

**SYLLABUS**  
**LAWYERING SKILLS RESEARCH - LAW 507B**  
**Sections 001-004**  
**Spring 2023**

<b>Professor:</b>	<b>Section Info:</b>
<b>Artie Berns (§§ 1 &amp;3)</b> Room 174 (Law Library) <a href="mailto:awberns@siu.edu">awberns@siu.edu</a>  <b>TA: Cam Mansen</b> Room 168C (Law Library) <a href="mailto:cameron.mansen@siu.edu">cameron.mansen@siu.edu</a>	Tuesdays §1: 9:00 am – 10:00 am §3: 11:00 am – 12:00 pm Classroom: 251
<b>Doug Lind (§ 2)</b> Room 175A (Law Library) <a href="mailto:dlind@siu.edu">dlind@siu.edu</a>	Tuesdays §4: 9:00 am – 10:00 am §2: 11:00 am – 12:00 pm Classroom: 204

WRITING PROFESSORS

Jennifer Spreng ([jennifer.spreng@siu.edu](mailto:jennifer.spreng@siu.edu)) §1  
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Writing TEACHING ASSISTANTS

§ 1 Allison Cozart ([allison.cozart@siu.edu](mailto:allison.cozart@siu.edu)) & Michael Hall ([michael.a.hall@siu.edu](mailto:michael.a.hall@siu.edu))  
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§ 3 Hannah Byassee ([hannah.byassee@siu.edu](mailto:hannah.byassee@siu.edu)) & Danielle Costello ([georgia.costello@siu.edu](mailto:georgia.costello@siu.edu))  
§ 4 Hannah Chapman ([hannah.chapman@siu.edu](mailto:hannah.chapman@siu.edu)) & Lauren Ozenkoski ([lauren.ozenkoski@siu.edu](mailto:lauren.ozenkoski@siu.edu))

## **LEARNING OBJECTIVES**

At the end of Lawyering Skills: Research 1 & 2, students will be able to:

### **OVERALL**

- *Students will be able to find the primary authorities that solve a legal problem.*
- *Students will be able to use appropriate types of primary and secondary legal resources to solve a legal problem.*
- *Students will be able to cite selected authorities correctly.*

### **MODULE ONE: METHODOLOGY**

(NOTE: Methodology topics will be taught throughout semester)

- *Students will be able to analyze a legal problem to discover issues to be researched.*
- *Students will be able to apply a recursive legal research methodology to solve a complex legal problem.*
- *Students will be able to create a research log sufficiently detailed to permit another researcher to take over their research without redoing steps.*
- *Students will be able to use appropriate finding aids to find primary laws.*
- *Students will be able to construct an efficient search string using Boolean & proximity connectors*
- *Students will be able to identify and use appropriate fields while conducting a search*
- *Students will be able to check the validity of different types of primary law using a citator.*

### **MODULE TWO: STATUTES**

- *Students will be able to find statutes relevant to a legal issue of both state and federal statutes.*
- *Students will be able to find cases that interpret a statute and are relevant to a particular legal issue using annotated statutes.*
- *Students will be able to identify and use finding aids built in commercial legal databases*
- *Students will be able to identify and use the annotations in an annotated code*

### **MODULE THREE: CASES**

- *Students will be able to use a subject based finding aids to find cases*
- *Students will be able to use citators to determine if a point of law within a case is still good*
- *Students will be able to use citators to find other relevant cases*
- *Students will be able to find cases that solve a particular legal problem*

### **MODULE FOUR: REGULATIONS**

- *Students will be able to find regulations about a particular legal issue in regulatory code.*

### **MODULE FIVE: SECONDARY SOURCES**

- *Students will be able to use secondary sources to gain a basic understanding of a legal matter.*
- *Students will be able to identify the different types of secondary sources*
- *Students will be able to make appropriate choices about which secondary source to use under which circumstances*

### **MODULE SIX: LEGISLATIVE HISTORY & ADVANCED STATUTES**

- *Students will be able to explain the basic legislative process and what documents are produced at each step.*
- *Students will be able to find legislative history documents associated with a particular codified statute.*

### **MODULE SEVEN: ADVANCED REGULATION**

- *Students will be able to explain the basic process of creating regulations and what documents are produced each step.*
- *Students will be able to find regulatory documents associated with a particular codified regulation*
- *Students will be able to identify documents produced by administrative adjudicatory processes*

### **MODULE EIGHT: LOW & NO COST LEGAL RESEARCH**

- *Students will be able identify and use alternative tools to perform legal research*

### **MODULE NINE: POTPOURRI**

- *Students will be able use print resources perform legal research*
- *Students will have a basic understanding of what AI means to legal research*
- *Students will be able to use common AI tools*

## **COURSE MANAGEMENT WEBPAGE**

All information, materials, assignments, quizzes, and exams for this course will be posted on the course page for Law 507B-01- 04 on D2L.

