



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

LEGAL RESEARCH:
A COMPONENT OF LAWYERING
PROCESS

COURSE NUMBER 900L

SECTION 4 & 8

FALL 2021

PROF. JOSEPH K. PLUMBAR, ESQ.
ADJUNCT PROFESSOR



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TABLE OF CONTENTS

The Professor.....	3
Class Schedule.....	4
Course Books & Material.....	4
Course Description & Objective	6
Student Learning Outcomes	7
Grading.....	8
Accommodations & Emergencies	9
Wellness Resources.....	9
Participation, Attendance & Professionalism.....	10
Academic Calendar	11
Policies & Procedures.....	122
COVID	183
Title XI Policy.....	16
Campus Carry Policy.....	187
Reading Assignments	18



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL of LAW

THE PROFESSOR

NAME: JOSEPH K. PLUMBAR, ESQ.
TELEPHONE: 409.351.2111 CELL
EMAIL: plumbarlegalresearch@gmail.com
LOCATION: ROOM 208
OFFICE HOURS: TUESDAYS 1:00 P.M. -2:30 P.M

(ALL OTHER TIMES BY APPOINTMENT ONLY)

Office hours may be adjusted once school begins to accommodate students' course schedules. Office hours may also occasionally be held by Zoom.

Class Format

I use LexisNexis for classroom management, email, posting course materials and grades, and assignment submission. You must sign up for my Lexis Classroom page. Our classes will be held synchronously, at the assigned date and time, on campus.

You must also register for a free Zoom account at www.zoom.us. We will use Zoom for occasional office hours, some mandatory conferences, and, in the event of a class make-up, we may use Zoom for class. Please see the Policies and Procedures page for more details.

Note from the Professor

Welcome! I look forward to working with you this school year. My goal is for you to succeed. If you are having a hard time with the course material, please reach out to me.

Email is the best way to reach me. You may email me anytime, and I will reply to you as soon as possible. If you email a question about class material or assignments, I may need to respond to the entire class so that everyone has equal access to information. In that event, I will not reveal the identity of the student who posed the question.



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

CLASS SCHEDULE

LP Section	Instructor	Class Day	Class Time	Room
4	Plumbar	Tuesday	3:00 p.m. – 3:50 p.m.	Room 208
8	Plumbar	Tuesday	4:00 p.m. – 4:50 p.m.	Room 208



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COURSE BOOKS & MATERIAL

Required Books:

1. The Bluebook: The Bluebook: A Uniform System of Citation (Columbia Law Review Ass'n et al. eds., 21st ed. 2020). (Hereinafter, "The Bluebook") (NOTE: You need this book in the practice of law.)
2. Amy E. Sloan, Basic Legal Research: Tools & Strategies (8th ed. 2021). (Hereinafter "Sloan").

Required Databases:

1. LexisNexis Classroom
2. Zoom



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

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.



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THURGOOD MARSHALL SCHOOL *of* LAW

STUDENT LEARNING OUTCOMES

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.



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THURGOOD MARSHALL SCHOOL of LAW

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: 24 Points

QUIZZES

Court Structure

Drafting Legal Documents

Administrative Law

Criteria Five: 26 Points
Teachers choice

Various Points Each

This grade may consist of Lexis Learn and Class Participation. ALL TO BE DETERMINED AS THE SEMESTER PROGRESSES.

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.



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

ACCOMMODATIONS AND EMERGENCIES

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. For more information, please see:

<http://www.tsulaw.edu/academics/18SuAccommodationsInformationWeb.pdf>

If you have an emergency or otherwise need special accommodation (such as an extension or a note taker), please contact Associate Dean Amy Ratra to get approval, and then contact me. You must contact Associate Dean Ratra and notify me before the related assignment is due.

In addition, because our class will meet in-person this semester, please let me (in addition to Associate Dean Ratra) know if you learn that you have Covid-19 or have been exposed to Covid-19 so that our class can take any necessary safety precautions. Of course, any information you share will be kept confidential.

Associate Dean Mi Amy Ratra

Associate Dean for Student Services and Instructional Support

Phone: 713.313.7909

Email: miamy.ratra@tsu.edu

WELLNESS RESOURCES

Law school is hard. If you are struggling, I encourage you to get help. If you see someone else struggling, encourage that person to reach out. We have to take care of ourselves and each other.

Associate Dean Ratra works with students to resolve issues that might impact their course of study. You can reach her by calling or stopping into the Dean's suite or by email at miamy.ratra@tsu.edu. In addition, TSU's University Counseling Center (in the Student Health Center) offers confidential counseling and support, crisis intervention, grief counseling, outreach, and referral services to all enrolled students. Contact the counseling center through <http://students.tsu.edu/departments/university-counseling-center/> or by calling 713.313.7804 during business hours (Monday-Friday, 8:00 a.m.-5:00 p.m.). For an emergency after business hours, call 911. For a non-emergency crisis after business hours, call 713.313.7863.

