

# : Law 34 Spring 2012 Syllabus



## Paralegal Studies Program

Los Angeles  
Mission College

### Syllabus

Law 34 - Legal Research - 3:00 Units

Spring 2012

Spring 2012 - Section # 0326

Instructor: [David Jordan, Esq.](#)  
Office: Faculty Office #20  
Office hours: Wednesdays 4:00 – 5:00 PM, or by appointment.  
Phone: 818/364-7720 - cell phone 818-415-2015  
Email: [abogado@pacbell.net](mailto:abogado@pacbell.net)  
Moodle Page: <http://moodle.lamission.edu/course/view.php?id=1008>

Textbook: There is no required textbook for the class

Classwiki: <http://legalresearch.pbworks.com/w/page/16128065/FrontPage>

Legal Notes <http://profj.us/legalnotes/>

**Course Description:** This course explores legal research. The student learns how to do legal research using primary and secondary legal resources and how to do federal and state law reporting.

**Course Organization:** Law 34 is organized into assignments, quizzes, a final legal research and writing project, and forum discussions. Read "**Where to Start**"

**Student Learning Outcomes:**

Upon successful completion of this course, a student will be able to:

1. Brief law cases in including subject areas of the law from all of the other law classes in our paralegal program
2. Critically analyze and argue issues in case law, and learn the methods of finding and researching law cases. see <http://profj.us/leganotes>

This includes the following:

1. Primary and Secondary Sources of the Law
2. Overview of legal research
3. Steps to take in Case Law Research
4. Intro to Basic Legal Citation
5. Statutory Carthwheel and developing "legal language"
6. Getting background information
7. Refining the statement of the "Legal Issue"
8. How to develop a legal argument
9. Finding constitutions, statutes, regulations, and ordinances
10. Improve your legal writing
11. Finding cases
12. Expand and update your legal research
13. How to write a legal memo - sample
14. Final Legal Writing and Research Paper

3. Prepare a final legal research and writing paper. See format of the paper at <http://profjordan.pbworks.com/format> . The final research paper will be in the form of a position or argumentative paper. It will train the student in legal analysis, finding of law cases, and improving legal argumentation. The paper will be graded by using the following grading rubric -<http://missionparalegal.pbworks.com/rubric-finalpaper>

Students will read various law cases and write a case brief demonstrating their understanding and application of the essential facts and rules of law and legal principles of the case. see case brief rubric at <http://missionparalegal.pbworks.com/briefing>

**Skill Level:** College level reading and writing; ability to access the internet. Necessary skills include proficiency using a word processing program, including spell checker, using a web browser, sending and receiving email, saving documents as RTFs (rich text format), uploading and attaching documents.

**Estimated Time per Week:** 10 hours (see [Carnegie Rule](#))

**Class format:** The class is an entirely online class. We use the [Moodle Course Management System](#). Carefully read [our policies](#).

The class follows a weekly format. If you click on "Section Links" in upper left corner of your moodle class, you will see the weekly assignments, quizzes, forums and activities. There are many opportunities for you to participate and earn points to attain a good grade.

Online classes require your attention and effort. If you fail to log into the class during the first two weeks you will be excluded from the class. There are activities and assignments each week; you will need to log into the class several times a week.

To be a successful online/hybrid student, you need to do schedule a regular time for studying, read and complete on line activities, and [more](#).

**Technical Requirements:** The minimum computer requirements are: Computer, either a Macintosh or IBM compatible; modem, minimum 28.8, broadband or high speed internet access is preferred and is required to view the videos. Software: Web browser software, preferably Firefox 3.5 or Internet Explorer 8, an e-mail address and a word processing program.

Get Firefox: <http://www.mozilla.com/en-US/firefox/all.html>

Get Internet Explorer: <http://www.microsoft.com/windows/Internet-explorer/default.apx>

Get a free email account at: [www.mail.google.com](http://www.mail.google.com)

Students who do not have regular computer access may use computers in the campus Learning Resource Center. Be sure to save all your papers and assignments on a flash drive.

