LEGAL RESEARCH:
A COMPONENT OF LAWYERING PROCESS

COURSE NUMBER 12473 & 12472
SECTION 1 & 7
FALL 2020

LAW LIBRARY DIRECTOR &
ASSOCIATE PROFESSOR
DECARLOUS Y. SPEARMAN
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THE PROFESSOR

NAME: DeCarlous Y. Spearman
TELEPHONE: 713-313-7328
EMAIL: DeCarlous.Spearman@tmslaw.tsu.edu
LOCATION: Law Library Room 132

OFFICE HOURS: Wednesday (5:30 p.m. – 7:30 p.m.)
Thursday (3:00 pm – 5:00 p.m.)
(All other times by appointment only)

***All Office Hours will be conducted via Zoom until further notice***

Every week on Wednesday, 5:30 PM Central Time until Nov 3, 2020) 12 occurrence(s)

Join Zoom Meeting

CLASS SCHEDULE

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<th>LP Section</th>
<th>Instructor</th>
<th>Class Day</th>
<th>Class Time</th>
<th>Room</th>
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<tr>
<td>1</td>
<td>Spearman</td>
<td>Tuesday</td>
<td>4:00 p.m. – 5:00 p.m.</td>
<td>Zoom</td>
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<tr>
<td>7</td>
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<td>Wednesday</td>
<td>4:00 p.m. – 5:00 p.m.</td>
<td>Zoom</td>
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COURSE BOOKS & MATERIAL

Required Books:


Required Databases:

1. Zoom- synchronous Class
2. LexisNexis Classroom
COURSE DESCRIPTION & OBJECTIVE

DESCRIPTION:
Legal Research is a Fall Semester first year class that is a 20% portion of your Lawyering Process grade. This course involves intense preparation and learning in all legal sources and how to identify issues and develop research plans. Students will learn and practice the basic skills necessary for identifying, locating, and using legal resources, including primary sources of statutory and case law; secondary authority; and research reference tools, to include computer research tools, commonly used in the practice of law. Students will also be introduced to basic Bluebook citation method.

OBJECTIVE:
To instruct each student on how to identify, analyze and research legal issues thoroughly and efficiently by providing:

A. Distinguish between:
   1. Federal and state law,
   2. Primary and secondary sources, and
   3. Mandatory and persuasive authority.
B. Understand the relationship between legal institutions.
C. Conduct research using basic resources for state, federal and administrative law.
D. Design an appropriate research strategy.
E. Update research using citators.
F. Identify and analyze legal issues.
G. Apply the rules of citation that are appropriate for citing sources in legal documents using The Bluebook: A Uniform System of Citation.
STUDENT LEARNING OUTCOMES:

By the completion of this course students will be able to demonstrate the ability to:

1. Generate legal search terms from a given fact pattern.
2. Create a research plan.
3. Interpret contemporary legal citations.
4. Understand court structures, hierarchies, and jurisdictions.
5. Evaluate the type and weight of a given legal authority in a given legal problem.
6. Given a legal topic, identify valuable secondary sources for researching that topic.
7. Given a citation to a contemporary U.S. case, statute, or federal regulation, locate the current full text of that case, statute, or federal regulation.
8. Given an annotated statute, use the annotations to locate cases interpreting the statute.
9. Given a case, determine if a holding of the case is still good law.
10. Interrelate legal resources in a jurisdiction using the topic and key number and headnote systems.
11. Discuss the strengths, weaknesses, and use of legal finding tools and methods, including electronic search terms, indexes, and annotations.
12. Given a case, statute, regulation, periodical, book, or constitution either in hardcopy or electronic format, create a correct Bluebook citation for that work.
GRADING

The grade that you receive in Legal Research is worth 20% of your final Lawyering Process grade. The final grade for each student in Legal Research is based on **five** criteria for a total of 200 points.

