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Exploring Legal Issues In Research Paper Writing

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ABSTRACT

The updating of laws is more important than the knowledge of laws. The law that law students learn quickly at law school becomes outdated. This happens relatively rapidly and inequitably. Law scholars must be literate in this area to survive. Modern society poses a threat to well-trained and technically skilled legal professionals but also to those who are academically incompetent. Surprisingly, many qualified professionals neglect to share their experience and knowledge with the community. Communicating what you know to others is vital for a legal professional. The greatest genius in the world might exist, but no one would see it if you could not transmit your knowledge. Without translating that understanding to society, understanding a specific area of law has no meaning. This task is solely to lead the scholars to analyze the legal issues and write them down concisely. It is hoped that law scholars will be better prepared to meet the challenges presented by substantive legal analysis and research papers. By describing how research can be conducted modishly, the author does not mean to tell you how it is completed. The writer provides students with a thorough introduction to Pickwickian analysis and writing. The researcher must identify the issues and state them correctly. The author has discussed how cognition can be communicated effectively and clearly in words that have specific meanings.

Keywords: *legal issues, writing, paper, research*

FASHIONING THE TITLE OF A RESEARCH PAPER AND ABSTRACT:

The packing is more important than the contents. The abstract of a research paper is written to set out the goal, but the other hidden purpose is to advertise one's work. The notion that statistics speak for themselves is simply misguided. Nowadays, there are indeed many more articles being published compared to before. Most of the work is dedicated to doing nothing rather than keeping the information updated. We may glance at a few journals, but when one starts searching for information on a particular topic, one writes "abstract" into Google, and millions of results are returned within no time. Most of the hits are replaced so quickly that you wonder about the success of getting relevant sources. However, contrary to this, most of them have nothing to do with the center of your argument. As a result, we do nothing but refine our search. You scroll through the list in search of titles that appear relevant, clicking to access the abstract only when it offers sufficient promise. Also, a better title and abstract for your research paper may sell your work better. For writing it perfectly, Follow the journal's format or length requirements (Shah, 2017).

Imagine the words and sentences in plain English. Favored interpretations are likely to be used by colleagues when searching for papers. Be overpowering and enticing. Relate to distilling the essence of your writing. Maintain how your data

fills a void in the literature. Put carefully about who you hope will read your article (i.e., "tag" your audience) and write for them, but do not promise things your data cannot provide. Do not use slang pervasively.

Start writing your abstract by showing the big picture of the problem or topic widely debated in your field. Discuss the gap in the literature on the subject. Show how your project is filling the gap. Come up with your original argument on the specific material you examine in the paper. End it with a strong concluding sentence. Do not be very cunning with your title. Catchy is a better way, but not at the cost of obstructing the content of your paper (De Smet et al., 1994).

CREDIBILITY OF THE INFORMATION

It is best to consider the author or publisher and content of the information and check the site to determine how frequently the data is updated. Be very careful of authorship. Advocacy groups publish in some areas, and the communication may be biased toward the group's position (Cho & Choi, 2018).

CANVASSING THE LEGAL ISSUE

The legal issues can be canvassed by statutory analysis, case law analysis, or counter analysis, among other types of research. The counteranalysis is a demeanor of discovering, and everything considered a counterargument to the findings of a legal position. The study may be carried out depending on the context of the research. It is a discovery of no matter what and why an alexipharmic law does or does not apply. In this process, the researcher has to identify the issue or issues on which the researcher is working and ascertain what law is being implemented and how it is enforced. The best way of legal analysis and legal research is to analyze the factual events where the law is ambiguous, or against the public's will at large or the moral rules of society (Edwards, 2015). The questions may be as below:

1. What factual event raises current legal issues (query) or issues?
2. Whether law govern the legal issue?
3. How does the law that regulates the legal issue apply to the factual event?
4. What, if any, legal remedy is available, whether the treatment is sufficient?