**Course Login:** <http://moodle.lamission.edu>

**First Assignment:** Introduce yourself to the class under the forum discussions for the first week. This is where you will get to know your classmates. Post your introduction by Sunday evening, 11:55 pm, February 19, 2012. You may be withdrawn from class if you do not post your introductions by the end of the 2nd week of class.

**Contacting Your Instructor:** I check my email several times a day and respond to emails within 24 hours. Please don't hesitate to contact me with any questions; email me at: [abogado@pacbell.net](mailto:abogado@pacbell.net), in the subject line put: **Law 34 #0326**. I am also available in-person or by telephone on Wednesdays, 4:00 – 5:00 PM.

**Discussion Forums:** The [discussion forums](#) are the main area for class participation. The weekly discussions open on Mondays and close the following Sunday at 11:55 PM. Initial posts are due by Wednesdays at 11:55 pm. Initial posts should be at least two paragraphs in length (approximately 120-150 words), respond directly to the topic in a reflective manner, referencing the topic link and content provided, and applying the law or case materials. Respond to at least *two* students to each forum by Sunday evening at 11:55 pm.

**CLASS BIOGRAPHIES/INTRODUCTIONS :** You will find your instructor's autobiography posted in the "Discussion Board" of

the class website. Please post your bio in the discussion board by Friday of week one. In your bio, please be sure to include:  
 Your name,  
 Class level,  
 Alternate email address,  
 Academic accomplishments,  
 Other items of interest, and  
 Include any preliminary questions or concerns you have at this point.

**DISCUSSION FORUMS:** Every week a discussion questions posted to the website "FORUMS." You are required to post a answer to each discussion question by Wednesday of the forum week. Further, you are required to post, at least, one response to two or more of your classmates' initial responses. You are not required to respond to every classmate. You may, although this is a decision each student will make.

**Minimum THREE different days per forum week.** As we begin our online work together I want to discuss an important aspect of online learning, namely participation. **Participation** is an important part of this collaborative online learning environment. It is well documented that participation and collaboration does enhance learning & whether it be in-class or at a distance. You are encouraged to initiate and respond regularly and make sure **your ideas are presented clearly and are substantive. Postings that lack substance will receive little or no credit. For example, "I agree," "Good posting," or similar messages that add little or nothing to the discussion will receive few, if any credits.** Discussions posted to the website are an important part of the learning that takes place in this class. In essence, we learn from each other. Share ideas or questions with your colleagues. Ask them questions. Share your own experiences.

**SOME SPECIFIC EXPECTATIONS ABOUT PARTICIPATION:**

**Class Meeting Discussions:**

- **Please read, review, and reflect on each message PRIOR to posting to the forums.** Remember: Others cannot get visual clues as to meaning, therefore, be careful in what and how you communicate. **Once posted, messages cannot be deleted!**
- All postings to any meeting in this class are to be considered CONFIDENTIAL and for consideration and discussion only by members of this class.
- Ask questions about areas of the subject that you wish to better understand or for clarification and/or amplification.
- Read your classmates comments and presentations, and respond constructively.
- Offer personal/professional experiences/observations relevant to the items being discussed.

**Participation Rubric:**

	<b>Unsatisfactory</b>	<b>Satisfactory</b>	<b>Exemplary</b>
<b>A minimum of 3 postings per forum on at least 3 separate days.</b>	Less than 3 <b>substantial</b> postings.	Three required <b>substantial</b> postings.	More than the 3 <b>substantial</b> required posting.
<b>Answers by Wednesday</b> ----- <b>Respond to classmates by Sunday</b>	Posting answers after Wednesday	Posting answers on Wednesday	Posting answers before Wednesday
<b>Well reasoned with appropriate analysis.</b>	No response or lacks applicability.	Response is applicable, but may not be thorough or lacks depth.	Thorough response with appropriate depth.
<b>Appropriate dialog with classmates</b>	Responses do not clearly relate to topic.	Responses relate to topic.	Responses clearly relate to topic.
<b>Appropriate grammar, spelling, and APA references.</b>	Spelling and/or grammar errors.	No spelling or grammar errors..	No spelling, grammar errors, or punctuation errors.

Student deliverables should be submitted on the specified date by midnight of the student's time zone. For purposes of scheduling, each week or module begins on Monday 12:01 AM and concludes the following Sunday at Midnight.

