

LEGAL RESEARCH

CRJU 5413

FALL, 2020

Contact Information

Dr. Laura W. Fidelie
Martin 102
Phone: (940) 397-6210
Fax: (940) 397-6291
Email: laura.fidelie@msutexas.edu

Course Description and Objectives

The primary objective of this course is to teach you the research methods and techniques utilized in the U.S. legal system. This course will prepare you to locate statutory, case, and other sources of law. You will learn to appropriately interpret this information and apply it to all areas within the criminal justice system. Being able to locate and interpret this type of information will give you a greater knowledge of the protections, restrictions, and limitations of the law as they apply to a criminal justice practitioner. Students successfully completing this course will:

- 1) Understand how to locate various sources of law
- 2) Be able to interpret these legal sources and determine whether or not a particular case or statute is on point for the area of research they are exploring
- 3) Accurately identify key issues and facts in a particular case and locate resources that further address those facts and issues
- 4) Be able to brief a case, identify key facts and issues within that case, and synthesize those facts, issues, and the case's rule of law in order to utilize that case in addressing various legal issues
- 5) Understand how to analyze case law and how case law is applied to real life legal issues
- 6) Be able to utilize secondary legal resources such as encyclopedias, treatises, law reports, legal digests, law reviews, and others
- 7) Be able to write a legal research paper at a level that could be published in a peer-reviewed journal

Required Texts

1. Putman & Albright (2015), *Legal Research 3rd ed.* Cengage. ISBN 9781285439938

You are responsible for obtaining a textbook prior to the beginning of class. Please note that course assignments and deadlines will NOT be modified due to your failure to have access to a textbook and other applicable course materials.

Course Requirements

1) Research Assignments

The weekly research assignments are where I can make the determination, or non-determination, that you are (1) reading, (2) comprehending, (3) applying, and (4) correlating the information presented to other aspects of the course, your knowledge of legal research, and your degree program in general.

For each research question asked, I am looking for a detailed and well thought-out answer that integrates the assigned reading, the skill set for that particular week, your knowledge of material from the previous weeks, and your overall legal research skills. Your answers in the research assignments must utilize correct grammar, capitalization, and punctuation. When referencing outside material, proper APA citations must be given. If you have any questions regarding what constitutes a quality answer to a discussion question, please do not hesitate to contact me.

Each week's research assignment can be accessed within the "surveys" feature of D2L.

2) Legal Research Paper

Your final project for this course is to develop and write an original legal research paper.

TASK: Drawing upon your education and your real-world experience, your assignment is to identify and explore a contemporary issue or problem in the criminal justice system. Your primary research task in this paper is to locate case law that is applicable to the issue you are exploring and analyze how this case law could or will likely impact 1) future court rulings, and 2) real-life scenarios dealt with by criminal justice practitioners in relation to this issue. In your paper, you should:

- 1) Define and explain the issue/problem

- 2) Summarize the case law that is applicable to this issue (you should focus on mandatory precedent, but persuasive precedent may be addressed as well)
- 3) Explain how applicable case precedent could impact future court decisions and real-life scenarios regarding the issue that you are addressing
- 4) Explain any gaps in knowledge about this issue and areas that have yet to be clarified by the courts, and the resulting issue(s) that this presents for present and future cases, as well as criminal justice practitioners

SCOPE: The length of your paper is 18-20 substantive pages (not including title page, references, and appendices). When choosing a topic, be sure that there is adequate information and existing case law to cover and discuss in an assignment of this scope. At the same time, be sure that your topic is **properly narrowed** to allow you to cover the various aspects of your issue thoroughly. You will be awarded more points for covering a few important points thoroughly than you will be awarded for skimming the surface of a larger number of points.

A good paper will have:

- A clear organizational strategy
- Appropriate transition throughout the paper
- No errors that interfere with readability or professional presentation

Your paper must:

- Be 18-20 pages in length, excluding title pages, references, and appendices
- Be double-spaced, typed in 12-point Times New Roman Font, and have 1-inch margins
- Utilize a minimum of five (5) mandatory authority court cases
- Utilize a minimum of five (5) scholarly journal articles
- Utilize APA format and referencing (if you have questions about research paper format and citations, Purdue University has an excellent website at <http://owl.english.purdue.edu/owl/resource/560/01/>)

REMINDER: Your research paper must be an original work, created and submitted *exclusively for this course*. Submitting a paper identical to or substantially similar to a paper submitted for any other course will be considered an act of academic dishonesty.

One (1) letter grade will be deducted from the final research paper grade for each full or partial page that a paper is short of the total length requirement, and for any other assignment requirements that are not met. Likewise, one (1) letter grade will be deducted from the final paper grade for any component of the research paper assignment that is not submitted in a timely fashion and approved by the professor.

The legal research paper must be submitted as a Microsoft Word document through the Dropbox feature in D2L. Papers are due no later than 11:59 PM CST on Sunday, November 29, 2020. Early submissions are welcome and encouraged. Late papers will not be accepted.

