

Law Libraries and Legal Information

University of North Carolina, School of Information and Library Science

Course 708, Spring 2013

Thursdays 2:00 – 4:45

3031 Van Hecke-Wettach Hall

Professor Sara Sampson

Office: 3028 (across from our classroom in the Law Library Administration Suite). Office Hours are 1-2 and 5-6 on Thursdays or by appointment.

Required Texts

KENT OLSON, PRINCIPLES OF LEGAL RESEARCH (2009) ISBN 978-0314211927 (There are 2 copies of this book available in the Law Library Reserve Room).

The remaining readings are available online through University Library resources. Links are provided in the syllabus or on Sakai.

Course Requirements & Expectations: Students are expected to be prepared for and participate in class discussions and activities. Preparation includes reading assignments and assigned homework.

In-class exercises will be distributed during classes dealing with research skills and are designed to be completed during the class period. In class assignments will count toward student participation grade. Thus, I expect in-class exercises to be completed and for students to be active and engaged when discussing these exercises in class. If you are absent from class, it is your responsibility to obtain and complete the in-class exercises for that day.

I expect that you will complete all assigned readings and that you will be prepared to discuss the readings for that particular day. Students who are unprepared for class may not receive full class participation points.

Due Dates and Other Requirements

All assignments must be turned in electronically on Sakai. Grades for any assignment handed in late will be reduced by 5% per day. After the key is posted for the assignments, late submissions will not be accepted and any student who has not turned in an assignment will receive zero credit. I reserve the right to require assignments to be submitted in print if a student has trouble submitting an uncorrupted file.

Laptops and Mobile Devices in the Classroom

Laptops, tablets and smart phones are an important part of this class and when used correctly can enhance your learning experience. It is important to note, however, that use of these devices for surfing

the web, texting, instant messaging, social networking, or other unapproved activities during class can negatively impact the classroom environment. I reserve the right to deduct class participation points without notice. Please silence your cell phones and tablets during class.

Course Grade: The grade in this class will be a combination of: (1) three short research assignments, (2) a source review presentation, (3) either a research paper or a pathfinder, and (4) class participation. The research assignments will count for 30%; the source presentation will count for 5%; class participation for 10% and the research paper or pathfinder (and presentation) will count for 55%.

Research Assignments

The research assignments are designed to give you hands-on experience with legal sources that law librarians use frequently. The assignments will be posted on Sakai and must be turned in electronically.

- Assignment 1: Focusing on U.S. primary law research
- Assignment 2: Focusing on secondary sources including practice support
- Assignment 3: International and foreign legal research

Source Review and Presentation

We will not be able to cover all legal information sources in this course. The source presentation will allow you to investigate an important reference resource that we did not discuss in class and share your findings. These presentations should be no longer than 5 minutes and should be similar to the instruction that a reference librarian would give to a patron at the reference desk who is familiar with legal resources in general, but not this particular resource.

Research Paper or Pathfinder

For your final project, you will either: (1) research and write a substantial paper on an ongoing issue in legal information OR (2) write a pathfinder on a topical legal issue. This project should be between 10 and 15 pages, not including references or endnotes. For a paper topic, you should conduct a thorough literature review and find everything published on your topic. Then, analyze it. Synthesize both your findings and analysis in your paper. For a pathfinder, you should find and describe all major legal resources on that topic and organize them in a way that will help a legal researcher in that topic. You will also want to provide a short overview of the legal area and any potential research pitfalls. On the last day of class, each student will give a 10 minute presentation that summarizes their paper or pathfinder.

Both projects will be graded based upon synthesis of existing literature (including the comprehensiveness of your research), clarity in both organization and content, analysis of the legal or library issues, and grammar and style.

Paper Topic Examples

1. Information needs of a particular subset of the legal community. For example: first-year law students, an attorney practicing tax law in D.C., a federal court judge, or law journal members. Are these needs being met by the types of library services offered by the typical law library?
2. Future Roles of Law Librarians. How has the role of law librarians changed over time? Feel free to focus on a particular type of law librarian: academic, firm, reference, etc.
3. Current trends and issues in supporting law faculty scholarship
4. Can a particular type of law library (academic, firm, etc.) go completely electronic?

