

Legal Research

Law 5803, Section

Fall 2024 Syllabus

Instructor

Dean Jane O'Connell
Holland 186B
janeoconnell@law.ufl.edu
352-273-0715

Class Schedule

Tuesday, 10:45-11:55
Holland 355D

Office Hours

Mondays & Wednesday, 2:30 pm – 3:30 pm

Textbook

Kent C. Olson, Aaron S. Kirschenfeld, & Ingrid Mattson, *Principles of Legal Research* (3d ed. 2020). Available through the Legal Information Center's West Academic Study Aids database (<https://subscription.westacademic.com>). See instructions in Canvas for more details.

The Bluebook: A Uniform System of Citation (Columbia L. Rev. Ass'n et al. eds., 21st ed. 2020).

Course Canvas Page

All materials are accessible on Canvas at <https://ufl.instructure.com/courses/513691>. Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

Course Description

This one-credit course equips law students with foundational legal research skills. Throughout the course, students will learn to carefully parse an assignment and develop a research plan, identify, and assess primary and secondary legal sources, navigate legal databases efficiently, and communicate their findings effectively. The course will provide a solid foundation in legal research skills and strategies, enabling students to confidently tackle research assignments involving unfamiliar legal topics. For a comprehensive overview of the course goals and learning objectives, please refer to Appendix A. This course meets for 10 classes in the first 10-weeks of the semester.

Grading Criteria

The components of the final grade for the course are listed below:

Homework Assignments (8): 20%

Midsemester Essay: 10%

OTT Word Training: 5%

Participation: 5%

Final Exam: 60%

Per law school policy, this course will be graded on a curve. Points received for assignments during the semester represent raw scores only. College of Law grading policies for grade distribution for required courses and GPA determination can be found at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies#academic-policies>.

Letter Grade	Point Equivalent
A	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C	2.0
C-	1.67
D+	1.33
D	1.0
D-	0.67
E	0.0

ABA Out-of-Class Hours Requirements

ABA Standard 310 requires that students devote at least 42.5 hours of total in-class instruction and out-of-class student work is required per credit. Students should expect to spend at least 30 hours of preparation outside of class including reading the assigned materials and completing assignments. Time devoted to studying for a required final examination may count toward the out-of-class time required.

Homework Assignments

Each week's homework assignment will be posted on the course Canvas page (under the "Assignments" tab) after class. The due date for each homework assignment is 11:59 p.m. on the Friday following class. Full credit for assignments will be given to those who demonstrate a good faith effort. A good faith effort includes fully responding to all questions asked and turning in assignments on time. cursory responses to questions that ask for an explanation will be penalized.

A late submission, without prior approval from the instructor, will be penalized at least 25% if submitted after the due date but before the next class session. A late assignment that is submitted after the start of

the next class session will receive no credit. Completion of the 8 homework assignments is worth 20% of the final grade. Students must work individually on homework assignments.

Generative AI

The use of specific generative AI products such as Lexis+ AI will be required in this course. The use of other generative AI tools, such as ChatGPT, Claude, and CoPilot, is permitted in the course as a supplementary aid for legal research and writing. These tools are not required and are not an appropriate substitute for developing and demonstrating your legal research and analysis skills. For every written assignment submitted for credit that you use generative AI for, you must describe the specific tool(s) used and briefly explain what you used it for (i.e. generating ideas, summarizing materials, proofreading, etc.) Regardless of AI use, all work submitted must reflect your own original thought, demonstrate your understanding of the material, and be thoroughly fact-checked against reliable sources. Failure to disclose the use of generative AI or misrepresenting the role it played in your work may be considered a breach of academic integrity.

Mid-Semester Essay

The mid-semester essay is worth 10% of the final grade and will be graded to provide students with feedback about their progress and what to expect on the final exam. This essay will require students to independently research a fact pattern, explain their research process, and provide an answer to the legal questions posed by the fact pattern.

Office Technology Training for Law Students

To ensure that all UF Law students meet basic technology competency standards, you will be required to complete the Word 2019 path of NSLT's Office Technology Training. Full credit for the assessment will be given to those who complete the assessments by 11:59 p.m. on Friday, October 18. Completion of the Word 2019 path is worth 5% of the final grade. No partial credit will be given. Additional information about this assignment will be provided the first day of class.

Final Exam

The final exam will be an in-person exam on Friday, October 25 from 1 p.m. to 5 p.m. The exam will require students to independently research a fact pattern, explain their research process, and provide an answer to the legal questions posed by the fact pattern, and answer several additional short answer questions. Additional information regarding the location of the final exam will be provided closer to the date of the exam.

Participation

Participation grades are determined by attendance, preparation for class, and overall effort to complete the weekly in-class assignments. Repeated lack of preparedness or participation, including not working on/participating in in-class exercises, will negatively impact your participation grade.

