Mini-Research Project Instructions
Introduction to Law and Lawyering Processes II
DUE: FEBRUARY 20, 2011
11:00p.m.

This project is intended to be a measurement of your research skills. In prior years, a research quiz was given in the spring semester to accomplish this goal. This project is our attempt to try a different measurement. Treat this project as a take-home examination.

1. Pick one of the problems on the attached page. Pick only one. Doing more than one will not result in a better grade. One and only one will be graded.

2. Research your problem using a variety of the sources we have discussed this year, making sure to research in both print and electronic sources, as appropriate.

3. Detail the research steps you took to answer your question in a research log. Make sure your log is in narrative form, not just a list of sources. Make sure that you include sufficient information so that a person reading your log will be able to follow your research path and will be guided through a fair amount of sources. Include commentary about the sources including what worked and what did not. Include commentary about when you used print sources and when you used electronic sources. Include commentary about the time you spent with each source. When doing your log, use proper citation format for all sources. The log portion should be no more than three pages with double-spaced text and size 13 or 14 New Times Roman font.

4. Write no more than a two paragraph short answer to the question (i.e., similar to the introductory paragraph(s) of a memo). You must use proper citation format. Use good paragraph structure. Page-long paragraphs are never acceptable.
5. The Honor Code and Plagiarism Policy apply to both parts of this project. Unlike prior assignments in Intro, you may NOT discuss any part of this project with anyone. The work you submit must be the product of your own efforts. No one may review your written work, in any form, at any stage before it is submitted. You may not discuss, exchange, give, or receive from anyone else research materials, citations or other resources.

You should use the internet, Lexis and/or Westlaw in addition to print sources. Do not take any action that might impede the research efforts of others, including any action that limits the accessibility of library books or other resources. Any failure to comply with these restrictions will be reported as a violation of the Honor Code.

6. Your project must be submitted to the TWEN website for your course by 11:00 p.m. on Sunday, February 20, 2011, using only your anonymous legal writing number to identify your project. Your project must follow the Format Requirements of the UMKC Legal Writing Program and include the required cover sheet.

Late projects will NOT be accepted. A late project will result in an F on this project to be computed into your final course grade. Only exceptional circumstances will be considered for any waiver of the timeliness requirement. Computer problems are not exceptional circumstances.

7. **Grading:** The goal of the Legal Writing Program is for this project to accurately measure a student’s research skills. As a result, this project will be graded on the following straight scale, without any curve, in all sections:

   A – 90% and above
   B – 80% and above
   C – 70% and above
   D – 60% and above
   F – 59% and below.

   Note that no plus or minus grades will be given. In addition, no mandatory mean will be imposed. No one using a general search engine such as Google or Bing will receive an A.
8. This project will be evaluated according to these criteria:

   a) Research Log (65%)
      (1) Evidences a logical and efficient sequence of sources.
      (2) Reflects a research plan that is comprehensive and thorough including appropriate resources for the issue.
      (3) Describes a research plan that would allow another researcher to follow its progression easily.
      (4) Shows an appropriate choice of print and electronic sources.
      (5) Includes proper citation to all sources.

   b) Answer to Question (35%)
      (1) Correctly describes the current status of the law.
      (2) Includes any proposed changes in the law, if applicable.
      (3) Written concisely and grammatically correct.
      (4) Organized appropriately to inform the reader.
      (5) Includes proper citation to all sources.

**Sample Log Passage**

Neither the first or last paragraph of a log:

I found the two publishers of Ohio Revised Code, Baldwin and Page, and researched my issue in both. I started by using the general index for both publications. I looked up property and found no mention of lost property in either book. I then attempted to specifically look up lost property and still found no information that would help me. I referred back to *Ohio Jurisprudence 3d* to scan the footnotes that it provides. These footnotes tell the reader . . . .
Problem A

Your client, Jane Phillips, has been an avid bicyclist since she was very young. Jane lives in Kirksville, Missouri, and she loves riding her bicycle along busy highways and other roadways. Jane believes that the rights of bicyclists should always trump the rights of automobile drivers because bicyclists benefit the environment and are more likely to be hurt in the event of a collision. Jane would like to know what motorists in Missouri must do while they pass bicyclists when they are on a roadway. Jane also strongly believes that motorists who pass bicyclists on highways should maintain at least six feet of distance between their automobiles and the bicyclists, and Jane is certain she has heard some Missouri legislator talking about this recently on the news.

Please determine the status of Missouri law concerning what motorists must do when they pass a bicyclist.
Problem B

Your client, Jan Jefferson, came to you this morning to ask your advice. Jan’s brother, Luther, has an unfortunate habit of torturing animals. Last night the sheriff caught him torturing a possum and charged him with a misdemeanor. Luther lives “off the grid” in upstate New York, and Jan fears that Luther could eventually be arrested for a felony if he continues this behavior. Despite Luther’s quirks, Jan worries about him and wants to keep him out of jail if she can.

Her question is whether the New York law makes torturing a wild animal a criminal offense punishable by a felony. Luther admits he strung the possum up by its back legs and beat it for days in order to see how long the possum would live. He told Jan that he thought it was no big deal because he was torturing a wild animal; he said he would never harm a dog or a cat. The sheriff up there told Luther that he would arrest Luther for cruelty to animals and be sure to charge him with a felony if he catches him hurting another animal. Jan wants to know if Luther could be arrested and convicted of this crime, and, if so, what the penalty would be.
Problem C

Your client, a resident of Farley, Missouri, came to you this morning with a letter written by her neighbor that threatened to report her to the state authorities for operating a “beauty salon” without a license. Your client claims she did occasionally help local high school girls with hairstyling, specifically her signature French braids, for school dances and other special events. However, she says she simply did French braids; she never washed, cut, colored, treated, or styled hair in any other way. She does not even have a “salon” – she just had the girls sit on a dining room chair. She also never charged the girls a fee for her services, although the girls sometimes returned the favor by babysitting the client’s young children. Is your client in trouble if she continues?
Problem D

Megan and Matthew married in the summer after graduating from the University of Kansas. They have been married for almost seven years and live in Leawood, Kansas. They never had children as each was busy building their careers. Megan works in sales and Matthew works in marketing. They have grown apart over the years and are considering divorce, although neither has filed. In your experience, individuals often seek advice regarding divorce, but then have second thoughts and never go through with it or file much later.

Megan has started collecting Lladro high porcelain figurines. Megan’s father gave Megan her first figurine, now worth $25,000.00, when she made the Million Dollar Sales Club three years after they were married. Matthew gave Megan another figurine for their fifth wedding anniversary. That figurine is worth $20,000.00

You represent Megan. She is concerned that both figurines would be included in their marital property to be divided between them. Megan feels that since both were gifts to her that she should not have to include them.

You have a second meeting with Megan in a couple of weeks and need to be prepared to fully answer her question regarding the figurines.
Will the figurines be considered marital property or separate property in Kansas assuming one of them eventually files for divorce?