**Criteria One: 100 Points**

**Four** Research Assignments*  
* 25 Points Each  
**Assignments Cover the Following:**  
The Bluebook Citations  
Secondary Source Research  
Case Research  
Statutes  
*  *Homework Submission protocol under Assignments

**Criteria Two: 50 Points**

One Multiple Choice Exam  
50 Points

**Criteria Three: 25 Points**

**QUIZZES**  
Court Structure/Authority/The Legal Research Process  
Drafting Legal Documents  
Administrative Law

**Criteria Five: 25 Points**

*Lexis Learn and Teachers Choice*  
Lexis Learn 12 points and  
Teachers choice including PPA 13 points

ASSIGNMENTS

**Regular Homework Assignments**

A. **Required Heading:** The following information is required at the indicated place on each assignment. If no place is indicated, then place this information at the top left. DO NOT USE TITLE PAGES. Name, Section Date

B. **Assignment Format Requirements:** All assignments must be:

1. Typed directly into the Word document downloaded from Lexis web courses.
2. Typed in 12 point Times New Roman font.
3. Double space between answers.

C. **Submission of Assignments:**

All Assignments are to be submitted in Lexis on the due date BEFORE class time.

D. **Required Statement:** The statement “I have neither given nor received unauthorized aid” must appear on each assignment. Assignments without this statement are **incomplete**.

E. **Process Questions:** Any question calling for you to describe your process is a short essay question. The answer would be grammatically correct and unambiguous. Like a recipe, it should describe each step taken in the process. These questions are graded by following exactly the process you describe. If I cannot get to the answer you got using the process you provide, the answer is incorrect.
**ACCOMMODATIONS**

If you require special accommodations, please fill out the necessary forms with the Dean’s office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you as soon as it has been made aware of your situation.

Also, please contact Dean Virgie Mouton (Student Affairs) if you require any special accommodations regarding any of the assignments, including, but not limited to, extensions, note-takers, etc. You must contact Dean Mouton before the related assignment is due.

Dean Mouton  
Assistant Dean for Student Development and Academic Support  
**Phone:** (713) 313-7909  
**Email:** virgie.mouton@tmslaw.tsu.edu
PARTICIPATION, ATTENDANCE & PROFESSIONALISM

PARTICIPATION:

Class participation will be considered in determining your final course grade. You must be prepared for all classes. If you do not actively participate in class discussion and exercises, you may lose “Participation, Professionalism and Attentiveness” points (“PPA points”). You must prepare all assignments to the very best of your ability even if they are not submitted for a grade or feedback. In addition, if you fail to bring all relevant materials with you to class or do not have these materials open and ready for use in class, you will lose PPA points. You will need to have the required texts in class (or access to them) to fully participate in the discussion. Lastly, as you know, you must be on time for class.

ATTENDANCE POLICY:

1. Students are required to attend classes consistent with the format of the enrolled course.
   a. Hybrid – instruction for courses in this format is delivered in person and simultaneously online. Enrolled students are divided into groups and required to attend weekly in-person classes on the weekday(s) predetermined by administration for the designated group. Students may only attend in-person classes on the administration-determined day to ensure that all enrolled students are guaranteed a physical seat for the class. Other class days for the week are to be attended online. Students who have COVID-related health and safety concerns in attending in-person classes must obtain a remote-instruction waiver from the Office of Student Affairs. The waiver can be requested for the entire semester or temporary, based upon the personal circumstance of the affected student.
   b. Online – instruction for courses in this format is delivered 100% online.
   c. For the 100% online course and the hybrid course online instruction component, both the American Bar Association and the Law School rules obligate the professor to obtain assurance that the person who logs into the course online, participates in class, takes quizzes and exams, and engages in collaborative exercises, is the student enrolled in the course. Without being limited to the following methods of attendance verification, professors may require attendance to be contingent upon confirmation of identity via webcam or require webcams to remain on for the entire class period.
PROFESSIONALISM:

A. **Electronic Devices:** Laptop computers, tablets, or mobile devices may be used for accessing your e-textbook, Texas codes, the UPC, or Uniform Trust Code and for class-related note taking and reference. During class, however, it is inappropriate to use these devices for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate web sites, or to instant message others). Use of a laptop, tablet, or mobile device in class is a privilege. In addition to any other sanction, I will rescind use of these devices, individually or collectively, if it is abused. Cell phones, smart watches, and similar devices must have the ringer turned off (or the volume muted).

