

# 2017 National Legal Research Teach-In Kit

Research Instruction & Patron Services Special Interest Section  
American Association of Law Libraries

## First Year Research Final Project

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This assignment was distributed to the class in early November, and it served as the final assignment for the course. The assignment required students to submit a research plan, a research log, and answers to the questions in the assignment, including an informal memo that summarizes all of issues students were supposed to spot and research. Important facts were deliberately left out of the hypothetical, requiring students to note what further information is needed in order to analyze issues. The assignment required students to demonstrate knowledge of case law research, statutory research, and administrative law research.

To view the entire kit, please visit <http://www.aallnet.org/sections/rips/teachin/2017.html>

**Legal Research Tools and Strategies Section 204**  
Final Research Assignment  
Final Project due December 4<sup>th</sup> by 11:59 PM

**Instructions**

The hypothetical below will serve as the basis for the Final Assignment (25%).

The final project, to be turned in by 11:59 PM on December 4<sup>th</sup> should consist of:

- A completed, detailed research plan.
- A complete and detailed research log to show me what you searched and how you searched, as well as what you retrieved.
- A detailed research billing summary including time spent researching and costs associated with databases (see fee chart below)
- A summary of the pertinent law that you found and what impact it has on our client.

**Please do not put your name on submissions.** Please refer to the Course Policies for guidance on late submissions.

Grading will be based on:

- Identification of relevant facts, issue(s), and jurisdiction
- Identification of preliminary steps in research planning
- Research Strategy and process
- Format and grammar
- Inclusion of all required documents
- Appropriate authorities retrieved
- Application of appropriate authorities to issue(s)

**Resources:**

You may use print and online resources to complete the plan. Use the below cost chart to document your fees for research. Please include a breakdown of your research charges at the end of your research logs.

## Cost Chart

### Personnel

Associate attorneys (you)

### Costs

\$75.00/hour/attorney (bill for any activity you undertake)

Assigning attorney (instructor)

\$20.00/question

### Online Research Charges (these charges are in addition to your hourly fees)

Internet resources

free

Shepardize/Keycite/BCite online

\$5.00/cite

Westlaw, Lexis, Bloomberg

\$100/search

Search=entering terms into the search box.  
Search charges do not include narrowing your search by using the limiters, accessing searches in your search history, or using a resource that you have placed in a folder.

**MEMORANDUM**

**TO:** SUMMER ASSOCIATE  
**FROM:** SUPERVISING PARTNER  
**DATE:** NOVEMBER 3, 2016  
**RE:** LEGAL RESEARCH PLAN AND RESEARCH FOR NEW CLIENT

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Our new clients are Amy and Matt Stark, residents of State College, Pennsylvania. The Starks began trying to conceive a baby in 2010. After two years of disappointment, they sought medical advice from one of the top reproductive endocrinologists in Pennsylvania. After testing, Matt was diagnosed with azoospermia, which meant that he could not father any biological children. They decided to use a sperm donor to inseminate Amy.

The Starks consulted with their reproductive endocrinologist, and he suggested that they use "Loving Homes," a nationally known and well-regarded sperm bank headquartered in Pittsburgh, Pennsylvania. After much research, the Starks chose Donor 3409. Donor 3409 was described as tall and blonde (features that are similar to Matt Stark) and a medical student with excellent grades. Loving Homes stated in their informational material that all potential donors undergo a "rigorous screening process" that includes background screening, a physical evaluation, and a mental evaluation by a trained counselor. The medical director reviews the information and decides if the candidate will be accepted as a donor. If that person is accepted, he needs to compete a physical examination every six months.

Amy became pregnant with Donor 3409's sperm and gave birth to a son, Jonathan, in 2013. Jonathan showed developmental delays, in particular failure to thrive, and was diagnosed early in life with Cystic Fibrosis, a genetic disorder inherited through mutations from both parents' genes. Amy had tested as a carrier for cystic fibrosis during her fertility treatments; however, due to Loving Home's assurances that all sperm donors were screened for health and genetics, the Starks did not worry that their child would possibly have such a disorder.

We'd like to sue Loving Homes in the Court of Common Pleas for breach of contract and negligence. We are seeking monetary damages for the cost of the fertility treatments, the cost of the pregnancy, the cost of care for Jonathan, and punitive damages.

## **Part I.**

Before beginning your actual research, create a Research Plan.

## **Part II. Questions**

1. Locate the appropriate authority to determine if either the negligence or breach of contract claim against the company is time-barred. In 2-3 paragraphs, please explain if the claims are time-barred and cite to the appropriate source(s).
2. Locate and appropriately cite to a medical journal article that discusses Cystic Fibrosis and its treatments.
3. Locate a regulation that addresses the restrictions on donating sperm. Explain in 1-2 paragraphs how this applies/does not apply to our case. Include proper citation.

You just received an email from the partner stating that she spoke with the clients and received additional information. The clients stated that if they had known that Jonathan was going to be born with cystic fibrosis, they would have terminated the pregnancy. They stated that if they had known that the donor was a CF carrier, they would have requested genetic screening during pregnancy to determine if the baby had the condition. The partner asks if we can bring a claim against the company for wrongful birth.

4. Locate a national encyclopedia entry on Wrongful Birth. Provide the title and citation.
5. Locate a Pennsylvania encyclopedia entry on Wrongful Birth. Provide the title and citation.

## **Part III. Short Memo**

Prepare a short memo to the supervising partner that explains how the law you've found applies to the Starks' claims (no more than 6 paragraphs).

## **Part IV. Research Log**

Create a research log showing the resources you found, where you located them, how you located them, your search strings, their value to your research (if none, explain why), next steps and whether the

document is current and, if applicable, good law. This should include all of your research steps, including those that were unsuccessful. You may upload this a separate Excel document.