Legal Studies Research Methods (Legal Studies 207/Sociology 276)
Spring 2017
T/Th 2:00pm-3:20pm
Harris Hall L28

Prof. Robert L. Nelson
Department of Sociology
1810 Chicago Avenue, Rm. 321
r-nelson@northwestern.edu
(847) 491-3203
Office Hours: TBA

Teaching assistant
Kerri Howard
K-Howard2015@nlaw.northwestern.edu
Office Hours: TBA
TBA and by appointment

Course Description –

LEGAL ST 207/SOCIOL 276 Legal Studies Research Methods introduces students to research methods used in interdisciplinary legal studies, including jurisprudence and legal reasoning, qualitative and quantitative social science methods, and historical and textual analysis. The course is a prerequisite for the Advanced Research Seminar in Legal Studies, 398-1,- 2, and is intended to prepare students for the design of their own research project to be conducted in 398-1, -2. Through exposure to and engagement with interdisciplinary research methods on law and legal processes, the course will provide students with a deeper understanding of law in its historical and social context. The course will provide students with a set of research tools with which to conduct research on legal institutions. The course builds on content from Legal Studies 206, a prerequisite for 207. While part of the Legal Studies major sequence, the course will enrich the analytic skills of students from many fields who are interested in law or in interdisciplinary research methods. Prerequisite: LEGAL ST 206. Taught with SOCIOL 276; may not receive credit for both courses.

In Spring 2017, the topical focus of the course will be violence by the police and capital punishment in the United States. These topics will be explored with interdisciplinary readings and relevant legal cases. Students will be exposed to several research tools and research processes, as they also engage with material on police violence and capital punishment. In addition to shorter assignments, students will be assigned to research teams who will design and conduct empirical research on capital punishment, content analysis and coding of media reports, and race and policing in Evanston.
Once you complete Legal Studies Research Methods, you should be able to:
  o Read and analyze diverse primary legal and political sources carefully and accurately, with attention to the author’s perspective, position, and credibility, and to the source’s general context.
  o Be familiar with research methods and best practices regarding qualitative and quantitative data, written materials, and electronic databases.
  o Read, evaluate, summarize, and engage with scholarly works by others, and be able to analyze authors’ arguments for evidence, context, strength, and credibility.
  o Generate original research questions regarding the relationship of law and society and devise research strategies for answering research questions.
  o Make clearly written and organized arguments that are well supported by primary sources.
  o Critically assess how courts and other authorities use social science in their decisions and policymaking

Teaching Method- The only class meetings are two 80-minute class meetings a week. There are no discussion sections. Class sessions are meant to provide an opportunity for active engagement with assigned readings. Students are expected to come to class prepared to discuss assigned material. Groups of students will be assigned responsibility for leading class discussions on a rotating basis.

Readings- We will read two books, several articles, and a few Supreme Court opinions. The books are available for purchase through Amazon.com or your favorite online vendor. Other readings will be available through Canvas or e-reserve. You can print them all at once, print them each day, or read them in electronic format. But you must keep up with these readings and we require you to bring the scheduled readings, in some format, to each class. Some additional short texts (e.g., timely news articles) may be emailed to you and/or added as web links to Canvas during the course.

Books:

Additional recommended reading will be available via Canvas and various NU library databases.

Other Requirements/Recommendations –
  • also recommend the following books (on reserve at the library or full text in NU Search):
    o Loreen Wolfer, Real Research: Conducting and Evaluating Research in the Social Sciences (New York: Allyn & Bacon, 2006) – A useful guide to different kinds of research techniques (crafting surveys, designing interviews, etc.).

**Assignments [total: 260 points] –**
- *active and informed* participation in class discussions – 15 points
- Attendance – 2 points per class up to maximum of 30 points
- Assignment One – Reflection on Research Question – 10 points
- Assignment Two – Case brief – 10 points
- Assignment Three – Lexis exercise – 10 points
- Assignment Four – Critique of Epp et al. – 25 points
- Assignment Five - IRB training – 5 points
- Assignment Six – Research Team Project on Glossip and Sarat – 25 points
- Assignment Seven – Research Team Project on Content Analysis and Coding – 25 points
- Assignment Eight – Research Team Project on Race and Policing in Evanston – 75 points
- Research Team Presentations are worth 10 points each

**Spring Quarter Schedule of Readings and Assignments –preliminary 3/27/17**

**March 28 (T):** Introduction, class survey, overview of socio-legal research.

**March 30 (Th):** Readings: Cover, “Violence and the Word,” *Yale Law Journal* 1986 (Canvas); Sarat, chapter 1, pp. 3-30. **Hand out Assignment One (Reflection on Developing a Research Question).**

**Assignment One:** Please write a 1-2 page reflection comparing the central research questions of Sarat and Epp et al. Please include one paragraph on a research question you might want to pursue this quarter on police violence or capital punishment. Due in class on April 4th and basis of class discussion. 10 points.

