Summer 2023

DATE	TOPIC	READINGS	ASSIGNMENT	TEACHING NOTES
Week 1				
Tuesday May 30	Introduction: how the class operates; what will/won't be covered; expectations; review of basics; searching; algorithms. CHATGBT	**Text:** *Armstrong, Chapter 1* **Article:** Read in 1L research, so it is a review: Mart, *"The Algorithm as a Human Artifact: Implications for Legal [Re]Search",* 109 Law Libr. J. 387 (2017). Mart, Litzler, & Gunderman, *"Hunting and Gathering on the Legal Information Savannah",* 114 Law Libr. J. 5 (2022). **Podcast:** On Point: <u>Can AI be Regulated?</u> (approximately 47 minutes)	**In class 1 - Susan's from the article**	• We may cover subjects or issues that may make you uncomfortable. Controversial takes. • Evaluate information in Context • Wonky search results in online catalogs – think of ALIEN – illegal aliens/ET • THINK, EVALUATE, ACCESS, ORGANIZE, UPDATE • What to expect • Legal bibliography • Practical aspects • Intro to some areas/resources; more in-depth discussion of others Algorithms & database searching: natural language & Boolean SERENDIPITY Concept defined. Works if there is a controlled vocabulary - a topically based organizational system and those topics are a controlled vocabulary. We could organize materials by color or size, but if we did that, then serendipity is moot. But like algorithms, on its most basic level, a man-made concept. Challenge to find the info as easily with a natural language or Boolean search than with an index. Treatise assignment in class based on Rich's CALR assignment. Part 1 each student gets a treatise and answers questions/ makes observations. Part 2 have to find that same info online in the treatise. Research is an analytical process. You're not law librarians, so why am I having you read all these articles in the law library journal? CHATGPT class reading - documents

Wednesday May 31	Guest Lecturer – Keelan Weber? SEARCHING: Controlled Vocabulary; Online catalogs; Indexing	**Articles:** Lo, *"'Aliens' vs. Catalogers: Bias in the Library of Congress Subject Headings",* 38 L.R.S.Q. 170 (2019). Lo, *"Biases in Law Library Subject Headings",* 101 B.U.L. Rev. Online 26 (2021).	**In class 2 – catalog searching**	Online Catalog Discussion – useful? Why should you use? When does it make sense to start there? Why/when wouldn't you use? Do you think about searching differently after the Mart article, the Lo article, and Keelan's presentation? If so, how? Discovery Platforms Wonky search results in online catalogs – think of ALIEN – illegal aliens/ET Geared toward libraries BUT helps you think about your research • Controlled vocabularies • Subject Indexes • Thesaurus • Indexes • West Topic & Key Numbers Changing times: obstacles? [indigenous people v. Indians]
Thursday June 1	Guest Lecturer - Professor Richard Leiter Cases I: history of case reports; National Reporter System; headnotes	**Text:** *Armstrong, Chapter 5* **Article:** Hook & Mattson, *"Surprising Differences: An Empirical Analysis of LexisNexis and West Headnotes in the Written Opinions of the 2009 Supreme Court Term,"* 109 Law Libr. J. 557 (2017).	**In class 3 – cases & headnotes** **Assignment 1** available on Canvas. Due by 1:59 p.m., Monday, June 5	
Week 2				
Monday June 5	Cases II: headnotes continued; case verification tools	**Article:** Hellyer, *"Evaluating Shepard's, KeyCite, and BCite for Case Validation Accuracy",* 110 Law Libr. J. 449 (2018).	**In class 4 - citators**	Hook article talks about classification systems as controlled vocabulary – do you agree? Discussion Topic from Martineau's *Infrastructure* article – "This all may seem like good news, but Berring argues that this phenomenon, combined with the ubiquity of full-text searching, may undermine traditional notions of precedent and authority. Rather than relying on the West Digest System to guide them to relevant, authoritative, and, usually, appellate case law, contemporary researchers then to find cases using keyword searches . . . " p. 8

