

COURSE SYLLABUS

POLITICAL SCIENCE 223: LEGAL RESEARCH (3 semester hours)

Mondays, 7:20 – 10:00 PM
SS 141 (Commerce Campus)

Instructor: Steven Lilley, Attorney at Law

Phone (work): (903) 408-4180

Phone (cell): (903) 243-8519

Email: slilleylaw@gmail.com

Availability: 30 minutes after class or by appointment

Required Texts

William H. Putman, *Legal Research, Analysis, and Writing*, 4th ed. (ISBN-13: 9781305948372)
Bluebook: Uniform System of Citation, Harvard, 19th ed.

Course Description

This course is designed to aid the beginning student in acquiring and enhancing legal research skills. Topics covered include the techniques of legal research and writing, sources of the law and how each can be found; case analysis, legal citation, and legal bibliography; and ethical obligations of the paralegal in legal research.

Course Objectives

The goal of this course is to enable the student to:

- Understand and apply legal analysis to specific situations;
- Research case law and statutory law;
- Utilize Westlaw and LEXIS as a research tool;
- Understand and apply general legal citation rules;
- Draft an office legal memorandum; trial and appellate court briefs; and various types of correspondence.

Attendance Policy

Attendance is required and roll will be taken at every class. It is vital to attend each class as we only meet once per week.

Attendance/participation contributes 10% of the total final grade. The follow table illustrates how missed classes will affect this portion of your overall grade

<u>Classes missed</u>	<u>% deduction from attendance/participation</u>
1	0%
2	2%
3	5%
4 or more	10% and possible failure of class

Grading Policy

You are also responsible for completing weekly assignments. Your assignments will be reviewed, graded and returned to you. This is a cumulative grade over the course of the semester. Each weekly assignment will consist of several chapter specific assignments. Weekly assignments cover the material who have just finished learning about in class and are due at the beginning of next class meeting.

All assignments must have a cover page indicating the following: your name, class, name of the assignment, and date the assignment is due.

All written work will be graded not only on content, but also on writing style, **including punctuation and grammar**. You must speak with me if you plan to turn in work late but wish for it be graded. Depending on the circumstances, I may or may not grade late work.

You will be required to submit a take-home memorandum during finals week. This is the culmination of the work you will be doing in this class and it must be a solo project. Any two or more memos that appear to be the result of collaboration will be met with skepticism and a potential failing grade.

Your grade will be calculated according to the following formula:

Attendance/Participation	10 points
Weekly Assignments	30 points
Midterm Exam	20 points
Final Memorandum	30 points
Citation Exam	<u>10 points</u>
Total	100 points

Grade Distribution is as follows:

- A = 90-99
- B = 80-89
- C = 70-79
- D = 65-69
- F = 64 and below

Student Conduct and Etiquette

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See Student's Guide Handbook, Policies and Procedures, Conduct) You are expected to exhibit respect for the instructor and fellow students at all times. All electronic devices (except laptops) must be turned off during class. Laptop use is limited to reading notes made for class and taking notes during class. In the event you choose to use a laptop, sound features must be disabled. Surfing the internet and playing games on your laptop during class time are strictly prohibited. Failure to adhere to these policies may result in removal from class.

Students with Disabilities

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring accommodation, please contact:

Office of Student Disability Resources and Services
Texas A&M University – Commerce
Gee Library
Room 132
Phone: (903)886-5150 or (903)886-5835
Fax: (903)468-8148
StudentDisabilityServices@tamuc.edu

Non-discrimination notice

A&M-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

Statement regarding on campus firearms

Texas Senate Bill-11 (Government Code 411.2031, et al.) authorizes the carrying of a concealed handgun in Texas A&M University-Commerce buildings only by persons who have been issued and are in possession of a Texas License to Carry a Handgun. Qualified law enforcement officers or those who are otherwise authorized to carry a concealed handgun in the State of Texas are also permitted to do so. Pursuant to Penal Code (PC) 46.035 and A&M-0Commerce Rule 34.06.02R1, license holders may not carry a concealed handgun in restricted locations. For a list of locations, please refer to

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatments/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf>) and/ or consult your event organizer). Pursuant to PC 46.035, the open carrying of handguns is prohibited on all A&M-Commerce campuses. Report violations to the University Police Department at 903-886-5868 or 9-1-1.

