Due to the cancellation of in person, live CLE approved courses, because of restrictions imposed by the Governor’s COVID-19 response, the Supreme Court of the State of Delaware Commission on Continuing Legal Education has waived the requirement that at least 12 of the 24 CLE credit hours must be earned by attending in person live CLE approved courses. The requirement is waived for the two year periods ending December 31, 2020 and December 31, 2021. All 24 CLE credit hours for those two-year periods may be satisfied by approved courses that do not require an in-person, live appearance.

The Supreme Court of the State of Delaware Commission on Continuing Legal Education cannot accept phone conferencing only. You must attend through a device that allows us to obtain your Bar Id in order to receive CLE credit.

Your attendance will be automatically monitored beginning at the scheduled start time and will be completed when the CLE has ended. If you enter or leave the meeting after or before the scheduled start/end time, you will receive credit only for the time you attended. Your CLE credits will be submitted to the Delaware and Pennsylvania Commissions on CLE, as usual.
Introduction to Fastcase Webinar

DSBA WEBINAR VIA ZOOM

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INTRODUCTION TO FASTCASE

This training is designed for all Fastcase users, new to experienced. The presentation covers basic legal research tips for efficient, effective legal research as well as a tour of Fastcase features with a focus on case law searches and statute searches in Fastcase 7.

PRESENTER

Erin Page, Esquire
Senior Law Librarian and Outreach Manager, Fastcase
Presenter

Erin Page, Esquire
Senior Law Librarian and Outreach Manager, Fastcase
Legal Research on Fastcase 7
what is Fastcase?

Founded in 1999

- (A tech company that survived!)

- The mission was simple – create an alternative to Westlaw and Lexis for conducting research on primary law.

- This is not just a cheaper version of the big two, but something entirely different.

- We are now partners with 33 state bar associations, over 800,000 subscribers.
you already have access to Fastcase

Login through DSBA Homepage and click the Fastcase link to access. Search, and print as much as you like; we don’t have a panic-inducing fee structure.
As a member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in reform of the law and work to strengthen legal education. In addition, a lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.
A lawyer need not necessarily have special training or prior experience to handle legal problems of a type with which the lawyer is unfamiliar. A newly admitted lawyer can be as competent as a practitioner with long experience. Some important legal skills, such as the analysis of precedent, the evaluation of evidence and legal drafting, are required in all legal problems.
Comment on rule 1.1, part 5

Competent handling of a particular matter includes inquiry into and analysis of the factual and legal elements of the problem, and use of methods and procedures meeting the standards of competent practitioners. It also includes adequate preparation. The required attention and preparation are determined in part by what is at stake; major litigation and complex transactions ordinarily require more extensive treatment than matters of lesser complexity and consequence.
Comment on rule 1.1, part 6

To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.
Recent cases where the courts highlight legal research

Pilot Air Freight, LLC v. Manna Freight Sys. (Del. Ch. 2020)

Court using the prevalence of terms in a search phrase as justification for stating that the term is widely available and should be considered an accepted part of the jurisprudence.

Cumming ex rel. New Senior Inv. Grp., Inc. v. Edens (Del. Ch. 2018)

Court pointing to the legal research as showing conflicting, yet ultimately parsable language on “safe harbor” provisions.
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People v. Trevino, 1 Cal.App.5th 120, 203 Cal.Rptr.3d 909 (Cal. App., 2016)

...d wilfully discharge a firearm at an inhabited dwelling house or occupied building, is guilty of a felony..." (Moreland, supra, 81 Cal.App.3d at p. 14, 146 Cal.Rptr. 118.)

Appellant's reliance on People v. Goolsby (2014) 222 Cal.App.4th 1323, 166 Cal.Rptr.3d 697, reversed by People v. Goolsby (2015) 62 Cal.4th 360, 196 Cal.Rptr.3d 726, 363 P.3d 623, is misplaced for two reasons. First, its precedential value was eradicated when the Supreme Court granted review. (See Former Cal. Rules of Court, rule 8.1105(e)(1).) Second, it concerned the definiti...
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5-10-102. Murder in the first degree.

(a) A person commits murder in the first degree if (I) acting alone or with one (1) or more other persons(A) the person commits or attempts to commit a felony; and

(b) In the course of and in the furtherance of the felony or in immediate flight from the felony, the person or an accomplice causes the death of any person under circumstances manifesting extreme indifference to the value of human life;

(c) With a purpose of causing the death of another person, the person causes the death of another person; or

(d) The person knowingly causes the death of a person fourteen (14) years of age or younger at the time the murder was committed;

(e) It is an affirmative defense to any prosecution under subdivision (a)(1) of this section for an offense in which the defendant was not the only participant that the defendant(D) did not commit the homicidal act or in any way solicit, command, induce, procure, counsel, or aid the homicidal act’s commission;

(f) Was not armed with a deadly weapon;
2903.02 Murder.

(A) No person shall purposely cause the death of another or the unlawful termination of another's pregnancy.

(B) No person shall cause the death of another as a proximate result of the offender's committing or attempting to commit an offense of violence that is a felony of the first or second degree and that is not a violation of section 2903.03 or 2903.04 of the Revised Code.

(C) Division (B) of this section does not apply to an offense that becomes a felony of the first or second degree only if the offender previously has been convicted of that offense or another specified offense.

(D) Whoever violates this section is guilty of murder, and shall be punished as provided in section 2920.02 of the Revised Code.
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