


Selecting and Researching a Note Topic on Race and Law



Beatrice Tice
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What is a law review note?

- # A REALLY BIG PROJECT
- # Be realistic about the amount of time it will take
- # Plan a strategy
- # Stay organized
- # Keep a research log

What is a good note topic?

- # Original
- # Topical
- # Unlikely to be rendered moot in the near future
- # Narrow

How can I figure out what that really means?

- # Browse student notes in recent editions of high-quality law reviews
- # Michigan journals
- # General journals: Harvard, Yale, Stanford, Columbia, etc.
- # Special interest journals devoted to race and law issues: Rutgers, Maryland, Boalt (Berkeley), etc.

How do I start?

- # Ask yourself 2 questions:
 - What am I genuinely, honestly interested in?
 - What are race-related legal topics of current interest that also interest me?
- # Make a list of your answers
- # Combine and/or cut your list to no more than three items

I have my list. Now what?

Topic research

- Educate yourself broadly about subject areas of potential topics
- NOT detailed, substantive research

Goal: Find a thread that is narrow enough to cover thoroughly, topical and interesting, about which you can say something new

How do I do topic research?

- # Using your list, brainstorm relevant keywords and phrases
- # Search various databases and indexes using these keywords and phrases
- # Locate and skim relevant materials
 - May be primary or secondary sources

Which databases and indexes should I use?

To find books:

- Search in library catalogs
 - Lexcalibur, MIRLYN, Mentor
 - Enter your terms as keyword searches, then identify subject headings

To find periodical articles:

- Do NOT search in library catalogs!
- Search in periodical indexes
 - LegalTrac, Index to Legal Periodicals & Books
 - ArticleFirst
 - Wilson Indexes to Journal Articles
 - Grad: Networked Electronic Resources

Which databases and indexes should I use?

Current awareness sources

- Lexis and Westlaw
- "Current Awareness and Legal News Sources"
- "Hieros Gamos"
- "Yahoo! World News"

Other useful sources

- "Civil Rights Project"
- "Race, Racism and American Law Bibliography"
- Etc. ...

So I'm gathering all this info.
What do I do with it?

Discard

Narrow

Twist

You'll know you're through when...

- You can write a one- or two-sentence description of your topic (a thesis statement!)

This sounds like a lot of work.
Is it really a waste of time?

NO!

- You will have a good note topic
- You will have educated yourself about your topic
- You will use this research later
- You will actually save a significant amount of time in the long run

Okay, okay. Once I have my thesis statement, then what?

Check for pre-emption

- Use keywords and phrases from your thesis statement and topic
- Run searches in Lexis, Westlaw, and periodical indexes
- Goal: Locate all articles that touch on your topic
- Read any articles on similar topics
 - YOU WILL PROBABLY ALREADY HAVE SEEN THEM!
 - Determine whether you intend to say something different or new

Follow MJRL's procedures for note topic approval

I'm not written out and my topic was approved! Now what?

- # Begin focused research

- Goal: Gather all primary and secondary sources necessary to support your note

- # Make an exhaustive list of keywords and phrases

- # Secondary sources first

- Books, articles, news sources

- Search in databases and indexes

But I just did that! Do I have to go through it all again?!

Yes, you do

- Research goal is now different
- YOU WILL HAVE SEEN MOST OF THE SOURCES BEFORE!
- This will take a fraction of the time

If you say so... Then what?

- # Read all of your secondary sources carefully, for content
- # "Mine" the footnotes, moving forward and backward
- # Research primary sources
 - Statutes, regulations, treaties, cases
 - Use the citations from your secondary sources

Will I ever be through?

Certainly!

- You'll know you're through when you start seeing the same citations over and over
 - You've come full circle
- ## # At this point, your note should write itself

What if I need help?

- # Come see us in the Library!
- # Reference Desk staffed daily 9am to midnight
- # Librarians available 9am to 8pm M-W, 9am to 6pm Th-F, 10am to 7pm Sun.
- # We are also available by appointment for research consultations
 - btice@umich.edu