The Texas Lawyers Assistance Program from the State Bar of Texas is an amazing resource, not only for practicing lawyers but specifically for law students as well. TLAP offers confidential crisis counseling, referrals, and peer assistance relating to alcohol and drug abuse, mental health issues, and wellness. Contact TLAP through <https://www.tlaphelps.org> or by calling 800.343.8527 (available 24/7).



TEXAS SOUTHERN UNIVERSITY THURGOOD MARSHALL SCHOOL of LAW

PARTICIPATION & 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.

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



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL of LAW

decarlous.spearman@tmslaw.tsu.edu

ACADEMIC CALENDAR



THURGOOD MARSHALL SCHOOL OF LAW

TEXAS SOUTHERN UNIVERSITY
ACADEMIC CALENDAR 2021 – 2022

FALL SEMESTER 2021

FALL SEMESTER 2021 (SEVENTY DAYS OF CLASSES)

Orientation	Monday-Friday	August 9-13, 2021
First Day of Class	Monday	August 16, 2021
Last Day to ADD/DROP	Wednesday	August 18, 2021
Labor Day (NO CLASSES)	Monday	September 6, 2021
<i>Purge of all unpaid course selections</i>	Wednesday	September 15, 2021
Mid Term Examinations	Monday – Friday	October 11-15, 2021
Last Day to Drop a Class	Friday	November 5, 2021
Last Day of Classes	Tuesday	November 23, 2021
First Year Professors' Grades due	Tuesday	November 23, 2021
Reading Period	Wednesday	November 24, 2021
Thanksgiving Holiday	Thursday – Friday	November 25-26, 2021
Reading Period	Saturday- Sunday	November 27-28, 2021
Final Examinations	Monday - Friday	November 29–Dec. 10, 2021
Commencement Exercises	Saturday	December 11, 2021

Spring Semester 2022 TBD



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL of LAW

POLICIES & PROCEDURES

COURSE MANAGEMENT SYSTEM

- A. Class will be held in Person.
- 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.



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

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COVID-19 INFORMATION SHEET

HEALTH AND SAFETY ON CAMPUS

1. The University does not require COVID-19 vaccination as a condition for attending school. As a protective measure, students are encouraged to get vaccinated. The St. Luke's vaccination clinic, located on campus in the Nabrit Science Building, is open and accessible to the entire University community, Monday-Friday, 9 a.m. – 7 p.m. There is no cost for the vaccination.

2. Students are expected to continuously self-screen for the symptoms of COVID-19. If you have symptoms and are not fully vaccinated, you should call the Student Health Center at (713) 313-7173. Please remember to exercise caution and be courteous of your fellow students.

3. Students who experience a medical emergency on campus should call (713) 313-7000. If off campus, call 911. Please inform the dispatch operator if you are experiencing shortness of breath, difficulty breathing, coughing, or have a fever.

4. Students who are unable to attend classes for health reasons, including those relating to COVID-19, should immediately contact the Associate Dean of Student Services, Amy Ratra (miamy.ratra@tsu.edu), for further guidance.

5. Students who contract the COVID-19 virus must report the information to the Associate Dean of Student Services, Amy Ratra, and the Student Accessibility Services Office (SASO), by phone at 713-313-4210 or by email at disabilityservices@tsu.edu.

6. Students who contract the COVID-19 virus will be required to quarantine under the advice of Student Accessibility Services Office (SASO). Such students are required to submit Release of Care documentation from a licensed health care professional to SASO and notify the Associate Dean of Student Services, Amy Ratra, before they return to the law school.

7. While on campus and in classrooms, students are encouraged to conduct themselves in a manner conducive to the health and safety of the entire TSU community.

7.1 Students should practice hand hygiene, cough etiquette, and general cleanliness.

7.2 Face coverings (over the nose and mouth) are not required as per the guidelines from the State of Texas. However, students are strongly encouraged to wear face coverings (over the nose and mouth) while in the law school building.



TEXAS SOUTHERN UNIVERSITY

THURGOOD MARSHALL SCHOOL *of* LAW

7.3 Students should wash or disinfect their hands before each class and after physical interaction with other persons in the classroom.

7.4 Students should maintain classroom cleanliness. Students should create a clean classroom environment by putting away unnecessary personal items and cleaning their seating area intermittently.

7.5 Students who do not conduct themselves on campus in a manner conducive to the health and safety of those with whom they come in contact may be subject to discipline up to expulsion from law school.

