**ESSEX COUNTY COLLEGE**

**Social Sciences Division**

**PLS 102 *–* Legal Research and Writing**

**Course Outline**

**Course Number & Name:**  PLS 102Legal Research and Writing

**Credit Hours:**  3.0 **Contact Hours:**  3.0 **Lecture:**  3.0 **Lab:** N/A **Other:**  N/A

**Prerequisites**:  Grades of “C” or better in PLS 101 and ENG 101 or placement

**Co-requisites**: None **Concurrent Courses:** None

**Course Outline Revision Date:**  Fall 2010

**Course Description**: This course serves as an introduction to the specific research and writing functions and skills necessary to perform as a legal assistant. Students learn to analyze legal problems using locators and other general references in the law library. Students brief cases, write legal memoranda, and use the Shepard’s Citators. The course also introduces students to the use of computer-assisted legal research including the use of WESTLAW, Lexis-Nexis, reporter systems, and statutory materials. The course also examines the role of the paralegal, the Code of Professional Ethics, and other related standards of proper conduct.

**Course Goals:** Upon successful completion of this course, students should be able to do the following:

1. discuss codes of professional conduct;
2. find and access the law;
3. identify, discuss, and examine the federal and state court systems;
4. discuss and examine statutory law;
5. find and access case law and judicial opinions;
6. identify, discuss, and examine the use of digests, annotated law reports, and words and phrases;
7. identify, discuss, and examine the use of encyclopedias, periodicals, treatises, and restatements;
8. identify, discuss, and examine the use of miscellaneous secondary authorities; and
9. discuss and examine legal citation form.

**Measurable Course Performance Objectives (MPOs)**: Upon successful completion of this course, students should specifically be able to do the following:

1. Discuss codes of professional conduct:

1.1 *discuss and examine judicial conduct;*

1.2 *discuss and examine attorney ethical standards;* and

1.3 *discuss and examine paralegal professionalism*

2. Find and access the law:

2.1 *identify, define, and describe the paralegal’s role in legal research and writing;*

2.2 *effectively utilize and navigate law libraries and their resources;*

2.3 *identify sources of law in the United States;*

2.4 *identify and describe the legal system of the United States;*

2.5 *identify and differentiate legal systems of other countries;*

2.6 *identify, define, and describe law book publishing process;*

2.7 *identify non-print research media;*

2.8 *identify and track changes in the US legal system;*

2.9 *identify and apply the holding in a case;* and

2.10 *identify the mechanics of how the legal research process works*

3. Identify, discuss, and examine the federal and state court systems:

3.1 *identify, define, and describe federalism;*

3.2 *identify, define, and describe establishment of federal court structure*;

3.3 *identify, define, and describe jurisdiction;*

3.4 *identify, define, and describe ground rules for cases;*

3.5 *identify, define, and describe the federal court structure;* and

3.6 *identify, define, and describe state court organization*

4. Discuss and examine statutory law:

4.1 *identify, define, and describe federal legislation*;

4.2 *identify, define, and describe state legislation*; and

4.3 *identify, define, and describe statutory research*

5. Find and access case law and judicial opinions:

5.1 *use selective publication*;

5.2 *identify, define, and describe the elements of a case*;

5.3 *identify and cite publication of cases;*

5.4 *identify and cite publication of state cases;*

5.5 *identify and cite publication of federal cases;*

5.6 *identify, define, and describe star paging;*

5.7 *identify, define, and describe specialized national reporter system sets;*

5.8 *identify, define, and describe the West’s national reporter system;*

5.9 *identify, define, and describe the process of finding parallel cites;* and

5.10 *identify, define, and describe the method of briefing cases*

**Measurable Course Performance Objectives (MPOs)**  (continued):

6. Identify, discuss, and examine the use of digests, annotated law reports, and words and phrases:

6.1 *identify, define, and describe the process of using digests to locate cases;*

6.2 *identify, define, and describe American law reports;* and

6.3 *identify, define, and describe words and phrases*

7. Identify, discuss, and examine the use of encyclopedias, periodicals, treatises, and restatements:

7.1 *identify, define, describe, and use encyclopedias;*

7.2 *identify, define, describe, and use legal periodicals;*

7.3 *identify, define, describe, and use texts and treatises;* and

7.4 *identify, define, describe, and use restatements*

8. Identify, discuss, and examine the use of miscellaneous secondary authorities:

8.1 *identify, define, describe, and use Attorneys General opinions;*

8.2 *identify, define, describe, and use legal dictionaries and thesauri;*

8.3 *identify, define, describe, and use directories;*

8.4 *identify, define, describe, and use form books;*

8.5 *identify, define, describe, and use uniform laws;*

8.6 *identify, define, describe, and use loose-leaf services;* and

8.7 *identify, define, describe, and use jury instructions*

9. Discuss and examine legal citation form:

8.1 *identify, define, and describe legal citation form*;