While you should rely primarily on mandatory precedent, you may also utilize persuasive precedent and scholarly journal articles as appropriate.

Uncited quotes or sources and other instances of academic dishonesty will result in an automatic grade of "F". Use **APA** citation style; Pages must be double-spaced, with 1- inch margins, Times Roman 12-point font. Your submission must have a cover page, with your title and your name and a Works Cited page at the end of the paper. Neither the cover nor reference pages count toward the total number of substantive pages. Submit papers via the D2L Dropbox.

By enrolling in this course, students expressly grant MSU a "limited right" in all intellectual property created by the student for the purpose of this course. The "limited right" shall include but shall not be limited to the right to reproduce the student's work product in order to verify originality and authenticity, and for educational purposes. Turnitin.Com is available to the professor for the purpose of verifying the originality of a student's work.

3) Research Summary

On October 11, you must submit a research summary. The research summary is a brief (1-2 paragraph) description of the issue you will address in your legal research paper. Along with a summary of your topic, you must also submit the names of at least five (5) court cases that you will analyze in your legal research paper. The case names must be accompanied by their legal citations and a brief (3-4 sentence description) of how and why this particular case is applicable to the issue you are addressing in your paper. The research summary must be submitted as a Microsoft Word document through the Dropbox feature in D2L.

Grading Policy

Research Assignments 60%

Legal Research Paper 40%

Failure to complete any of these assignments will result in a grade of F for the course

Contacting Me

I am available to answer any questions you may have about the course. When a question arises, you may contact me at laura.fidelie@msutexas.edu.

Academic Integrity

Each student is expected to abide by the rules of ethical and academic honesty as defined by the student handbook. Cases of academic dishonesty will result in an automatic failing grade for the assignment and the course, as well as a letter to the Dean of the College of Health Sciences and Human Services requesting that you be withdrawn from the University. If there are any questions as to whether an action is academically dishonest, please consult with the professor.

Extenuating Circumstances

In the event of an extenuating circumstance such as illness, death in the family, etc, please get in touch with me as soon as possible. Assignments and deadlines may be modified on a case-by-case basis. Verifiable documentation of the circumstance may be required. The more quickly you let me know what is going on, the more options I will have for allowing you to complete the course.

I look forward to working with each of you this semester!

COURSE SCHEDULE

Week One (due by 11:59 PM CST, Sunday, August 30)

- Read Course Syllabus and submit Syllabus Agreement (for the Syllabus Agreement, just send me an email stating that you have read the syllabus and agree to abide by its terms throughout the semester)
- Submit Biographical Information (found in Discussions section)
- Read: Putman & Albright, Chapter 1
- Complete Week One Research Assignment

Week Two (due by 11:59 PM CST, Sunday, September 6)

- Read: Putman & Albright, Chapter 2
- Read “How to Brief a Case” (found in Course Documents)
- Complete Week Two Research Assignment

Week Three (due by 11:59 PM CST, Sunday, September 13)

- Read: Putman & Albright, Chapter 3

- Read “How to Conduct Legal Research” (found in Course Documents)
- Complete Week Three Research Assignment

Week Four (due by 11:59 PM CST, Sunday, September 20)

- Read: Putman & Albright, Chapter 4
- Complete Week Four Research Assignment

Week 5 (due by 11:59 PM CST, Sunday, September 27)

- Read: Putman & Albright, Chapter 5
- Complete Week Five Research Assignment

Week 6 (due by 11:59 PM CST, Sunday, October 4)

- Read: Putman & Albright, Chapter 6
- Read “How to Write a Legal Research Paper” (found in Course Documents)
- Complete Week Six Research Assignment

Week 7 (due by 11:59 PM CST, Sunday, October 11)

- Read: Putman & Albright, Chapter 7
- Complete Week Seven Research Assignment
- Complete Research Summary

Week 8 (due by 11:59 PM CST, Sunday, October 18)

- Read: Putman & Albright, Chapter 8
- Complete Week Eight Research Assignment

Week 9 (due by 11:59 PM CST, Sunday, October 25)

- Read: Putman & Albright, Chapter 9
- Complete Week Nine Research Assignment

Week 10 (due by 11:59 PM CST, Sunday, November 1)

- Read: Putman & Albright, Chapter 10
- Complete Week Ten Research Assignment

Week 11 (due by 11:59 PM CST, Sunday, November 8)

- Read: Putman & Albright, Chapter 11
- Complete Week Eleven Research Assignment

Week 12 (due by 11:59 PM CST, Sunday, November 15)

- Read: Putman & Albright, Chapter 12
- Complete Chapter Twelve Research Assignment

Weeks 13 & 14 (due by 11:59 PM, Sunday, November 29)

- Read: “How to Write a Legal Research Paper”
- Complete Legal Research Paper