



SUCCESSFUL JOB NEGOTIATION

H. DOUGLAS BARCLAY LAW LIBRARY

INTRODUCTION

PERFORMING LEGAL RESEARCH IN THE WORKPLACE REQUIRES MORE THAN AN UNDERSTANDING OF RESEARCH SOURCES. TO BE AN EFFECTIVE RESEARCHER ON THE JOB REQUIRES SOLID COMMUNICATION, ORGANIZATIONAL AND TIME MANAGEMENT SKILLS.

I HAVE PREPARED THIS CHECKLIST TO ASSIST YOU IN THE PROCESS OF ACCEPTING A RESEARCH ASSIGNMENT, PLANNING AND DOCUMENTING RESEARCH, AND MANAGING YOUR RESEARCH TIME.

I HOPE THAT THESE TIPS AND STRATEGIES WILL HELP YOU TO PURSUE RESEARCH ASSIGNMENTS LOGICALLY, EFFICIENTLY AND CONFIDENTLY.

GOOD LUCK!

Wendy Scott, Associate Librarian for Public Services

I. NEGOTIATE THE RESEARCH ASSIGNMENT

1. UNDERSTAND THE ASSIGNMENT BEFORE YOU BEGIN RESEARCH

- ✓ **PREPARE AHEAD FOR YOUR INTERVIEW TO ACCEPT ASSIGNMENT**
 - READ THE CASE FILE
 - ASK ASSOCIATES, PARALEGALS & SECRETARIES TO FILL YOU IN
 - READ A NUTSHELL OR HORNBOOK ON THE SUBJECT

- ✓ **DURING THE INTERVIEW IN WHICH YOU ACCEPT THE RESEARCH ASSIGNMENT...**
 - BRING A LAPTOP OR MATERIALS FOR NOTES
 - DO NOT BE AFRAID TO SAY:
 - YOU ARE GOING TOO FAST.
 - WHAT DO YOU MEAN?
 - THIS IS UNCLEAR.
 - WHAT SOURCES DO YOU WANT ME TO FOCUS ON?

- INQUIRE ABOUT GOAL OF YOUR RESEARCH
 - INTERNAL MEMO
 - SUPPLEMENTAL RESEARCH (AFTER INITIAL FINDINGS)
 - BRIEF
- IN WHAT FORMAT SHOULD YOUR RESEARCH BE PRESENTED?
 - MEMORANDUM OF LAW
 - OPINION LETTER
 - MOTION
 - BRIEF
- WHEN IS THE ASSIGNMENT DUE? COMPARATIVE WEIGHT?

2. CONFIRM YOUR UNDERSTANDING OF THE ASSIGNMENT AND PLAN AN INITIAL COURSE OF ACTION

- ✓ ***FILL IN THE GAPS OF YOUR KNOWLEDGE OF THE FACTS & THE TOPIC***
 - ASK ASSIGNING LAWYER FOR FACTS
 - CHECK THE CASE FILE
 - DO ADDITIONAL INVESTIGATION
- ✓ ***CONFIRM YOUR UNDERSTANDING OF THE ASSIGNMENT AND PROVIDE A BRIEF 'PLAN OF ACTION' ON HOW YOU WILL RESEARCH THE ISSUE(S)***
 - RESTATE ASSIGNMENT VIA EMAIL OR MEMO
 - INCLUDE A BRIEF RESEARCH PLAN; WHAT SOURCES WILL YOU CONSULT, IN WHAT ORDER?
 - GIVE ASSIGNER A CHANCE TO ADD OR AMEND

<u>II. DOCUMENT, ORGANIZE & MANAGE YOUR RESEARCH</u>

1. MAINTAIN CONSCIENTIOUS RECORDS OF YOUR RESEARCH PROCESS

- ✓ ***DOCUMENT – IN DETAIL - EVERY SOURCE YOU USE!***
 - DOCUMENT COMPLETE CITATIONS FOR ALL SOURCES
 - PHOTOCOPY RELEVANT PAGES & SECTIONS
 - BE SURE TO INCLUDE CALL NUMBERS & LOCATIONS OR URLS
 - KEEP A PAPERTRAIL OF YOUR PROCESS – IN WHAT ORDER DID YOU CONSULT THESE SOURCES?

