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<th>Course Number</th>
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<td>LEG 133</td>
<td>Legal Research &amp; Writing</td>
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Hours:
lecture/Lab/Other
3/0/0

Is course New, Revised, or Modified? [Modified courses are those which have a new prefix or course number]

No.
Revision date:  This outline was updated
Spring 2020

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Information resources:
This course uses electronic databases including Westlaw and/or Lexis; Google Scholar, and the
official codified law databases for the federal government and states.
Students also use the physical media in the MCCC library, along with supplemental materials to
be provided by the professor.

Other learning resources:  (Describe any other student learning resources that are specific to this
course, including any special tutoring or study group support, learning system software, etc.)

This course is ONLY offered in a seated capacity, on campus. Students are expected to attend
all class sessions absent a true emergency. Most materials should be provided to the students
via their Blackboard course or in class.

Course Competencies/Goals:

The student will be able to:

- **Course Competency One:** Students explain the basis of legal research, including the
  concepts and application of stare decisis, precedent, primary and secondary sources,
case law and codified law.

- **Course Competency Two:** Students can effectively analyze hypothetical scenarios and
  provide meaningful analysis based on their own legal research.

- **Course Competency Three:** Students can draft a variety of legal research documents,
  which may include legal correspondence, a case brief, an internal legal office
  memorandum (memo of law), CIRAC/IRAC analyses and various pleadings.
Course Competency Four: Students demonstrate an understanding of the legal research process, and how to transition research work product into a well-drafted legal document.

Course Competency Five: Students demonstrate a mastery of legal writing principles, and understand the essential components of the legal writing process.

Course Competency Six: From the perspective of the paralegal’s role, students effectively navigate electronic legal databases including public access websites (federal and state government) and subscription-only access databases which may include Westlaw and/or Lexis.

Course Competency Seven: From the perspective of the paralegal’s role, students effectively navigate a law library, or legal collection within a library, to locate statutes, cases and secondary sources.

Institutional Learning Goals: The following Institutional Learning Goals apply to this course, as noted in the units below.

Institutional Learning Goal 1. Written and Oral Communication in English: Students will communicate effectively in both speech and writing.

Institutional Learning Goal 5. Social Science: Students will use social science theories and concepts to analyze human behavior and social and political institutions and to act as responsible citizens.

Institutional Learning Goal 9. Ethical Reasoning and Action: Students will understand ethical frameworks, issues, and situations.

Unit I Understanding Legal Research: Foundations and Sources

Learning Objectives
The student will be able to...

- Discuss the United States legal system, sources of law, distribution of powers and how these concepts relate to the work of the paralegal. (Course Competencies 1, 6; Institutional Learning Goal 5)
- Explain the essential aspects of legal research sources, including primary and secondary sources and binding and persuasive authority. (Course Competencies 1, 6; Institutional Learning Goal 5)
- Explain the paralegal’s role in the initial legal research process, and how the attorney and paralegal will work together to assess the research and writing needs. (Course Competencies 1, 6, 7; Institutional Learning Goals 1, 5)
- Define the terminology used within the legal research and writing process. (Course Competencies 3; Institutional Learning Goals 1, 5)
- Recognize the philosophical principles of stare decisis and precedent, and how these concepts apply to the legal research process. (Course Competencies 1, 6, 7; Institutional Learning Goals 1, 5)
• Explain the structure of the federal and state court systems, and how this structure relates to legal research. (Course Competencies 1, 6; Institutional Learning Goal 5)
• Describe the paralegal’s role in the legal research process, specifically the paralegal’s independent duties and those duties that must be monitored and approved by the supervising attorney. (Course Competencies 1, 6; Institutional Learning Goal 1, 5)
• Describe the ABA Model Rules of Professional Conduct, NALA & NFPA Rules of Conduct, and the ethical responsibilities that paralegals and attorneys have to clients in regard to drafting client’s documents. (Course Competencies 1, 6; Institutional Learning Goals 1, 9)

Unit II Understanding Legal Research

Learning Objectives

The student will be able to...

• Explain the process of legal research. (Course Competencies 2, 3; Institutional Learning Goals 1, 4)
• Draft a case brief for a landmark case of significant historical value. (Course Competencies 2, 3; Institutional Learning Goals 1)
• Locate a specific case using an electronic database. (Course Competencies 2, 3; Institutional Learning Goal 4)
• Locate a specific statute using an electronic database. (Course Competencies 2, 3; Institutional Learning Goal 4)
• Draft a legal research memorandum (memo of law) under the direction of the attorney-faculty member. (Course Competencies 2, 3; Institutional Learning Goals 1, 4)
• Analyze hypothetical law scenarios and apply legal research principles to the issues presented. (Course Competencies 2, 3, 6; Institutional Learning Goal 4)
• Recognize those circumstances in which case law and/or codified law is the appropriate source of legal research. (Course Competencies 2, 3, 6, 9; Institutional Learning Goal 5)
• Navigate electronic databases such as Westlaw or Lexis for a open research assignment. (Course Competencies 2, 3, 6, 9; Institutional Learning Goal 4)
• Answer a specific legal issue (question of law) using an electronic database. (Course Competencies 2, 3, 6, 9; Institutional Learning Goals 4, 10, 11; Core Skill E)
• Navigate public access electronic databases/websites such as state and federal sources of codified law. (Course Competencies 2, 3, 6, 9; Institutional Learning Goals 4, 10, 11; Core Skill D)
• Navigate case law and codified law from the practice of a non-lawyer. (Course Competencies 2, 3, 6, 9; Institutional Learning Goal 4)

