

Legal Research Teaching modules available for Legal Writing 1 & 2

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The following are brief summaries of short legal research lessons that the library can offer. This takes a modular approach where faculty can pick and choose and even combine modules. For example, one instructor may ask a librarian to come in for Getting Started and Case law on the same day, while another may want a librarian to come in and teach only Terms and Connectors. For each module, I give the name, student learning outcomes, suggested pairing of assignment/time in the semester, a summary of teaching activities, and the time I expect the module to take. In general, these class

sessions take the form of a short talk and/or discussion to introduce the topic and teach some basic concepts, followed by group or individual work to practice researching while the instructor and the librarian walk around in the room, and some time to discuss the results as a group. Although the librarian takes the lead, faculty can expect to participate in the discussion. The librarians have found that the students are more engaged in research sessions when their instructor participates.

Getting started

These modules are intended to introduce students to basic legal research concepts.

Reading an assignment

Student learning outcomes

Students will be able to:

- Remember that there are “red herrings” in research problems
- Understand what questions to ask the assigning attorney to help advance their research
- Begin to create their own research plan by brainstorming to generate possible research terms

Suggested pairing of assignment/time in the semester

Immediately following assignment of open memo

Teaching Activities

Class discussion of how students would get started with this problem, the librarian asks questions to focus attention on the “red herrings” and questions for the attorney who gives the assignment

The librarian talks through and shows on the computer how she would approach the problem, modelling an expert approach

Expected Time

20-25 minutes

Getting started with secondary sources

Student learning outcomes

Students will be able to:

- Understand why to use secondary sources
- Evaluate which secondary sources are appropriate for a basic research question

Suggested pairing of assignment/time in the semester

Immediately following assignment of open memo

Teaching Activities

Librarian asks students questions to determine if they know what a secondary source is, brief lecture on why to use a secondary source (based on their answers).

Librarian talks through and shows on the computer how she would pick a secondary source from a few options, brief lecture on the continuum of secondary sources from simplest (ex. Dictionary) to most complex (ex. law review/treatise). Idea of continuum presented by way of a visual aid. Librarian emphasizes that a simpler resource can be used before one that is more complicated, and that secondary sources aren't necessarily just for starting a research problem.

If the module is presented along with a writing assignment, the students work to find a secondary source that would help them advance their research for the closed memo. If the module is presented independent of the open memo, students get a research question and answer which secondary source might be appropriate. For either scenario, the librarian presents them with a couple of secondary source options, but does not suggest that those are the only answers.

Expected Time

15-20 minutes

Case law

Student learning outcomes

Students will be able to:

- Remember that secondary sources can lead to cases
- Remember the editorial enhancements for cases (headnotes, Key Numbers) and understand what they do
- Understand the importance of Shepard's/Key Cite as well as how to use the results to find additional cases and secondary sources

Suggested pairing of assignment/time in the semester

Following vendor training

After assignment of open memo

Teaching Activities

Librarian asks students to explain what the vendors said about headnotes and Key Numbers, correcting any misconceptions

Librarian gives a lecture with visual aids to demonstrate how to fully and effectively use a case (reading it, Shepardizing it, and using headnotes/Key Numbers). Librarian also emphasizes the importance of where a case sits in the hierarchy of authority.

Students take a case that they have already found in their research for the first memo and use Shepard's/Key Numbers to find another helpful case.

Expected Time

20-25 minutes

Terms and Connectors

Note: this session cuts across types of authority, but uses case law as the main example because filters can be easier to understand with case law.

Student learning outcomes

Students will be able to:

- Understand the difference between natural language and terms and connectors
- Evaluate in what situations each search style is appropriate
- Remember some basics of search operators
- Create and modify a terms and connectors search based on results
- Understand filters and how they may or may not be helpful for research

Suggested pairing of assignment/time in the semester

Following vendor training on terms and connectors.

Teaching Activities

Instructor asks students to explain what the vendors said about terms and connectors searching

Class discussion about when each style might be appropriate

Instructor shows the connectors on the advanced search page on Westlaw, points out basics (&, OR). Runs a basic search and shows what filters do, points out that they may filter out relevant material if your initial search starts too broad. Uses caselaw as an example because the filters are easiest to grasp.

Students work in small groups or alone to run a search as natural language and terms and connectors, comparing the results. They then modify their terms and connectors search to try and refine their results to find something more relevant.

Expected Time

10-15 minutes

Statutes**Student learning outcomes**

Students will be able to:

- Remember that secondary sources can lead to statutes
- Understand how annotations help explain statutes and improve research

Suggested pairing of assignment/time in the semester

Before or just after open memo is assigned

Teaching Activities

Librarian pulls up a statute cited in a secondary source, shows where the annotations are, demonstrates that sometimes the annotations are really extensive (may go on two screens)

Students work in small groups or alone to find a case that interprets the statute in a way that helps answer the research question for the memo. Students report their research to the librarian, who leads a class discussion about the results

Librarian demonstrates her own search to model how an expert researches, being careful to note how long the search really took!

