**ESSEX COUNTY COLLEGE**

**Social Sciences Division**

**PLS 202 *–* Advanced Legal Research and Writing**

**Course Outline**

**Course Number & Name:**  PLS 202 Advanced Legal Research and Writing

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

**Prerequisites**:  Grade of “C” or better in PLS 102

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

**Course Outline Revision Date:**  Fall 2010

**Course Description**: Legal research is the process of identifying and retrieving information necessary to support legal decision-making. In its broadest sense, legal research includes each step of a course of action that begins with analyzing facts of a problem and concludes with communicating and applying the results of the investigation. As compared to legal research, legal writing places a heavy reliance on authority. In most legal writing, the writer must back up assertions and statements with [citations](http://en.wikipedia.org/wiki/Citation) to authority. This is accomplished by a unique and complicated citation system. The standard methods for American [legal citation](http://en.wikipedia.org/wiki/Legal_citation) are defined by two competing rulebooks: the [*ALWD Citation Manual*](http://en.wikipedia.org/wiki/ALWD_Citation_Manual)*: A Professional System of Citation* and *The* [*Bluebook*](http://en.wikipedia.org/wiki/Bluebook)*: A Uniform System of Citation*. PLS 202 is designed to improve and refine legal research and writing skills through a series of assignments which require in-depth legal research and analysis. 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 and examine the codes of professional conduct;

2. discuss and examine legal citation form;

3. discuss and examine the process of updating and validating research;

1. discuss and identify special research issues;
2. discuss and examine the digital library: LEXIS, Westlaw, and non-print research sources;
3. discuss and examine e-research: legal research using the internet;
4. discuss and examine the legal research process;
5. discuss and examine the rules of basic writing;
6. discuss and examine strategies for effective writing;
7. discuss, examine, and draft written legal correspondence; and

1. discuss and examine post-writing steps.

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

1. Discuss and examine the 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. Discuss and examine legal citation form:

2.1 *identify, define, and describe introductory citation form and citation manuals;*

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

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

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

2.5 *identify, define, and describe the ALWD citation manual;*

2.6 *identify, define, and describe special citation issues (i.e., from The Bluebook and ALWD);*

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

2.8 *identify, define, and describe quick references for citations (i.e., The Bluebook and ALWD form)*

3. Discuss and examine the process of updating and validating research:

3.1 *use Shepard’s in-print form to Shepardize cases;*

3.2 *use Shepard’s in-print form to Shepardize other authorities;* and

3.3 *identify, define, and describe electronic updating of legal authorities*

4. Discuss and identify special research issues:

4.1 *identify, define, and describe legislative history*;

4.2 *identify, define, and describe executive materials*;

4.3 *identify, define, and describe administrative law;*

4.4 *identify, define, and describe international law;*

4.5 *identify, define, and describe municipal research*; and

4.6 *identify, define, and describe rules of procedure and court rules*

5. Discuss and examine the digital library: LEXIS, Westlaw, and non-print research sources:

5.1 *identify, define, and describe introductory computer-assisted legal research*;

5.2 *identify, define, and describe LEXIS*;

5.3 *identify, define, and describe Westlaw;*

5.4 *identify, define, and describe more advanced computer-assisted legal research;*

5.5 *identify, define, and describe other competitors in electronic research;* and

5.6 *identify, define, and describe non-print research tools*

6. Discuss and examine e-research: legal research using the internet:

6.1 *identify and* *summarize introductory e-research sources*;

6.2 *identify, define, and use legal research terminology;*

6.3 *identify, define, and describe the process of conducting legal research online;*

6.4 *identify, define, and describe strategies and tips for internet legal research;*

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

6.5 *identify, define, and describe the ethical concerns regarding use of the internet;*

6.6 *identify, define, and describe the best internet legal research sites;* and

6.7 *identify, define, explain, and describe cautionary notes on internet legal research*

7. Discuss and examine the legal research process:

7.1 *describe how to being the legal research process;*

7.2 *discuss process methods to work with the legal authorities;* and

7.3 *establish appropriate end points for legal research*

8. Discuss and examine the rules of basic writing:

8.1 *identify, define, and describe the mechanics of writing;* and

8.2 *identify, define, describe, and apply the rules of grammar, spelling, and punctuation*

