



## HOW TO RESEARCH A SEMINAR PAPER

### Introduction

First-year law school courses are regimented. Essentially, you study one thing: cases. In your second year, however, you will take a number of seminar courses, most of which will require a scholarly paper on an area of law.

According to Professor Eugene Volokh, “A well-written student article [i.e., seminar paper] can get you a high grade, a good editorial board position, and a publication credit.”<sup>1</sup> Features of a seminar paper include

- Original analysis
- Comprehensive research
- Extensive footnotes

This guide is intended to help you with the research. Before you start, however, keep the following tips in mind:

- **Plan ahead.** For your seminar paper, you are required to do thorough, scholarly research, which can’t be done last-minute. Give yourself plenty of time to find, read, and analyze your materials before your first draft is due.
- **Keep a research log.** Make notes about where you found useful materials and how you plan to use them in your paper. Then, when you need to return to a source, you can do so quickly and easily. The log will also help you with citations for your works cited page.
- **Stay focused.** One of the joys of research is finding and reading interesting materials that are not directly relevant to your work. However, this can also be a distraction and a time-waster. If you think something you’ve found may be useful later, make a note of it in your research log. You can go back to it later.

### STEP 1: Select a Topic

You will select your topic in consultation with your seminar professor. In addition to your professor or another expert in the field, some good research sources for getting ideas for paper topics are:

- Newsletters in your field of study
- [U.S. Law Week](#)
- Treatises or loose-leaf services in your field of study (locate using the library [catalog](#))
- Westlaw's topical highlights databases (e.g., WTH-SEC for securities law topics; WTH-TAX for tax law topics)
- Major newspapers, such as the [New York Times](#), [Washington Post](#), and [Los Angeles Times](#)
- [Blogs](#) in your field of study

---

<sup>1</sup> Eugene Volokh, [Writing a Student Article](#), 48 J. of Legal Educ. 247 (1998).



- [Split Circuits](#) (a blog that tracks circuit splits)

## STEP 2: Literature Review

Before you can write an original article on a topic, you must first find out what other journal articles have written on that topic. This is called a *literature review*. Why do a literature a review? Two reasons:

1. To discover sources that will be useful later in your focused research;
2. To make sure that no one else has published an article very similar to yours. (This is also called a *preemption check*.)

Below are key sources for locating journal articles:

- Index to Legal Periodicals (covers journals from 1908 to present)
  - [Westlaw](#) (ILP) (covers journals from 1981 to present)
  - [Lexis](#) (Legal → Secondary Legal → Annotations & Indexes → Index to Legal Periodicals) (covers journals from 1981 to present)
  - Print: Reference, [K 33 I534](#)
- [LegalTrac](#) – Index of articles from over 800 legal periodicals. (Click [here](#) for off-campus access)
  - [Westlaw](#) (LRI) (covers journals from 1980 to present)
  - [Lexis](#) (Legal → Secondary Legal → Annotations & Indexes → Legal Resource Index) (covers journals from 1980 to present)
- [Lexis](#)'s full-text journal database (Legal → Secondary Legal → Law Reviews, CLE, Legal Journals & Periodicals Combined) (covers journals from 1981 to present)
- [Westlaw](#)'s full-text journal and treatise database (TP-ALL) (covers journals from 1981 to present)
- SSRN's [Legal Scholarship Network](#) includes papers that have been accepted but not yet published in journals.

For more information, see [Finding Journal and Law Review Articles](#).

### Books as Part of Literature Review

The place to start is the CharlotteLaw Library [catalog](#) (Charlottelaw.org → Law Library → Library Catalog). A **title search** in the catalog will locate a book *with that exact title*. Use this option only if you are certain of the book's title. For a more flexible search, try **keyword searching**. Once you find a book (or books) you like, you may be able to borrow it from the library. Click [here](#) to view the library circulation policy.

Don't feel you are limited in your research to the books that CharlotteLaw owns. By going to WorldCat (<http://www.worldcat.org>), you can search the combined catalogs of thousands of libraries around the world. Then you can ask the CharlotteLaw Library staff to borrow one or more of these books for you. This is called *interlibrary loan*, or ILL. To place an ILL request, click [here](#).)



## STEP 3: Focused Research

In this step, you will often be consulting specialized materials for your area of law. The library has [research guides](#) that can help you identify many of these materials. Other techniques are:

- Follow citations from your background reading;
- Read relevant legal materials for your issue (e.g., cases, statutes, regulations, agency opinions, legislative history, and/or government reports);
- Consult treatises and other secondary sources on your topic. These will give you a comprehensive discussion of the area of law, which you can use to broaden or narrow your topic as necessary;
- Update the cases you will use for your paper using [KeyCite](#) or [Shepard's](#);
- Look for non-legal materials for your issue (e.g., social sciences, economics, statistical information, biology).

## Additional Resources on Writing Scholarly Papers

- Eugene Volokh, [Writing a Student Article](#), 48 J. of Legal Educ. 247 – One of the best articles on student academic writing.
- Heather Meeker, [Stalking the Golden Topic: A Guide to Locating and Selecting Topics for Legal Research Papers](#), 1996 Utah L. Rev. 917 – Also available on Lexis and Westlaw.
- [Law Review Writing Time](#) – Checklist for writing articles.
- [Finding a Topic for Your Comment, Note, or Law School Paper](#) – Academic writing guide from the University of San Francisco.
- [Writing Research Essays: A Guide for Students of All Nations](#) – Though not specific to law school papers, this excellent guide discusses topic selection, structure, and other steps in the writing process.
- [Wayne Schiess's Legal Writing Blog](#) – Advice on legal research and writing techniques.

## Need Help?

Contact the library reference desk . . .

- In person
- By phone: 704-971-8573
- By e-mail: [libreference@charlottelaw.org](mailto:libreference@charlottelaw.org)
- By AOL Instant Messenger: CSLReference (screen name)