

# LEGAL RESEARCH METHODS

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## I. GENERAL DESCRIPTION AND OBJECTIVES OF THE COURSE

Being able to conduct advanced level legal research and produce quality written legal works is a crucial skill that you should master in order to be successful in the legal profession. Fellow lawyers, judges, and clients will know you and evaluate you based on this skill. Therefore, the “Legal Research Methods” course is aimed at teaching you to develop high level legal research, analysis, and writing skills.

You will study the fundamental principles of effective legal writing and learn to apply them in the process of writing the senior project. The drafting process will help you improve your critical thinking skills as well as understand how to perform legal analysis in practice. Most importantly, you will learn how to work with statutory and doctrinal sources efficiently, apply law to various factual situations, follow concrete citation guidelines, avoid plagiarism, employ available research methods, and produce legal work that may be published. Hence, the major goal of the course is to prepare you for writing the senior project – the most significant piece of writing that you will undertake during your senior year and defend it before a committee of experts in law in the second half of the academic year.

## II. COURSE LEARNING OUTCOMES

On successful completion of this course students will be able to:

1. understand principles of legal research and ethics;
2. identify a research question and problem;
3. carry out advanced legal research, using national and international legal databases;
4. collect facts necessary to answer legal questions;
5. synthesize and integrate legal data;
6. understand how to interpret and apply primary and secondary sources as well as to give proper attribution;
7. construct legal arguments and perform advanced legal analysis;
8. organize legal writing in a coherent, structured way;
9. prepare research strategies and employ research methods in the course of the senior project writing;
10. complete an initial draft of the senior project and present it before the class.

### III. COURSE REQUIREMENTS AND POLICY

- (1) The class will meet twice a week. Students are **expected to come to classes prepared and be ready** to discuss the given materials. Upon the instructor's request each student has to submit his/her written assignments. The instructor will call on students randomly to discuss the given case or hypothetical, or to perform any other task (questions etc.).
- (2) Students are expected to **BE ON TIME** for classes.
- (3) **ATTENDANCE:** Class attendance is required. If a student misses a class with an excuse, he shall provide all necessary documents to prove it within a week after he/she missed the class. If the requirements mentioned above are not observed, student's absence is considered to be unexcused. If the student misses 3 classes without excuse or 50% of the whole course (with and without excuse), the student will be given an "X" grade for the course.
- (4) Students are required to attend **INDIVIDUAL MEETINGS**. If the student misses an individual meeting, he or she is considered to have missed a class period.
- (5) **WRITTEN ASSIGNMENTS:** Due dates and times for both the research and the writing assignments are strict. If the student misses the deadline, he/she may submit the assignment at the latest before 5 PM of the next day after the deadline; in that case 1 point will be deducted from the final grade for the work (e.g., if your grade is "A" for the work, after deduction, your grade will be "B").

Extensions will not be granted except in the case of a genuine emergency. You must make the request for an extension as soon as you know of the emergency. A computer crash is **not a reason** for an extension (back up all work on at least one disk, preferably two, so that there will not be any problems).

Please, notice that all assignments must be turned in **hard copy** and in an **electronic** copy. Electronic copies should be uploaded via the AUCA e-course system. A special training on the e-course system will be provided in class. You may access the system at <http://e-course.auca.kg/>.

- (6) Students must observe the AUCA **ACADEMIC HONESTY** policy. All types of **academic dishonesty** (cheating, plagiarism, etc.) are **strictly prohibited**. If a student fails to observe this requirement, instructors may assign an "F" grade for the work or for the whole course depending on the type of assignment and gravity of the academic dishonesty. Students are expected to read and follow the section on the Student Academic Dishonesty of the AUCA Code of Student Rights, Responsibilities, and Conduct.
- (7) **CELL PHONES** and any other electronic devices should be either turned off or kept on silence.

### IV. EXAMINATION

There are no mid-term or final examinations in this course.

## V. GRADING

The final grade will be determined based on the following components:

Class attendance	10%
Class participation:	
- Student mini-presentation	10%
- Written assignments	25%
1 <sup>st</sup> draft of senior project	15%
2 <sup>nd</sup> draft of senior project	25%
Final presentation	15%

## VI. COURSE CONTENT

**Note: The instructor reserves the right to introduce changes to the syllabus. Any changes will be announced during class. It is your responsibility to stay informed of adjustments.**

