

LAW R105: LEGAL RESEARCH AND WRITING II

Originator

ehess

College

Oxnard College

Attach Support Documentation (as needed)

PLS Advisory Committee Minutes - 10-6-21.pdf

Discipline (CB01A)

LAW - Paralegal Studies

Course Number (CB01B)

R105

Course Title (CB02)

Legal Research and Writing II

Banner/Short Title

Legal Research and Writing II

Credit Type

Credit

Start Term

Fall 2022

Formerly

PLS R105 - Legal Research and Writing II

Catalog Course Description

The student will expand research and writing skills using law library, computerized or online resources, and by preparing memoranda, pleadings, transactional documents, or similar legal writings.

Taxonomy of Programs (TOP) Code (CB03)

1402.00 - *Paralegal

Course Credit Status (CB04)

D (Credit - Degree Applicable)

Course Transfer Status (CB05) (select one only)

B (Transferable to CSU only)

Course Basic Skills Status (CB08)

N - The Course is Not a Basic Skills Course

SAM Priority Code (CB09)

C - Clearly Occupational

Course Cooperative Work Experience Education Status (CB10)

N - Is Not Part of a Cooperative Work Experience Education Program

Course Classification Status (CB11)

Y - Credit Course

Educational Assistance Class Instruction (Approved Special Class) (CB13)

N - The Course is Not an Approved Special Class

Course Prior to Transfer Level (CB21)

Y - Not Applicable

Course Noncredit Category (CB22)

Y - Credit Course

Funding Agency Category (CB23)

Y - Not Applicable (Funding Not Used)

Course Program Status (CB24)

1 - Program Applicable

General Education Status (CB25)

Y - Not Applicable

Support Course Status (CB26)

N - Course is not a support course

Field trips

Will not be required

Grading method

(L) Letter Graded

Does this course require an instructional materials fee?

No

Repeatable for Credit

No

Is this course part of a family?

No

Units and Hours

Carnegie Unit Override

No

In-Class

Lecture

Minimum Contact/In-Class Lecture Hours

52.5

Maximum Contact/In-Class Lecture Hours

52.5

Activity

Laboratory

Total in-Class

Total in-Class

Total Minimum Contact/In-Class Hours

52.5

Total Maximum Contact/In-Class Hours

52.5

Outside-of-Class**Internship/Cooperative Work Experience**

Paid

Unpaid

Total Outside-of-Class**Total Outside-of-Class****Minimum Outside-of-Class Hours**

105

Maximum Outside-of-Class Hours

105

Total Student Learning**Total Student Learning****Total Minimum Student Learning Hours**

157.5

Total Maximum Student Learning Hours

157.5

Minimum Units (CB07)

3

Maximum Units (CB06)

3

Prerequisites

LAW R104

Entrance Skills**Entrance Skills**

Demonstrate understanding and knowledge of, and ability to locate California statutes, rules of court and local rules of court. The student will be able to locate and utilize legal statutes annotated to apply in their writing.

Prerequisite Course Objectives

LAW R104-Demonstrate the use of legal encyclopedia in researching legal issues

LAW R104-Locate and utilize statutes and statutes annotated

LAW R104-Cite cases and other legal publications as set forth in the Harvard "White Book"

LAW R104-Locate points and authorities in digests and have general understanding of the use of the digest system

LAW R104-Utilize the Shepard's Citator to determine if a specific case has been subsequently cited, revised or distinguished

LAW R104-Locate local ordinances

LAW R104-Summarize facts of a lengthy legal opinion

Requisite Justification**Requisite Type**

Prerequisite

Requisite

LAW R104

Requisite Description

Course in a sequence

Level of Scrutiny/Justification

Content review

Student Learning Outcomes (CSLOs)

Upon satisfactory completion of the course, students will be able to:

- | | |
|---|--|
| 1 | locate a court decision in furtherance of advocating for a client. |
| 2 | use court decisions in terms of specific situations, assignments or issues. |
| 3 | draft legal memoranda/documents commonly submitted to external sources including courts and government agencies. |
| 4 | analyze precedent to advance an argument for a client and persuade third parties using a written medium. |

Course Objectives

Upon satisfactory completion of the course, students will be able to:

