









# Meeting Learning Outcomes: Assessments and Rubrics for Legal Research Competency

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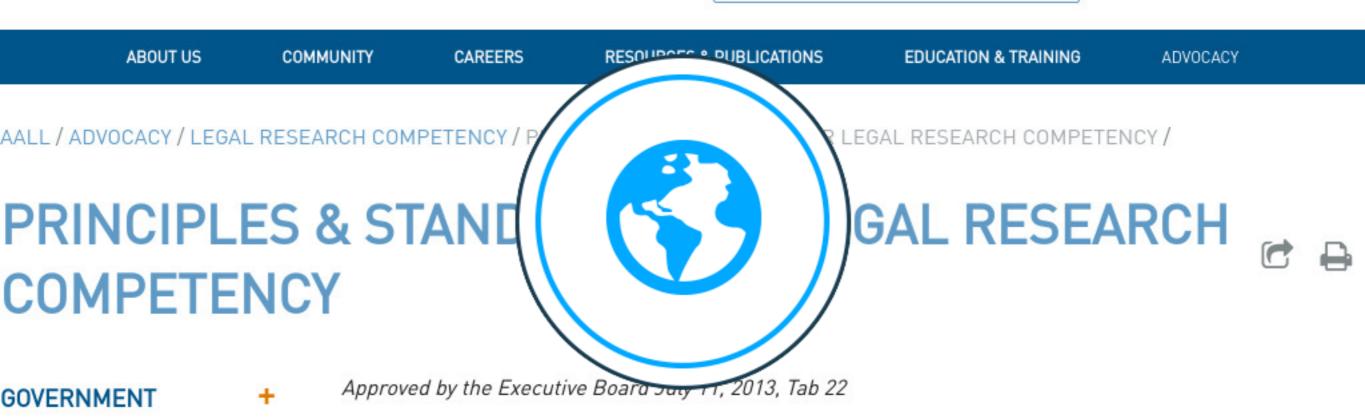


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The Case For

RELATIONS

Trifold Brochure (PDF)

Principles Standards & Competencies (PDF)

Introduction (PDF)

INTRODUCTION



### COMPETENCY I:

A successful legal researcher possesses foundational knowledge of the legal system and legal information sources.

- Many ways to assess that students are learning these concepts
- Easy to employ a "flipped" classroom model to teach students terminology and basics
- Easily assessed by quizzes or exams





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### COMPETENCY II:

A successful legal researcher gathers information through effective and efficient research strategies.

- A tool to assess a student's research
  - Research Plan & Research Log
    - Journal
    - Table
    - Outline
- Assess over the time to see how students strategies have evolved



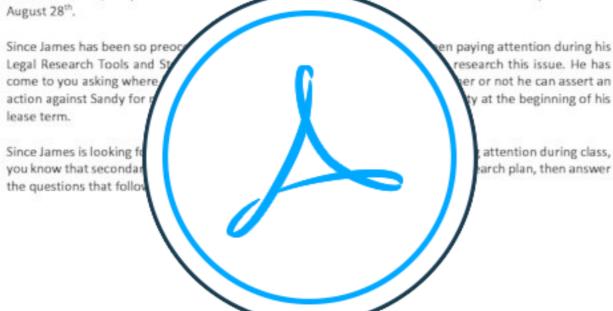


#### Legal Research Tools and Strategies Section 202 Choosing Secondary Sources Exercise

Friday, September 7, 2018

James Franklin was about to start his first year of law school at Penn State Law. While visiting the school in June, he entered into a one-year lease for an apartment with Sandy Barbour, a landlord. The lease stated that the lease term was to start on August 1<sup>st</sup> and that rent of \$500 was due on the first of each month.

James showed up at the apartment on August 12<sup>th</sup> with a rental truck loaded with his furniture, having already paid the rent on the first of the month, but he was unable to move in because the prior tenant was still living there. James immediately called Sandy and informed her of the situation. Sandy said, "It's not my problem." Since orientation started the next day, James was forced to check into a motel and keep his furniture in the rental truck incurring nightly motel rates and additional charges on the rental truck. Two weeks later, the prior tenant moved out of 10 the land of the



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Date	Source	Location/ database	Search Queries	Findings/ Value	Next Steps/ citations	Currentnes s/ good law
10/15/18	Copland v. Nathaniel, 624 N.Y.S.2d 514 (N.Y. 1995)	WL→ filtered to New York State → search query	Rescission of sale of house	The standard for the evidence to prove fraud is "by the most satisfactory evidence" which is higher than preponderance of the evidence. – important for discovery.  There are two kinds of fraud: actual fraud and constructive fraud. Good to know for purposes of our legal issue.  is when someone has ver another amongst	Find broader resources because this has no good information but I have little context yet.	1995, kind of old. Have to make sure that more recent sources do not contradict this. It is not flagged on WL
10/15/18	NY REAL PROP § 462 Property condition disclose statement	WL → New York State Filter → McKinney's Consolidated Laws of New York Annotated → Chapter 50 → article 14 Property Disclosure in the Sale of		v condition ks the seller to g the property's ture, water lines, other things of that specifically ant that involves	Still too narrow but it helps to identify the normal things that would be disclosed prior to purchasing a house.	though. Effective march 1, 2002

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### COMPETENCY III:

A successful legal researcher critically evaluates information.

- Focusing on analyzing their research results
- Choosing the best cases to support their argument



### COMPETENCY IV:

A successful legal researcher applies information effectively to resolve a specific issue or need.