### **REQUIRED TEXTBOOK AND EQUIPMENT:**

Beau Steenken and Tina Brooks, Sources of American Law: An Introduction to Legal Research (6th ed., CALI eLangdell Press). Available for free download: <https://www.cali.org/books/sources-american-law-introduction-legal-research>

The Bluebook: A Uniform System of Citation (21st ed., The Harvard Law Review Association, Gannett House 2020). ISBN: 9780578666150

A laptop computer capable of using files in these formats: docx, pdf, xlxs

### **REQUIRED SUBSCRIPTION SERVICES AND RELATED ACCOUNT REGISTRATION:**

Students will use Lexis Advance, Westlaw, and CALI (Computer Assisted Legal Instruction), subscription services.

Check your @siu.edu mailbox for account registration information (and get in the habit of checking that email box daily).

Prior to the first day of class, student should register for each subscription service and make sure they can login to their accounts.

Please contact Professor Artie Berns at [awberns@siu.edu](mailto:awberns@siu.edu) if you have problems registering for or accessing your account.

## **COURSE DESCRIPTION**

This course will help you develop the knowledge and skills necessary to effectively perform legal research, an essential foundation for your future work as an attorney. To succeed in law, you must find all of the legal authorities necessary to resolve a matter that is or may come to be in dispute. That is, to persuade a judge or other decision-maker to rule in your client's favor, or to predict the likely outcome if a dispute were to arise over a matter that concerns them.

You will face analogous expectations well before that if you are on law review or moot court, work in one of the law school clinics, take a symposium course with a research paper requirement, work as a research assistant for a faculty member, serve as a judicial or agency intern, or work for a law firm during law school. The difference is that once you are in professional practice, you will have more problems to research, less time to do so, and more things competing for your attention, putting more of a premium on efficiency.

Thus, it is vital that you start building a good foundation from the start. This course aims to help you do so.

## RELATIONSHIP TO LAWYERING SKILLS WRITING COURSE

There is a symbiotic relationship between legal research and writing. Surveys of practicing attorneys (including those who do hiring) consistently demonstrate these are critically important skills. It does not matter how proficient you are at written or verbal communication if you are wrong on the law and being right on the law cannot help your client if you are not able to communicate effectively.

Recognizing that relationship, Lawyering Skills Research, and Lawyering Skills Writing are taught in an integrated manner, each helping you develop knowledge and skills you will need in the other. The two courses are graded separately. However, their policies differ, such as the way your professor monitors your attendance, rules about the use of electronic devices during class, and restrictions on collaboration, so be sure to read both syllabi carefully.

### COURSE REQUIREMENTS:

#### ATTENDANCE:

Attendance is mandatory and will be recorded for each session by having students sign an attendance sheet. The absence of a signature on an attendance sheet is conclusive evidence of absence. This policy applies to all scheduled class sessions, and the out of class research conference. Any student who misses a class session is responsible for communicating with their research professor to cover the missed material. Students are permitted one absence in this class for the semester. Students with additional absences will be referred to the Associate Dean. The course's learning activities are designed to provide everyone with the opportunities needed to achieve the targeted learning objectives.

#### GRADING

**WARNING:** Assessment materials in this class may have been designed to be intentionally misleading, may have no right answer, or may have intentionally omitted needed factual information.

***Take your time and read carefully!***

Students are required to give all citations which are unambiguous.