Tuesday June 6	Statutes I: Fed Statutes; Annotated codes	**Text:** *Armstrong, Chapters 2 & 10* **Article:** Nevers & Krishnaswami, *"The Shadow Code: Statutory Notes in the United States Code",* 112 Law Libr. J. 213 (2020).	**In class 5 – court rules & codes**	Volokh post about local court rules and footnotes. CRS Reports Importance of using indexes – both General & Title; controlled vocabulary; technical terms – see Nevers p. 250
Wednesday June 7	Statutes II Fed Statutes continued; Court Rules; Municipal Codes	**Text:** *Armstrong, Chapter 3* **Assignment & Roles:** **CRS Report:** Statutory Interpretation: Theories, Tools, and Trends, *updated March 10, 2023* **Articles:** Breyer, *"On the Uses of Legislative History in Interpreting Statutes",* 65 S. Cal. L. Rev. 845 (1991). Tiefer, *"The Reconceptualization of Legislative History in the Supreme Court",* 2000 Wis. L. Rev. 205 (2000). Gluck & Bressman, *"Statutory Interpretation From the Inside - An Empirical Study of Congressional Drafting, Delegation, and the Canons: Part 1",* 65 Stan. L. Rev. 901 (2013) - *Read only section III, Legislative History, pages 964-990.*		Assign roles to students for hearing. Legislative History – Scalia & textualism: "The late Justice Antonin Scalia reshaped statutory interpretation. Thanks to him, the Supreme Court has become far more textualist. Nonetheless, Justice Scalia never persuaded the Court to adopt his textualist ideal that "the text is the law." In some cases, the Court still gives greater weight to other indicators of statutory meaning, such as perceived statutory purpose. Fundamental institutional features of courts and legislatures — particularly the fact that legislatures act generally and in advance, whereas courts resolve particular questions at the moment a statute is applied — justify this rejection of the textualist ideal." – article by Siegel in 85 Geo. Wash. L. Rev. 857 (2017)
Thursday June 8	Statutes III: Legislative History		**In class legislative history hearing** **Assignment 2** available on Canvas. Due by 1:59 p.m., Monday, June 12 **CALI exercises -** to receive credit for these lessons, you must access the lesson by clicking on the lesson link below	**Abrams article: Legislative history trial – Rich, Matt, Gen judges** *See break up & notes.*

			and submit your scores by 1:59 p.m., Monday, June 12	
			LWR19 [Rulemaking: Federal Register and CFR](#) (estimated time to complete: 55 minutes)	
			LR57 [Agency Decisions and Orders](#) (estimated time to complete: 40 minutes)	
Week 3				
Monday June 12	Nebraska Statutes	**Handout:** [Nebraska Statutes](#)	**In class 6 – Nebraska leg history**	
Tuesday June 13	Administrative Law I	**Text:** *Armstrong, Chapter 8* **Podcast:** ["The abortion pill lawsuit that could change how the FDA approves drugs"](#) (approximately 48 minutes) **Article:** Bell et al., ["Disclosure of Agency Legal Materials"*, forthcoming in Michigan Journal of Environmental and Administrative Law*](#)	**In class 7 – Nebraska Regulations** **CALI exercise -** to receive credit for this lesson, you must access the lesson by clicking on the lesson link below and submit your scores by 1:59 p.m., Wednesday, June 14 LR44 [Attorney General Opinions: Federal and State](#) (estimated time to complete: 30 minutes)	***Hunting & Gathering article – has admin law assignments – use?