B. **Classroom Conduct:** Also, as you well know, at all times, you must respect your fellow colleagues. Please refrain from excessive side conversations or other distracting conduct during class. Also, *please refrain from leaving the classroom during instruction.* Once class begins, you should remain seated and fully engaged in the discussion. If you have a medical condition that requires you to regularly leave after class has begun, please see Dean Mouton for approval. Otherwise, **such disruption of class will result in a loss of PPA points.** Further, any other conduct that displays a lack of professionalism will result in a loss of PPA points.
THURGOOD MARSHALL SCHOOL OF LAW
TEXAS SOUTHERN UNIVERSITY
ACADEMIC CALENDAR 2020 – 2021

FALL SEMESTER 2020 (Modified 13-Week Schedule)
- Orientation
- First Day of Class
- Last Day to ADD/DROP
- Labor Day (NO CLASSES)
- Purge of all unpaid course selections
- Mid Term Examinations
- Last Day to Drop a Class with grade of “W”
- Last Day of Classes
- First Year Professors’ Grades due
- Reading Period (NO CLASS)
- Final Examinations
- Commencement Exercises

Mon–Fri August 3 – 7, 2020
Mon–Fri August 10, 2020
Wed–Fri August 12, 2020
Mon–Fri September 7, 2020
Mon–Fri September 14, 2020
Mon – Fri October 5-9, 2020
Fri October 30, 2020
Wed–Fri November 4, 2020
Wed–Fri November 4, 2020
Thurs – Sun November 5-8, 2020
Mon – Thu Nov 9 – 19, 2020
Sat November 21, 2020

SPRING SEMESTER 2021
**TBA**

Please note that the calendar events and/or dates are subject to change.
Updated July 13, 2020
POLICIES & PROCEDURES

COURSE MANAGEMENT SYSTEM

A. Class will be held on Zoom.
B. This course will be placed in the LEXIS “Classroom”: course management system (hereinafter “Classroom”). Students are required to enroll in the appropriate section for this course and are expected to regularly check the course page for updates, announcement, and changes.
C. All important course documents and information will be posted to the “Classroom” and updated as needed. Students should assume that versions of documents, including the one, on the “Classroom” are the most current versions of those documents.
D. All assignments will be posted on the Classroom after they are given.
E. Copies of PowerPoint slides used in class lectures will be posted to the Classroom as .pdf files. Additional helpful resources may also be posted to the Classroom for your optional use.

ASSIGNMENT PENALTIES

A. I expect all work to be executed to professional standards of quality.
B. Late assignments will not be accepted and will receive a zero.
C. The practice of law is a computerized profession; students are expected to be able to perform certain functions with their computer platforms of choice, including, but not limited to:
   i. Make special characters with their word processors including “§”
   ii. Take and insert screenshots into their word processing files.
D. The first time you omit required information from an assignment you will be penalized through loss of points. All times afterward the assignment will be deemed incomplete.
E. All of your answers must be arrived at independently. By submitting your work you confirm that you, and only you, had a role in completing the assignment. Failure to abide by this rule will be considered an Honor Code violation.
F. Lawyers are always working against deadlines; therefore, extensions on due dates will NOT generally be granted.
   i. All requests for extensions must be made in writing by 4pm on the day BEFORE the assignment is due (in other words, by 4pm Wednesday). If you do not receive your extension in writing, assume that the assignment is due as scheduled.
COVID-19 INFORMATION SHEET

HEALTH AND SAFETY ON CAMPUS

1. Students are expected to continuously self-screen for the symptoms of COVID-19. The Center for Disease Control has a list of COVID-19 symptoms: https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html. If you begin to show symptoms, notify your professor and leave the classroom. Limit contact with other individuals on campus and contact your healthcare provider for further guidance.

2. If, before coming to campus, a student starts exhibiting any symptoms of COVID-19 or does not feel well, the student should not attend class in person. The student should immediately notify the Assistant Dean for Student Development (virgie.mouton@tmslaw.tsu.edu) and attend classes online.