- ✓ ***USE A STANDARDIZE SET OF FORMS (SEE ATTACHED)***
 - ENSURES CONSISTENT AND COMPLETE DOCUMENTATION
 - PROVIDES A CLEAR RECORD TO SHARE WITH OTHERS
- ✓ ***BRIEFLY SUMMARIZE CASES AND STATUTES (ASCERTAIN RELEVANCE)***
- ✓ ***COPY QUOTES OR PARAPHRASE SIGNFICANT PASSAGES***
 - ALWAYS DOCUMENT YOUR SOURCES!
- ✓ ***UPDATE RESEARCH AS YOU WORK AND NOTE THE DATE***
 - YOU MAY NEED TO UPDATE SEVERAL TIMES

2. MANAGE YOUR RESEARCH TIME IN A LOGICAL, ORGANIZED WAY

- ✓ ***DIVIDE AND CONQUER WHEN RESEARCHING MULTIPLE ISSUES***
 - RESEARCH ONE ISSUE AT A TIME
 - RETURN TO ISSUES AND REVISE
 - CONSULT WITH ASSIGNING LAWYER OR JUDGE ABOUT YOUR PROGRESS (THROUGHOUT PROCESS)
 - DISCARD IRRELEVANT INFORMATION/FALSE LEADS
- ✓ ***DON'T GET CAUGHT SHORT!***
 - REALISTICALLY ESTIMATE TIME TO COMPLETE WORK
 - KEEP TRACK OF PROGRESS
 - ORGANIZE YOUR TIME EFFECTIVELY
 - ALLOW FOR UNFORESEEN DELAYS OR INTERRUPTIONS

| III. GETTING IT ALL TOGETHER: FINALIZING RESEARCH

1. WHEN YOU SHOULD YOU STOP RESEARCHING?

- WHEN RESEARCH BECOMES CIRCULAR
- WHEN YOU ARE OUT OF TIME!
- AFTER COST/BENEFIT ANALYSIS

2. HOW SHOULD YOU ORGANIZE COMPLETED RESEARCH?

✓ ORGANIZE BY VALUE AS PRECEDENT

- BINDING OR MANDATORY AUTHORITY MUST BE CITED FOR YOUR SOVEREIGN OR JURISDICTION
- HIGHEST > LOWEST COURT
- REVERSE CHRONOLOGICAL ORDER
- CONSTITUTION, STATUTES, CASES...

✓ KNOW YOUR PURPOSE IN CITING THIS RESEARCH!

- IS IT BINDING PRECEDENT?
- PERSUASIVE AUTHORITY?
- SUPPORTING SECONDARY SOURCE?
- CONTRARY AUTHORITY ?

3. UPDATE DURING YOUR RESEARCH PROCESS AND BEFORE YOU COMPLETE RESEARCH

- SHEPARDIZE CASES, STATUTES, REGULATIONS
- CHECK THE POCKET PARTS AND SUPPLEMENTS
- GO ONLINE : INTERNET OR ONLINE DATABASES
- SCAN LAW JOURNALS, NEWSPAPERS, MEDIA
- TALK TO PEOPLE IN THE KNOW

4. TAKE NOTHING FOR GRANTED!

- DOUBLE CHECK ACCURACY OF ALL SOURCES
- PROOFREAD FOR ACCURACY, SPELLING, AND GRAMMAR..