<b>Week</b>	<b>Topics</b>
<b>1</b>	- Introduction to the course; introduction to the senior project; discussion of fundamental principles of legal research; steps in research; review on the importance of research
<b>Aug. 22</b>	- <i>Assignment:</i> Write an outline of the proposed senior project area. Read a handout on the importance of legal research.
<b>Aug. 26</b>	- Research topic and its significance
	<i>Assignment:</i> Write an outline of the proposed senior project topic and its significance.
<b>2</b>	- Review of senior project topics from previous years
<b>Aug. 29</b>	- <i>Assignment:</i> List all relevant national sources of law (with concrete references) that regulate the area of the proposed topic.
<b>Sep. 2</b>	- Presentation on research databases (Lexis-Nexis, JSTOR, Oxford Journals Online and CIS databases)
	<i>Assignment:</i> List all relevant international sources of law (with concrete references) that regulate the area of the proposed topic.
<b>3</b>	- Use of sources (interpretation)
<b>Sep. 5</b>	- <i>Assignment:</i> Find sources from academic journals, reviews, books, other materials and write how they are related to the senior project topic. Submit a proposed research query.
<b>-9</b>	- Practical session on sources to be used in the senior project
	<i>Assignment:</i> Read handouts on the use of sources.

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**September 8 – Deadline for submitting the supervisor’s approval of the project supervision!**

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**4** - Use of sources (application)

**Sep. 12-16** *Assignment:* Analyze sources used in your project and write a short paper following the in-class instructions.

- Research question

*Assignment:* Read handouts. Draft a research question on the proposed senior project topic.

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**5** - Thesis statement overview

**Sep. 19-23** *Assignment:* Read handouts. Draft a thesis statement.

- Research purpose and tasks
- Research problem
- Presentation skills/power point recommendations for the presentation on the senior project.

*Assignment:* Draft your research purpose and tasks. Prepare a power point presentation on the senior project topic, significance, problem, sources, expected output.

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**6** Students’ individual mini-presentations on the subject of their research and its significance; problems, sources, expected output

**Sep. 26-30**

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**7** - Plagiarism and how to avoid it

**Oct. 3-7** *Assignment:* Read handouts. Work on the assignment related to plagiarism in accordance with the in-class instructions.

- Legal citation; citation guidelines (Bluebook, Chicago style)

*Assignment:* Read handouts. Complete an assignment on the legal citation based on handouts given in class.

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**8** - Research structure

**Oct. 10-14** *Assignment:* Present an outline of the senior project research structure.

- Discussion on argumentation; claims and evidence

*Assignment:* Read handouts. Complete an assignment on argumentation and claims, evidence based on the in-class instructions.

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**FALL BREAK**

<b>10</b>	Methods of research
<b>Oct. 24-28</b>	<i>Assignment:</i> Read handouts. Write the methods of research you are using in your project and explain how these methods will help you in the writing process. Provide a sample of the practical application of at least two methods used (ex: if you choose interviewing, you will need to prepare questions and interview at least one person).
<b>11</b>	- General recommendations on the language, style and organization of writing
<b>Nov. 1-4</b>	<i>Assignment:</i> Read a handout on research ethics.  - Research Ethics  <i>Assignment:</i> Prepare the first draft for an individual meeting.
<b>12</b>	Draft 1 individual meetings
<b>Nov. 7-11</b>	
<b>13</b>	Draft 1 individual meetings
<b>Nov. 14-18</b>	
<b>14</b>	- Revising and editing; analysis of mistakes made
<b>Nov. 21-25</b>	<i>Assignment:</i> Work on revising and editing the roadmap of your project and the chapter you have chosen to work on.  - Overview on the senior project final presentation  <i>Assignment:</i> Prepare the final presentation.
<b>15</b>	Final presentations
<b>Nov. 28-Dec. 2</b>	
<b>16</b>	Final presentations
<b>Dec. 5- 9</b>	
<b>17</b>	Draft 2 is due!
<b>Dec. 12-16</b>	

## VII. COURSE MATERIALS

You will be required to read handouts that will be distributed in class weekly. In addition, you may refer to the following list of recommended materials for further reading:

- Michael Murray, “Legal Research Methods,” Foundation Press, New York (2009);
- John Dernbach, “A Practical Guide to Legal Writing and Legal Method,” Aspen Publishers, New York (2007);
- Nancy L. Schultz & Louis J. Sirico, “Legal Writing and Other Lawyering Skills,” 4<sup>th</sup> ed., LexisNexis, NJ (2004);
- Diana V. Pratt, “Legal Writing: A Systematic Approach,” 3<sup>d</sup> ed., WestGroup, St. Paul, Minnesota (1999);
- Linda Edwards, “Legal Writing. Process, Analysis, and Organization,” 3<sup>d</sup> ed., Aspen Law and Business, New York (2002);
- Ian Mcleod, “Legal Method,” 7<sup>th</sup> ed., Palgrave, New York (2009);
- Nadia Nedzel, Legal Reasoning, Research, and Writing, Aspen Publishers, New York (2004).