- | | |
|----|---|
| 1 | Locate court decisions and use them in terms of specific situations, assignments or issues |
| 2 | Describe the process of researching problems |
| 3 | Define and use legal research resources, tools and materials |
| 4 | Demonstrate and report the results of researching problems |
| 5 | Compose legal documents, citing appropriate legal authority |
| 6 | Analyze and prepare responses to pleadings and memoranda |
| 7 | Analyze and prepare court forms, requirements for points and authorities, prepare various types of pleadings in responses to motions such demurrers, summary judgments and new trials |
| 8 | Analyze and explain the functions and purpose of a trial brief |
| 9 | Construct jury instructions |
| 10 | Summarize the grounds for appealing a decision |
| 11 | Effectuate a clear and concise legal writing style for utilization in legal documents |

Course Content**Lecture/Course Content**

1. Introduction to the Process of Law
2. Rules of Law and Legal Reasoning
3. The Life of a Case, State and Federal Court Systems and Jurisdiction
4. Determining the Rule from a Single Case or Other Authority
5. Determining the Applicable Rule Through Statutory Interpretation and Analysis of Multiple Authorities
6. Organization of Legal Writing
7. The Office Memorandum and The Client Letter
8. Editing and Fine-Tuning Legal Writing
9. Legal Citation
10. Introduction to Legal Research and Printed Sources of Law
11. Federal and State Reporters of Cases
12. Case Finders and Verification Sources: Digests, Annotated Law Reports, and Shepard's Citations
13. Secondary Sources of the Law: Encyclopedias, Treatises, Law Reviews and Periodicals
14. Court Rules, Local Rules and Loose-Leaf Services
15. Constitutions and Federal, State, and Municipal Legislation
16. Legislative History
17. Federal Regulatory and Administrative Law
18. Computer Assisted Legal Research
19. Strategies for Research and Determining When the Issue Is Finished
20. Adversarial Legal Writing
21. Pretrial Motions
22. Motions to Dismiss
23. Motions for Summary Judgment

- 24. Appellate Advocacy: Appeals, Writs, Standards of Review
- 25. Appellate Briefs

Laboratory or Activity Content

None.

Methods of Evaluation

Which of these methods will students use to demonstrate proficiency in the subject matter of this course? (Check all that apply):

Written expression
Problem solving exercises

Methods of Evaluation may include, but are not limited to, the following typical classroom assessment techniques/required assignments (check as many as are deemed appropriate):

Essay exams
Group projects
Individual projects
Objective exams
Problem-solving exams
Quizzes
Essays
Problem-Solving Assignments

Instructional Methodology

Specify the methods of instruction that may be employed in this course

Audio-visual presentations
Case studies
Class activities
Class discussions
Distance Education
Group discussions
Internet research
Small group activities

Describe specific examples of the methods the instructor will use:

Typical graded assignments (methods of evaluation):

1. Over the semester students are evaluated with written tests that measure the student's knowledge in legal research and writing skills gained from instructor's presentations, discussions, and reading assignments on such topics as but not limited to California courts, subject matter and personal jurisdiction, pleadings complaints and cross-complaints, interrogatories, depositions, evidence, expert witnesses and expert discovery, law and motion, summary judgment, trial preparation and procedures, arbitration, judgments and post-trial motions, appeals, provisional remedies and extraordinary writs, ethics in litigation and others.
2. Students are evaluated in classroom discussions on their ability to explain and demonstrate their knowledge of information from textbook reading assignments on such topics preparing and answering complaints, requests for admissions, obtaining and using tangible evidence, obtaining independent medical examinations, and other topics.
3. Students are evaluated on chapter assignments by requiring students to write a variety of assignments such as pleadings, complaints, answering complaints, drafting discovery, and other legal documents.
4. Lecture.

Representative Course Assignments

Writing Assignments

1. Students are required to draft and prepare a number of documents using their research. These writings may include, but are not limited to pleadings, complaints, discovery, and other legal documents.

Critical Thinking Assignments

Students will be tested on their ability to take the legal concepts learned in the course and apply them to a given scenario and identify all legal issues presented in the scenario and successfully analyze the legal outcome of the case.

Reading Assignments

1. Students are required to study the information in each chapter of the text on legal research and writing.
2. Students are required to study material or authorities obtained through research at a law library, online, or with other computer resources.

Problem-Solving and Other Assignments (if applicable)

Outside Assignments

Representative Outside Assignments

Typical outside of classroom assignments:

1. Reading
 - a. Students are required to study the information on legal research.
 - b. Students are required to study material or authorities with research at a law library, online or with other computer resources.
2. Writing
 - a. Students are required to draft and prepare a number of documents using their research. These writings may include, but are not limited to case briefings and introduction to pleadings, complaints, discovery, and other legal documents.