Pathfinder Topic Examples

1. The rights of felons to vote
2. Student right to free speech in school
3. Posthumously conceived children & inheritance rights
4. Second parent adoptions
5. Legal issues surrounding fracking

All paper and pathfinder topics must be approved by the professor.

Honor Code

“The UNC Honor Code prohibits giving or receiving unauthorized aid in the completion of assignments. Students are strongly encouraged to cooperate and assist one another and share insights and respective expertise in this course. I expect that you will acknowledge the support you receive from your colleagues (this may be done in acknowledgements at the end of assignments or projects). It is crucial, however, that in every case where you use the actual written words of others, that these be properly quoted and cited. When you build arguments upon the ideas of others, the originators of those ideas should also be cited.”

(from INLS 490: Issues in Digital Video, Spring 2010. Instructor: Gary Marchionini)

Schedule and Due Dates

Week	Topic	Readings	Projects Due
January 10	Introduction to the Law Library and its role in the legal system; Legal Research Fundamentals	Richard A. Leiter, <i>Reflections on Ranganathan's Five Laws of Library Science</i> , 95 LAW LIBRARY JOURNAL (2003): 411-18. http://www.heinonline.org/HOL/Page?public=false&handle=hein.journals/lj95&men_hide=false&men_tab=citnav&collection=journals&id=413 Olson text, chapter 1	
January 17	Law Librarians: history and future Introduction to law librarian literature	Christine A. Brock, <i>Law Libraries and Librarians: A Revisionist History or More than you ever wanted to know</i> , 67 LAW LIBRARY JOURNAL 325 - 361 (1974). Richard A. Danner, S. Blair Kauffman, and John G. Palfrey, <i>The Twenty-First Century Law Library</i> , 101 LAW LIBRARY JOURNAL 143-156 (2009). http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2579&context=faculty_scholarship	
January 24	Types of Law Libraries Guest Speakers	Laurie Selwyn & Virginia Eldridge, <i>The Public Law Library: A Place in Today's World?</i> 29(3) LEGAL INFORMATION ALERT 1-5 (2010). (Available on Westlaw and HeinOnline) Elizabeth LeDoux and Dawn Bohls, <i>A Day in the Life of the Covington & Burling LLP Reference Desk</i> 50(2) LAW LIBRARY LIGHTS 12-13 http://www.llsdc.org/attachments/wysiwyg/232/Lights%20W2007.pdf Mark E. Estes, <i>Reference Services in Law Firm Environments</i> , 26 (1/2) LEGAL REFERENCE SERVICES QUARTERLY 91-111.	
January 31	Introduction to Legal Research Westlaw hands-on training Statutes I	<i>Ethics Considerations Related to Legal Research Practices: A Selective Annotated Bibliography</i> 31 LEGAL REFERENCES SERVICES QUARTERLY 105-124 (January-March 2012) Peggy Roebuck Jarrett and Mary Whisner, "Here There Be Dragons": How to do Research in an Area You Know Nothing About, <i>Perspectives: Teaching Legal Research and Writing</i> , 74-76 (1998). http://lib.law.washington.edu/btg/2010/Here%20There%20Be%20Dragons%20BW.pdf	

		Olson text, chapter 3	
February 7	Legislative History & Administrative Research	<p>Olson, chapters 4 & 5</p> <p>Linda Kawaguchi, <i>Introduction to Special Issue: Determining Legislative Intent in State Courts, Selected Methods and Sources</i>, 30(1-6) LEGAL REFERENCE SERVICES QUARTERLY 1-5 (2011).</p> <p>Stephen G. Margeton, <i>Of Legislative Histories and Librarians</i>, LAW LIBRARY JOURNAL 85 (1993): 81-97.</p>	Paper Topic or Pathfinder Topics Due
February 14	Caselaw Research	<p>Olson, Chapters 6 & 7, Chapter 8.2, 8.5, 9.5 & 9.6</p> <p>Laura C. Dabney, <i>Citators: Past Present and Future</i>, 27(2-3) LEGAL REFERENCE SERVICES QUARTERLY 165-186 http://www.tandfonline.com/doi/full/10.1080/02703190802365671</p> <p>Leslie Street, <i>Finding Data and Statistics On Judges</i>, 53(4) LAW LIBRARY LIGHTS (2010) http://www.llsdc.org/attachments/files/211/LLSDC%20lights%20Summer%202010%20(2).pdf</p> <p>Margaret Leary, <i>The Case of Disappearing Briefs: A Study in Preservation Strategy</i>, 85 LAW LIBRARY JOURNAL 357 - 367 (1993). http://heinonline.org/HOL/Page?handle=hein.journals/llj85&collection=journals&index=journals/llj&id=367</p>	
February 21	Secondary Sources I	Olson text, chapters 10 -12	
February 28	Secondary Sources II		Assignment 1 Due
March 7	Global Legal Research	Olson text, chapters 13 & 14	Assignment 2 Due
March 14	Spring Break		
March 21	Career Paths of Law Librarians Guest Speakers (Overview of Associations)	<p>Stephen Young, <i>The Dual Degree: A Requirement in Search of a Justification</i> 17(3) Spectrum 7-10. http://www.aallnet.org/main-menu/Publications/spectrum/vol-17/No-3/dual-degree.pdf</p> <p>The Life Cycle of a Law Librarian Issue (skim all of the</p>	Assignment 3 Due