Expected Time

15-20 minutes

Brush-up sessions (refreshing research skills)

Starting a research assignment

Student Learning Outcomes

Students will be able to:

- Evaluate their own research skills
- Create a research plan that takes into account the law already given, starts with secondary sources

Suggested pairing of assignment/time in the semester

Beginning of second semester

Teaching Activities

Librarian leads a discussion by asking the students “If you could go back to talk to yourself last semester just before the open memo, what advice would you give yourself about research?” If secondary sources are not mentioned, the instructor asks students about them

Librarian leads a brainstorming session for search terms, jurisdiction, law already given in the problem, what other sources of law might be important (constitution, case law, statutes, etc.).

Students work in small groups or alone to draft a quick research plan (bullets fine), report back to the group

Expected Time

10-15 minutes

Brushing up on Secondary Sources

Student Learning Outcomes

Students will be able to:

- Understand the importance of secondary sources
- Evaluate secondary sources to choose one that helps with current research problem

Suggested pairing of assignment/time in the semester

Beginning of the second semester

Teaching Activities

Very brief discussion reminding students of the importance of secondary sources

Instructor shows the students the Georgetown Treatise Finder to help pick a secondary source

Students work in small groups or alone to find a helpful secondary source for this problem, possibly from Georgetown source or Westlaw/Lexis

If taught in conjunction with statutes or cases, librarian demonstrates how secondary sources can bring up the most relevant statutes and cases quickly and reliably.

Expected Time

10-15 minutes

Brushing up on Cases

Student Learning Outcomes

Students will be able to:

- Apply their understanding of case law to find a helpful case
- Perform original research by using that case to find other cases

Suggested pairing of assignment/time in the semester

Beginning of the second semester

Teaching Activities

Librarian gives a case found through secondary sources, asks students to research for five minutes to find other good cases, students report research to the class, prompting a discussion of how to read cases, Shepardize, and use headnotes/Key Numbers to find other cases

If librarian did not provide visual aid on how to use cases for secondary source instruction the previous semester, she provides it now

Expected Time

10 minutes

Brushing up on Statutes

Student Learning Outcomes

Students will be able to:

- Remember the importance of annotations
- Evaluate annotations
- Understand why looking at the table of contents for a statute is important for understanding context

Suggested pairing of assignment/time in the semester

Beginning of the second semester

Teaching Activities

Librarian demonstrates and lectures on where the table of contents is for a statute and how it can help show the context for a single provision

Instructor asks the students to explain why annotations are helpful to statutory research

Librarian pulls up a statute cited in a secondary source, shows where the annotations are, demonstrates that sometimes the annotations are really extensive (may go on two screens).

Students work in small groups or alone to find a case from the annotations that applies to the appellate brief fact pattern

Expected Time

10 minutes

Intermediate research tasks

Free and low-cost legal research

Student learning outcomes

Students will be able to:

- Understand why free or low-cost research sources might be preferable
- Remember the names of a few sources
- Apply their knowledge of free sources to answer a simple research question

Suggested pairing of assignment/time in the semester

End of the second semester

Teaching activities

Librarian leads a discussion about when and why free or low-cost resources are helpful

Librarian introduces a few free legal resources

Students work in small groups or alone to answer some research questions using free or low-cost resources

Expected time

25-30 minutes

“Prepare to Practice”

Student learning outcomes

Students will be able to:

- Evaluate the available sources: free, low-cost and paid
- Apply their knowledge of sources to answer a research question
- Create a research plan to answer a novel question

Suggested pairing of assignment/time in the semester

End of the second semester

Teaching activities

If necessary, the librarian leads an abbreviated discussion of free and low-cost resources

Students work in small groups or alone to answer research questions suggested by actual attorneys, then report back to the group how they found their answer. Librarian models an expert approach to the problem

Expected time

45-50 minutes

“Proving a negative”**Student learning outcomes**

Students will be able to:

- Evaluate their own research plan to troubleshoot a difficult research problem
- Understand the importance of keeping track of research results
- Create a brief, informal memo explaining research results to a supervising attorney

Suggested pairing of assignment/time in the semester

Could be paired with any assignment, but will likely be most useful with the open memo or at the beginning of the second semester, so long as students have some experience researching already.

Teaching activities

The librarian and instructor give the students a problem, framed as an email from a supervising attorney, which asks the students to find law that does not exist. It might ask them to find support for a proposition when courts in the jurisdiction have only said the opposite thing or a request to find a case with a very specific factual scenario that does not exist. The librarians would be happy to brainstorm for the right example to use. This activity could be keyed to the area of law that their current assignment is about, but need not be. It would, however, deal with something that a first year law student could be expected to understand, however. The assignment tells the students to write a short, informal email memo with the answer.

Students work in small groups or alone. The librarian circulates to help them with their research.

The students report back on what they found and discuss how to inform a supervising attorney that a result was not found. The librarian discusses the importance of keeping track of your research and being able to show where you looked.

Expected time

30-45 minutes