ATTENDANCE POLICY

1. Law school classes will be fully in-person this fall. The law school attendance policy will be strictly enforced.

2. Students who contract the COVID-19 virus will be barred from attending in-person classes until submitting Release of Care documentation from a licensed health care professional to Student Accessibility Services Office (SASO). Such students will be required to study and keep up with the prescribed readings.

3. Students who are excused from in-person class attendance because they contracted the COVID-19 virus should designate a student in each of their classes to make audio recordings of the lectures. Professors are required to allow such recordings to be made. Furthermore, professors are required to meet with such students to answer questions about the materials covered during their COVID-19-related absence.

UNIVERSITY RESOURCES

1. COVID-19 Testing

1.1 Located in H&PE 109

1.2 Hours: Tuesday – Thursday, 8 a.m. – 11:30 p.m. No appointments are necessary.

1.3 Results will be available within 24 hours if the test is taken by 11:30 a.m.

2. St. Luke's vaccination clinic

1.1 Open and accessible to all University personnel and community.

1.2 Hours: Monday – Friday, 9 a.m. – 7 p.m. in the Nabrit Science Building.

3. Student Health Services

3.1 Hours: Monday – Friday, 8 a.m. – 5 p.m., by appointment only.



TEXAS SOUTHERN UNIVERSITY THURGOOD MARSHALL SCHOOL *of* LAW

3.2 A nurse is available at 713.313.7173, Monday – Friday, 8:00 a.m. – 5:00 p.m., to schedule appointments.

3.3 Appointments will be scheduled virtually and in-person, as needed.

3.4 If you are currently enrolled and need a copy of your immunization record go to <https://tsu.medicatconnect.com>.

3.5 If you are off campus but in the local area and need assistance, contact the Harris County Health Department COVID-19 hotline: www.ReadyHarris.org. If you do not have internet availability, call (832) 927-7575 or the Houston Health Department COVID-19 Call Center at (832) -393-4220.

4. University Counseling Center

4.1 The University Counseling Center (UCC) is providing convenient Telemental Health Services to all students.

4.2 Students may call 713-313-7800 to request an appointment. If someone does not answer, please leave your T-Number, name, and a contact number. Students may also complete this form to request an appointment, and someone will contact them during business hours:

https://forms.office.com/Pages/ResponsePage.aspx?id=ViJL72KUK0Su4urH7Z-1ZFNJ2YN0WsVPstLk4r8W_X1UOUk2SUxMRVoyVEdQTVkzV09YRVBLNU5OTy4u

4.3 Students may receive a call from a blocked or private number, please answer, as it may be your counselor trying to contact you.

4.4 If a student experiences a crisis outside of regular business hours, the student can call 833.848.1765.

4.5 Other resources for support outside of the UCC include:

4.5.1 Crisis text line – Text Steve to 741-741.

4.5.2 National Suicide Hotline – 800.273.TALK (8255).



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THURGOOD MARSHALL SCHOOL *of* LAW



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TITLE IX POLICY

Texas Southern University is committed to fostering a safe learning environment. As a professor, one of my responsibilities is to foster a safe learning environment in class. Federal Title IX regulations and Texas Southern University prohibit discrimination based on sex, which includes sexual harassment, sexual violence and misconduct, dating violence, domestic violence, and stalking. Because these incidents can undermine a student's academic success, the university encourages students who have experienced sexual conduct prohibited by this policy to report these incidents when they happen to the university's Title IX coordinator or University Confidential Resource so that the students can get the help they may need.

My goal is for students to comfortable sharing information related to their life experiences in classroom discussions, in written work, and in one-to-one meetings. I will seek to keep private any information shared to the greatest extent possible. However, I also have a mandatory responsibility to notify the university's Title IX coordinator when I become aware of incidents of prohibited conduct that violate the university's Title IX policy. If a student chooses to share with me about having survived sexualized or intimate partner violence including rape, sexual assault, dating violence, domestic violence or stalking, Texas Southern University requires me to share this information with the university's Title IX coordinator.

Students may also speak confidentially to the University Counseling Center. Please feel free to visit the center's website, www.tsu.edu/ucc, for more information about their services. Also, students may speak with the university's Title IX coordinator by calling 713.313.1371 or emailing titleix@tsu.edu.



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THURGOOD MARSHALL SCHOOL of LAW

CAMPUS CARRY POLICY

The State of Texas 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 seccìon 30.06 Del Còdigo Penal (traspasar portando armas de fuego con licencia), personas con licencia bajo del sub-capitulo 411, Còdigo Del Gobierno (ley de portar armas), no deben entrar a esta propiedad portando un arma de fuego ocultada.).

