Fall 9-1-2006

LEG 186T.01: Introduction to Legal Research

Colleen M. Dowdall
University of Montana - Missoula

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LEG 186T INTRODUCTION TO LEGAL RESEARCH

Fall Semester 2005

FACULTY: Colleen M. Dowdall, Esq.
Home Number - 240-5949  Home Fax No. - 728-5249
Home email - cdow532@aol.com

PREREQUISITE: Acceptance into program or consent of department head

COURSE DESCRIPTION:

An introduction to the legal system and legal authorities, both hardcopy sources and
research using a computer. All available sources will be explored as well as the
interrelationship between sources.

COURSE OBJECTIVES:

Upon completion of course, students will be able to:

1. Understand the role of the paralegal in Legal Research.
2. Determine the value of various authorities and how they interrelate. Utilize
   primary and secondary authority under appropriate circumstances.
3. Use hard copy digests and on-line resources to research case law.
4. Read and analyze cases to determine issues, holdings, facts, legal
   reasoning, and disposition.
5. Create accurate, word-processed case briefs according to IRAC or other
   appropriate formats.
6. Shepardize cases for validation and research.
7. Perform constitutional and statutory research. Identify how the legislative
   process affects legal research.
8. Utilize secondary authority to understand, analyze, and tie together primary
   authority and to find additional primary authority to support a legal issue.
**GRADING AND POLICIES:**

<table>
<thead>
<tr>
<th>Grading Scale</th>
<th>Weight of grading</th>
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<tbody>
<tr>
<td>A - 93-100%</td>
<td>Homework assignments 15%</td>
</tr>
<tr>
<td>B - 87-92%</td>
<td>Midterm Exam - 20%</td>
</tr>
<tr>
<td>C - 80-86%</td>
<td>Case Briefing - 25%</td>
</tr>
<tr>
<td>D - 75-79%</td>
<td>Final Exam - 40%</td>
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<td>F - Below 75%</td>
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**Attendance Policy:** Attendance is not mandatory but will influence grading when the numerical average is on the borderline between grades.

**Make-up Tests**

Make up tests will be allowed if I have been notified prior to the test that you are unable to take the test due to illness or emergency. Notification may be by email, in person or phone message. Make-ups will be completed by the end of the week in which the test was scheduled.

**Due Dates:**

Homework assignments are due at the beginning of class on the due date **and must be typed**. A late assignment will have 7 points deducted from the score.

**Disabilities:**

If you need special assistance due to a disability contact me personally after class or by phone or email by the end of the 2nd week of class.

**Plagiarism Warning**

“Plagiarism is the representing of another’s work as one’s own. It is a particularly intolerable offense in the academic community and is strictly forbidden. Students who plagiarize may fail the course and may be remanded to Academic Court for possible suspension or expulsion.” The University of Montana, 1999-2000 Catalogue, Page i8. Also see Student Conduct Code. You may work with other students on the library exercises and in researching the writing assignments. The actual writing on the written assignments must be your own. When working with other students, be sure to understand the resources and process used to get the answer.

**REQUIRED TEXT:**

- *The Legal Research and Writing Handbook* by Andrea Yelin and Hope Viner Samborn 4th Edition
- *ALWD Citation Manual 2d Edition* by Darby Dickerson, Association of Legal Writing Directors
# Course Outline

The outline includes the chapters in the textbook. Changes may be made depending upon the difficulty of the material and the need to cover some areas more thoroughly.

<table>
<thead>
<tr>
<th>Week 1</th>
<th><strong>Topic</strong></th>
<th>Introduce the course, legal research, Introduction to the U.S. Legal system found in Chapter 1</th>
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<tbody>
<tr>
<td>8/28</td>
<td><strong>Assignment</strong></td>
<td>Read Chapter 2</td>
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| Week 2 | **9/4** | **LABOR DAY HOLIDAY - NO CLASS** |

<table>
<thead>
<tr>
<th>Week 3</th>
<th><strong>9/11</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT ONE: due 9/18; Read Chapter 3 and ALWD part 1, p. 3-12</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 2, What Law Governs</td>
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<thead>
<tr>
<th>Week 4</th>
<th><strong>9/18</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT TWO: due 9/25, Read Chapter 4,</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 3, Court Cases</td>
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<thead>
<tr>
<th>Week 5</th>
<th><strong>9/25</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT THREE: due 10/2, Read Chapter 5, p. 103-119</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 3, Digests</td>
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<thead>
<tr>
<th>Week 6</th>
<th><strong>10/2</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT FOUR: due 10/9, Read Chapter 19</th>
</tr>
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<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 5, Cite Checking using Shepards</td>
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<tr>
<th>Week 7</th>
<th><strong>10/9</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT FIVE: due 10/16, Case Briefs assigned, due 11/27</th>
</tr>
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<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 19, Briefing Cases</td>
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<tr>
<th>Week 8</th>
<th><strong>10/16</strong></th>
<th><strong>Assignment</strong>: Study for Midterm</th>
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<tbody>
<tr>
<td><strong>Topic</strong>: Review for Midterm</td>
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<tr>
<th>Week 9</th>
<th><strong>10/23</strong></th>
<th><strong>Assignment</strong>: Read Chapter 7, p. 161 - 191</th>
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<tbody>
<tr>
<td><strong>Midterm</strong></td>
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<tr>
<th>Week 10</th>
<th><strong>10/30</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT SIX: due 11/6, Read as assigned</th>
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</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 7, Constitutions and Statutes</td>
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<tr>
<th>Week 11</th>
<th><strong>11/6</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT SEVEN: due 11/13, Read Chapter 9</th>
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<tbody>
<tr>
<td><strong>Topic</strong>: Montana statutes</td>
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<tr>
<th>Week 12</th>
<th><strong>11/13</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT EIGHT: due 11/20, Read Chapter 10, Chapter 5, p. 120-126, Chapter 7, p. 191 - 194</th>
</tr>
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<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 9, Administrative Law</td>
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<thead>
<tr>
<th>Week 13</th>
<th><strong>11/20</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT NINE: due 11/27, Read Chapter 11, Case briefs due next week</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 9, Lexis and Westlaw—Class held at the COT Computer lab</td>
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<thead>
<tr>
<th>Week 14</th>
<th><strong>11/27</strong></th>
<th><strong>Assignment</strong>: ASSIGNMENT TEN: due 12/4, Case Briefs due today</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Chapter 11, Internet Research – Class held at the COT Computer lab</td>
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<table>
<thead>
<tr>
<th>Week 15</th>
<th><strong>12/4</strong></th>
<th><strong>Assignment</strong>: Study for Final</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Topic</strong>: Return and review Case Briefs, Review for Final</td>
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</tbody>
</table>

| **Finals Week** |
| **12/11** | Final on Monday 12/11 at 5:30 p.m. |