

## LEGAL RESEARCH II

Law 2307 / Spring 2017 / Section E834 / Room N-622A / MW 6-7:40pm  
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Office hours: Monday 1-2:30pm, Wednesday 4:15-5:45pm, and by appointment

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### COURSE DESCRIPTION

Four credits; LAW 1201 is a prerequisite. This course builds upon the working knowledge of the law library and research techniques mastered in LAW 1201, and applies those techniques by utilizing them in practical application. In addition, the student is introduced to the use of computerized legal research, and provided additional instruction in the use of citations. This course focuses on analysis and evaluation of researched material, with a concentration on the writing aspect of reporting research.

#### Texts:

- Andrea B. Yelin & Hope Viner Samborn, The Legal Research and Writing Handbook: A Basic Approach for Paralegals (7th ed. 2015) (Wolters Kluwer Law & Business) ("Yelin & Samborn" or "Y&S").
- The Bluebook: A Uniform System of Citation (20th ed. 2015).
- New York Law Reports Style Manual, available on Blackboard.
- A law dictionary, such as Black's, and an English language dictionary, such as Merriam-Webster's, in print or online. Online law dictionaries include thelawdictionary.org, dictionary.law.com, and legal-dictionary.thefreedictionary.com. Online English language dictionaries include dictionary.reference.com, merriam-webster.com/dictionary.htm, and thefreedictionary.com.

#### Course objectives include:

- effectively performing electronic legal research using Westlaw and other online databases;
- determining the current validity of legal authorities through electronic research methods;
- determining the precedential value of a legal opinion;
- using proper citation styles including The Bluebook and New York Law Reports Style Manual;
- writing case briefs that are legally and grammatically correct and free of unnecessary legal jargon;
- skillfully applying the IRAC method of legal writing;
- analyzing fact patterns and marshaling facts in support of specified legal positions;
- adequately preparing an outline and the components of a legal memorandum;
- adequately analyzing issues to be presented in a legal memorandum;
- properly synthesizing cases to be addressed in a legal memorandum;
- competently drafting single-issue and multi-issue legal memoranda;
- writing effective legal letters; and
- recognizing, and responding appropriately to, ethical issues in legal research and writing.

#### General Education Student Learning Outcomes (SLOs) include:

- Knowledge: Value knowledge and learning; acquire tools for lifelong learning.
- Skills: Communicate in diverse settings and groups, using written and oral means; employ logical thinking; use creativity to solve problems.
- Integration: Gather, interpret, evaluate, and apply information discerningly from various sources; understand and navigate systems; resolve difficult issues creatively with multiple systems and tools.
- Values, Ethics and Relationships: Demonstrate intellectual honesty and personal responsibility; demonstrate intellectual agility and the ability to manage change; work with teams, including those of diverse composition; apply knowledge to analyze legal issues.
- Critical Thinking: Explore issues, ideas and events as a means to formulate an opinion or conclusion.

**Course grades** will be calculated as follows:

Quizzes	10%
Briefs, homework and other assignments	20%
First memorandum	20%
Midterm exam	20%
Final memorandum	25%
Participation and professionalism (see below)	5%

**There will be no make-up exams or quizzes without advance permission. Late homework and other assignments will be declined or penalized. All written assignments, including homework, must be typed and double-spaced.** Grammar and spelling count; proofread! Retain copies of your graded work; if you believe there is an error in grading, you will be required to demonstrate it.

**Participation and professionalism:** You are required to participate meaningfully in all class sessions, including (i) completing all required readings and assignments before class and being prepared to discuss them intelligently; (ii) being present, fully attentive, and actively engaged in all class activities; and (iii) having all necessary materials with you. Professionalism includes conducting yourself in a manner appropriate to the legal profession, and taking responsibility for your own learning and progress.

**You may not use cell phones in class, at any time, for any purpose.**

**Attendance:** You are permitted up to three absences; two late arrivals equal one absence.

**NYCCT statement on academic integrity:** "Students and all others who work with information, ideas, texts, images, music, inventions, and other intellectual property owe their audience and sources accuracy and honesty in using, crediting, and citing sources. As a community of intellectual and professional workers, the College recognizes its responsibility for providing instruction in information literacy and academic integrity, offering models of good practice, and responding vigilantly and appropriately to infractions of academic integrity. Accordingly, academic dishonesty is prohibited in The City University of New York and at New York City College of Technology and is punishable by penalties, including failing grades, suspension, and expulsion." (NYCCT Academic Integrity Policy Manual at 4.) You are responsible for understanding and following CUNY's and NYCCT's policies on academic integrity. They are available at [http://www.citytech.cuny.edu/about-us/docs/CUNY\\_ACADEMIC\\_INTEGRITY\\_6-2011.pdf](http://www.citytech.cuny.edu/about-us/docs/CUNY_ACADEMIC_INTEGRITY_6-2011.pdf) (CUNY) and [http://www.citytech.cuny.edu/academics/docs/academic\\_integrity\\_policy.pdf](http://www.citytech.cuny.edu/academics/docs/academic_integrity_policy.pdf) (NYCCT).