Once this analysis is completed, the researcher can conclude with the available options and suggestions. The researcher must seek a solution to what he believes is a legal problem. The problem should not be widespread where so much research has already been carried out, nor as complex as a question involving multiple legal issues that could not be covered. The problem may not be one for which there is doubtless a legal remedy available, so the researcher should be aware that the case he is dealing with may not be a legal problem (Webley, 2016). The analysis of enacted law and court rules is a process of determining research questions whether a law applies to the research problem. If so, then how does it work? When analyzing a legal problem or addressing an issue governed by a constitutional, statutory, or administrative law provision or a court rule, it is helpful to have an approach to the analysis process. This process allows you to approach the matter efficiently and solve the problem in the shortest amount of time, with minor confusion and fantastic accuracy. For instance, if the researcher is working on an issue related to a judge's discretionary power, it is recommended that he follow the three-step approach. The first step is to determine whether all the statutes apply in any way to the legal problem or issue. Locate all potentially applicable regulations and decide which ones to use. It can be done by consulting the scope section of the statute, the definitions section, or case law. In the second step, the researcher must carefully read the rules and identify the required elements concerning the issues (Romantz& Vinson, 2020).

After having a sufficient understanding of the statute, the researcher should move to the second step by breaking down the statute into its elements. Identify and list the factors that must be met for the statute to apply. This is necessary because the researcher must know the details before proceeding to the third step and using them to analyze the legal problem or issue. Identify the befitting or provisions of the thing by foretokening evidence of the entire statute, analyzing each sentence thoroughly and carefully, and dividing everything required. This includes listing the contrary circulation and exceptions unruffled in the subsections of the statute in question and the conditions and exceptions contained in other statutes that may affect the statute in question. Finally, to compare or match the required elements to the facts of the problem and determine how the statute applies (Rowe, 2008).

IMPARTING UNRAVELED INFORMATION

These considerations give more value to the research. Such concerns come into play and are of

the most significant importance when the statute's meaning is unclear, and a court has not determined the purpose. When required to interpret a statute, a court will first look at the plain meaning of the statute's language. This is called "the plain meaning rule." The rule mandates that a statute be interpreted according to its plain meaning. In this context, words are construed according to their ordinary meanings. The court will render an interpretation that reflects the immediate sense of the language and is consistent with the purpose of all other sections of the act. If the meaning is clear on its face, no additional inquiries concerning the statute's meaning are allowed. If there is ambiguity in the meaning of a statutory section, the court will look to the statute's legislative history and apply canons of construction. When engaging in statutory analysis, the researcher should be aware of and keep in mind the court's considerations when interpreting the meaning of a statute (Betlem, 2002).

EXPLORING CASES IN POINT

The two primary sources of law are considered for legal review. The first is enacted law, and the second is case law. Case law represents the largest body of regulation, and this second source of direction is far more significant in volume than constitutional or statutory law. It is essential to acquire a general acquaintance with this body of law in the broadest sense because it represents such a large portion of the law. Further, so many areas of law and legal issues are governed by case law. A case, or judge-made law, is considered a body of law created by courts. It is composed of the general legal rules, doctrines, and principles adopted by courts when interpreting existing law or creating new law without controlling enacted law. Where are court opinions printed, and how do you locate them? That subject requires an entire text and is impossible to discuss in this article. Court opinions are generally found in the law periodicals library. They are printed in reporters', advance sheets, and slip opinions (recent opinions). They are also available through various computerized sources, such as Westlaw, Manupatra, LexisNexis, Law on Disc (for those states that have the law on CD-ROM), and the Internet.

A researcher can get the opinion of the court on the issues concerned.

1. The facts gave rise to the legal issues before the court.
2. The procedural history and posture of the case: what happened in the lower court or courts, who appealed the decision, and why?
3. The issue or issues that are addressed and resolved by the court.
4. The rule of law that governs the dispute.
5. The application of the rule of law to the facts—in other words, the holding.
6. The reason or reasons supporting the court's application of the rule of law to the facts is why it decided as it did?
7. The relief is granted or denied when, for example, "the trial court's judgment is upheld."

