

Course Outline

COURSE: **CRCJ 3003A: Legal Research Methods**

TERM: **Fall 2015**

PREREQUISITES: Third-year standing in the B.A. Honours program in Criminology and Criminal Justice.

CLASS: Day & Time: **Wednesdays 2:35pm – 5:25pm**
Room: Please check with Carleton Central for current room location.

INSTRUCTOR: **Nicholas Lamb**: PhD Candidate; Law & Political Economy; Carleton U
Office: Loeb C560
Office Hrs: Fridays 12:00pm – 2:00pm or by appointment
Email: nicholas.lamb@carleton.ca

T.A.: **Caroline North**; caroline.north@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details see the Student Guide

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details see the Student Guide

Academic Accommodations for Students with Disabilities: The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Course Description & Objectives

This course aims to provide students with sufficient background and competency in the fundamentals of legal research methods by exploring the principles, ethical issues, writing procedures, and various theoretical and methodological approaches involved in undertaking legal research. Another main objective is for students to develop and improve their critical thinking abilities when researching complex socio-legal and criminological issues/problems. Students will propose, plan, and write a research paper about a particular legal issue/problem that they are concerned and interested in investigating. Students will also learn how to properly source and reference primary and secondary legal research materials. The ultimate goal, therefore, is for students to develop a comprehensive and critical understanding of the theoretical, methodological, ethical, and procedural issues/tasks involved in formulating and carrying out a legal research project relevant to their particular analytical interests. In accomplishing course objectives, students should have the critical knowledge, skill set, and confidence to pursue an honours research project/thesis.

Course Material

Required Books:

The following course textbooks are available for purchase at Haven bookstore located at 43 Seneca St, Ottawa

1. Wayne C. Booth et al. 2008. *The Craft of Research*, 3rd ed. Chicago: University of Chicago Press.
 - Used copies are likely available
 - This book is an e-book on the library website
2. McCarney, et al. 2013. *The Comprehensive Guide to Legal Research, Writing & Analysis*. Toronto, Ontario: Emond Montgomery Publications.

Required Journal Articles:

- Retrievable online for free by accessing MacOdrum (Carleton) library website and/or through the CULearn CRCJ3003 website

Recommended Book:

Although not required, several chapters of the following book will be discussed throughout the semester. I also highly recommend it because the book provides a straightforward, anecdotal and, at times, humorous articulation of the common issues that social science students experience during the various stages of their writing. Considering the popularity of the book, both new and used copies are available in most book stores or online. The MacOdrum Library also has a copy on reserve.

- Becker, Howard Saul. 1986. *Writing for social scientists: How to start and finish your thesis, book, or article*. Chicago: University of Chicago Press.

Course Evaluation

Assignments	Due Date	% of Final Grade
Attendance	Ongoing	10
Research Proposal	Oct. 21	20
Research Paper	Dec. 2	40
Take-Home Exam (distributed December 2)	Dec 21	30
Total	-	100

Attendance:

Students are expected to come to class having read and ready to discuss all assigned readings. Throughout the semester, students are also expected to raise and discuss issues relating to their own respective research proposals. The ongoing evaluation is based on **%10** actual attendance in classes. Attendance will be taken at the beginning of the class and students must be present during this time in order to receive credit attendance that day. No credit for attendance will be given retroactively for students who forget to sign in during class time but later notify me of their attendance.

Research Proposal:

Throughout the entire semester students should be thinking and developing a research paper based on their own interests of a particular socio-legal/criminological issue/problem. The ‘Research proposal’ assignment should sufficiently demonstrate the current progress and trajectory of the student’s research interests/focus, and their comprehension of the ethical and procedural issues, methodological approaches, and theoretical perspectives relating to their proposed legal research project. More specifically, the paper consists of undertaking the following eight objectives:

- (1) Clear statement of research question about a particular socio-legal/criminological issue/problem.
- (2) Justification and working thesis.
 - a. Discuss why your research focus is necessary/relevant;
 - b. Include a preliminary answer/hypothesis to your research question
- (3) Literature Review
 - a. By accessing Carleton library resources, find and briefly review several social science journal articles and at least one book that you determine are the most relevant academic sources pertaining to the legal/criminological issue you want to investigate.
 - i. Locate your project within the relevant literature by summarizing the main debates found in this area/field of research.
 - ii. Identify the gaps in the literature in which your research paper will address.
 - iii. Explain how your proposed research will contribute to this particular area/field.
- (4) Briefly discuss the legal research method(s) you would use to collect and analyze primary and secondary sources relating to your chosen topic. In other words, identify the analytical method(s) you intend to use to answer your research question(s)

- a. Justify your chosen research method by comparing its strengths and weaknesses with at least one other method.
- (5) Briefly discuss the theoretical perspective(s) that you will use to critically analyze and explain the empirical data and analytical observations pertaining to your chosen legal issue/problem.
 - a. Justify your chosen theoretical perspective(s) by comparing its strengths and weaknesses with at least one other theory.
- (6) Expose the political, ethical and procedural/accessibility issues relevant to undertaking your proposed research project.
- (7) Provide a coherent basic layout/outline of your research project.
- (8) Working bibliography of relevant academic and empirical sources that will be used in your research project.

