

# LEGAL RESEARCH METHODS

Spring 2019

**Course Teachers:** Mateeva Kamila, Esenkulova Begaiym  
**Office Hours:** By appointment via e-mail  
**E-mails:** esenkulova\_b@auca.kg; kami.mateeva@gmail.com

## I. GENERAL DESCRIPTION AND OBJECTIVES OF THE COURSE

Being able to conduct advanced level research and produce quality written legal works is a crucial skill that you should master in order to be successful in the legal profession. Fellow lawyers, judges, and clients will know you and evaluate you based on this skill. Therefore, the “Legal Research Methods” course is aimed at teaching you to develop high level legal research, analysis, and writing skills.

You will study the fundamental principles of effective legal writing and learn to apply them in the process of writing a senior project. The drafting process will help you improve your critical thinking skills as well as understand how to perform legal analysis in practice. Most importantly, you will learn how to work with statutory and doctrinal sources efficiently, apply law to various factual situations, follow concrete citation guidelines, employ available research methods, and produce a research proposal or roadmap that will serve as the basis of your senior project. Hence, the major goal of the course is to prepare you for writing the senior project – the most significant piece of writing that you will undertake during your senior year and defend before a committee of experts in law as a requirement for graduation.

## II. COURSE LEARNING OUTCOMES

On successful completion of this course students will be able to:

1. understand principles of legal research and ethics;
2. identify a research question and problem;
3. carry out advanced legal research, using national and international legal databases;
4. collect facts necessary to answer legal questions;
5. synthesize and integrate legal data;
6. understand how to interpret and apply primary and secondary sources as well as to give proper attribution;
7. construct legal arguments and perform advanced legal analysis;
8. organize legal writing in a coherent, structured way;
9. prepare research strategies and employ research methods in the course of the senior project writing;
10. complete a senior project roadmap and present it before the class.

## III. COURSE REQUIREMENTS AND POLICY

- (1) The class will meet once a week. Students are **expected to come to classes prepared and be ready** to discuss the given materials. Upon the instructor’s request each student has to submit his/her written assignments. The instructor will call on students

randomly to discuss the given case or hypothetical, or to perform any other task (questions etc.).

- (2) Students are expected to **BE ON TIME** for classes. If a student is late, he/she will be marked as absent for the whole class.
- (3) **ATTENDANCE:** Class attendance is required. Students are required to attend **INDIVIDUAL MEETINGS**. If the student misses an individual meeting, he or she is considered to have missed a class period.
- (4) **WRITTEN ASSIGNMENTS:** Due dates and times for both the research and the writing assignments are strict. **Late works are not accepted.** Please, notice that all assignments must be turned in **hard copy** and in an **electronic** copy. Electronic copies should be uploaded via the AUCA e-course system. You may access the system at <http://e-course.auca.kg/>.
- (5) Students must observe the AUCA **ACADEMIC HONESTY** policy. All types of **academic dishonesty** (cheating, plagiarism, etc.) are **strictly prohibited**. If a student fails to observe this requirement, instructors may assign an “F” grade for the work or for the whole course depending on the type of assignment and gravity of the academic dishonesty. Students are expected to read and follow the section on the Student Academic Dishonesty of the AUCA Code of Student Rights, Responsibilities, and Conduct.
- (6) **CELL PHONES** and any other electronic devices should be either turned off or kept on silence.

#### IV. EXAMINATION

There are no mid-term or final examinations in this course.

#### V. GRADING

The final grade will be determined based on the following components:

Class attendance and participation	10%
Written assignments	30%
Senior Project Proposal	40%
Final presentation	20%

#### VI. COURSE CONTENT

**Note: The instructors reserve the right to introduce changes to the syllabus. Any changes will be announced during class. It is your responsibility to stay informed of adjustments.**

<b>Week</b>	<b>Topics</b>
<b>1</b>	Introduction to the course. Senior project topic and its significance.
<b>January 16</b>	<i>Assignment:</i> Write proposals for a senior project topic.
<b>2</b>	Individual meetings on the senior project topic.
<b>January 23</b>	
<b>3</b>	Individual meetings on the senior project topic.
<b>January 30</b>	
<b>4</b>	Senior project policy. Topic significance. Research problems. ( <u>SIGN UP Sheet for individual meetings</u> )
<b>February 6</b>	<i>Assignment:</i> Write about at least 3 major research problems relevant to your senior project and justify your topic significance.
<b>5</b>	Library presentation on research databases (Lexis-Nexis, JSTOR, Oxford Journals Online and CIS databases).
<b>February 13</b>	<i>Assignment:</i> Provide a summary of at least 5 sources that are relevant to your senior project topic by using research databases.
<b>6</b>	Individual meetings on the senior project topic significance and research problems.
<b>February 20</b>	
<b>7</b>	Individual meetings on the senior project topic significance and research problems.
<b>February 27</b>	
<b>8</b>	Research questions and thesis statement.
<b>March 6</b>	<i>Assignment:</i> Draft your senior project research questions and a preliminary version of your thesis statement.
<b>9</b>	Use of sources
<b>March 13</b>	<i>Assignment:</i> Analyze sources used in your project and write a short literature review following the in-class instructions.

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**10**  
**March**  
**20**

SPRING BREAK

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**11**  
**March**  
**27**

- Research structure
- Discussion on argumentation; claims and evidence

*Assignment:* Present an outline of the senior project research structure. Complete an assignment on argumentation and claims, evidence based on the in-class instructions.

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**12**  
**April 3**

- Research methods
- Research ethics
- General recommendations on the language, style and organization of writing

*Assignment:* Write the methods of research you will be using in your project and explain how these methods will help you in the writing process. Provide a sample of the practical application of at least two methods used (ex: if you choose interviewing, you will need to prepare questions and interview at least one person).

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**13**  
**April 10**

Individuals meetings with students in preparation for students' presentations.

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**14**  
**April 17**

Students' individual mini-presentations on the subject of their research and its significance; problems, sources, expected output

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**15**  
**April 24**

- Plagiarism and how to avoid it
- Legal citation; citation guidelines (Bluebook, Chicago style)

*Assignment:* Read handouts. Work on the assignment related to plagiarism in accordance with the in-class instructions. Complete an assignment on the legal citation based on handouts given in class.

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**16**  
**May 1**

No class (holiday)

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## VII. COURSE MATERIALS

You will be required to read handouts that will be distributed in class weekly. In addition, you may refer to the following list of recommended materials for further reading:

- Michael Murray, "Legal Research Methods," Foundation Press, New York (2009);
- John Dernbach, "A Practical Guide to Legal Writing and Legal Method," Aspen Publishers, New York (2007);
- Nancy L. Schultz & Louis J. Sirico, "Legal Writing and Other Lawyering Skills," 4<sup>th</sup> ed., LexisNexis, NJ (2004);
- Diana V. Pratt, "Legal Writing: A Systematic Approach," 3<sup>d</sup> ed., WestGroup, St. Paul, Minnesota (1999);

- Linda Edwards, “Legal Writing. Process, Analysis, and Organization,” 3<sup>d</sup> ed., Aspen Law and Business, New York (2002);
- Ian Mcleod, “Legal Method,” 7<sup>th</sup> ed., Palgrave, New York (2009);
- Nadia Nedzel, Legal Reasoning, Research, and Writing, Aspen Publishers, New York (2004).