BRIEFING ON THE CASE

A court opinion is usually a case; a brief is generally a case brief or a case abstract. Case briefs identify the essential components of a court opinion in a written form. Writing an overview of the crucial elements of an idea in an organized format leads to a better understanding of the ease and the court's reasoning. Thoughts are often complex, and the reasoning may be difficult to identify, follow, or spread throughout the idea. The preparation of a case brief requires studying the opinion, identifying what is essential, and eliminating the unnecessary. Investigating a case and analyzing it helps the reader gain a better understanding of it. The analytical approach of focusing on the heart of the case's structure enables you to understand the reasoning, thereby aiding your legal analysis (Hoecke, 2011).

Furthermore, a case brief is a time-saving research tool. It summarizes the essentials of a case so that it can be referred to quickly when reviewing the issues. This saves the time spent rereading and reanalyzing the entire subject to remember what the court decided and why. When working on a complex legal problem involving several court opinions, or when time has passed since a case was read, the availability of case briefs can result in a considerable saving of time. It is often difficult to remember which opinion said what (Banakar& Travers, 2005).

The process of briefing a case serves as a valuable writing tool. Judges write opinions assuming that the reader understands the law, legal terminology, and the legal system. If a researcher is a beginner, he will be slowed by having to look up the meaning of legal terms and become familiar with the style of legal writing. The researcher should not get discouraged if, at first, it takes a long time to read and understand case law. It is normal to "crawl through" court opinions when the researcher is a

novice at reading them. As you become familiar with the terminology and style of legal opinions, you will read them faster and with greater understanding. The process, however, is gradual and usually takes months rather than days to learn. No matter how skilled you are, cases must always be read carefully and understood fully. Some opinions are difficult to read and take time to process because they involve complex, abstract, or unfamiliar subjects involving multiple issues. In such instances, it is advised that researchers may have to read the entire case or portions of it several times. The researcher may prepare outlines or charts that may help follow and understand the court's reasoning. The researcher may have to refer to a treatise, encyclopedia, or other research tool to understand the area of law involved in the case. Sometimes the issues are difficult to read because they are poorly written. Not all judges are great writers. The reasoning may be scattered throughout the case or incompletely presented. Some opinions are difficult to read and understand because the court incorrectly interpreted or applied the law. You might be surprised when you read that the court reached the opposite conclusion to what was expected. Some decisions are overruled because a higher or subsequent court determines that the earlier opinion was incorrect. Therefore, it is essential to read each case with a critical eye (Hoecke, 2011).

PLAGIARISM BETS AND PROSPECTS

When a researcher submits or presents someone else's work, regardless of the form, plagiarism occurs without acknowledgment of the source. Although there is no universal definition of plagiarism utilized by every law school, most share common elements. According to the Notre Dame Law School Honor Code, plagiarism is submitting as one's work the work of another. Plagiarism is taking someone else's idea, composition, or wording and passing it off as one's own. Unless the student writer credits the original author and appropriately identifies the original author's work through quotation marks, notes, or other appropriate written designations, plagiarism is considered at the University of Oklahoma College of Law to be the use of another's written work, either verbatim or in substance. A student may not be able to use ideas, facts, or language from the workplace without providing appropriate quote marks, references, or other explanations. The act of plagiarizing refers to the improper attribution of sources of inspiration to pieces of work. Plagiarism is considered by many to be one of the most serious offenses that can be committed in an academic community and may reflect upon an individual's moral fitness to practice law. The failure to acknowledge sources violates the code of scholarly ethics and, ironically, may also indicate one's anxious and abject dependence upon them. Plagiarists, in effect, forfeit the opportunity to do their original work (Sutherland-Smith, 2003).

