Course Description

This course is a study of the methods of legal research, proper citation of authority, use of legal treatises, texts, reporters and digests.

Course Focus and Objectives

This course focuses on the basic legal research processes. The student will learn to cite statutes, cases and other references and gather and analyze facts in a legal problem. The student will derive information and conduct legal research using appropriate primary and secondary sources.

Upon successful completion of LEG 132, the student should be able to:

1. Research South Carolina statutes based on subject matter.
2. Analyze facts presented in hypotheticals to identify controlling statute.
3. Cite statutes, cases and other references properly.
5. Locate and research primary source materials.
6. Derive information and research a hypothetical problem with secondary source material.
7. Read and apply judicial opinions, statutes and secondary sources to a legal problem.
8. Draft a legal memorandum using proper format, grammar, source references and citations.
9. Apply the ethical issues that arise in research process, including confidentiality, attorney client/work product privilege, and the unauthorized practice of law.
Student Contributions

Each student will spend at least 6 hours per week preparing for class. Attendance is critical in this class. Students will complete the Practical Assignments listed below.

STATEMENT OF NON-DISCRIMINATION

The Technical College of the Lowcountry is committed to a policy of equal opportunity for all qualified applicants for admissions or employment without regard to race, gender, national origin, age, religion, marital status, veteran status, disability or political affiliation or belief.

ADA STATEMENT

The Technical College of the Lowcountry provides access, equal opportunity and reasonable accommodation in its services, programs, activities, education and employment for individuals with disabilities. To request disability accommodation, contact the counselor for students with disabilities at (843) 525-8228 during the first ten business days of the academic term.

ACADEMIC MISCONDUCT

There is no tolerance at TCL for academic dishonesty and misconduct. The College expects all students to conduct themselves with dignity and to maintain high standards of responsible citizenship.

It is the student’s responsibility to address any questions regarding what might constitute academic misconduct to the course instructor for further clarification.

The College adheres to the Student Code for the South Carolina Technical College System. Copies of the Student Code and Grievance Procedure are provided in the TCL Student Handbook, the Division Office, and the Learning Resources Center.

ATTENDANCE

The College’s statement of policy indicates that students must attend ninety percent of total class hours or they will be in violation of the attendance policy.

- Students not physically attending class during the first ten calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.
- Students taking an online/internet class must sign in and communicate with the instructor within the first ten calendar days from the start of the semester to indicate attendance in the class. Students not attending class during the first ten
calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.

- Reinstatement requires the signature of the division dean.

- In the event it becomes necessary for a student to withdraw from the course OR if a student stops attending class, it is the student’s responsibility to initiate and complete the necessary paperwork. Withdrawing from class may have consequences associated with financial aid and time to completion.

- When a student exceeds the allowed absences, the student is in violation of the attendance policy. The instructor MUST withdraw the student with a grade of “W”, “WP”, or “WF” depending on the date the student exceeded the allowed absences and the student’s progress up to the last date of attendance or under extenuating circumstances and at the discretion of the faculty member teaching the class, allow the student to continue in the class and make-up the work. This exception must be documented at the time the allowed absences are exceeded.

- Absences are counted from the first day of class. There are no "excused" absences. All absences are counted, regardless of the reason for the absence.

- A student must take the final exam or be excused from the final exam in order to earn a non-withdrawal grade.

- A copy of TCL’s STATEMENT OF POLICY NUMBER: 3-1-307 CLASS ATTENDANCE (WITHDRAWAL) is on file in the Division Office and in the Learning Resources Center.

HAZARDOUS WEATHER

In case weather conditions are so severe that operation of the College may clearly pose a hardship on students and staff traveling to the College, notification of closing will be made through the following radio and television stations: WYKZ 98.7, WGCO 98.3, WGZO 103.1, WFXH 106.1, WWVV 106.9, WLOW 107.9, WGZR 104.9, WFXH 1130 AM, WLVH 101.1, WSOK 1230 AM, WAIE 97.3, WTOC TV, WTGS TV, WJWJ TV, and WSAV TV. Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. www.tcl.edu/textalert.asp

Emergency Text Message Alert

Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. Participants receive immediate notification of emergency events and weather cancelations via text messaging on their cell phones. Participants can also opt in to receive non-emergency news and announcements. Go to www.tcl.edu. On the homepage, click on “emergency TextAlert at TCL” and fill out the form or go to www.tcl.edu/textalert.asp