**April 4 (T):** Readings: Epp et al., chs. 1-2, pp. 1-51. **Assignment One due in class and basis for discussion. Hand Out Assignment Two (case brief on Utah v. Streiff).** Due in class April 6th. 10 points.

**Assignment Two (case brief).** A brief is a summary of a case. It should be no longer than 2 pages and should be divided into the following sections: facts, procedural posture, issue, holding, majority reasoning, and dissent reasoning.

**April 6 (Th):** Readings: Kerr, “How to Read a Legal Opinion,” *Green Bag* 2007 (Canvas); Epp et al., chs. 3-4, pp. 52-92, Appendix, pp. 167-173; **Utah v. Streiff** (S Ct. 2016)(Canvas). **Assignment Two due in class.**
April 11 (T): Library databases; Westlaw/LexisNexis Training (by Charmaine Henriques, c-henriques@northwestern.edu); Zotero training (by Jeannette Moss, j-moss@northwestern.edu). **Hand Out Assignment Three (Lexis Exercise)**

Assignment Three. Lexis Exercise. For the research question you wrote about in Assignment One (or a new research question if you have changed, but for which you would need to give us a new paragraph), please find one law review article; one federal, state, or local statute; and one court opinion relating to the topic. This is an opportunity to explore your own topic of interest. Turn in a one page summary of your topic, describe the process of using Lexis, and any problems you encountered with Lexis. Attach first page from Lexis printout for the law review, statute, and case. **10 points. Due April 13.**


Assignment Four: Please write a theoretical/methodological critique of Epp et al. What are the implications of their research for the opinions in *Utah v. Streiff*? Suggested length 3-4 pages. **25 points.**

April 18 (T): Readings: Epp et al. chs. 6-8, pp. 114-166. **Assignment Four due in class. Hand out Assignment Five (IRB Certification).**

Assignment Five. IRB Certification. **5 points. Turn in evidence that you completed IRB online training. [https://irb.northwestern.edu/training/human-subject-protection-training](https://irb.northwestern.edu/training/human-subject-protection-training) Due April 20.**

April 20 (Th) Readings: Sarat chs. 2-3; pp. 31-84. **Assignment Five Due in Class. Hand out Assignment Six. Research Team Project on Glossip and Sarat. 25 points. Due May 2.**

Assignment Six: Each Research Team will compare the capital punishment laws and practices of at least two states for the period 2000 to present. Using Lexis and other sources, please write a memo that describes the state’s capital punishment statutes, at least three capital punishment state court cases, and statistics on capital punishment convictions and executions in the state. Include links or citations to your sources or include them in an appendix. **Include in**
your memo a brief analysis of how the patterns you find exemplify, support, or rebut the argument of Sarat in *When the State Kills* and the opinions of Justice Alito and Justice Breyer in *Glossip*. Suggested length 5 pages not counting appendices. 25 points. Due May 2.

April 25 (T)  
Readings: Sarat, chs. 7-9; optional reading: Sarat chs. 4-6.

April 27 (Th)  
*Glossip v. Gross* (S Ct. 2015) opinions of Alito and Breyer (Canvas).

May 2 (T)  
Research Group Presentations of Assignment Six.  
**Turn in Assignment Six in class. Basis for Research Team presentations and discussions.**

May 4 (Th)  

Assignment Seven. Each Research Team will choose a topic involving police violence covered in media reports, determine how to sample media reports, develop a coding scheme, code at least 10 reports, and write up the results. Suggested length 5 pages without appendices and tables. 25 points. Due in Class May 11.

May 9 (T)  

May 11 (Th)  
Research Team Presentations of Assignment Seven, Content analysis and coding of Media Reports.  **Assignment Seven due in class, basis for class discussion. Hand out Assignment Eight.**

Assignment Eight: Research Team Projects on Race and Policing in Evanston. Each Research Team will plan a small scale research project on race and policing in Evanston that will include the collection of original data. The data may be observational, experimental, survey, in-depth interviews, media reports, official documents, archives, or some combination. Research teams will
present their results in class on May 25th and submit a written report that describes their research question, methods, results, and conclusions. Please discuss how your project extends or qualifies the findings of Epp et al. Written report Due by 4 pm Monday, June 5, in Professor Nelson’s Sociology Office Mailbox, 1810 Chicago Avenue. 75 points. Suggested length, 15 pages not including appendices and tables.


May 18 (Th)  Research teams check-in on progress on Race and Policing Project.

May 23 (T)  Research teams check-in on progress on Race and Policing Project.


June 5 (M)  **Written Report on Race and Policing Project due by 4 pm in Professor Nelson’s mailbox in Sociology, 1810 Chicago Avenue.**