Selecting a Topic for Notes and Seminar Papers: 
The Process

1. Identify Possible Topics
   ● What areas of law are you interested in?
   ● What are the hot topics in these areas?
   ● Look for inspiration in news articles, law blogs, social media posts, federal court decisions.
   ● Starter Suggestions:
     Find a SCOTUS decision from 2-3 years ago. How have lower courts interpreted it?
     Identify a circuit split on an issue. Analyze the issue from multiple sides.

2. Conduct Preliminary Research on Your Ideas
   ● Develop basic keywords and phrases to search major databases (Lexis, Hein, etc.)
   ● See what has already been written on similar topics.
   ● Evaluate the potential for a new perspective, approach, or concept.
   ● Ask yourself:
     Is this idea narrow enough to cover thoroughly?
     Do I still find it interesting?
     Can I say something new?

3. Check for Preemption
   ● Make sure that no one else has written a paper that is substantially the same as your proposed paper.
     ○ Are the materials different?
     ○ Are the methods different?
     ○ Are the conclusions different?
   ● But how? Search for articles and book chapters in:
     ○ Proprietary databases (like Westlaw and HeinOnline)
     ○ Library Catalogs (like MLaw and WorldCat)
     ○ Working Papers sites (like SSRN and bePress)
     ○ Legal and non-Legal Sources (think JSTOR and EBSCO)
     ○ The Internet, generally (including blog sites, Google Scholar)
   ● If your topic is preempted, you don’t have to start from scratch.
     Is there anything else to say on the topic?
     Is there another way to analyze the material?

For an in-depth look at selecting, researching, and checking a topic, go to this research guide http://libguides.law.umich.edu/topicselection or scan this code: