



CHOOSING A SUCCESSFUL PAPER TOPIC

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Finding a paper topic can be a challenge. Your topic must interest both you and your audience. Furthermore, it must be manageable and thesis worthy (i.e., the topic allows for a thesis that is original, significant, and timely). Below are three basic steps to finding a topic that fits your interests and needs.

Three Steps to a Successful Paper Topic:

1. Choose a General Subject Area

The first step to picking a paper topic is to find a general subject area. The general subject area should be something in which you are keenly interested because you will likely spend at least several months researching and writing about it. You do not want to find yourself bored with the subject area after just a few days or weeks. Therefore, it is important that the subject be exciting to you.

Think about subject areas that you have found interesting in the past. For example, think about prior writing projects that you have enjoyed and that could provide a useful starting point or be adapted to this new project. If you are in a seminar, you may want to speak with the professor about what ideas she thinks are relevant and timely.

Here are some other helpful sources for finding a general subject area:

- ❖ Draw upon your former experience, such as your undergraduate or graduate concentrations. You may be able to use the knowledge that you already possess to steer you toward an interesting topic.
- ❖ Peruse journals and news databases in areas of interest to you. Journals often include sections on recent developments and new cases that can provide a good starting point for choosing a subject area.
- ❖ Talk with practitioners in your area of interest. They may know even more about recent developments than your professors.

- ❖ Check the online research services. “Hot topics” on Lexis and “Highlights” on Westlaw identify current legal issues.

2. Narrow Your Subject to a Manageable Scope

The second step to picking a paper topic is to narrow your general subject area to a manageable scope. Realistically assess what you can discuss in a 25- or 35-page paper. Ask yourself what aspect of the topic you want to address. Do you want to examine the application of a law or issue in one jurisdiction? Do you want to challenge the current legal definition of a problem or legal term? Do you want to compare one issue to another issue? Can you identify the cause and effect of an issue? Do you want to substantiate or discredit an approach to a problem?

One tactic to narrow the general subject is to think about different types of argument and how you can frame your general subject within a particular type. Below is a chart borrowed from Fajans & Falk demonstrating different types of argument in relation to the rights of unmarried domestic partners in light of a mayoral order:

<u>Topic</u>	<u>Narrowed Subject</u>
Definition	What constitutes a domestic-partner relationship? How is the family being redefined?
Comparison	Compare domestic-partner rights in New York to those in other jurisdictions, to those flowing from other relationships, etc. Compare executive orders with other possible solutions.
Causation	What is the likely effect of the mayor’s order? What prompted it?
Substantiation	Executive orders are a good (bad) approach because... ¹

Also, asking yourself some questions, such as who is affected by this subject, what are the implications, and what are the potential problems, can help to narrow the subject.

3. Pick a Thesis

After your research has enabled you to narrow your general subject to a more specific area, the next step is to find an original, supportable thesis. A tactic for accomplishing this step is to look again at different types of argument, such as precedent, interpretive, normative, and institutional arguments. Please see the Writing Center’s handout, *Developing a Thesis Statement*, for more helpful tips.

The following steps are useful to ensure that your potential thesis is original:

- ❖ Run a preemption check to see if someone has already written about your topic. You can do this by conducting searches on Google, Westlaw, Lexis, and other databases. If you find an article on your topic, it may serve as a helpful source for your research.

¹ Elizabeth Fajans & Mary R. Falk, Scholarly Writing for Law Students, 21 (3d ed. 2005).

However, keep in mind that the existence of a piece on your precise subject may end your publishing opportunities because publication often requires an original topic.

- ❖ Schedule a consultation with a librarian. Once you have a proposed topic, the librarians can help you to conduct a preemption check, design a research strategy, and refine your topic. This usually takes between thirty minutes to one hour. Keep in mind that the librarians request advance notice in order to allow them to do some homework on your topic before the consultation.

Some Final Pointers:

Be flexible in this process. Just because you told your topic to your professor or announced it in class does not mean that you cannot change it. Topics often benefit from some revising, either because you find too little information to support your thesis or because you encounter more information than you can effectively assimilate. Revising and refining your topic over the course of the semester is usually fine (and normal). If your paper is for a seminar, check with your professor to ensure that your new topic fits within the requirements for the class.

If you want to change your paper topic and you only have a few weeks until the paper is due, it would probably be wise to talk with your professor about why you want to change it. She may have ideas for how to transition into the new topic that make the process more efficient.

Also, do not force your paper to satisfy multiple purposes. For example, it would be difficult to use a paper for a class on Law & Literature as your note for the Tax Journal. Sometimes it will work to use a paper for two different purposes, but it may be more trouble than it is worth.

Lastly, develop a method for tracking your research and notes early on in the research and writing process. Organizing your materials from day one will save you potential stress down the road. Consider creating a folder for your research in Westlaw Next's research folders or creating physical folders of printed material. This way, you will be able to find documents quickly and keep track of cited material. You also may want to consider reserving a carrel in the library to have a designated work place to store your materials.

Other Sources:

Elizabeth Fajans & Mary R. Falk, Scholarly Writing for Law Students, 18-37 (3d ed. 2005).
Eugene Volokh, Writing a Student Article, 48 *Journal of Legal Ed.* 2, 247-72 (1998).
Jessica I. Clark & Kristin E. Murray, Scholarly Writing, 15-36 (2010).