9.2 *identify, define, and describe citation manuals*;

9.3 *identify, define, and describe The Bluebook*;

9.4 *identify, define, and describe Bluebook citation rules and examples for primary authorities;*

9.5 *identify, define, and describe Bluebook citation rules and examples for secondary authorities*;

9.6 *identify, define, and describe the ALWD Citation Manual;*

9.7 *identify, define, and describe special citation issues (Bluebook and ALWD);*

9.8 *identify, define, and describe tips for effective cite checking;* and

9.9 *identify, define, and describe quick references for citations (Bluebook and ALWD form)*

**Methods of Instruction**: Instruction will consist of a combination of any of the following instructional methods: legal cases, lectures, group activities, role play, oral presentations, document drafting, essays, research assignments, films, cable, news, websites, television programs, field trips, and community outreach projects.

**Outcomes Assessment:** Quiz and exam questions (if applicable) are blueprinted to course objectives. Checklist rubrics are used to evaluate non-test type assessment instruments (e.g., observation and reaction papers, oral/written presentations, debates, and projects), for the presence of course objectives. Data collected will be analyzed to provide direction for the improvement of program instruction, viability of class assignments, relevancy of assigned course materials, and evaluation of instructional time spent on specific topics.

**Course Requirements:** All students are required to:

1. Maintain regular and prompt attendance to all class sessions.
2. Complete homework assignments and quizzes (if applicable).
3. Complete all written and oral exercises (scored grading) inside and outside of class as assigned.
4. Complete the Midterm and Final Assessment Activities (e.g., paper, presentation, and/or project).
5. Voluntarily participate in class discussions, class exercises, and group projects.
6. Complete all assessment activities as scheduled.
7. Follow any specific class requirements mandated by the instructor.

**Methods of Evaluation:** Final course grades will be computed as follows:

**% of**

**Grading Components final course grade**

* Attendance/Class Participation  **15 – 25%**

Attendance points will be computed based on the ratio of the number of days attending the course during a regular semester (i.e., 28 contact days). A similar procedure will be used to determine participation points.

* Topic Sentence Outlines **5 – 10%**

Topic sentence outlines are practical exercises designed to enhance students’ study skills.

* Oral Report **0 – 5%**

The brief oral report is designed to provide students with an opportunity during each class session to report on a fact pattern or story taken either from a newspaper, advertisement, local news or cable program, television programs, paralegal or legal publications and demonstrate the correlation between the information and the subject matter currently being addressed. Additionally, this exercise provides the students with an opportunity to enhance their oral communication skills.

* **Legal Case Brief and PowerPoint Presentation** 15 – 25%

The PowerPoint presentation first requires students to provide an economic, historical, political, and social context for the development of law or legislation addressed in the legal case brief including the role of the paralegal in the particular case. It also provides students with the opportunity to enhance their technological skills in an academic environment while engaging in legal analysis.

* **Programs, Lectures, Seminars and/or Workshops** 5 – 10%

Internal or external relevant programs, lectures, seminars and workshops, which are related to the course objectives, are informational for the student, who will be required to prepare brief written summary of the event/program.

**Methods of Evaluation** (continued)**:**

**% of**

**Grading Components final course grade**

* **Debate** 5 – 10%

Debates or oral arguments on topics related to the course objectives are designed to provide students with the opportunity to enhance their oral communication skills while engaging in legal analysis.

* **Legal Research Assignment** 5 – 10%

Legal research assignments, which may include letters/memorandums, are designed to enhance the students’ written communication skills while engaging in legal analysis.

* **Legal Concepts and Terminology Assessment Activity 0** – 5%

This assessment activity is designed to enhance the students’ command of legal vocabulary and infuse it into their academic communications.

* **Extra Credit Opportunities**  5 – 10%
  + Voter registration – The student should provide written evidence of participation in the electoral process.
  + Notary Public – Students are encouraged to research, process, and complete a notary public application for approval to include on their resumes to enhance their marketability.
  + Membership in Paralegal Association of New Jersey (PANJ) – Students are encouraged to join the Paralegal Association of New Jersey to include on their resume to enhance their marketability.

**Note**: The instructor will determine (as appropriate) the specific component(s) appropriate for the course and provide specific weights which lie in the above-given ranges at the beginning of the semester.

**Academic Integrity:** Dishonesty disrupts the search for truth that is inherent in the learning process and so devalues the purpose and the mission of the College. Academic dishonesty includes, but is not limited to, the following:

* plagiarism – the failure to acknowledge another writer’s words or ideas or to give proper credit to sources of information;
* cheating – knowingly obtaining or giving unauthorized information on any test/exam or any other academic assignment;
* interference – any interruption of the academic process that prevents others from the proper engagement in learning or teaching; and
* fraud – any act or instance of willful deceit or trickery.

Violations of academic integrity will be dealt with by imposing appropriate sanctions. Sanctions for acts of academic dishonesty could include the resubmission of an assignment, failure of the test/exam, failure in the course, probation, suspension from the College, and even expulsion from the College.

**Student Code of Conduct:** All students are expected to conduct themselves as responsible and considerate adults who respect the rights of others. Disruptive behavior will not be tolerated. All students are also expected to attend and be on time for all class meetings. No cell phones or similar electronic devices are permitted in class. Please refer to the Essex County College student handbook, *Lifeline*, for more specific information about the College’s Code of Conduct and attendance requirements.

Note: Students shall conduct themselves in a professional manner at all times. See National Federation of Paralegals Associations, Inc. Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement.

**Course Content Outline:** based on the text **Legal Research and Writing for Paralegals**, 5th edition, by Deborah Bouchoux; published by Aspen Publishers.

**Unit Topics to be Covered**

1 Locating the Law – The paralegal’s role in legal research and writing; law libraries; sources of law in the United States; the legal systems of the United States; legal systems of other countries; law book publishing; non-print research media; changes in the US legal system; identifying the holding in a case; how the legal research process works; case citation forms; **Legal Research Assignment** and **Legal Concepts and Terminology Assessment Activity**

2 The Federal and State Court Systems – Federalism; the establishment of the federal court structure; jurisdiction; ground rules for cases; the federal court structure; state court organization; citation forms

3 Statutory Law – Federal legislation; state legislation; statutory research overview; citation forms; **Legal Research Assignment** and **Legal Concepts and Terminology Assessment Activity**

4 Case Law and Judicial Opinions – Selective publication; elements of a case; publication of cases; publication of state cases; publication of federal cases; star paging; specialized national reporter system sets; features and summary of West’s national reporter system; finding parallel cites; briefing cases; citation forms

5 The Use of Digests, Annotated Law Reports, and Words and Phrases – Using digests to locate cases; American law reports; words and phrases; citation forms; **Legal Research Assignment** and **Legal Concepts and Terminology Assessment Activity**

6 Legal Research: Secondary authorities and other research aids – encyclopedias; legal periodicals; texts and treatises; restatements; citation forms

7 Miscellaneous Secondary Authorities – Attorneys General opinions; legal dictionaries and thesauri; directories ; form books; uniform laws; loose-leaf services; jury instructions; summary; citation forms; **Legal Research Assignment** and **Legal Concepts and Terminology Assessment Activity**

8 Legal Citation Form – Introduction to citation forms; citation manuals; the *Bluebook*; *Bluebook* citation rules and examples for primary authorities; *Bluebook* citation rules and examples for secondary authorities; *ALWD* citation manual; special citation issues (*Bluebook* and *ALWD*); tips for effective cite checking; quick reference for citations (*Bluebook* and *ALWD* form)

Note**:** In PLS 102, the instructor must cover the 8 units listed above minimally in any reasonable order throughout the duration of the semester/term. In addition, the instructor must provide economic, historic, political, and social context for the relevant aspects of the legal process. Suggested assessment activities to be performed at midterm and at the conclusion of the course are listed below.

Suggested Midterm Assessment Activities – Prepare answers to questions and assignments in each chapter in the first 50% of the textbook; draft a pre-litigation demand letter on behalf of a fictional client

**Suggested Final Assessment Activities** – Prepare answers to questions and assignments in each chapter in the remaining 50% of the textbook; draft a legal letter; legal concepts and terminology assessment activity; research and draft a four-point legal research memorandum