**EXPECTATIONS FOR WRITTEN WORK:**

VOCABULARY - You are expected to read and understand the material presented in the assigned text and articles you locate.

FORMAT - Papers submitted should be written in accordance with the **APA, Bluebook, or other recognized formatting style.**

GRAMMAR - Use active voice in your writing. Also use the spelling and grammar check feature of your Word Processor before submitting your papers.

**Homework Assignments:** Assignments require you to read and brief law cases. Read the information on "[briefing law cases](#)". Below is the grading rubric for your case "briefs"

## CASE BRIEF GRADING RUBRIC

	Outstanding A	Proficient B	Adequate C	Inadequate D/F
<b>Case Name and Citation</b>	Complete case name and properly formatted citation appear at the top of the case brief	Complete case name is provided but citation is incomplete	Complete case name is provided but no citation is give	Neither the case name nor the citation appears at the top of the case brief OR both case name and citation are incorrect.
<b>Operative Facts</b>	Operative facts are relevant to the issue being examined by the court and are logically organized.	Facts are relevant to the question being answered but lack coherence or organization.	Irrelevant facts are included. Lack of logical organization.	Relevant facts are omitted or lost in discussion of unrelated information.
<b>Procedural Facts</b>	Procedural history of the case is clearly and logically presented in proper chronology.	Procedural history of the case is presented but chronology is confusing.	Some procedural history is presented.	No procedural history is presented.
<b>Issue/Short Answer</b>	Includes all elements (applicable law, issue being examined and relevant facts) in a well crafted, grammatically correct question. Answer responds to question being posed.	Issue is separately articulated, but does not include all elements; applicable law, issue being examined and relevant facts. Answer responds to question being posed.	Issue is not separately articulated, but implied through description of facts or discussion of law. Answer does not respond to question being posed.	Issue is not articulated. No answer is given.
<b>Law</b>	Law is correct and is relevant to the question being answered. Rule(s) of law succinctly paraphrased rather than quoted.	Law is correct and is relevant to the question being answered, but is not paraphrased	Rules of law are used in providing answer, but it is unclear if writer understands the law and is properly applying it.	Rules of law are omitted from answer or incorrect law is used.
<b>Rationale</b>	The court's reasoning is presented in a clear and logical fashion, leading the reader to an understanding of the rationale behind the law.	Law is applied to the facts, but the underlying rationale is not clear.	Analysis is unclear, causing the reader to question whether the law is correct.	No analysis of the law is given.
<b>Writing Mechanics</b>	Sentence structure, grammar, punctuation are substantially correct.	Sentence structure, grammar, punctuation are substantially correct.	Adherence to rules of writing is poor. Material lacks organization	Rules of writing are ignored or misunderstood. No apparent logic to the

Each component's material is logically organized and presented in a clear, concise manner.

Organization is logical but needs better consistency and clarity.

and/or is unclear, making it difficult to understand.

organization of the material. Writing lacks clarity.

**\*\*above adopted from case grading rubric - [AAFPE.org](http://AAFPE.org) website.**

Students who plagiarize will receive zero credit on the assignment.

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**Quizzes:** The class is divided into weekly quizzes (which is primarily finding law cases) which are submitted under moodle (they are not timed quizzes like other classes). This is 30% of your grade.

**Assignments:** This includes performing legal research and finding law cases. This is 30% of your grade.

**Final Writing and Research Paper.** You will follow the format for your paper at . This is 25% of your grade.

**Forum Discussions:** The class is divided into weekly discussion forums. This is 15% of your grade.

**Late Assignments** Our "[Late Work](#)" Policy is firm.

**Grading Policy:** Letter grades will be determined based upon the following:

## **Grade Distribution**

Tests are 30% of your grade

Assignments are 30% of your grade

[Final Legal Research and Writing Paper](#) = 25 % of your grade

[Discussion Forums](#) = 15% of your grade and entered at the end of the semester

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<b>Grade Scale:</b>	A	90-100
	B	80-89
	C	70-79
	D	60-69
	F	≤ 60

Please note that a grade of C or higher is required for each of the 12 paralegal certificate classes.

Points will be posted on the class website after each activity closes.