You should expect to spend at least 3 hours on this class weekly, including 60 minutes of classroom instruction. You will need to do so to complete the assignments and do well on them, and the American Bar Association standards require it.<sup>1</sup>

You earn points toward your grade in Lawyering Skills Research as follows:

- **Quizzes:** There will be a quiz assigned for each learning activity (reading, watching a video, etc.) but may also include review questions for topics covered earlier in the semester. Each quiz is worth ten points with a minimum score of six by 11:59 pm the night before the class for which it is assigned (see late work policy). Quizzes may be taken as many times as you would like (i.e. you can keep retaking each quiz until you receive a perfect score). *Quizzes account for 120 points of your final grade.*
- **Exercises:** There will be an exercise assigned most weeks which can be started in class and completed on your own time. Each exercise is due the midnight before the next class and is subject to

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<sup>1</sup> Lawyering Skills Research is a one credit hour class. The American Bar Association standards require "not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time." ABA Standards and Rules of Procedure for Approval of Law Schools 2019-2020, Standard 310(b)(1). For purposes of this Standard, fifty minutes suffices for one hour of classroom or direct faculty instruction. An "hour" for out-of-class student work is sixty minutes. The fifteen-week period may include one week for a final examination." *Id.*, at Interpretation 310-1.

the late work policy. Exercises are graded as pass/fail and may be subject to revision for work that is deficient. All exercises must be passed to pass the class.

- **Midterm & Final Research Projects:** These two assignments will consist of hypothetical problems in which you will play the role of an attorney working on a legal matter for a client. You will be expected to produce a work product which will be defined by each assignment along with documentation of your research process. There will be a clearly defined due date for each project (see late work policy). All citations contained in Exercises must be in Bluebook format. *The Midterm Research Project accounts for 100 points and the Final Research Project accounts for 100 points of your final grade.*
- **Final Exam:** This will be a timed test consisting of questions drawn from the same question pool as quizzes. *The final exam accounts for 80 points of your final grade.*

***Total points available: 400***

### **Late Work Policy:**

Everything you are expected to turn in will have a clearly defined time at which it is due. Everything you submit will be submitted electronically and include some sort of digital time stamp which will serve as conclusive proof of submission time.

You are responsible for turning in working computer files. For nearly all assignments this means you will submit them in Microsoft Word format (these files have a .docx file extension) and each file you submit will need to open in Microsoft Word on your professor's computer. Any assignment where you need to turn in a format other than Microsoft Word (.docx) will specify the file type and/or program you will be expected to use and will need to open using that program on your professor's computer. Files that are corrupted or cannot be opened are considered late under the Late Work Policy.

**Quizzes and Exercises submitted after the due date will be subject to a 1 point penalty per day late from your point total. Research Projects submitted after the due date will be subject to a 5 point penalty per day late from your point total. Late work will not be accepted more than 5 days after the due date.**

**Grade Calculation:**

This class is required to be graded on a curve with a set distribution of grades. School rules including the current grading policy can be found here:

<https://law.siu.edu/academics/law-school-rules.html>

**CLASSROOM ELECTRONICS**

You will need a laptop computer or tablet with access to the law school wireless network at each class session but are to use it solely for class purposes. Please have your laptop or tablet up and running at the start of each class period.

By “class purposes,” we mean using your electronic device to explore online legal research resources (guided by your research professor), performing in-class research exercises and other assignments for the course, note-taking if desired, and completing research quizzes and examinations. Unauthorized use during class includes texting, emailing, gaming, shopping, and accessing other sites not related to the classroom topic. This rule applies to your use of laptops, phones, tablets, and other mobile or wireless devices.

Be sure to turn off phone ringers and texting functions before class begins. You will discover as lawyers that failure to do so in court can result in a bailiff confiscating your phone. We reserve the right to do so in class if it becomes a problem.

**PROFESSIONALISM**

Lawyers are professionals, and part of what you will be learning in both of your Lawyering Skills courses each semester is how to handle yourself professionally in the context of your legal education and your newly acquired legal skills. You begin to establish your reputation here, by your timely completion of assignments, your attendance and active participation in class, your adherence to the course policies, and how you conduct yourself in person and by email, with your classmates, the TA's, and the professors. For example, surfing the Internet in class, disrupting the class with questions not submitted in good faith, emailing a professor during the time you are in another professor's class, coming to class late, or emailing the professor with a question answered in the syllabus would be unprofessional conduct. This is not an exhaustive list of unprofessional conduct. Before you act, please consider whether you would say or do what you were about to say or do in front of a judge or a meeting with a client or a senior attorney in a law office.