BROADCAST LEARNING FORMAT: This class is being taught in a broadcast learning format. Images and word of class participants may be transmitted live or on a delayed basis to other locations. Classes may be rebroadcast due to extenuating circumstance.
Transfer of Credit for Legal Specialty Courses

The Paralegal Program policy concerning the acceptance of paralegal course credit from other educational institutions is to accept only those credits earned from ABA-approved Paralegal Programs and to require that at least 25% of legal specialty courses be taken at the Technical College of Lowcountry. The strong preference is that all second-year courses be taken at the Technical College of the Lowcountry if the student wishes to obtain a degree here.

In addition, any course taken more than 7 years prior to matriculation to Technical College of the Lowcountry will be reviewed by the Division Dean for currency. Under those circumstances, the final decision will rest with the Division Dean concerning whether the course will transfer or must be repeated.

Course Evaluation

The first 5 assignments and in class work constitute 65% of your grade. The Final Memorandum grade will account for the remaining 35% of your grade. The instructor will make the calculations which will be the equivalent of grading on a 10 point scale. Points may be deducted for grammatical, spelling and typographical errors.

90 – 10 = A
80 – 89 = B
70 – 79 = C
60 – 69 = D
Below 60 = F

Course Schedule

August 27
Overview - Legal Research & Primary authorities 1.5 hour
Court Systems (Federal & State)
Library overview 1.0 hour

September 3
Review Chapter 1- Intro to Legal Principles 1.0 hour
Chapter 2 - Intro to Legal Research
Assignment 1 - S.C. statutes .75 hours
Library research 1.0 hour

September 10
Chapter 3-Issue Identification 1.75 hours
Library Research .75 hour
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<tr>
<th>Date</th>
<th>Chapter/Section</th>
<th>Time</th>
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<tr>
<td>September 17</td>
<td>Chapter 4  Constitutions, Statutes and Admin Law</td>
<td>1.0 hour</td>
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<td>Library research on statutes</td>
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<td>Assignment 2 - prepare case brief discussed</td>
<td>1.75 hours</td>
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<td>September 24</td>
<td>Review Chapter 5– Case Law</td>
<td>.75 hours</td>
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<td>Research and Briefing</td>
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<td>Library research on case law</td>
<td>1.25 hours</td>
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<td>Case briefing handout and overview</td>
<td>1.0 hour</td>
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<td><strong>Assignment 1 due</strong></td>
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<td>October 1</td>
<td>Chapter 6 – Case Law analysis</td>
<td>2.5 hours</td>
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<td>October 8</td>
<td>Case briefing continued</td>
<td>1.0 hour</td>
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<td>Review Chapter 7– Encyclopedias, Digests, A.L R. and Shepard’s</td>
<td>1.25 hours</td>
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<td><strong>Assignment 2 - case brief due</strong></td>
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<td>Assignment 3 – Primary sources research-Common Law</td>
<td>.75 hours</td>
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<td>October 15</td>
<td>Library research on S.C. cases</td>
<td>1.0 hour</td>
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<td>Review Chapter 8 – Periodicals, Restatements And Other Secondary Authorities</td>
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<td><strong>In Class group assignment- Secondary Authority</strong></td>
<td>1.5 hours</td>
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<td>October 22</td>
<td>Review Chapter 9 and 10 – Computers and Legal Research</td>
<td>1.25 hours</td>
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<td>Assignment 4 - Computer Research</td>
<td>.5 hours</td>
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<td><strong>Assignment 3-Primary Authority- Common Law due</strong></td>
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<td>October 29</td>
<td>Review Chapter 11 – Legal Citation</td>
<td>1.75 hours</td>
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<td>Assignment 5 – Research and Short Memo</td>
<td>.5 Hours</td>
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<td><strong>Assignment 4 – Computer Research due</strong></td>
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<td>Assignment 6 - legal memorandum</td>
<td>.75 hours</td>
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<td>November 5</td>
<td>Review Chapters 12 &amp; 13 Counter-analysis And the Research Process</td>
<td>1.25 hours</td>
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<td>Begin research for memorandum</td>
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<td>Assignment 6 - legal memorandum</td>
<td>1.75 hours</td>
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<td>November 12</td>
<td>Continue research on Assignment 5 if necessary And Final Legal Memorandum</td>
<td>1.0 hours</td>
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<td><strong>Assignment 5 Research and Short Memo due</strong></td>
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November 19  Review - Legal Memorandum Handout  Outline of Legal Memorandum due  2.0 hours