**Blackboard:** Blackboard will be used extensively to provide assignments, materials, and other important information, including some that may not be provided in class. You are responsible for all information and instructions posted on Blackboard. Check it frequently.

**Email:** Per college policy, please email me only from your City Tech account, not gmail or other personal accounts. Please allow 24 hours for a response, and longer if you email me during a weekend or when classes are not in session. The college Welcome Center (Atrium 1st floor) can assist you with City Tech email.

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**CLASS SCHEDULE**

Below is a general schedule of topics and assignments. It is subject to change. Under "Readings" – "Ch." and "App." refer to chapters and appendices in The Legal Research and Writing Handbook (Y&S), and items denoted "BB" are available on Blackboard. Additional readings and work will be assigned in class and on Blackboard.

<u>Classes</u>	<u>Dates</u>	<u>Topics</u>	<u>Readings</u>
1, 2	M 1.30, W 2.1	Course introduction; review legal research basics (purposes, types of authorities, government and court systems, etc.)	<ul style="list-style-type: none"> <li>• Y&amp;S Chs. 1-9</li> <li>• T. Marshall Guide to Legal Research (BB)</li> <li>• court maps &amp; charts (BB)</li> </ul>
3, 4	M 2.6, W 2.8	Review Bluebook citation <i>**Bring Bluebooks!!</i>	<ul style="list-style-type: none"> <li>• Georgetown Law Bluebook Guide (BB)</li> <li>• Bluebook pp. 1-19; Tables 1.1, 1.3(NY), 6, 7 &amp; 10; Quick Ref: Ct Docs &amp; Legal Memos (inside back cover)</li> <li>• Y&amp;S App. B</li> </ul>
5, 6	W 2.15, W 2.22	Introduction to legal writing: the writing process	Y&S Chs. 15, 16, 17
7, 8	M 2.27, W 3.1	Introduction to electronic legal research; locating and validating (citechecking) authorities	<ul style="list-style-type: none"> <li>• Westlaw Guide for Paralegals (BB)</li> <li>• Y&amp;S App. A (pp. 553-555)</li> </ul>
9, 10	M 3.6, W 3.8	Reading and briefing cases	Y&S Ch. 18
11, 12	M 3.13, W 3.15	Reading and briefing cases <i>cont'd</i>	
13, 14	M 3.20, W 3.22	Introduction to the legal memorandum: overview, components and drafting steps	Ch. 19 & App. C
15	<b>M 3.27</b>	<b>MIDTERM EXAM</b>	
16, 17, 18	W 3.29, M 4.3, W 4.5	Legal memo <i>cont'd</i> : questions presented, conclusions/brief answers, and facts <i>**First memorandum assigned</i>	Chs. 20, 21
	<i>M 4.10 thru Tu 4.18</i>	<b>SPRING RECESS!!</b>	
19, 20	W 4.19, Th 4.20	The IRAC method; synthesizing cases and authorities; organizing a memo <i>**W 4.19 = last day to withdraw with a "W"</i> <i>**Th 4.20 = Monday schedule</i>	Chs. 22, 23, 24
21, 22	M 4.24, W 4.26	Continue researching and drafting first memorandum	
23	M 5.1	New York citation style <i>**First memorandum due</i>	New York Law Reports Style Manual (BB)
24	W 5.3	Multi-issue memos: organization & techniques <i>**Final memorandum assigned</i>	Ch. 24 part C (pp. 505-527)
25, 26	M 5.8, W 5.10	Researching and drafting the final memorandum	
27, 28	M 5.15, W 5.17	Revising the final memorandum	
	Friday 5.19	<i>**Optional book review due (no class)</i>	
29	M 5.22	Letter writing	Ch. 25
30	<b>W 5.24</b>	Letter writing <i>cont'd</i> ; course wrap-up <b>**FINAL MEMORANDUM DUE</b>	

**HAPPY SUMMER! ☺**