

LEX 120 Legal Research and Writing I

COURSE DESCRIPTION:

Prerequisites: ENG 111

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.

LEARNING OUTCOMES:

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

- a. Locate, analyze and apply relevant sources of law to applicable case facts
- b. Identify library and other relevant resources
- c. Locate known authority using its proper citation and appropriate finding tools
- d. Develop Bluebook-style citations to authority
- e. Perform computer-assisted legal research, using databases such as Westlaw
- f. Develop reports of findings, including outlines and drafts of 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
 - C. 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

- B. 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
 - B. Types of authority
 - 1. Cases
 - 2. Statutes

- VI. Computer-assisted legal research
 - A. Methods
 - 1. On-line systems
 - a. Westlaw Next
 - b. Internet search methods of computer assisted legal research
 - B. Types of searches
 - 1. Finding documents using citations
 - a. Westlaw

- VII. Query formulation
 - A. Westlaw
 - B. Terms and connectors
 - C. Natural language
 - 1. Citator services

REQUIRED TEXTBOOK AND MATERIAL:

The textbook and other instructional material will be determined by the instructor.