## **CLASS SCHEDULE**

### **WEEK 1 (JANUARY 17)**

Review Syllabus  
Review of Foundational Issues

### **WEEK 2 (JANUARY 24)**

Legislative History & Advanced Statutes

### **WEEK 3 (JANUARY 31)**

Legislative History & Advanced Statutes

### **WEEK 4 (FEBRUARY 7)**

Legislative History & Advanced Statutes

### **WEEK 5 (FEBRUARY 14)**

Advanced Regulation

### **WEEK 6 (FEBRUARY 21)**

Advanced Regulation

### **WEEK 7 (FEBRUARY 28)**

Advanced Regulation

### **WEEK 8 (MARCH 7)**

Midterm—no class.

### **WEEK 9 (MARCH 14) SPRING BREAK**

Low & No Cost Legal Research (Activity in lieu of class)

### **WEEK 10 (MARCH 21)**

Low & No Cost Legal Research

### **WEEK 11 (MARCH 28)**

AI Tools & Analytics

### **WEEK 12 (APRIL 4)**

Print Resources

### **WEEK 13 (APRIL 11)**

Final Review

## SYLLABUS ATTACHMENT

### SIU SCHOOL OF LAW – SPRING 2023

**EMERGENCY PROCEDURES:** We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit <http://emergency.siu.edu/>.

**DISABILITY POLICY.** SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact DSS immediately at 618-453-5738 or [disabilityservices.siu.edu](mailto:disabilityservices.siu.edu). You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations.

**SALUKI CARES.** The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or [siucares@siu.edu](mailto:siucares@siu.edu), <https://salukicare.siu.edu/>. Assistant Dean Judi Ray is available at the School of Law to help students access university resources. Please email her at [judiray@siu.edu](mailto:judiray@siu.edu), or call 618- 453-3135.

**COVID-19.** SIUC's policy on face masks and social distancing is consistent with the guidance from the Centers for Disease Control and Prevention and the Illinois Department of Public Health. For up-to-date information, students, faculty, and staff should visit SIUC's COVID website (<https://siu.edu/coronavirus>), which includes the Saluki Safety Plan. People can also send email to [pandemicinfor@siu.edu](mailto:pandemicinfor@siu.edu).

**SAFETY AWARENESS FACTS AND EDUCATION** Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>



# Syllabus Attachment

Spring 2023

## MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIUC embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

### IMPORTANT DATES

<u>Semester Classes Begin:</u> .....	01/17/2023
<u>Last day to add full-term course (without Dean's signature):</u> .....	01/22/2023
<u>Last day to withdraw from the University with a full refund:</u> .....	01/27/2023
<u>Last day to drop a full-term course for a credit/refund:</u> .....	01/29/2023
<u>Last day to drop a full-term course (W grade, no refund):</u> .....	04/02/2023
<u>Final examinations:</u> .....	05/08–05/12/2023

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

### SPRING SEMESTER HOLIDAYS

Martin Luther King, Jr.'s Birthday 01/16/2023

Spring Break 03/11-03/19/2023

### DIVERSITY

Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

### DISABILITY SUPPORT SERVICES

SIUC Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at (618) 453-5738 or <https://disabilityservices.siu.edu>. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

### MILITARY COMMUNITY

There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

### STUDENT MULTICULTURAL RESOURCE CENTER

The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

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Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>

### COVID-19

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### MPOX

SIUC is monitoring the developments with Mpox. Mpox can affect anyone regardless of gender identity or sexual orientation, and we ask that our campus community remember our commitment to diversity, equity and inclusion. Students who suspect they may have monkeypox may visit [Student Health Services](#) for evaluation. Additional information can be found on the [CDC website](#).

### WITHDRAWAL POLICY ~ Undergraduate only

Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <http://registrar.siu.edu/students/withdrawal.php>

### SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP)

Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <http://corecurriculum.siu.edu/program-overview/>.

### EMERGENCY PROCEDURES

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### CATALOGS

[catalog.siu.edu](http://catalog.siu.edu)  
[gradcatalog.siu.edu](http://gradcatalog.siu.edu)

Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

### CENTER FOR LEARNING AND SUPPORT SERVICES

Tutoring: <http://tutoring.siu.edu/>

Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

### PLAGIARISM

See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

### INCOMPLETE POLICY - Undergraduate only

<http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <http://libguides.lib.siu.edu/hours>

ADVISEMENT: <http://advisement.siu.edu/>

SIUC ONLINE: <https://online.siu.edu/>

Need additional help with an issue? Visit SALUKI SOLUTION FINDER at <http://solutionfinder.siu.edu/>