Attendance

Attendance in class is required by both the ABA and the Levin College of Law. Attendance will be taken at each class meeting. Missing three or more classes will result in the student being dropped from the course. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law

school's policy on attendance can be found at <https://www.law.ufl.edu/uf-law-student-handbook-and-academic-policies>.

UF Levin College of Law Standard Syllabus Policies

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, grading, accommodations, class recordings, and course evaluations may be found at <https://www.law.ufl.edu/uf-law-student-handbook-and-academic-policies>.

Getting Assistance

For technical difficulties with E-Learning in Canvas, please contact the UF Help Desk at helpdesk@ufl.edu, (352) 392 HELP, or <http://elearning.ufl.edu> using the Message Us link in the header.

Class Recordings

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A "class lecture" is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To "publish" means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

Course Schedule of Topics and Assignments

This syllabus represents the current plans and objectives for the course. As we go through the semester, those plans may need to change to enhance the classroom learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.

Class Schedule/Topic	Class Preparation	Homework
Week 1 August 20 Introduction to Legal Research and the Use of Artificial Intelligence	Review Canvas page and syllabus Register for West Academic Study Aids Read Olsen, pp. 1-5. Review Wk. 1 PowerPoint Complete Getting to Know You form at https://forms.gle/huDSky5bhJZZF71E6	Homework 1 Assigned; Due August 23
Week 2 August 27 Formulating a Research Plan	Read In-Class Hypo Read Olsen, pp. 9-30. Read Osbeck Chap. 1 (Canvas) Review Wk. 2 PowerPoint Watch State and Federal Jurisdiction [5:25] Complete required items in Wk. 2 Canvas module Optional: Watch Binding and Persuasive Authorities (Stare Decisis) [14:13]	Homework 2 Assigned; Due August 30
Week 3 September 3 Using Florida Jurisprudence and Lexis+ AI	Read Olsen, pp. 31-32; 34-41, 57-70. Read Hallucination-Free? Assessing the Reliability of Leading AI Legal Research Tools Review Wk. 3 PowerPoint Complete required items in Wk. 3 Canvas module	Homework 3 Assigned; Due September 6
Week 4 September 10 Finding and Analyzing Statutes	Read Olsen, pp. 99-140. Review Wk. 4 PowerPoint Complete required items in Wk. 4 Canvas module	Homework 4 Assigned; Due September 13
Week 5 September 17 Finding and Analyzing Case Law	Read Olsen, pp. 255-325. Review Wk. 5 PowerPoint Complete required items in Wk. 5 Canvas module	Homework 5 Assigned; Due September 20
Week 6 September 24 Expanding and Updating Case Law	Read Olsen, pp. 326-334; 342-349. Review Wk. 6 PowerPoint Complete required items in Wk. 6 Canvas module	Homework 6 Assigned; Due September 27
Week 7 October 1	Read Olsen, pp. 46-56; 336-341. Read Osbeck, Chap. 5 (Canvas) Review Wk. 7 PowerPoint	Midterm Essay Released; Due October 8

Analyzing and Organizing Your Results Additional Secondary Sources	Complete required items in Wk. 7 Canvas module	
Week 8 October 8 Administrative Law	Read Olsen, pp. 205-227. Read A Pocket Guide to Florida's Administrative Procedure Act Review Wk. 8 PowerPoint Complete required items in Wk. 8 Canvas module	Homework 7 Assigned; Due October 11
Week 9 October 15 Court Rules Dockets Municipal Law	Read Olsen, pp. 349-364; 248-251. Read Wildlife Law is a Local Issue, Too Read How to Read a Docket Review Wk. 9 PowerPoint Complete required items in Wk. 9 Canvas module	Homework 8 Assigned; Due October 18
Week 10 October 22 Review	Complete required items in Wk. 10 Canvas module Prepare for your final! Your final will be on October 25 from 1 pm to 5 pm	Be sure to complete OTT Word Training by October 18!!

Appendix A Learning Objectives

Course Goals and Learning Objectives

These goals, standards, and objectives are adapted from the American Association of Law Libraries (AALL) Principles and Standards for Legal Research Competency. The complete version of the principles adopted by AALL is available at <https://www.aallnet.org/wp-content/uploads/2020/04/AALL2020-PrinciplesStandardsLegalResearchCompetencyFull.pdf>.

Goal 1: A successful legal researcher possesses foundational knowledge of the legal system and legal information sources, including analytical tools and generative AI tools

Standard A: An information-literate professional considers the full range of potential sources of information, regardless of type or format.

Learning Objectives:

1. Differentiate between primary and secondary sources and recognize how their use and importance vary depending upon the legal problem or issue.
2. Identify and use the most efficient methods to obtain background information, to gain familiarity with terms of art, and to provide context to primary sources.
3. Recognize differences in the weight of authority among sources and apply that knowledge to legal research problems.
4. Distinguish between major analytical tools and generative AI tools, recognizing key factors that influence processing and results.