9. Discuss and examine strategies for effective writing:

9.1 *identify, define, and describe the Plain English Movement;*

9.2 *identify, define, and describe methods of pre-writing;*

9.3 *identify, define, and describe precision writing;*

9.4 *identify, define, and describe clarity in writing;*

9.5 *identify, define, and describe readability in writing;*

9.6 *identify, define, and describe brevity in writing;*

9.7 *identify, define, and describe order in writing;*

9.8 *identify, define, and describe drafting techniques;* and

9.9 *identify, define, and describe methods of electronic communications*

10. Discuss, examine, and draft written legal correspondence:

10.1 *perform letter writing*;

10.2 *identify, define, and describe the format of legal memoranda*;

10.3 *identify, define, and describe the blueprint for preparing a legal memorandum;*

10.4 *identify, define, and describe writing legal briefs;*

10.5 *research and draft trial court briefs;*

10.6 *research and draft trial appellate briefs;* and

10.7 *identify and describe the ten pointers for effective brief writing*

11. Discuss and examine post-writing steps:

11.1 *identify, define, and describe the stages and steps for reviewing and revising legal writing;*

11.2 *identify, define, and describe proofreading projects;*

11.3 *identify, define, describe, and use proofreader’s marks;* and

11.4 *identify, define, and describe the methods for polishing one’s writing*

**Methods of Instruction**: Instruction will consist of a combination of any of the following instructional methods: legal case reviews, 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 in class. Additionally, this exercise provided the students with an opportunity to enhance their oral communication skills.

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

**% of**

**Grading Components final course grade**

* **Legal Case Brief in PowerPoint**  15 – 25%

The PowerPoint presentation first requires students to provide 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 related to course objectives.

* **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. These opportunities provide students with a chance to engage in academic scholarship.

* **Debate** 5 – 10%

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

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

The legal research assignment, which may include letters and memoranda, are designed to enhance students’ written communication skills while engaging in legal analysis related to course objectives.

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

This assessment activity is designed to enhance the students’ command of legal vocabulary and infuse it in 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 Legal Citation Form – Introduction to citation form; 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 (*The Bluebook* and *ALWD*); tips for effective cite checking; quick reference for citations (*The Bluebook* and *ALWD* form)

2 Updating and Validating Research – Using Shepard’s in-print form to Shepardize cases; using Shepard’s in-print form to Shepardize other authorities; electronic updating of legal authorities

3 Special Research Issues – Legislative history; executive materials; administrative law; international law; municipal research; rule of procedure and court rules; citation form; **Legal Research Assignment** and **Legal Terminology Assessment Activity**

4 The Digital Library: LEXIS, Westlaw, and Non-print Research Sources – Introduction to computer-assisted legal research; LEXIS; Westlaw; final pointers on computer-assisted legal research; other competitors in electronic research; non-print research tools; citation form

5 E-Research: Legal Research Using the Internet – Introduction; glossary of terms; conducting legal research online; strategies and tips for internet legal research ; ethical concerns regarding use of the internet; surf’s up: the best internet legal research sites; cautionary notes on internet legal research; citation form; **Legal Research Assignment *and* Legal Terminology Assessment Activity**

6 Overview of the Research Process – How to begin; working with the authorities; when to stop

7 Back To Basics – The mechanics of writing; grammar, spelling, and punctuation

8 Strategies for Effective Writing – Introduction; the Plain English Movement; pre-writing; precision; clarity; readability; brevity; order; drafting techniques; electronic communications; **Legal Research Assignment** and **Legal Terminology Assessment Activity**

9 Legal Correspondence – Letter writing

10 Legal Memoranda – Introduction; format of memoranda; a blueprint for preparing a memorandum; **Legal Research Assignment** and **Legal Terminology Assessment Activity**

**Unit Topics to be Covered**

11 Legal Briefs – Introduction; tips on writing legal briefs; trial court briefs; appellate briefs; ten pointers for effective brief writing; **Legal Research Assignment** and **Legal Terminology Assessment Activity**

12 Post-writing Steps – Reviewing and revising: stage one; reviewing and revising: stage two; proofreading projects by others; proofreader’s marks; polishing your writing; the final review

Note**:** In PLS 202, the instructor must cover the 12 units listed above minimally in any reasonable order throughout the duration of the semester/term. In addition, the instructor must provide 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 half of the textbook; draft a pre-litigation letter and potential causes of action on behalf of a fictional client

**Suggested Final Assessment Activities** – Prepare answers to questions and assignments in each chapter in the second half of the textbook; draft a legal settlement letter to an adversary; complete a legal concepts and terminology assessment activity; research and draft a four-count civil complaint