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.



TEXAS SOUTHERN UNIVERSITY
 THURGOOD MARSHALL SCHOOL of LAW

READING & HOMEWORK ASSIGNMENTS SCHEDULE

Pre-Class 8.9.21	❖ Court structure
Reading	Sloan- Chapter 1 Handout: PowerPoint on Court Structure
Assignment Given	NONE

WEEK 1 8.16.21	❖ Introduction & Purpose ❖ Weight of Authority
Reading	Sloan – Chapter 2
Assignment Given	Register for Interactive Citation Workstations (ICW) & Lexis Learn (LL) and CALI. <i>Lexis Learn- Introduction to Online Legal Research Systems</i>
Assignment Due	Court Structure Quiz on Lexis

WEEK 2 8.23.21	❖ The Bluebook
Reading	The Bluebook – Introduction pp. 1-2 Tables 1, 6-7, 10
Assignment Given	Assignment 1: The Bluebook using ICW
Assignment Due	NONE



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 THURGOOD MARSHALL SCHOOL of LAW

WEEK 3 8.30.21	❖ Search Terms & Evaluating Search Options
Reading	Sloan – Chapters 2 & 3 <i>The Bluebook</i> – B15, B16, & Rules 15 & 16
Assignment Given	<i>Lexis Learn- Start Your Research: Keywords Basics</i> <i>Start Your Research: Terms & Connectors and Segments</i>
Assignment Due	Assignment 1: The Bluebook on ICW

WEEK 4 9.6.21	❖ Secondary Sources
Reading	Sloan – Chapter 4 <i>The Bluebook</i> – B15, B16, & Rules 15 & 16
Assignment Given	Assignment 2: Secondary Sources <i>Lexis Learn- Start Your Research: Secondary Sources</i>

WEEK 5 9.13.21	❖ Secondary Sources
Reading	Sloan – Chapter 4 <i>The Bluebook</i> – B15, B16, & Rules 15 & 16
In class work:	Law Library Online Databases including Hein Online. Citing Periodicals.
Assignment Due:	NONE

WEEK 6 9.20.21	❖ Case Research
Reading	Sloan – Chapter 5 & 6 <i>The Bluebook</i> – B10 & Rule 10
Assignment Given	<i>Lexis Learn- Start Your Research: Topic/Digest</i> <i>Expand Your Research: Caselaw Tools</i>
Assignment Due	Assignment 2: Secondary Sources



TEXAS SOUTHERN UNIVERSITY
 THURGOOD MARSHALL SCHOOL of LAW

WEEK 7 9.27.21	❖ Case Research; Citators
Reading	Sloan – Chapter 5 & 6 <i>The Bluebook</i> – B10 & Rule 10
Assignment Given	Assignment 3: Case Research <i>Lexis Learn- Validate Your Research: Citator Basics</i> <i>Expand Your Research: Advanced Citator Tools</i>
Assignment Due	Assignment 2: Secondary Sources

WEEK 8 10.04.21	❖ Statutory Research
Reading	Sloan – Chapter 7 <i>The Bluebook</i> – B12 & Rule 12
Assignment Given	Assignment 4: Statutory Research <i>Lexis Learn- Statutory Research Basics</i>
Assignment Due	NONE

WEEK 9 10.11.21	❖ MID-TERM WEEK
	❖ Statutory Research
Reading	Sloan – Chapter 7 <i>The Bluebook</i> – B12 & Rule 12
Assignment Given	NONE
Assignment Due	NONE



TEXAS SOUTHERN UNIVERSITY
 THURGOOD MARSHALL SCHOOL of LAW

WEEK 10 10.18.21	❖ Administrative Law
Reading	Sloan – Chapter 9 <i>The Bluebook – B14 & Rule 14</i>
Assignment Given	<i>Lexis Learn- Administrative Law Research</i>
Assignment Due	Assignment 4: Statutory Research

WEEK 11 10.25.21	❖ Developing A Research Plan
Reading	Sloan – Chapter 11 Handout: Research Plan
Assignment Given	<i>Lexis Learn- Organize Your Research</i>
Assignment Due	Administrative Law Quiz on Lexis

WEEK 12 11.1.21	❖ Forms
Reading	PPT: Electronic Forms
Assignment Given	Practice Exam (bring to class: does not have to be turned in)
WEEK 13 11.8.21	❖ Exam Review
Reading	
Assignment Due	Forms Quiz on Lexis Practice Exam (bring to class: does not have to be turned in) CALI Lesson (Due 11.5.21 @ 5 P.M.)



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

WEEK 14 11.15.21	EXAMINATION (BLUEBOOK ALLOWED)
	EXAMINATION GIVEN IN CLASS