

## COURSE SYLLABUS

### POLITICAL SCIENCE 223: LEGAL RESEARCH (3 semester hours)

Tuesdays, 7:20 – 10:00 PM  
Web based

**Instructor:** Steven Lilley, Attorney at Law

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Phone (cell): (903) 243-8519

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**Availability:** I will be available on Tuesdays before class is to begin starting at 6:30pm. You may contact me with any questions or concerns you have

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### Required Texts

William H. Putman, *Legal Research, Analysis, and Writing*, 4<sup>th</sup> ed. (ISBN-13: 9781305948372)  
*Bluebook: Uniform System of Citation*, Harvard, 19th or 20th 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. **Unless you are granted an exception for a particular class period, you will only be considered to have attended class if you are present during the live online presentation.**

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 to be graded. Depending on the circumstances, I may or may not grade late work.

You will be required to submit a legal 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>
<b>Total</b>	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.

## **The University's Pandemic Response**

A&M-Commerce requires the use of face-coverings in all instructional and research classrooms/laboratories. Exceptions may be made by faculty where warranted. Faculty have management over their classrooms. Students not using face-coverings can be required to leave class. Repetitive refusal to comply can be reported to the Office of Students' Rights and Responsibilities as a violation of the student Code of Conduct. Students should not attend class when ill or after exposure to anyone with a communicable illness. Communicate such instances directly with your instructor. Faculty will work to support the student getting access to missed content or completing missed assignments.

## **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](mailto: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-Commerce 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](http://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.**

### **Course Reading and Written Assignments**

8/25/2020	Read:	Chapter 1: Introduction to Legal Principles and Authorities Chapter 2: Introduction to Legal Research and Analysis
9/1/2020	Assignment Due: Read:	Ch. 1: Exercise 4; Ch. 2: Exercises 3, & 5 Chapter 3: Constitutions, Statutes, Administrative Law, and Court Rules Research and Analysis
9/8/2020	Assignment Due: Read:	Ch. 3: Exercise Assignments 6, & 8 Chapter 4: Case Law – Research and Briefing (121-136)
9/15/2020	Assignment Due: Read:	Ch. 4: Exercise Assignments 4, 5, & 9 Chapter 5: Secondary Authority and Other Research Sources – Encyclopedias, Treatises, Annotated Law Reports, etc. (164- 188) Chapter 6: Secondary Authority – Periodicals, Restatements, Uniform Laws, Dictionaries, etc.
9/22/2020	Assignment Due: Read:	Ch. 5: Exercise Assignments 3,5 & 11 Chapter 7: Computers and Legal Research
<b>9/29/2020</b>	Assignment Due: <b>*Midterm Exam*</b>	Ch. 7: 1, 3, 4, & 12
10/6/2020		Fundamentals of Legal Citation - Readings and Assignments to be announced

10/13/2020	Assignment Due: Read:	Citations (to be determined) Chapter 14: The Fundamentals of Writing
10/20/2020	Read:	Chapter 9: Legal Analysis – Key Facts Chapter 10: Legal Analysis – Issue Identification Chapter 11: Legal Analysis – Stating the Issue
<b>10/27/2020</b>	<b>Citation Exam</b>	
<b>11/3/2020</b>	<b>NO CLASS</b>	<b><u>Assignment: GO VOTE!</u></b>
11/10/2020	Assignment Due: Read:	Ch. 9: Exercise Assignment 4; Ch. 10: Exercise Assignment 3; Ch 11: Exercise Assign 2&3 Chapter 12: Case Law Analysis Chapter 13: Counter-analysis
11/17/2020	Assignment Due: Read:	Ch. 12: Exercise Assignment 6 Ch. 13: Exercise Assignments 4 Chapter 15: Effective Legal Writing Chapter 16: Office Legal Memorandum: Issues and Facts
11/17/2020	Assignment Due: Read:	First Draft of Final Memo Facts and Issue Chapter 17: Office Legal Memorandum: Analysis to Conclusion
<b>11/24/2020</b>	<b>No Class – Thanksgiving Week</b>	
12/1/2020	Individual Memo Meetings	
<b>12/8/2020</b>	<b>Memos due by 5:00pm</b>	

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