		<p>articles in the issue- you may skip the columns and news) http://llsdc.org/attachments/wysiwyg/207/LLLSU08.pdf</p>	
March 28	<p>Special Issues in Collection Development for Law Libraries</p> <p>An introduction to major publishers</p>	<p>Jocelyn Stilwell-Tong, <i>Generational Divides: Paper and Electronic Resources</i>, in THE NEW LIBRARIAN (AALL & ITLA) http://www.aallnet.org/main-menu/Publications/aall-ilta-white-paper/paper-electronic.pdf</p> <p>Bess Reynolds, <i>The Challenges of E-Books in Law Firm Libraries</i>, in THE NEW LIBRARIAN (AALL & ITLA) http://www.aallnet.org/main-menu/Publications/aall-ilta-white-paper/ebooks.pdf</p> <p>Leslie A. Street & Amanda M. Runyon, <i>Finding the Middle Ground in Collection Development: How Academic Law Libraries Can Shape Their Collections in Response to the Call for More Practice-Oriented Legal Education</i>, 102 LAW LIBR. J. 399 -443 (2010).</p>	Outline of Paper or Pathfinder Due
April 4	<p>Special Issues in Public Services for Law Libraries I (reference and self-represented litigants)</p>	<p>Liz Reppe, <i>Law Library Service to the Jail</i>, 17(2) SPECTRUM, http://www.aallnet.org/main-menu/Publications/spectrum/vol-17/No-2/jail.pdf</p> <p>Paul D. Healey, <i>In Search of the Delicate Balance: Legal and Ethical Questions in Assisting the Pro Se Patron</i>, 90 LAW LIBR. J. 129 (1998) http://heinonline.org/HOL/Page?handle=hein.journals/llj90&collection=journals&index=journals/llj&id=139</p> <p>Jennifer L. McMahan, <i>More Nancy Drew than Marian the Librarian: Hunting for Vital Records Online</i> 53(4) LAW LIBRARY LIGHTS 8-10 (2010). http://www.llsdc.org/attachments/files/211/LLSDC%20lights%20Summer%202010%20(2).pdf</p>	
April 11	<p>Special Issues in Public Services for Law Libraries II (instruction and teaching)</p>	<p>Barbara Bintliff, <i>Legal Research: MacCrate's "Fundamental Lawyering Skill" Missing in Action</i>, 28(1-2) LEGAL REFERENCE SERVICES QUARTERLY, 1-7(2009):</p> <p>The Boulder Statement http://www.utexas.edu/law/faculty/pubs/bb26663_pub.pdf.</p> <p>Ronald E. Wheeler, <i>Does WestlawNext Really Change Everything? The Implications of WestlawNext on Legal Research</i>, 103 LAW LIBR. J. 359,</p>	

		(2011) http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1773767 .	
April 18	Special Issues in Law Library Management	Taylor Fitchett et al, <i>Managing Law Library Budgets in Hard Times</i> 103 LAW LIBR. J. 91-111 (2011) (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1965643) The Decline of Cost Recovery for Legal Research http://deweybstrategic.blogspot.com/2012/11/today-aba-journal-published-article.html	
April 25	Pathfinder and Paper Presentations	None	
Tuesday May 7			Final Paper or Pathfinder Due