

Legal Research & Persuasion
Spring 2011
Research Plan Assignment: Chapter 11

Your research plan will outline/document the research strategies you employ while researching and describe which sources you consult and in what order. The point of this research plan is to describe the research process and evaluate the relevant resources. There really is no single way to construct a research plan, however for the purpose of this assignment; we will provide you with certain guidelines.

CONTENT

Your research plan must include all **relevant** primary and secondary sources. Moreover, all formats (print and electronic) must be discussed. Don't try to be comprehensive. You do not need to use every case, statute, and relevant article. Instead, use your powers of judgment. Choose those that are most important or useful for fulfilling the goal of your research plan. The minimum number of documents that **must** be included in your plan is referenced below next to the categories.

Secondary Sources:

- Legal Encyclopedias (3)
- American Law Reports (A.L.R.)(3)
- Books or Treatises (3)
- Law Review Articles (3)
- Words & Phrases(1)
- Restatements (1)

Primary Sources*: A total of **6**. *Acceptable categories of primary sources:*

- Federal Statutes
- Federal Cases
- State Statutes
- State Cases

**(Note: some primary sources will be weighted more heavily than others.)*

Please refer to Chapter 11 of the text for additional information on how you can create your research plan. Listed below is information that **must** be included in your plan for each source you utilize.

- **Search Path or Strategy Description**- What terms, searches or queries were successful? What indexes or digests did you utilize to locate the information in the source?
- **Citation**-Complete bibliographic information. Use the Bluebook. You will not lose points for incorrect bluebook format but you will lose points if you do not provide enough information for us to ascertain what source you used.
- **Content & Value** -What is it? (Primary Source, Secondary Source, Updating Tool or Finding Tool) What is it about? What does it include? Why would a researcher use this source? Was it useful?
- **Updating Information** -How is this source updated?

TIPS FOR DEVELOPING YOUR PLAN

EMPHASIZE THE RESEARCH PROCESS

Include in your pathfinder index/search terms that work for the different research tools. Also include sample searches that work best in Lexis, Westlaw, and other databases (even Google). Make it easy for you to find new information or update information on the same subject by marking the research path.

WHAT IS THE LAW?

Outline the major features of the law. Is there a major statute governing the field? Are there landmark cases with which researchers should be familiar? Is this a field dominated by administrative regulations?

Analyze and critically compare the major secondary sources. What are the strengths and weaknesses of these materials? Are there authorities that are particularly respected by the courts? Are there any "classic" articles or treatises? Have any bibliographies been published for this jurisdiction or subject area?

EVALUATE ALL YOUR SOURCES

If USCS is better than USCA for your subject, say why. If Lexis covers a subject more thoroughly than Westlaw, let us know. Evaluate (1) the resources you used to find information and (2) the information itself.

BASE YOUR ORGANIZATION ON THE IMPORTANT ISSUES IN YOUR SUBJECT AREA

As a general rule this organizational structure works best, unless your topic is extremely narrow. Thus, rather than putting all relevant statutes under the heading "Statutes," try dividing the relevant statutes by the issue(s) they cover.

FORMATTING

- The page limit for the plan is no more than three (3) pages.
- Font size should be 11 point Calibri.
- Page margins should be no less than a ½ inch on all sides.
- Plan must be single spaced.
- Only use the last five digits of your Banner ID number to identify your plan.

GRADING

The research plan counts for 20% of your grade for the class. This is an individual assignment. Students may NOT collaborate; final work product MUST be of your own individual thoughts and efforts. The grade will be based on the choice of sources, the descriptions and analysis, the variety and range of sources and formats, and the thoroughness, accuracy, and presentation of the plan overall. Points will be deducted for serious errors in spelling, grammar, and citation form, for inaccuracies in source descriptions, and for omission of any required sections of the plan. Points will also be deducted for late submissions according to the syllabus.

Sample Research plans will be posted to TWEN.