- Focusing on whether the student accurately related their chosen sources to their client's legal issues
- Students are expected to apply reasoning behind their choices, not just repeat back a list of sources



#### Legal Research Tools and Strategies Section 202

Final Research Project Assignment Due: Monday, November 27, 2017 by 11:59 PM

#### Instructions

Use the hypothetical to complete each of the five parts of this assignment.

- Part 1. Research Plan: Before you begin your research, create a research plan based on the facts
  of the case.
- Part 2. Short Answer: Answer the specific questions as set forth under Part 2 below.
- Part 3. Informal Memo: Prepare a short memo (no more than 3 pages single spaced) to the supervising partner that analyzes your legal issues and states the likelihood that Mr. Banks would succeed on appeal.



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Application of appropriate authorities to issue(s)

### **Rubrics**

- Makes grading easier for instructor
- Provide consistency and fairness across grading
- Can make explaining/justifying grades to students easier
- Clarify what you're expecting from your students in a given assignment





## Should you provide rubrics to students?

### Pros:

- Provide transparency for students
- Create a perception of fairness

### Cons

- Can make grading less flexible
- Provide too much guidance to students



### RUBRIC

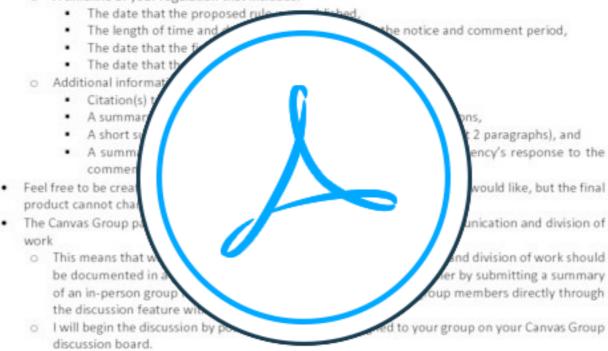
#### Legal Research Tools & Strategies Section 202

Administrative Law Group Project & Presentation Written Submissions Due by 10/31/2018 at 11:59 PM Group Presentations held during class on 11/2 and 11/7

This assignment will require you to create a timeline and summary for a promulgated regulation and present your findings in class. There are two parts to this assignment:

#### Part 1. Canvas Group Written Assignment

- Each group will create a written Canvas page/document that contains the following:
  - A timeline of your regulation that includes:



#### Part 2: In-Class Presentation

· Each group will do a short presentation providing a summary of your promulgated regulation and

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communications and contributions from the discussion. Please note: If I do not see evidence of individual participation, this will be reflected in your individual part of the grade.

### RUBRIC

#### Legal Research Tools and Strategies Section 202

Final Research Project Assignment Due: Monday, November 27, 2017 by 11:59 PM

#### MEMORANDUM

TO: SUMMER ASSOCIATE

FROM: SUPERVISING PARTNER

DATE: NOVEMBER 6, 2017

RE: RESEARCH FOR NEW CLIENT

We recently took on representation of a new client, Everett Alexis, age 9, Kevin, age 6 and Derek, age 4. Mr. Banks's wi any living relatives and cannot afford to hire additional he and ran a successful job recruitment firm in Las Vegas, how than recruiters. As a result, Mr. Banks has been desperately

After attempting to sell drugs to an undercover cop, Mr. Ban 13 months in Nevada state prison. This is his second criminal co and served six months in Nevada state prison. pas, Nevada his entire life, is a widower with three children, been a single parent for the past 4 years. He does not have handles all parental duties on his own. Mr. Banks started t job hunters and employers use online job websites rather

d distribution of drugs, a category B felony, and sentenced to second child, Mr. Banks was convicted of misdemeanor assault

During his prior incarceration, Mr. Banks exchanged letters, drawings and pictores with his oldest daughter, Alexis, and developed a relationship with his infant son, Kevin. His youngest son, Derek, had not been born yet. During his current incarceration, Mr. Banks continues to call and speak with is children on a bi-weekly basis and often sends letters and drawings, and, while he can't provide significant financial support for his children, he does include small monetary payments for his children's allowances which he earns from his prison work payments. He also sends special cards and presents for birthdays and holidays.

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several months ago. The Briggs, who are not attempting to adopt the children, are claiming that Alexis, Kevin and Derek are too afraid to visit their father in prison. The Division of Child and Family Services hired a child psychologist, Dr. Sara Martin, who evaluated the Banks children. Her report stated that the two younger children are apprehensive about visiting Mr. Banks in prison, but that Alexis, has expressed that she still wishes to continue visiting her father. Last month, the Clark County District Court Family Division entered an order terminating Mr. Banks's parental rights to his three children stating that there was clear

### RUBRIC

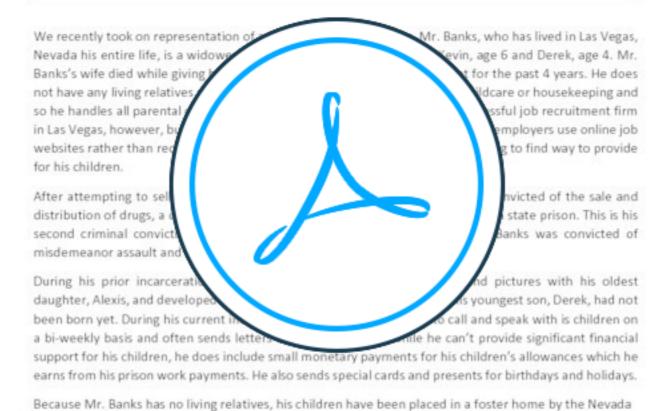
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Division of Child and Family Services. They are currently living with Mr. and Mrs. Robert Briggs, who

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