Standard B: An information-literate professional understands the similarities, differences, and interrelationships among and between United States federal, state, and local legal systems.

Learning Objectives:

1. Distinguish between federal, state, and local systems of government; and understand the processes and the interrelationships among them on all levels.
2. Know which legal information is produced, organized, and disseminated across levels and branches of government.
3. Identify appropriate resources to locate legislative, regulatory, and judicial law produced by the respective government bodies.
4. Understand and distinguish between different types of primary law sources, and the weight, reliability, and binding or persuasive authority of each source.

Goal 2: A successful legal researcher gathers information through effective and efficient research strategies.

Standard A: An information-literate legal professional selects appropriate research sources.

Learning Objectives:

1. Identify and analyze the appropriate legal issues that need to be researched.
2. Recognize the authority or authorities governing the legal issues.
3. Know which resources contain appropriate and current content on the issue being researched.
4. Recognize how tools facilitate research tasks due to content or organization, such as use of controlled vocabulary, synopses, annotations, finding aids, or headnotes.
5. Know how to validate the accuracy and currency of the resources.
6. Supplement or validate preliminary results with additional tools.
7. Identify any confidentiality or technological risks associated with the use of resources or methods.

Standard B: An information-literate legal professional constructs and implements efficient, cost-effective search strategies.

Learning Objectives:

1. Articulate the precise legal issues that need to be researched.
2. Develop an appropriate research plan for each discrete issue.
3. Know how to appropriately use available information resources and analytical tools to research and understand the relative advantages of different methods of finding information.
4. When using generative AI resources,
 - a. Differentiate among various available resources to employ those that are best suited to the task at hand; and
 - b. Understand the operation of both free and subscription search resources to skillfully craft appropriate search queries; and
 - c. Possess a basic understanding of how generative AI resources process queries and generate results, including the potential of bias associated with machine learning.

Standard C: An information-literate legal professional confirms and validates research results, incorporating existing work product and expertise.

Learning Objectives:

1. Understand the necessity of validating statutes and case holdings through the use of citators or other citation-based methods of updating statutes and case law.
2. Understand when to stop the research process.

Standard D: An information-literate legal professional documents research strategies.

Learning Objectives:

1. Record all pertinent information for future reference, such as:
 - a. Resources and methods used,
 - b. Information considered, and
 - c. Reasons for selecting or rejecting various authorities or resources.
2. Understand and utilize proper citation format.

Goal 3: A successful legal researcher critically evaluates information.

Standard A: An information-literate legal professional knows that information quality varies.

Learning Objectives:

1. Consistently apply criteria to evaluate the reliability of information, including training and validation data sets, considering but not limited to
 - a. Authority;
 - b. Credibility;
 - c. Currency;
 - d. Authenticity;
 - e. Relevance; and
 - f. Bias.
2. Understand that these criteria are relevant for print and digital formats, free and subscription resources, and legal and non-legal sources.

Standard B: An information-literate legal professional understands the importance of reviewing information obtained.

Learning Objectives:

1. Clarify or refine the research question as needed.
2. Update or expand the research.
3. Identify and address any contradictory authority.
4. Ensure that precedent is accurately represented.

Goal 4: A successful legal researcher applies information effectively to resolve a specific issue or need.

Standard A: An information-literate professional uses analytical reasoning to formulate an effective research strategy for addressing issues of law.

Learning Objectives:

1. Analyze statutes and regulations including using other relevant statutes or regulation to accurately interpret statutes and regulations
2. Synthesize legal doctrine by examining cases similar, but not identical, to cases that are the current focus of research, to articulate how courts should apply current authoritative and relevant case law.
3. Use research results to craft or support arguments that resolve novel legal issues lacking precedent, when appropriate.

Standard B: An information-literate legal professional modifies initial research strategies as necessary.

Learning Objectives:

1. Understand research as a recursive process and expand or narrow research queries after discovering unanticipated results.

2. Reflect on the successes or failures of prior strategies for integrating new information into the analysis; and utilize concepts, theories, and facts from prior research to continue the process.
3. Recognize when specific questions within the larger research problem have not been answered with the information compiled, by either:
 - a. Recognizing when the ultimate questions presented have not been fully answered through the research already obtained, or
 - b. Realizing when sufficient research has been completed to address the legal issue or information needed.

Standard C: An information-literate legal professional applies and integrates research into a persuasive document.

Learning Objectives:

1. Cite authority consistent with locally accepted rules, ensuring that cited references can be located by the reader.
2. Organize and integrate content, quotations, or forms, and paraphrase in a manner that supports the argument, brief, analysis, or transaction.