The 'Research Proposal' will be approximately 1000-1500 words (11-12 font size, 4-6 double spaced pages), sources should be properly referenced (i.e. in-text citations/footnotes and bibliography), and the writing should contain little to no grammar or spelling errors. Students will submit a digital copy (in Microsoft Word format) of their paper by **4pm on October 21 through electronic submission via the course's CULearn webpage**. The document should include a separate title page with the date, your full name and student ID#, working title of research project, course code (CRCJ3003: Legal Research Methods) and instructor name (Nicholas Lamb). This assignment is worth **%20** of the student's final grade and is instrumental for formulating and producing the research paper.

Research Paper:

Based on their continuous work throughout the semester and the feedback received from their research proposals, students will carry out and write a research paper that includes the following sections:

- (1) Introduction that identifies:
 - a. the legal/criminological issue/problem primary research question;
 - b. central objectives
 - c. main argument/thesis
- (2) A completed literature review of relevant academic sources;
- (3) A methodological and theoretical framework;
- (4) An exposition of the critical analysis;
 - a. Consider what the research findings mean and whether they answer the original research question.
 - b. Compare findings with those currently in the previous literature.
 - c. Reevaluate methodological and theoretical framework in light of the empirical evidence that was examined.
 - i. Identify confirming and disconfirming evidence.
 - ii. Determine if there are aspects and/or alternative explanations that theory and method have not considered.

- d. Reflect on your own feelings, thoughts, and practices involved in the research process.
- (5) A conclusion that not only reiterates thesis and central findings but also discusses the ethical and political implications of the research paper.
- (6) A bibliography that is properly formatted.

The research paper should be between 3000 and 4000 words (11-12 font size, 12-16 double spaced pages). Students will submit a digital copy of their paper by **4 pm on Wednesday, December 2 through electronic submission via the course's CULearn webpage**. The Microsoft Word document should include a separate title page with the date, your full name and student ID#, working title of research project, course code (CRCJ3003: Legal Research Methods) and instructor name (Nicholas Lamb). This assignment is worth **%40** of the student's final grade. Further details regarding format and expectations will be provided and discussed throughout the semester.

Take-Home Exam:

During the last class December 2, I will distribute the Take-Home Exam and explain the expectations. The exam will be done individually in order to test each student's comprehension of the course content discussed in both the assigned readings and lectures over the course of the entire semester. It will entail several short-answer questions (each answer should be around 150-200 words) and two long-answer questions (600-800 word responses in essay format). All answers should be typed (11-12 size font; double spaced), sources properly referenced (i.e. in-text citations/footnotes and bibliography), and contain little to no grammar and spelling errors. The assignment is due on **December 21 by 4pm through electronic submission via the course's CULearn webpage**. Students will hand in ONE digital Word document that includes a title page, short answers, essay answers, and bibliography.

Course Policies

Late Policy:

All late assignments will be penalized at the rate of 5% per day (including weekends). Please consult with me (not the TA) at least **three days** before the due date if you have a current or impending serious medical or personal matter that will prevent you from submitting an assignment on time. Only in exceptional circumstances, will I grant an extension less than three days prior to the due date. I will need third party documentation for all extensions.

Draft Review Policy:

Neither the TA nor I will review or provide feedback on drafts of any assignments. However, students are encouraged to pose any questions about assignments during class time and/or my office hours. Students can also email their assignment questions to the TA in order to get a brief explanation/clarification. If you are experiencing difficulties in writing composition please consult the Writing Tutorial Service provided by the Student Academic Success Centre (<https://carleton.ca/sasc/writing-tutorial-service/>). I strongly encourage students to familiarize themselves with on campus writing services/resources as soon as possible. In addition to

excellent online resources, the Centre offers opportunities for students to develop effective writing skills and time management skills – both of which are crucial to success in university.

Statement of Plagiarism

The University Senate defines plagiarism as “presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.” This can include:

- reproducing or paraphrasing portions of someone else’s published or unpublished material, regardless of the source, and presenting these as one’s own without proper citation or reference to the original source;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings;
- failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs."

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

Intellectual Property

Student or professor materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s).