3. Students who have been sick with COVID-19 symptoms, tested positive for COVID-19, or have been potentially exposed to someone with COVID-19 should attend classes online until they are cleared by their healthcare provider. The following is taken from the TSU & Coronavirus FAQs, http://www.tsu.edu/about/administration/marketing-and-communications/coronavirus/faqs.html:

   Those who have recently traveled internationally or believe they have been exposed to the virus and are experiencing influenza-like illness, with fever greater than 100.3, and symptoms, including cough, body aches, severe sore throat or runny nose, should seek medical attention, especially if symptoms worsen.

   **Students should contact TSU Health Services (713-313-7173) and identify themselves as having flu-like symptoms to obtain further recommendations and guidance.** Students should also consult with their regular health care provider or seek treatment at a local health center if they are overseas. Please call ahead to your health care provider to notify them of the reason for your visit.

   For additional information about COVID-19, including signs and symptoms, transmission and risk of exposure, and what to do if you are exhibiting symptoms, please refer to the resources section. The CDC’s website and Texas Department of State Health Services (DSHS) will also issue guidance for those planning to travel or who have recently returned.
4. While on campus and in classrooms, students should observe the rules for social distancing, social health etiquette, and general cleanliness.
   a. Students should practice hand hygiene, cough etiquette, and general cleanliness.
   b. Students should maintain at least 6 feet separation in all directions from other individuals.
   c. Face coverings (over the nose and mouth) are required for all students. Students without a face covering will not be allowed to enter the classroom. Students with an approved exemption and who notify their professor before the start of class may be allowed to wear a face shield instead of a face mask.
   d. Students should wash or disinfect their hands before each class and after any physical interaction with other persons in the classroom.
   e. Students should maintain classroom cleanliness. Students should create a clean classroom environment by putting away unnecessary personal items and cleaning their seating area intermittently.
   f. Students should not expect to enter the Law Building on a day other than the designated day for in-person attendance for an enrolled course. Entry will be permitted only if administration can determine that the maximum occupancy for COVID-19 social distance protocol has not been exceeded.
   g. Students who do not comply with the rules for social distancing, social health etiquette, and general cleanliness may be subject to discipline up to expulsion from law school.
CAMPUS CARRY POLICY

As you know, the State of Texas has recently passed legislation permitting you to carry a *concealed* firearm on campus if you have a concealed license permit recognized by the State of Texas, subject to the rules and regulations of Texas Southern University’s (“TSU’s”) Campus Carry Policy. Under TSU’s Campus Carry Policy, I have the right to designate my office as a gun-free zone.

I have elected to make my office a firearm-free space. Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. (Conforme a la sección 30.06 Del Código Penal (traspasar portando armas de fuego con licencia), personas con licencia bajo del subcapítulo 411, Código Del Gobierno (ley de portar armas), no deben entrar a esta propiedad portando un arma de fuego oculta.).

For a complete list of the gun-free zones on this campus and the rules governing campus carry at our institution, please visit Texas Southern University’s website at http://www.tsu.edu/. Please note that entering a gun-free zone on campus with a firearm, including inside my office, could not only lead to criminal prosecution but suspension or expulsion from school.
# Reading & Homework Assignments Schedule

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<th>Pre-Class 8.3.20</th>
<th>Court Structure</th>
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| Reading          | Sloan - Chapter 1  
Handout: PowerPoint on Court Structure |
| Assignment Given |                 |

| WEEK 1 8.10.20 | Introduction & Purpose  
Weight of Authority |
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<tr>
<td>Reading</td>
<td>Sloan – Chapter 2</td>
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</tbody>
</table>
| Assignment Given| Register for Interactive Citation Workstations (ICW) & Lexis Learn (LL) and CALI.  
**Lexis Learn - Introduction to Online Legal Research Systems** |
| Assignment Due  | Quiz on Lexis covering Court Structure, Weight of Authority, The Legal Research Process |