November 26  Library research – Rough drafts due  Individual review of Rough Drafts  1.25 hours

December 3  Library Research  Individual review of Rough Drafts  1.5 hours

December 11(Wednesday)  Final memorandum due  2.5 hours

METHOD OF INSTRUCTION:

Lecture, research demonstrations, and assignments.

PRACTICAL ASSIGNMENTS:

Complete exercise analyzing the facts presented in hypotheticals.
Research applicable statutes using S.C. Code.
Locate and brief first assigned case.
Research and complete an assignment using the S.C. Digest and Reporters.
Research and complete an assignment using South Carolina Law in encyclopedias and periodicals.
Engage in computerized research of South Carolina law (primarily WestLaw) and complete exercise.
Research a memorandum of law analyzing assigned hypothetical for legal issues.
Prepare the memorandum using correct form and citations. Correctly document all sources.

SAFETY ADDENDUM

Purpose

The purpose of this safety addendum is to provide each student with safety guidelines during an incident, emergency, or disaster at TCL. In addition, it provides students guidelines for lockdown procedures, evacuation procedures, and active shooter.

Definitions

An incident is any event, potential or actual, that may impact normal operations but has no immediate health or life threatening consideration or serious effect on the overall functional capacity of the College. An event of this nature should be reported to the Office of the Vice President for Administrative Services. Also notify the off-site campus administrator if applicable.
An emergency is any incident, potential or actual, which may endanger life or health or which affects an entire building or buildings, and will disrupt the overall operations of the College. Outside emergency services will probably be required, as well as major efforts from campus support services. Major policy considerations and decisions will usually be required from the college administration during times of crises. An emergency should be reported immediately by directly using 911 if life or health/injury considerations exist and then to the Office of the President or Vice President for Administrative Services as quickly as possible. Also notify the off-site campus administrator if applicable.

A disaster is any event or occurrence that has taken place and has seriously impaired or halted the operations of the College. In some cases, mass personnel casualties and severe property damage may be sustained. A coordinated effort of all campus-wide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, an Emergency Control Center will be activated, and the appropriate support and operational plans will be executed. The disaster should be immediately reported, first by calling 911 and then to the Office of the President or Vice President for Administrative Services. Also notify the off-site campus administrator if applicable.

Types of Emergencies

- Hurricane
- Tornado
- Fire
- Biochemical or Radiation Spill
- Explosion/Bomb
- Downed Aircraft (crash which directly impacts campus operations)
- Utility Failures
- Violent or criminal behavior
- Psychological Crisis

Procedures

Active Shooter

Building Evacuation
1. Building evacuations occur when an alarm sounds and/or upon notification by Security or the Emergency Director.

2. When the building evacuation alarm is activated during an emergency, individuals should exit according to the building evacuation plan and alert others to do the same.

3. Once outside, individuals should proceed to a clear area that is at least 500 feet away from the affected building. Streets, fire lanes, hydrant areas and walkways should be kept clear for emergency vehicles and personnel.

4. Individuals should not return to an evacuated building unless told to do so by Security or the Emergency Director.
5. Individuals should assist persons with disabilities in exiting the building. Elevators are reserved for disabled persons

**Campus Evacuation**
1. A uniformed Security Guard, the Emergency Director, or an Emergency Resource Team member will announce evacuation of all or part of the campus grounds.

2. All persons (students and staff) are to immediately vacate the campus, or in the case of a partial evacuation relocate to another part of the campus grounds as directed.

**Lockdown**
1. Clear the halls
2. Report to the nearest classroom/office
3. Assist those needing special assistance
4. Ensure classroom/office doors are closed and locked
5. Turn off lights
6. Stay away from doors and windows (out of the line of sight)
7. BE QUIET and follow instructor’s directions
8. Silence cell phones
Wait for the “All Clear” before leaving

Developed/Revised: August 2019