“What is Plagiarism

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. But terms like "copying" and "borrowing" can disguise the seriousness of the offense:

According to the Merriam-Webster Online Dictionary, to "plagiarize" means

1. to steal and pass off (the ideas or words of another) as one's own
2. to use (another's production) without crediting the source
3. to commit literary theft
4. to present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of fraud. It involves both stealing someone else's work and lying about it afterward.

But can words and ideas really be stolen?

According to U.S. law, the answer is yes. The expression of original ideas is considered intellectual property, and is protected by copyright laws, just like original inventions. Almost all forms of expression fall under copyright protection as long as they are recorded in some way (such as a book or a computer file).

All of the following are considered plagiarism:

- turning in someone else's work as your own
- copying words or ideas from someone else without giving credit
- failing to put a quotation in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not (see our section on "fair use" rules)

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.” (www.plagiarism.org)

If you plagiarize, you will receive an F for the assignment in question and the matter will be referred to the Office of the Dean of the College of Arts and Sciences.

All written assignments are due at the beginning of class the week following where they appear on the syllabus as they are to supplement what we learned in class that day.

Course Reading and Written Assignments

- 08/27/2018 Chapter 1: Introduction to Legal Principles and Authorities
Chapter 2: Introduction to Legal Research and Analysis
Weekly Assignment (Ch. 1: Exercise 4)
(Ch. 2: Exercises 3, & 5)
- 09/03/2018 **Labor Day - No Class**
- 09/10/2018 Chapter 3: Constitutions, Statutes, Administrative Law, and Court Rules
Research and Analysis
Weekly Assignment: (Ch. 3: Exercise Assignments 6, & 8)
- 09/17/2018 **No class scheduled – subject to change**
- 09/24/2018 Chapter 4: Case Law – Research and Briefing (121-136)
Weekly Assignment: (Ch. 4: Exercise Assignments 4, 5, & 9)
- 10/01/2018 Chapter 5: Secondary Authority and Other Research Sources –
Encyclopedias, Treatises, Annotated Law Reports, Digests, Shepard's (164-
188)
Chapter 6: Secondary Authority – Periodicals, Restatements, Uniform Laws,
Dictionaries, Legislative History, and Other Secondary Authorities
Weekly Assignment: (Ch. 5: Exercise Assignments 3,5 & 11)
- 10/08/2018 Chapter 7: Computers and Legal Research
Weekly Assignment: (Ch. 7: 1, 3, 4, & 12)
- 10/15/2018 **Midterm Exam**
- 10/22/2018 Chapter 8: Legal Citation
Weekly Assignment: (Ch. 8: Exercise Assignments: 2, 3, 4, 5, 6, 7, 8,
9, 10, 13, & 14)

- 10/29/2018 Chapter 9: Legal Analysis – Key Facts
Chapter 10: Legal Analysis – Issue Identification
Weekly Assignment: (Ch. 9: Exercise Assignment 4)
(Ch. 10: Exercise Assignment 3)
- 11/5/2018 **Citation Exam**
- 11/12/2018 Chapter 11: Legal Analysis – Stating the Issue
Chapter 12: Case Law Analysis – Is a Case on Point?
Chapter 13: Counter-analysis
Weekly Assignment: (Ch. 11: Exercise Assignments 2 & 3)
(Ch. 12: Exercise Assignment 6)
(Ch. 13: Exercise Assignments 4)
- 11/19/2018 Chapter 15: The Writing Process for Effective Legal Writing
Chapter 16: Office Legal Memorandum: Issues and Facts
Weekly Assignment: **First Draft of Final Memo Facts and Issue**
- 11/26/2018 Chapter 17: Office Legal Memorandum: Analysis to Conclusion
- 12/2/2018 Individual Memo Appointments
- 12/10/2018 **Final Memo Due by 5:00pm**

*****As Instructor, I reserve the right to amend, modify, or alter this syllabus as the situation may require.*****