

LEX 120
LEGAL RESEARCH AND WRITING I

COURSE DESCRIPTION:

Prerequisites: None

Corequisites: None

This course introduces the techniques of legal research and writing. Emphasis is on locating, analyzing, applying, and updating sources of law; effective legal writing, including proper citation; and the use of electronic research methods. Upon completion, students should be able to perform legal research and writing assignments using techniques covered in the course. Course Hours Per Week: Class, 2. Lab, 2. Semester Hours Credit, 3.

COURSE OBJECTIVES:

Upon completion of the course, the student should be able to:

- a. Identify library and other relevant resources
- b. Locate known relevant authority using its proper citation.
- c. Locate unknown relevant authority using appropriate finding tools.
- d. Create and correct Bluebook-style citations to authority.
- e. Perform computer-assisted legal research.
- f. Draft reports of findings, including memoranda and briefs
- g. Categorize authority as to its weight and value.

OUTLINE OF INSTRUCTION:

- I. Introduction to legal research and writing
 - A. Sources of law
 - 1) Legislative branch (statutes)
 - 2) Judicial branch (cases)
 - 3) Executive branch (administrative law)
 - B. Concept of precedent
 - 1) Binding or mandatory
 - 2) Persuasive
 - B. Categories of reference materials
 - 1) Primary authority
 - 2) Secondary authority
 - 3) Finding tools

II. A Uniform System of Citation: Bluebook citation form

- A. Primary authority
 - 1) Cases
 - (a) North Carolina
 - (b) Other states
 - (c) Federal
 - 2) Statutes
 - (a) North Carolina
 - (b) Federal
- A. Secondary authority
 - 1) Legal dictionaries
 - 2) Legal encyclopedia
 - 3) Treatises
 - 4) A.L.R annotations

III. Finding primary authority

- A. Use of indexes
- B. Use of the digest system
- C. Use of computer-assisted legal research

IV. Using secondary authority

- A. Annotations
- B. Encyclopedia
- C. Dictionaries
- D. Treatises

V. Validating authority through Shepard's Citations

- A. Methods
 - 1) Print Shepard's
 - 2) Electronic Shepard's
- A. Types of authority
 - 1) Cases
 - 2) Statutes

VI. Computer-assisted legal research

- A. Methods
 - 1) On-line systems
 - (a) Westlaw
 - (b) Lexis
 - 2) CD-ROM systems
- A. Types of searches
 - 1) Finding documents using citations
 - (a) Westlaw
 - (1) Find
 - (b) Lexis

- (1) Lexsee
 - (2) Lexstat
- 1) Query formulation
 - (a) Westlaw
 - (1) Terms and connectors
 - (2) Natural language
 - (a) Lexis
 - (1) Boolean language
 - (2) Freestyle
- 1) Citator services

REQUIRED TEXTBOOK:

To be determined

STATEMENT FOR STUDENTS WITH DISABILITIES:

Students who require academic accommodations due to any physical, psychological, or learning disability are encouraged to request assistance from a disability services counselor within the first two weeks of class. Likewise, students who potentially require emergency medical attention due to any chronic health condition are encouraged to disclose this information to a disability services counselor within the first two weeks of class. Counselors can be contacted by calling 686-3652 or by visiting the Student Development Office in the Phail Wynn Jr. Student Services Center, room 1309.