

Illustration II

Problem:

A client of yours is a veteran who has been out of the army for several years. While in the army he served one tour in Iraq, where he was a prisoner of a war for a short amount of time. The client comes to you because he has developed an anxiety disorder that he believes may be attributable to his service. As a veteran, might he have a claim against the federal government for extra compensation due to his injury, and what might the rate of compensation be?

I. Contexts & Objectives:

A. What do you want the student to learn?

Objective(s) and Outcome(s) intended:

1. To understand how to research federal statutes by subject using a variety of research tools.
2. To understand how to identify significant facts and locate, evaluate, and manipulate statutory authority.
3. To understand the importance of adjacent sections of a code in doing statutory research.

B. Why do you want the student to learn this skill?

Statutory research is central to legal practice. The ability of the student to conduct cost-effective statutory research is a fundamental skill required of all lawyers. In order to efficiently and effectively conduct statutory research students require an understanding of annotated codes.

C. How does the instructor know the students have mastered the material?

A brief written answer to be reviewed and discussed in class and formative assessment (feedback) is a critical component of this exercise. Teachers will visit with each group, give feedback and move on. Time should be left at the end of the class period to have a class discussion on statutory research and the various strengths and weaknesses of the research tools used. Discussion will include each group's process and whether the section(s) found answered the question adequately.¹

¹ Evaluation of sources and their appropriate use in context of legal question; Understanding of results' relationship to legal question; Synthesis of knowledge

D. When will this be introduced?

Little prior knowledge is needed on the part of the students, although some introductory reading on statutory research is preferred.

E. How will students learn it? (discussion, problem, etc.)

1. Context: This problem is an in-class, hands-on problem. Students learn thorough moving through the online research, and discussion with both the instructor and other students.
2. Resources/materials needed
United States
USCA or USCS in print, Internet access, Westlaw and Lexis passwords.
3. Activities:

Prior to Class: Pre-assign groups various different legal information environments (2 environments for each group):

Environment 1: Law firm with access to WestlawNext

Environment 2: Law firm with limited access to Westlaw. The firm is very cost-conscious, so avoid search costs by browsing the statutory index.

Environment 3: Law firm with access to LexisNexis.

Environment 4: Law firm with print United States Code Annotated.

Environment 5: Law firm with access only to what is freely available on the web.

In class: If reading on statutory research was assigned, instructor will take time to answer questions and give a brief introduction to the importance of statutory research.² The instructor then explains that the students will be divided into pre-determined groups and will be responsible for researching a legal question. The students are told that they will be given 2 (or more) legal information environments in which to conduct the research.³ The second time through will obviously be easier since the answer is known, but the purpose is to compare research using a different method.⁴ Students are told that the teacher will be roaming amongst the students to answer questions and give feedback.⁵ Towards the end of the class period, the class will reconvene to

² Relationship of legal structure to legal tools

³ Access of authority

⁴ Iterative research strategy

⁵ Provision of regular assessment

discuss what has been learned.⁶ Discussion will include each group's process and whether the section(s) found answered the question adequately.⁷

Optional modifications: This illustration could be modified to become more basic if groups were eliminated and just one legal information environment was chosen. This would allow the instructor to focus solely on the statutory research rather than the differences between the research tools used.

4. Legal Information Environment (where student is situated): Varies by group
5. Student work product(s): Brief written answer

II. Checklists: Teacher's Notes and Reflections:

A. Checklist of Boulder Statement of Boulder Statement Pedagogical Principles Furthered:

1. Does this lesson provide an opportunity for:
 - iterative and analytical process;
 - identification of significant facts;
 - determination of legal issues and problems;
 - location, evaluation and manipulation of research authorities;
 - understanding of legal system in which question arises;
 - evaluation of available legal resources;
 - synthesis of information about legal system and resources to identify research plan;
 - continual re-evaluation of progress and results;
 - application of professional and ethical norms implicated by research;
 - ongoing examination of professional standards, including ethical responsibilities; and
 - fulfillment of ethical duty to conduct adequate and thorough research?
2. Does this lesson:
 - use a range of teaching methodologies;
 - use a mix of realistic problem types;
 - show relationship of legal structure to legal tools;
 - allow students to evaluate the appropriate use of the tools; and
 - provide opportunity to model professional duties and obligations?

⁶ Communication of results after synthesizing knowledge

⁷ Evaluation of sources and their appropriate use in context of legal question; Understanding of results' relationship to legal question; Synthesis of knowledge