

Advanced Legal Research – LAWS 2172.03

Course Outline and Suggested Reading Guide

Winter 2019

1. Instructor Details

Contact Information: Anne Matthewman
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Library Administrative Offices
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Office Hours: Wednesday: 11:30 - noon
Friday: 10:30-11:30 a.m.
Or by appointment

2. Purposes of the Course

This course will build on the basic research and writing skills learned in the first year Legal Research and Writing course. We will spend time reviewing the research process and methods of research both in print and online sources. Canadian primary and secondary sources will be explored in depth. The course will address research materials in other jurisdictions – Great Britain, United States, European Union, Commonwealth, and other foreign jurisdictions.

The focus of the course will be on practical skills and knowledge that will assist you through-out your career.

3. Teaching Methodologies

Teaching methodologies in this course will include a combination of lecturing, class presentations and exercises, hands-on research in the library and on-line, and assignments using the materials discussed in class.

Students will choose a legal topic that will be used throughout the course for 3 research assignments, a completed research guide and a memorandum of law. The research exercises done throughout the course will provide information to assist in preparing the memo and research guide. All citations must conform to the *Canadian Guide to Uniform Legal Citation*, 8th or 9th editions.

4. Course Materials

Students are not required to purchase a textbook for this class. Several books are available on reserve in the Library. It is strongly recommended that students review these materials, particularly:

Cohen, Morris L and Kent C Olson, *Legal Research in Nutshell*, 11th ed. (St. Paul: Thomson West, 2013).

McCormack, Nancy et al, *The Practical Guide to Canadian Legal Research*, 4th ed. (Toronto: Carswell, 2015).

McGill Law Journal, *Canadian Guide to Uniform Legal Citation*, 9th ed. (Toronto: Carswell, 2018).

Whitehead, Philip W & Anne Matthewman, *Legal Writing and Research Manual*, 7th ed. (Toronto: LexisNexis Canada Inc, 2012).

There are many other excellent legal research publications in the Library. Please review the library catalogue for further titles.

5. Grading Guidelines

Law school policies govern the grading in this course. According to law school policy legal research and writing requires a median grade of 75.

Grades will be determined in the following way:

Class participation	10%
Assignments (3):	40%
Research Guide	15%
Memorandum	35%

Please refer to the Schulich School of Law website for the major paper guidelines and the faculty regulations on late penalties. (See here: <https://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>)

All assignments must be submitted by the start of the class on the date the assignment is due. The research guide and memorandum are due on **April 8th** by 3:00 p.m. If you need to miss a class, please make sure to arrange the submission of the assignment with me beforehand.

The 3 assignments are to be submitted to me by email by 9:30 a.m. on the due date. The research guide/memo must be submitted in hard copy. The research guide should be 12-15 pages and the memorandum should be 15-20 pages, each double-spaced. Students should hand them in to Reception and ensure that they are date and time stamped. Please

provide an identical electronic copy of the guide/memo to me by the due date.

6. Academic Integrity

All students in this course must read the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the plagiarism.dal.ca website, and the Law School policy on plagiarism, as set out in the law school regulations, available online at http://law.dal.ca/Current_Students/Course_Selection_Materials/Regulations_Handbook/index.php

Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

7. Students with Special Needs/Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or personal circumstances will require an application to the Law School Studies Committee. Such requests must be made to Associate Dean Michael Deturbide as soon as possible, before a scheduled exam or a deadline for an assignment. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Center (AASC) prior to or at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at 494-2836, or they may contact Associate Dean Michael Deturbide.

8. Course Outline

This outline may be modified from time to time as we progress through the course to ensure that we are able to cover all topics as required. A revised outline will be discussed in class and provided to students via Brightspace.

Advanced WestlawNext training has been arranged for the week of January 28th – more information to follow.

January 7– Class 1 – Introduction to the course and discussion of research topics – review of the research process and creating a research plan. Reviewing legal citation.

January 14 – Class 2 –Canadian secondary sources of legal information - ***assignment 1 handed out – due February 4th***

January 21– Class 3 – Canadian primary law and compilation of legislative histories - ***submit research plan***

January 28– Class 4 –Quebec civil law sources; Indigenous Black Nova Scotian legal research sources and methods

February 4 – Class 5 – Aboriginal legal research and methods ***assignment 1 due***

February 11 – Class 6 –English Legal Research ***assignment 2 handed out due February 25th***

February 18 – There is no class as it is Study Week

February 25th– Class 7– –Empirical Legal Research – Accessing and Using Research Datasets – (Julie Marcoux, Data Librarian, Killam Library) – ***assignment 2 due***

March 4 - Class 8- Short refresher on writing a memo (Professor Jon Shapiro); Begin U.S. legal research;

March 11 – Class 9 - Continue U.S. legal research, ***assignment 3 handed out due March 25th***

March 18– Class 10 Foreign and International/European Union and other useful databases

March 25– Class 11 – Discussion of research projects – short presentations– ***assignment 3 due***

April 1 - Class 12 – Discussion of research projects – short presentations

April 8 – Class 13 - Wrap up of research sources - Research guide and memo are due by 3 p.m.