AN EXAMPLE OF A RESEARCH DOCUMENTATION & MEMORANDUM FORM

To: *Client File*
 From: *Law Student*
 Date: *Assigned*
 Re: *Topic*
 Deadline: *Due Date*

GOAL

SEARCH	FORMAT	RETURN TO:
<input type="checkbox"/> Comprehensive	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Attorney
<input type="checkbox"/> Only:	<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

Query: *Statement of Research Question*
 Juris: *Jurisdiction or Sovereign*
 Terms: *Significant Words & Phrases*
 Key #: *West Key Numbers*

SECONDARY SOURCES FOUND

ENCYCLOPEDIA(S)

TREATISE(S)

PERIODICAL(S)

PRIMARY SOURCES FOUND

CONSTITUTION(S)

STATUTE(S)

CASE LAW

SEARCH METHOD(S)

TOPIC INDEX STATUTE CASE

SECONDARY AUTHORITY

<u>Indexed Sources</u>	<u>Indirect Sources</u>	<u>Other Sources</u>
<input type="checkbox"/> SUMMIT	<input type="checkbox"/> Annotated Statutes	<input type="checkbox"/> Attorneys
<input type="checkbox"/> Index to Legal Periodicals	<input type="checkbox"/> Encyclopedias	<input type="checkbox"/> Legal Scholars
<input type="checkbox"/> Current Law Index	<input type="checkbox"/> Treatises	<input type="checkbox"/> Bar Associations
<input type="checkbox"/> Legal Trac	<input type="checkbox"/> Case Books	<input type="checkbox"/> Resource Centers
<input type="checkbox"/> Online	<input type="checkbox"/> Law Reviews	<input type="checkbox"/> Appellate Briefs
	<input type="checkbox"/> Legal Newspapers	<input type="checkbox"/> Brief Banks
	<input type="checkbox"/> Regular Newspapers	

CONSTITUTION(S)

<u>Indexed Sources</u>	<u>Indirect Sources</u>	<u>Other Sources</u>
<input type="checkbox"/> Federal Constitution	<input type="checkbox"/> Encyclopedias	<input type="checkbox"/> Attorneys
<input type="checkbox"/> State Constitution	<input type="checkbox"/> Treatises	<input type="checkbox"/> Legislature
<input type="checkbox"/> Annotated Constitution	<input type="checkbox"/> Case Books	<input type="checkbox"/> Bar Associations
<input type="checkbox"/> Online	<input type="checkbox"/> Law Reviews	<input type="checkbox"/> Resource Centers
	<input type="checkbox"/> Legal Newspapers	
	<input type="checkbox"/> Regular Newspapers	

STATUTE(S)

<u>Indexed Sources</u>	<u>Indirect Sources</u>	<u>Other Sources</u>
<input type="checkbox"/> Codified Statutes	<input type="checkbox"/> Encyclopedias	<input type="checkbox"/> Attorneys
<input type="checkbox"/> Annotated Statutes	<input type="checkbox"/> Treatises	<input type="checkbox"/> Legislature
<input type="checkbox"/> Online	<input type="checkbox"/> Case Books	<input type="checkbox"/> Bar Associations
	<input type="checkbox"/> Law Reviews	<input type="checkbox"/> Resource Centers
	<input type="checkbox"/> Legal Newspapers	
	<input type="checkbox"/> Regular Newspapers	

CASE LAW

<u>Indexed Sources</u>	<u>Indirect Sources</u>	<u>Other Sources</u>
<input type="checkbox"/> Digests	<input type="checkbox"/> Annotated Statutes	<input type="checkbox"/> Attorneys
<input type="checkbox"/> ALRs	<input type="checkbox"/> Encyclopedias	<input type="checkbox"/> Courts
<input type="checkbox"/> Online	<input type="checkbox"/> Treatises	<input type="checkbox"/> Bar Associations
	<input type="checkbox"/> Case Books	<input type="checkbox"/> Resource Centers
	<input type="checkbox"/> Law Reviews	<input type="checkbox"/> Appellate Briefs
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