**Reasonable Accommodation:** For students requiring accommodation the DSPS office provides special assistance in areas like: registering for courses, specialized tutoring, note-taking, mobility assistance, special instruction, testing assistance, special equipment, special materials, instructor liaisons, community referrals, and job placement. The phone number for the Office of Students with Disabled Student Programs and Services is: (818) 364-7732. see their website at <http://lamission.edu/dsps>

### Important Dates

Website opens Sunday 2/5/12 at 6 pm

<b>February 05, 2012</b> Residency Determination Date for Spring 2012.
<b>February 06, 2012</b> Day and Evening Classes Begin for Spring 2012.

<p><b>February 11, 2012</b> Saturday Classes begin for Spring 2012.</p>
<p><b>February 17, 2012 - February 20, 2012</b> HOLIDAYS PRESIDENT'S DAY (COLLEGE CLOSED).</p>
<p><b>February 21, 2012</b> Last day to DROP with our incurring fees or with a REFUND for Spring 2012.</p>
<p><b>March 04, 2012</b> Last day to DROP without a "W" (No REFUND).</p>
<p><b>March 09, 2012</b> Last day to petition for Credit/No-Credit for Spring 2012.</p>
<p><b>March 09, 2012</b> Last day to do Section Transfer for Spring 2012.</p>
<p><b>March 29, 2012</b> Deadline to petition for Spring/Summer 2012 graduation.</p>
<p><b>March 30, 2012</b> CESAR CHAVEZ DAY (COLLEGE CLOSED).</p>
<p><b>April 02, 2012 - April 09, 2012</b> SPRING BREAK.</p>
<p><b>May 06, 2012</b> Last day to DROP with a "W".</p>
<p><b>May 26, 2012</b> Classes end for Spring 2012.</p>
<p><b>May 28, 2012 - June 04, 2012</b> FINAL EXAMS FOR SPRING 2012.</p>
<p><b>May 28, 2012</b> MEMORIAL DAY(COLLEGE CLOSED).</p>
<p><b>June 05, 2012</b> Graduation Day for Spring 2012.</p>

## **Calendar of Activities**

### **Week 1 - Due 2/12/12**

- Read the [syllabus for the class](#) there is no required textbook for class. If you would like a book on "Hows to Do Legal Research" - look at the Nolo Book under [textbooks](#) go to <http://lamission.edu/online> - and login to your class - follow the

login formula at <http://profj.us/login> -

- Read the Overview of Legal Research at - <http://profj.us/24sp/law34/overview.htm>
- Post your [Introduction](#)
- Read [Dear Online Student](#)
- Read "[How to Study Law](#)" and post to moodle
- Read [Good Legal Writing](#) and post to moodle
- Read [The Uses of Argument](#) and post to moodle
- Read [Analytic Thinking](#) and post to moodle
- Read "[Character Counts](#)" and post to moodle
- Read Differences between a "Case" and a "Code" ([10 Hour Law School](#)) and post to moodle
- Read "[Recognizing Plagiarism](#)" and take the test

#### **Week 2 - Due 2/19/12**

- Read Primary and Secondary Legal Resources - <http://profj.us/24sp/law34/primary.htm>
- #1 [Review California Legal Primary Resources](#) - [law34-califprimary](#)
- #2 [Review Federal Legal Primary Resources](#) - [law34-federalprimary](#)
- post to discussion forum

#### **Week 3 - Due 2/26/12**

- Read Overview of Legal Research - [http://www.law.cornell.edu/wex/index.php/Legal\\_research](http://www.law.cornell.edu/wex/index.php/Legal_research)
- #3 [Malicious Prosecution case](#)
- Test #A - Civil Rights case
- Post the topic of your final paper
- post to discussion forum

#### **Week 4 - Due 3/4/12**

- Read Steps to Take in case law research - <http://profj.us/24sp/law34/steps.htm>
- #4 Yelling Fire case
- #5 "Constructive Possession" in Criminal Law cases
- Test #B Crib/Manger case
- post to discussion forum

#### **Week 5 - Due 3/11/12**

- Read Introduction to Basic Legal Citation - <http://www.law.cornell.edu/citation/index.htm>
- #6 "Resolution of Conflicts" - Calif. Appellate case
- #7 Student's Vulgar Blog
- Test #C case - Prosecutorial Misconduct
- post to discussion forum

