

PL-1401: LEGAL RESEARCH AND WRITING I

Cuyahoga Community College

Viewing: PL-1401 : Legal Research and Writing I

Board of Trustees:

May 2024

Academic Term:

Fall 2024

Subject Code

PL - Paralegal Studies

Course Number:

1401

Title:

Legal Research and Writing I

Catalog Description:

Introduction to skills essential for effective identification, analysis, and research of primary and secondary sources needed to address legal issues. Learn to formulate research plans that require efficient use of basic research tools to locate primary and secondary authority; obtain practice in accessing legal resources on the Internet and through introduction to Lexis; and utilize research and analytical skills in order to complete drafting projects, such as an in-house legal memorandum and an opinion letter, consistent with professional standards of style and citation. Emphasis on validating research and quickly accessing statutory and case law.

Credit Hour(s):

3

Lecture Hour(s):

3

Requisites

Prerequisite and Corequisite

ENG-1010 College Composition I; and PL-1001 Introduction to Paralegal Profession.

Outcomes

Course Outcome(s):

Utilize computer assisted legal research tools through instruction and exercises to access constitutions, statutes, case law, rules and regulations, and secondary legal authority via electronic resources, and evaluate the credibility of each source.

Essential Learning Outcome Mapping:

Information Literacy: Acquire, evaluate, and use information from credible sources in order to meet information needs for a specific research purpose.

Objective(s):

1. Create queries in electronic databases to locate statutes, cases, rules and regulations, and legal periodicals.
2. Identify each source as either primary or secondary.
3. Evaluate the credibility of each source retrieved through the queries.

Course Outcome(s):

Prepare an effective and efficient plan for conducting legal research based on the facts of the situation, determining the appropriate legal resources, and identifying the strategies necessary to properly analyze the legal issues involved.

Essential Learning Outcome Mapping:

Critical/Creative Thinking: Analyze, evaluate, and synthesize information in order to consider problems/ideas and transform them in innovative or imaginative ways.

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Objective(s):

1. Analyze facts to determine legal issues.
2. Identify and prioritize legal issues based on the facts obtained in the situation.
3. Create a research plan that employs effective research strategies.
4. Identify the strategies necessary to properly analyze the legal issues involved and determine the appropriate legal resources required to meet the objectives of the research plan.

Course Outcome(s):

Locate and identify the issues, rules, applications, and conclusion of supporting authority for a research plan, distinguishing the types of authority required to support or defend the legal claim asserted.

Essential Learning Outcome Mapping:

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Objective(s):

1. Differentiate between constitutional, statutory, administrative, judicial, and common law.
2. Identify the appellate process and the relationship among the reviewing courts.
3. Recognize the relationship and differences between state and federal law.
4. Describe the relationship between legislation, enabling statutes, and administrative regulations.
5. Distinguish, harmonize, explain, or otherwise limit harmful precedent.

Course Outcome(s):

Using online resources, locate appropriate authority within codes and rules, reporters, digests, legal encyclopedias, journals, and citators.

Essential Learning Outcome Mapping:

Critical/Creative Thinking: Analyze, evaluate, and synthesize information in order to consider problems/ideas and transform them in innovative or imaginative ways.

Objective(s):

1. Locate pertinent primary authority in resources including case reporters, the Ohio Revised Code, and the Ohio Administrative Code.
2. Explain the interrelationships between statutory annotations, digest entries, case headnotes, and secondary source footnotes.
3. Locate useful secondary authority in such resources as Ohio Jurisprudence, Black's Law Dictionary, American Law Reports, and legal periodicals.
4. Validate controlling authority using Shepard's.

Course Outcome(s):

Accurately cite legal resources using Bluebook citation format.

Essential Learning Outcome Mapping:

Written Communication: Demonstrate effective written communication for an intended audience that follows genre/disciplinary conventions that reflect clarity, organization, and editing skills.

Objective(s):

1. Accurately cite legal resources, including constitutions, statutes, cases, rules and regulations, and legal periodicals, using Bluebook citation format.

Course Outcome(s):

Report the results of legal research by preparing opinion letters, short answer memorandums, and in-house legal memorandums.

Essential Learning Outcome Mapping:

Written Communication: Demonstrate effective written communication for an intended audience that follows genre/disciplinary conventions that reflect clarity, organization, and editing skills.

Objective(s):

1. Prepare clear, concise opinion letters, short answer memorandums, and in-house legal memorandums, using a variety of research techniques and appropriate rules of format, style, and citation.
2. Accurately cite legal resources, including constitutions, statutes, cases, rules and regulations, and legal periodicals, using Bluebook citation format.

Methods of Evaluation:

1. Class Participation
2. Docket Research Assignment
3. Statutory Explanation Assignment
4. Understanding and Applying Statutes Assignment
5. IRAC Writing Format Assignment
6. *Bluebook* Citation Assignment
7. Using Legal Periodicals Assignment
8. Introduction to Lexis Assignment
9. Introduction to Secondary Sources on Lexis Assignment
10. Introduction to Statutory Law on Lexis Assignment
11. Introduction to Case Law on Lexis Assignment
12. Introduction to Administrative Law on Lexis Assignment
13. Introduction to Shepardizing on Lexis Assignment
14. Short Legal Memorandum Assignment
15. Legal Memorandum Assignment
16. Opinion Letter Assignment
17. Quizzes
18. Midterm Examination and Final Examination

Course Content Outline:

1. Sources of and relationships among primary legal authority
 - a. Constitutional and statutory law
 - i. Statutory construction and interpretation
 - b. Administrative law
 - c. Judicial rules
 - d. Case law and the concept of precedent
 - i. Digests
 - ii. Headnotes
 - e. The role of annotations as "finding tools"
 - f. The relationship and differences between state and federal law
2. "Cartwheeling" terminology and use of indices
3. The sources of secondary authority
 - a. Encyclopedae
 - b. Legal dictionaries
 - c. Treatises, texts, hornbooks, handbooks, practice series, and Restatements
 - d. Legal periodicals
4. The role of secondary authority
 - a. Background and terminology
 - b. As "finding tools"
5. Citation format ("Bluebook" citation format)
 - a. Reporters
 - b. Constitutions, statutes, and administrative law

- c. Periodicals and secondary sources
- 6. Applying the law to the facts
 - a. Determination of controlling facts in the case
 - b. Comparison of controlling facts to existing case law
 - c. Recognizing distinguishing characteristics
- 7. Validating research
 - a. Updating statutes/regulations in print
 - i. Pocket parts
 - ii. Legislative/administrative services
 - b. Shepardizing
 - i. Cite-checking
 - ii. Cross-referencing reporters
 - iii. Checking statutes
 - iv. Validating good case law
- 8. The opinion letter
 - a. Purpose and format (including citations)
 - b. Fact discovery
 - c. Research plan
 - d. Drafting and editing
- 9. Preparation of an in-house legal memorandum
 - a. Purpose and format
 - b. Problem identification and research plan
 - c. Drafting and editing

Resources

Bingham, Terry and Majka, Susan. *Legal Writing for Legal Professionals*. 1st. Pearson, 2016.

Bouchoux, Deborah E. *Legal Research and Writing for Paralegals*. 9th Ed. Wolters Kluwer: New York, 2019.

Sanborn, Hope Viner; Yelin, Andrea B. *Basic Legal Writing for Paralegals*. 6th Ed. New York: Wolters Kluwer, 2020.

Bouchoux, Deborah. *Cite-Checker: Your Guide to Using the Bluebook*. 5th Ed. New York: Wolters Kluwer, 2021.

Top of page

Key: 3632