<table>
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<tr>
<th>WEEK 2 8.17.20</th>
<th>The Bluebook</th>
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| Reading        | The Bluebook – Introduction pp. 1-2  
Tables 1, 6-7, 10 |
| Assignment Given| Assignment 1: The Bluebook using ICW |
| Assignment Due | |
| WEEK 3 | 8.24.20 | **Search Terms & Evaluating Search Options**  
**NO CLASS THIS WEEK** |
|---|---|---|
| **Reading** | Sloan – Chapters 2 & 3  
*PowerPoint* on Search Terms and Search Options |
| **Assignment Given** | *Lexis Learn- 1. Start Your Research: Keywords Basics & Start Your Research: Terms & Connectors and Segments* |
| **Assignment Due** | **Assignment 1: The Bluebook on ICW** |

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<tr>
<th>WEEK 4</th>
<th>8.31.20</th>
<th><strong>Secondary Sources</strong></th>
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| **Reading** | Sloan – Chapter 4  
The Bluebook – B15, B16, & Rules 15 & 16 |
| **Assignment Given** | **Assignment 2: Secondary Sources**  
*Lexis Learn- Start Your Research: Secondary Sources* |

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<th>WEEK 5</th>
<th>9.7.20</th>
<th><strong>Case Research</strong></th>
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| **Reading** | Sloan – Chapter 5  
The Bluebook – B10 & Rule 10 |
| **Assignment Given** | **Assignment 3: Case Research**  
*Lexis Learn- Start Your Research: Topic/Digest & Expand Your Research: Caselaw Tools* |
| **Assignment Due:** | **Assignment 2: Secondary Sources** |

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<tr>
<th>WEEK 6</th>
<th>9.14.20</th>
<th><strong>Citators</strong></th>
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</table>
| **Reading** | Sloan – Chapter 6  
The Bluebook – B10 & Rule 10 |
<p>| <strong>Assignment Given</strong> | <em>Lexis Learn -Validate Your Research: Citator Basics &amp; Expand Your Research: Citator Tools</em> |
| <strong>Assignment Due</strong> | <strong>Assignment 2: Secondary Sources</strong> |</p>
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<tr>
<th>WEEK 7</th>
<th>9.21.20</th>
<th>❖ Electronic Legal Research  ❖ NO CLASS THIS WEEK</th>
</tr>
</thead>
</table>
| Reading| Sloan – Chapter 10  
*PowerPoint* on Electronic Legal Research |
| Assignment Given | |
| Assignment Due | **Assignment 3: Case Research** |

| WEEK 8 | 9.28.20 | ❖ Statutory Research  
NOTE: We will not cover Legislative History in Class |
|--------|---------|--------------------------------------------------|
| Reading| Sloan – Chapter 7 & 8  
The Bluebook – B12, B13, & Rules 12 & 13 |
| Assignment Given | **Assignment 4: Statutory Research**  
*Lexis Learn*- Statutory Research Basics |

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<th>WEEK 9</th>
<th>10.5.20</th>
<th>❖ Federal Administrative Law</th>
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| Reading| Sloan – Chapter 9  
*The Bluebook* – B18 & Rule 18 |
| Assignment Given | **Quiz on Lexis**  
*Lexis Learn*- Administrative Law Research |
| Assignment Due | **Assignment 4: Statutory Research** |

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<thead>
<tr>
<th>WEEK 10</th>
<th>10.12.20</th>
<th>❖ Developing A Research Plan  ❖ NO CLASS THIS WEEK</th>
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</table>
| Reading| Sloan – Chapter 11  
*PowerPoint* on Research Plans |
| Assignment Given | **Lexis Learn- Organize Your Research**  
Drafting Forms – Quiz on Lexis |
<p>| Assignment Due | <strong>Administrative Law Quiz on Lexis</strong> |</p>
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<th>WEEK 11</th>
<th>10.19.20</th>
<th>Drafting Forms</th>
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<td>Reading</td>
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<tr>
<td>Assignment Given</td>
<td>Practice Exam</td>
<td>Lexis Learn- Draft Pleadings &amp; Draft Briefs and Motions</td>
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<tr>
<td>Assignment Due</td>
<td>Drafting Forms – Quiz on Lexis</td>
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<th>WEEK 12</th>
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<td>Practice Exam</td>
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<th>11.2.20</th>
<th>EXAMINATION (BLUEBOOK ALLOWED)</th>
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<td>EXAMINATION GIVEN TBA</td>
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