Class Schedule

Week	Date	Topic & Subthemes	Readings & Assignments
1	Sept. 2	Introduction: Course description, Required books, objectives, and expectations	No Readings. Students should be in the process of retrieving the two textbooks and supplementary articles for the course.
2	Sept. 9	Becoming a Socio-legal Researcher: critical thinking, Intellectual responsibility, Ethics	1. Booth et al. <i>The Craft of Research</i> , Chapter One (pgs.1-14) and “The Ethics of Research” (pgs. 273-276) 2. Becker, Howard Saul. 1967. “Whose side are we on?” <i>Social Problems</i> , Vol. 14, No. 3: 239-247

			3. Chomsky, Noam. 2011. "The responsibility of intellectuals, redux: Using privilege to challenge the state." <i>Boston Review</i> 36, (5): 40-48
3	Sept. 16	Finding socio-legal issues and developing research questions	1. Booth et al. <i>The Craft of Research</i> , Chapters Three and Four (pgs. 35-67) 2. Mills, C. Wright. 1980. "On intellectual craftsmanship (1952)". <i>Society</i> 17, (2): 63-70
4	Sept. 23	Identifying, collecting and reviewing academic literature about socio-legal issues	1. Booth et al. <i>The Craft of Research</i> , Chapter Five (pgs. 68-83) 2. Becker, H.S. 1986. <i>Writing for Social Scientists: Chapter Eight</i> (pgs. 135-149)
5	Sept. 30	Socio-legal Methods and Sources: Collecting and organizing the empirical evidence	1. Booth et al. <i>The Craft of Research</i> , Chapter Six (pgs. 84-101) 2. McCarney et al. <i>Legal Research, Writing & Analysis: Chapters Six and Seven</i>
6	Oct. 7	Employing socio-legal theory to understand and explain empirical data	1. Booth et al. <i>The Craft of Research</i> , Chapters Seven and Eight (pgs. 105-129) 2. McCarney et al. <i>Legal Research, Writing & Analysis: Chapter Ten</i> (only pgs. 10:22 – 10:26) 3. Hunt, Alan. 1987. "The critique of law: What is 'critical' about critical legal theory?" <i>Journal of Law and Society</i> 14, (1): 5-19
7	Oct. 14	Articulating the Research Project: Writing proposals and outlines, and the crucial task of referencing	1. Booth et al. <i>The Craft of Research</i> , Chapters Twelve (pgs. 173-186) and Seventeen (pgs. 249-264) 2. McCarney et al. <i>Legal Research, Writing & Analysis: Chapter Twelve</i> 3. Becker, H.S. 1986. <i>Writing for Social Scientists: Preface and Chapter One</i> (pgs. 1-25)
8	Oct. 21	Assembling Reasons and Supporting Evidence; Developing case briefs and judicial arguments	1. Booth et al. <i>The Craft of Research</i> , Chapters Nine and Ten (pgs. 130-151) 2. McCarney et al. <i>Legal Research, Writing & Analysis: Ten</i> (Only pgs. 10:4-10:21) and Eleven Research Proposal is DUE. Please submit Hardcopy in class

*	Oct. 28	NO CLASS	READING WEEK! :)
9	Nov. 4	Research for lawyers: Analyzing court cases and judicial documents	1. McCarney et al. <i>Legal Research, Writing & Analysis</i> : Chapters One, Two, Three, and Four
**	Nov. 11	NO CLASS	
10	Nov. 18	Investigating the criminal justice system (Police, courts, prison); Drafting Research Paper	1. Booth et al. <i>The Craft of Research</i> , Chapter Thirteen (pgs. 187-202) 2. Kraska, Peter B. and Victor E. Kappeler. 1997. “Militarizing American Police: The Rise and Normalization of Police Paramilitary Units.” <i>Social Problems</i> 44(1): 1-18 3. Becker, H.S. 1986. <i>Writing for Social Scientists</i> : Chapters Two and Three (pgs.26-67)
11	Nov. 25	Researching criminalized activities and groups; Revising Research Paper and Writing Introduction and Conclusion	1. Booth et al. <i>The Craft of Research</i> , Chapter Fourteen (pgs. 203-209) and Sixteen (pgs. 232- 248) 2. Becker, H. S. 1963. Chapter Three: Becoming a Marijuana User. <i>Outsiders; studies in the sociology of deviance</i> . London: Free Press of Glencoe 3. Becker, H.S. 1986. <i>Writing for Social Scientists</i> : Chapter Four
12	Dec. 2	Studying the law in media and film	No Readings In class movie to be determined Research Paper is DUE during class time Take home exam distributed
***	Dec. 21	NO CLASS	Take home exam DUE. Dropbox is at C562 Loeb Building