District General Education**A. Natural Sciences****B. Social and Behavioral Sciences****C. Humanities****D. Language and Rationality****E. Health and Physical Education/Kinesiology****F. Ethnic Studies/Gender Studies****CSU GE-Breadth****Area A: English Language Communication and Critical Thinking****Area B: Scientific Inquiry and Quantitative Reasoning****Area C: Arts and Humanities****Area D: Social Sciences****Area E: Lifelong Learning and Self-Development****Area F: Ethnic Studies****CSU Graduation Requirement in U.S. History, Constitution and American Ideals:****IGETC****Area 1: English Communication****Area 2A: Mathematical Concepts & Quantitative Reasoning****Area 3: Arts and Humanities****Area 4: Social and Behavioral Sciences****Area 5: Physical and Biological Sciences****Area 6: Languages Other than English (LOTE)****Textbooks and Lab Manuals****Resource Type**

Textbook

DescriptionPutman, JD, William H., **Legal Research, Analysis, and Writing**, Independence, KY, Cengage, Inc. 2018 (4th Edition or latest edition)
ISBN-10: 1305948378 | ISBN-13: 9781305948372**Distance Education Addendum****Definitions****Distance Education Modalities**

Hybrid (1%–50% online)

Hybrid (51%–99% online)

100% online

Faculty Certifications

Faculty assigned to teach Hybrid or Fully Online sections of this course will receive training in how to satisfy the Federal and state regulations governing regular effective/substantive contact for distance education. The training will include common elements in the district-supported learning management system (LMS), online teaching methods, regular effective/substantive contact, and best practices.

Yes

Faculty assigned to teach Hybrid or Fully Online sections of this course will meet with the EAC Alternate Media Specialist to ensure that the course content meets the required Federal and state accessibility standards for access by students with disabilities. Common areas for discussion include accessibility of PDF files, images, captioning of videos, Power Point presentations, math and scientific notation, and ensuring the use of style mark-up in Word documents.

Yes

Regular Effective/Substantive Contact

Hybrid (1%–50% online) Modality:

Method of Instruction	Document typical activities or assignments for each method of instruction
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
Synchronous Dialog (e.g., online chat)	The students will be involved in synchronous dialogue during webinar presentations by the professor in which they use the chat feature of the webinar to discuss issues brought up in the professor's lecture and ask questions of the professor and other students.
Other DE (e.g., recorded lectures)	Prerecorded lectures on the learning for a given week will be made and placed in the modules to be replayed by the students for additional assistance in learning the concepts involved for a given week.
Face to Face (by student request; cannot be required)	This media of communication will be used between the professor and students needing additional help by meeting at a specific location during normal office hours.
E-mail	The professor will be involved in email communication with students needing additional help via this communication media.
Asynchronous Dialog (e.g., discussion board)	Students will be involved in a online discussion forum where they will exchange ideas and viewpoints regarding the learning concepts involved for a given week and share their thoughts and viewpoints with the class.

Hybrid (51%–99% online) Modality:

Method of Instruction	Document typical activities or assignments for each method of instruction
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
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Asynchronous Dialog (e.g., discussion board)	Students will be involved in a online discussion forum where they will exchange ideas and viewpoints regarding the learning concepts involved for a given week and share their thoughts and viewpoints with the class.

100% online Modality:

Method of Instruction	Document typical activities or assignments for each method of instruction
Video Conferencing	Video conferencing will involve professor lecture, professor demonstrations, class discussions/student questions, and case study analysis by students (either as a class or in groups) with follow-up discussions.
Telephone	The telephone media of communication will be used between the professor and students needing additional help on either a scheduled or unscheduled basis.
Synchronous Dialog (e.g., online chat)	The students will be involved in synchronous dialogue during webinar presentations by the professor in which they use the chat feature of the webinar to discuss issues brought up in the professor's lecture and ask questions of the professor and other students.
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Examinations**Hybrid (1%–50% online) Modality**

On campus
Online

Hybrid (51%–99% online) Modality

On campus
Online

Primary Minimum Qualification

LEGAL ASSISTING

Review and Approval Dates**Department Chair**

10/18/2021

Dean

10/19/2021

Technical Review

MM/DD/YYYY

Curriculum Committee

10/27/2021

DTRW-I

MM/DD/YYYY

Curriculum Committee

11/10/2021

Board

MM/DD/YYYY

CCCCO

11/29/2021

Control Number

CCC000225682

DOE/accreditation approval date

MM/DD/YYYY