
   5. Locating and evaluating international law
   6. Determining whether research findings are appropriate and relevant to legal issue
   7. Validating research results using the online services, Shepard's or KeyCite
J. Drafting a Memorandum of Points and Authorities
   1. Organizing research results
   2. Drafting a statement of facts based on a hypothetical case
   3. Drafting a statement of issues based on a hypothetical case
   4. Applying case law to a hypothetical case developing a persuasive legal argument
   5. Applying statutory and constitutional law to a hypothetical case developing a persuasive legal argument
   6. Formal requirements for the Memorandum of Points and Authorities

VI. Assignments
   A. Oral
      1. Small group discussions and analysis of hypothetical legal problems
      2. Class discussion
      3. Individual and/or small group presentations of course material
   B. Written
      1. Quizzes
      2. In-class and take-home written assignments analyzing legal problems and developing appropriate research
         vocabulary lists.
      3. In-class and take-home written assignments analyzing legal problems and developing appropriate search queries for
         online research.
      4. Write a Memorandum of Points and Authorities based on research and a hypothetical case.
      5. Objective and essay final examination.
   C. Reading and library
      1. Assigned readings from text and other references, including internet materials.
      2. Researching a hypothetical case using secondary and primary sources in print and online.

VII. Methods of Instruction
   None

VIII. Methods of Evaluating Objectives
   A. Oral and written assignments
   B. Quizzes and one final exam
   C. Participation

IX. Texts and Supporting References
   A. Examples of Primary Texts and References
   B. Examples of Supporting Texts and References
         Rutter Group, Latest annual supplement.
      5. California Judicial Council Forms (http://www.courtinfo.ca.gov/forms/)