OUTCOME ARTICULATION

The result section of any research paper is a significant part of the whole work. This section has two key attributes. The first is that there should be an overall description of the main findings of the research. The second is that the data should be presented evidently in the minimum number of words that can precisely express the outcome of your work. The researcher should not offer all the irrelevant or useless data collected. The anxiety of the author or researcher is to produce all the results he obtained, especially if they were difficult to obtain. Still, this section should contain only relevant and representative data. The statistical data analysis must be appropriate and shall relate to the clear conclusions of the work. An assessor can only estimate the validity of the statistical tests used. Therefore, if your analysis is very complicated or unusual, expect your paper to undergo appraisal by a statistician. You must avoid unnecessary repetition of data in writing (Rowe, 2008). It is worth stating briefly what you have not found. Almost always, the original draught of the debate is excessively lengthy. It's tough to refrain from writing a lengthy and extensive critique of the literature you're familiar with. Therefore, in terms of length, it should not exceed one-third of the whole length of the draught paper, which includes an introduction, methodology, findings, and discussion. Many novices struggle with this area of the paper. A good discourse may be built around the following points:

-Compile a list of notable results;

-Discuss potential issues with the approaches employed;

-Contrast your findings to earlier work;

-Discuss the clinical and scientific implications (if any) of your results; provide recommendations for further research. Create a concise conclusion.

The conclusion or conclusion of a paper gives value to your writing. If one has limited time to read the entire piece, he will refer to the abstract and closing parts of the article. This gives the reader an accurate idea of the completed writing. So it is

essential to write the conclusion in a logical and reasoned manner. Also, the decision shall directly relate to your results or analysis of data, as the case may be.

Further footnoting or referencing should be avoided in the conclusion and recommendation part. Both of these paper elements should be the original findings or observations of the author. It is better if the conclusions and recommendations are stated categorically. Keeping apart from the decision, suggestions or recommendations should correlate to the central issue or issues addressed in the paper. Recommendations are generally the solution to a topic or problem. Hence, the language used in this part should be constructive rather than critical. Lastly, the authors should refrain from using vague and ambiguous terminologies to enhance effectiveness. Finally, it would not be a mistake to say that paper writing should have coherence, legal reasoning, context, and intelligent but straightforward packaging of the legal information to market itself.

WRAPPING UP THE INVESTIGATION

A research paper describes the purpose and aims of the study, but it also serves the purpose of advertising the researcher's work. With this paper, the reader will be able to analyze legal issues and note them in a safe manner. Research degrees are useless unless the researcher can impart that understanding to society. Ensure that the data you provide fills a void in the literature. It is helpful to approach the analysis process when analyzing a legal problem or addressing an issue governed by a constitutional, statutory, or administrative law provision or a court rule. Legal research can be conducted through statutory analysis, case law analysis, or counter analysis, among other methods. Statistical analysis and legal research are best done by analyzing the facts of the event. This is because the law is ambiguous, against the public's will at large, or the moral rules of society. In other words, it is a discovery of when and why an alexipharmic law applies. Research questions are answered by analyzing enacted statutes and court rules to determine if a law applies to the research problem. Afterward, the researcher can provide options and suggestions. The researcher can then choose from available options and make recommendations based on the analysis. Identifying all the statutes that apply to the legal issue or issue is the first step. The researcher must carefully read the rules in the second step and identify the required elements. There are many areas of law and legal issues that are governed by case law. This is composed of the general rules and principles adopted by courts to interpret or create law without controlling enacted law. The court's opinion's crucial components are outlined in a written summary in a case brief. The overview summarizes the key aspects that can be quickly reviewed when reviewing the issues. The availability of case briefs can help save time when working on a complex legal problem involving several court opinions. However, some court opinions are written poorly, making them difficult to follow (Duncan & Ritchie, 2007). Many academics consider plagiarism one of the most severe offenses a colleague can commit. By refusing to acknowledge sources, one violates scholarly ethics and, ironically, may also indicate one's anxious and abject dependence on them. Results sections are an integral part of any research paper. The results section should include a brief description of the research's main findings. You can expect your writing to be appraised by a statistician if the analysis is very complex or unusual (Hayes & Flower, 1979).

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