Unit III Understanding Legal Writing

The student will be able to...
Discuss the principles and purposes of legal writing, and how legal writing differs from traditional writing, creative writing and academic writing tasks. (Course Competency 4; Institutional Learning Goal 1)

Define the legal writing terminology and concepts presented in the course. (Course Competencies 4,5; Institutional Learning Goal 1)

Explain the process of legal writing, including legal research, pre-writing drafting a document, editing and attaining attorney approval. (Course Competencies 4, 5; Institutional Learning Goal 1)

Articulate and apply the segments of IRAC and CIRAC approaches to organizing legal research. (Course Competency 4; Institutional Learning Goal 1)

Analyze hypothetical law scenarios, and using their research provided by the faculty member, draft a (canned) legal office memorandum or CIRAC/IRAC document. (Course Competencies 2, 4, 6; Institutional Learning Goal 1)

Analyze hypothetical law scenarios, and using their own research, draft an (open) legal office memorandum or CIRAC/IRAC document. (Course Competencies 2, 4, 6; Institutional Learning Goals 1)

Draft a variety of legal documents, which may include pleadings and/or appellate documents. (Course Competencies 2, 4, 6; Institutional Learning Goals 1, 4)

Draft legal documents, using a template or sample. (Course Competencies 2, 4, 6; Institutional Learning Goals 1, 4)

Explain the ethical duties of the attorney and paralegal when handling legal writing assignments, specifically the differences between internal and external documents and the which items constitute work product. (Course Competency 8, Institutional Learning Goals 1, 9)

Understand the process of editing a legal document from the perspective of a non-lawyer. (Course Competency 8, Institutional Learning Goal 1)

Understand the ethical obligations, and the process of recognizing when a document requires attorney review and attorney approval prior to filing or providing to the client. (Course Competency 8, Institutional Learning Goals 1, 9)

Describe the utility and purpose of select legal documents from the perspective of a non-lawyer. (Course Competencies 5, 8, Institutional Learning Goal 1)

Draft a professional email from the perspective of a non-lawyer. (Course Competency 5 , Institutional Learning Goals 1, 4)

**Unit IV Special Considerations in Legal Research and Writing**

The student will be able to...

- Explain the paralegal’s role in the legal research process, the importance of ensuring that research is accurate and current, and the professional and ethical responsibilities therein. (Course Competency 7, Institutional Learning Goals 1, 9)

- Explain the paralegal’s role in the legal writing process, and the professional and ethical responsibilities therein. (Course Competency 7, Institutional Learning Goals 1, 9)
• Understand the ethical implications of responsible legal research and writing, accurate research, and ensuring that the final product reflects good law. (Course Competency 8, Institutional Learning Goals 1, 9)
• Recognize correct grammar, punctuation, sentence structure and professional writing skills. (Course Competency 7, Institutional Learning Goals 1)
• Draft documents without “legalese” and produce concise, clear legal documents. (Course Competency 2, 6, 7, Institutional Learning Goals 1)
• Identify the correct legal document for the various legal research needs. (Course Competency 2, 6, 7, Institutional Learning Goals 1)
• From the perspective of a non-lawyer, work with a diverse population of clients, and will possess the basic understanding of how to meet the needs of clients with special needs, challenges and related personal matters. (Course Competency 2; Institutional Learning Goal 8)

Students with Disabilities
Any student in this class who has special needs because of a disability is entitled to receive accommodations. Eligible students at Mercer County Community College are assured services under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. If you believe you are eligible for services, please contact Arlene Stinson, the Director of Academic Support Services. Ms. Stinson’s office is LB221, and she can be reached at (609) 570-3525.

Academic Integrity Statement
This course is entirely compliant with the academic integrity standards of the college. This course specifically covers the implications of plagiarism and academic integrity, and covers how students can ethically embark on legal research tasks and the use of technology in the online classroom and beyond. Students are required to read, review, and follow the standards set forth in the Mercer County Community College Student Handbook academic integrity standards before submitting any assignment. Academic Dishonesty will result in failure of this course.

Equal Opportunity Policy
Mercer County Community College is committed to equal opportunity and affirmative action. Discrimination on the basis of race, creed, color, national origin, ancestry, age, gender, affectional or sexual orientation, marital status, familial status, liability for service in the Armed Forces of the United States, nationality, political views, religion, disability unrelated to job or program requirements or any other characteristic protected by law is prohibited. Questions regarding the equal opportunity policy and compliance statement may be directed to the Affirmative Action Officer, West Windsor Campus, (609) 586-4800, ext. 3270.