

Legal Research Methodology

Code: 42992
ECTS Credits: 6

Degree	Type	Year	Semester
4313781 Enterprise Law	OB	0	1

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

Contact

Name: Eliseo Sierra Noguero
Email: Eliseo.Sierra@uab.cat

Use of Languages

Principal working language: spanish (spa)

Teachers

Eliseo Sierra Noguero

Prerequisites

There are no previous requirements

Objectives and Contextualisation

Provide students with the knowledge in the field of legal research and the tools necessary to carry out the Master's degree project

Competences

- Analyse and write legal texts related to business activity in all relevant areas: commerce, employment, taxation etc.
- Analyse, synthesise, organise and plan projects related to business law.
- Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
- Continue the learning process, to a large extent autonomously
- Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
- Show expertise in research techniques to obtain information on corporate law.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
- Use legal terminology and reasoned argument to support research results in the context of scientific production in business law.
- Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Learning Outcomes

1. Analyse a research project on issues in business law.
2. Analyse and prepare commercial legal documentation.

3. Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
4. Consult case law databases.
5. Continue the learning process, to a large extent autonomously
6. Identify the different systems of analysis, organisation, planning and writing of research projects.
7. Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
8. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
9. Use digital resources to obtain bibliographic sources.
10. Use legal terminology and reasoned argument to support research results in the context of scientific production in business law.
11. Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Content

Lesson 1: Scientific research. The research method. Phases of the preparation of the Master's Thesis (TFM)

1. Scientific research.
2. The method of scientific investigation.
3. Phases in the process of preparing the master's thesis.

Lesson 2. Main variables in the initiation to quality research

1. Student motivation. The choice of the research topic. Organization of the research project. Initial scheme and planning of the completion time.
2. The election of the advisor / director of the master's thesis.

Lesson 3: Sources of legal research

1. The sources of the investigation in general.
2. Bibliographic sources. The search for bibliographic sources. Internet use.
3. National and foreign legislation. Comparative law. International and uniform law.
4. The jurisprudence.
5. Scientific doctrine.

Lesson 4: Basic strategies for reading legal texts

1. Selection and evaluation of bibliographic sources.
2. Organization of the research bibliography. Data record, bibliographic records and readings. The ordering of the reading cards

Lesson 5: Structure and writing of the TFM.

1. Classic structure of a master's thesis. The general index.
2. The numbering of the parts, chapters, sections and subsections.
3. The organization of ideas that are the object of the exhibition and the written writing.
4. Source citations and footnotes.
5. Use of italics, capital letters and underlines. Other formal aspects related to the presentation of the work.

6. Observations of the advisor. Correction and reorganization of the text.
7. The conclusions.
8. Complementary elements and indices.
9. Legal argument. The formulation of criticisms and personal opinions.

Lesson 6. The defense of the TFM in court.

1. Delivery of work.
2. Administrative processing and deposit prior to defense.
3. Preparation of the defense.
4. Observations of the court and defense of the master's thesis.

Methodology

Each day of class, a system of lecturing the knowledge corresponding to each lesson of the program will be established. Individual and group work will be programmed to apply the acquired knowledge.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Personal study	44	1.76	1, 7, 6, 4, 3, 5, 8, 9, 10
Resolution of exercises	10	0.4	2, 1, 7, 6, 4, 3, 5, 8, 11, 9, 10
Theory lecturers	36	1.44	2, 1, 7, 6, 4, 3, 5, 8, 11, 9, 10

Assessment

The final mark of every student will be awarded according to the following criteria:

Active participation in class will be valued (20% of the final grade) and the realization of the proposed practices (30%). The final exam will be performed (50%), with the following content:

- Theoretical exam consisting of several questions of the theory taught.
- Practical exam for correcting citations from research sources.
- Sending through the virtual campus (aula moodle) of the provisional index and of about 10-15 pages of the TFM, written according to the knowledge of the subject.

Once the evaluation has been communicated, a review may be requested in order for the Professor to explain the applied criteria to the student (art. 114.3 UAB Academic Regulations),

without prejudice to the student's rights to challenge the grade.

The date of the final exam of the subject is scheduled in the exam calendar of the Faculty.

The scheduling of the evaluation tests cannot be modified, unless there is an exceptional and duly justified reason why an evaluation act cannot be carried out. In this case, the people responsible for the Master Degree, after consulting the lecturers and the student, will propose a new schedule within the corresponding school period (art. 115.1 Calendar of evaluation activities, UAB Academic Regulations).

To pass the subject, the student must have participated in the three evaluation activities and to obtain at least a 3,5 at the final exam. To take the final exam, it is necessary to attend at 90% of the classes.

To retake the exam, it is necessary to have obtained at least 3 in each of the three evaluation activities. Students who retake the exam may obtain a maximum grade of 7 in the subject.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Assignments	30%	20	0.8	2, 1, 6, 4, 3, 5, 8, 9, 10
Attendance and active participation in class	20%	36	1.44	8, 11
Final exam	50	4	0.16	2, 1, 7, 6, 4, 3, 5, 8, 9

Bibliography

ALBERTO GHERSI, C., *Metodología de la investigación en Ciencias Jurídicas*, Pontificia Universidad Javeriana, Bogotá, 2013.

BAELO ÁLVAREZ, M., *Metodología de investigación en ciencias sociales y jurídicas*, Tirant, Valencia, 2019.

BELL, J., *Cómo hacer tu primer trabajo de investigación. Guía para investigadores en educación y ciencias sociales* (trad. de R. FILELLA), Gedisa Ed., Barcelona, 2005.

BLAXTER, L., HUGHES, CH., TIGHT, M., *Cómo se hace una investigación* (trad. de G. VENTUREIRA), 2ª reimp., Gedisa Ed., Barcelona, 2002.

CID, P., PERPINYA, R., *Cómo y dónde buscar fuentes de información*. Servei de Publicacions de la UAB, Bellaterra, 2013.

ECO, H., *Cómo se hace una tesis*, 1ª reimp., Gedisa Ed., México, 2004.

MÉNDEZ COCA, D. y MÉNDEZ COCA, M., *Iniciarse en la metodología de la investigación. Materiales e ideas para investigar en Ciencias Sociales*, Editorial CCS, Madrid, 2020.

Software

The subject does not need any specific software.