Wednesday June 14	Administrative Law II			
Thursday June 15	Guest Lecturer - Professor Matt Novak Foreign & International Law	**Text:** *Armstrong, Chapters 12 & 13*	**In class 8 – foreign & international**	**Assignment 3** available on Canvas. Due by 1:59 p.m., Monday, June 19
Week 4				
Monday June 19	Secondary Sources I	**Text:** *Armstrong, Chapters 4, 6, 7, & 9*		
Tuesday June 20	Secondary Sources II		**In class students reviewing secondary sources**	
Wednesday June 21	Nebraska Resources		**Class presentations of resource reviews** **CALI exercises -** to receive credit for these lessons, you must access the lesson by clicking on the lesson link below and submit your scores by 1:59 p.m., Thursday, June 22 LCS09 Social Media Research Tools and Ethics (estimated time to complete: 45 minutes) LR43 Researching Legal Ethics (estimated time to complete: 20 minutes	First part of class do reviews; second part of class, students present. Nebraska Resource Review
Thursday June 22	Guest Lecturer - Professor Kristen Blankley Ethics	**Text:** *Armstrong, Chapter 11* **Article:** Bast & Harrell, *"Ethical Obligations: Performing Adequate Legal Research and*	**In class 9 - ethics** **Assignment 4** available on Canvas. Due by	

		Legal Writing," 29 Nova L. Rev. 49 (2004).	1:59 p.m., Monday, June 26 **CALI exercise -** to receive credit for this lesson, you must access the lesson by clicking on the lesson link below and submit your scores by 1:59 p.m., Monday, June 26 LWR17 [Company Research](#) (estimated time to complete: 55 minutes)	
Week 5				
Monday June 26	Transactional Resources I	**Article:** Fahleson & Tesmer, *"Make it Worth the Paper It's Written On: Key Considerations in Drafting and Reviewing Employment Agreements in Nebraska,"* 24 Nebraska Lawyer 7 (2021). **Website:** [Read the SEC's "Using EDGAR to Research Investments".](#)		What is EDGAR https://www.sec.gov/oiea/Article/edgarguide.html Transactional firm websites? Ropes & Gray Discussion from Practical Law article: "A securities lawyer must first master the content of securities laws, rulebooks and forms. This has to be supplemented by softer sources of law in their various shapes. But there is more to it than just understanding the rules and how they might be interpreted. Securities law is shaped by interaction among a wide variety of actors. A community of regulators, law firm lawyers, in-house counsel, investment banks, academics, and legal publishers all contribute to and determine the role of a securities lawyer. That role is informed no less by the actual practice of securities law than it is by the securities laws themselves."
Tuesday June 27	Transactional Resources II		**In class 10 – Transactional client**	Black, Why Corporations Choose Delaware https://corpfiles.delaware.gov/pdfs/whycorporations_english.pdf
Wednesday June 28	Litigation Resources	**Article:** Lee, *"Gatekeepers of Legal Information: Evaluating and*	**CALI exercise -** to receive credit for this lesson, you	Litigation firm websites?

		Integrating Free Internet Legal Resources into the Classroom", 17 Barry L. Rev. 221 (2012)	must access the lesson by clicking on the lesson link below and submit your scores by 1:59 p.m., Thursday, June 29 LWR39 Evaluating Web Sites (estimated time to complete: 30 minutes)	Dockets Bloomberg Court Link Lexis
Thursday June 29	WWW & authentication issues	**Text:** *Armstrong, Chapter 15*		Even though a URL has a .com, might still be a great site b/c it's from a law firm and reliance . . . discussion topic – like the CALI exercise says, may indicate some bias on a .com site – for a law firm, how is that relevant? WHOIS to find out information about who registered a domain name if unsure about ownership. ICANN as well. C – currency A – authority S – scope A – accuracy
Friday June 30			24-hour Take Home Final available	

ABA requires 127.5 (42.5/credit hour)
- In class, 110 minutes per week (4 days, 2 sessions per day) = 36.6 (37) hours during 5-week period [36.5 hours]
- 24-hour take home final. Assume devoting a minimum 10 hours to final [10 hours]
- 4 "homework" assignments. Assume devoting approximately 4 hours to each [16 hours]
- Reading & CALI assignments approximately 65 hours [65 hours]
- 1 Extra Credit assignment (Legislative role) approximately 3 hours
- Total estimated hours: 131