#### **Week 6 - Due 3/18/12**

- Read "Developing Keywords" to do Legal Research - <http://www.profj.us/keywords/>
- #8 case - Alcohol related student death
- Test #D - JD Salinger and "Catcher in the Rye"
- Test #E - Post your Research Topic for your Research Paper
- post to discussion forum

#### **Week 7 - Due 3/25/12**

- Read Getting Background Information - <http://profj.us/25sp/law34/background.htm>
- #9 case - Regulating Manufacturing of Goods
- #10 case - Reporter's right to use a camera to record a performance and play it claiming it is news
- Test #F case - Affirmative Action
- post to discussion forum

#### **Week 8 - Due 4/1/12**

- Read Refining Statement of the Legal Issue - [refining legal issues](#)
- Read How to Develop a Legal Argument - [developing your legal argument](#)
- #11 - 2nd amendment & Individual's Right to Possess a Firearm

- #12 - City employees sue based upon "race based" discrimination
- Test #G case - Is an Arbitration Clause which includes "claims for discrimination" enforceable?
- post to discussion forum

#### **Week 9** - Due 4/8/12

- Read Finding Constitutions, Statutes, Regulations and Ordinances - <http://profj.us/25sp/law34/finding.htm>
- #13 case - In a Rico case, does plaintiff require standing?
- #14 case - Does police violate 4th amendment by allowing a police dog to search for an intoxicated minor?
- Test #H case - Whether an inmate poses a current threat to public safety?
- post to discussion forum
- Spring Break 4/9/12 - 4/15/12

#### **Week 10** - Due 4/22/12

- Read Finding cases - <http://profj.us/legalnotes/findingcases.htm>
- #15 case - Freedom of Information Act - exemption for "personal privacy" and corporations.
- #16 case - Use of DNA evidence to prove innocence
- Test #I - Can inmate freed after prosecutorial misconduct sue the prosecutor's office
- post to discussion forum

#### **Week 11** - Due 4/29/12

- Read Improve your Legal Writing - [http://www.criticalreading.com/improve\\_writing.htm](http://www.criticalreading.com/improve_writing.htm)
- Read Expand and Update your Legal Research - <http://www.law.harvard.edu/library/services/research/guides/grfs/basics/cases.php>
- #17 Michigan Winery and "Dormant Commerce Clause"
- Test #J - post your "thesis" - law34-thesis - for your Final Research paper
- Test #K Puerto Rican defendants conspiracy to distribute cocaine.
- post to discussion forum

#### **Week 12** - Due 5/6/12

- Read How to Write Legal Memorandums - sample - [http://happybob.com/econjustice/articles/lawcmemo\\_snt.htm](http://happybob.com/econjustice/articles/lawcmemo_snt.htm)
- #18 case - Leg iron and shackles restraints during trial
- Test #L - Develop your Strategy - [http://www.library.cornell.edu/africana/faculty/asrc100\\_5.html](http://www.library.cornell.edu/africana/faculty/asrc100_5.html) and post it
- Test #M - Post your outline of your legal research paper
- post to discussion forum

#### **Week 13** - Due 5/13/12

- Read How to Write Legal Memorandums - [sample](#)
- #19 Software Developers Case
- #20 State Regulation of the Bedroom
- Test #N Post your footnotes - law34-footnotes for your Final Research Paper - you must include your cases and codes upon which you support your "thesis"
- post to discussion forum

#### **Week 14** - Due 5/20/12

- Read Citing Sources at - [http://en.wikipedia.org/wiki/Wikipedia:Citing\\_sources](http://en.wikipedia.org/wiki/Wikipedia:Citing_sources)
- post to discussion forum

#### **Week 15** - Due 5/27/12

- Read How to Write an A+ Research Paper - <http://www.aresearchguide.com/1steps.html>
- Test #O - Post your Final Research Paper along with footnotes (at least 5 cases/codes cited)
- post to discussion forum

#### **Week 16** - Due 6/3/12

- Take End of Class Survey



- What did you learn in Legal Research Class Forum

updated: 1/16/12