GUIDE FOR SUBSTANTIAL AND SUPERVISED ANALYTICAL WRITING (SAW) RESEARCH

Find this Guide online at http://library.law.yale.edu/guide-substantial-and-supervised-analytical-writing-saw-research or email Julie Graves Krishnaswami, Julie.krishnaswami@yale.edu.

This student guide for Substantial and SAW research directs you to library resources, librarians and legal databases for assistance with the following:

- where to go for more research help
- selecting a topic
- performing a preemption check
- research management

This guide is written with the assumption that you have a working knowledge of both Westlaw and Lexis Advance. In most databases, you have the option of using either the Terms & Connectors (Boolean) search method or the Natural Language search method. To arrange for individual or group instruction please contact a law librarian.

For library research, or assistance with legal research in general, you have various options:

1. Describe your research topic: We can assign you a personal librarian based on subject specialty from here: http://library.law.yale.edu/research/appointment-request.
2. Contact the Reference Department: see the Law Library’s website for hours, contact us through email, mailto:reference.law@yale.edu, instant message us from the Law Library’s website.
3. Take a research course. We recommend Advanced Legal Research (ALR), an advanced exploration of the specialized methods and sources of legal research in some of the following areas: administrative law; case finding; computer-assisted research; constitutional law and history; court rules and practice materials; foreign and international law; legislative history; and statutory research. Students use their own research topic to create a pathfinder or complete assignments for this course. Contact Julie Graves Krishnaswami at julie.krishnaswami@yale.edu for more information about ALR. We also offer specialized research courses in foreign and international research, corporate law research, regulatory research, and empirical research methods.

For advice on research management, contact Jason Eiseman at jason.eiseman@yale.edu or Jordan Jefferson at Jordan.a.Jefferson@yale.edu or visit our research management guide at: http://library.law.yale.edu/research-management-and-citation.

SELECTING A TOPIC AND FACULTY MEMBER

FACULTY SAW/ SUBSTANTIAL POLICIES:
Yale Law School Faculty Policies for Supervising SAW/Substantial Writing Projects:
http://studentscholarship.law.yale.edu/

WORK OF FACULTY:
Yale Law School Digital Repository: http://digitalcommons.law.yale.edu/
Yale Law School Faculty: http://www.law.yale.edu/faculty/faculty.htm
Other Institutional Repositories in law: http://lsr.nellco.org/

CURRENT OR EMERGING TRENDS IN LAW
Researching current or emerging trends in the law can help you find an issue or important recent decision that could form the basis of a paper
1. **BNA** – latest news and analysis in various areas of the law:
   [http://library.law.yale.edu/research/guides/resources/bna-online](http://library.law.yale.edu/research/guides/resources/bna-online)
3. Bloomberg Law’s Homepage - latest news and analysis in various areas of the law:
   [http://www.bloomberglaw.com/start](http://www.bloomberglaw.com/start)

### NEWSROOM DATABASES

1. Westlaw Next’s page contains nearly 12,000 newspapers, magazines, journals, newswires, newsletters, and transcripts of television and radio programs. Examples include newspapers such as the New York Times, magazines such as Business Week, and transcripts from programs such as 60 Minutes. You can use these databases to retrieve the latest business information and news. Navigate to the News page from the homepage; News is in the leftmost column.
2. Lexis Advance News & Business tab has the largest news database available - Over 20,000 sources, including TV & radio news transcripts and blogs. From the homepage, click on “All Content Types,” directly under the red bar. Then, select “News” and “Legal News.” Run your search in the search box.
3. Lexis Advance Mealey’s Litigation News Publications: the foremost publisher in litigation news and is widely read by trial and appellate litigators for the most cutting edge cases. To find this source, follow these steps:
   a. Click on Browse Sources;
   b. Enter “mealey” into the search box under Sources and select “OK;”
   c. Find the publication you’d like to search;
   d. Click on it and select, “Add this source to search” and enter your search terms in the red box.
5. For more historic or local newspaper coverage, visit the [Newspaper Archive database](http://library.law.yale.edu/research/legal-databases) or the Law Library’s list.

### CIRCUIT SPLITS – Remember that it is generally recommended to stay away from “circuit split” articles:
Selecting a Topic Involving an Unresolved Issue or Circuit Split

New legal issues and issues causing a split in opinion among the federal circuit courts provide interesting subject matter for papers:

1. BNA United States Law Week for analysis of current and most significant federal and state cases. This and the Supreme Court Weekly discuss unresolved circuit splits. [http://news.bna.com/lwln](http://news.bna.com/lwln)
3. In Westlaw Next, enter Preview of U.S. Supreme Court Cases into the white search box and enter the following search string into the search box: ADV: circuit /5 split.
4. In Lexis Advance, enter circuit /2 split! or disagree! into the main red search box. Then, use the filters on the left and select Federal and narrow the time to the last year.

### PREEMPTION CHECKING
[http://library.law.yale.edu/research/preemption-checking](http://library.law.yale.edu/research/preemption-checking)

Legal Indexes – from the Library databases page at: [http://library.law.yale.edu/research/legal-databases](http://library.law.yale.edu/research/legal-databases)

1. **Current Index to Legal Periodicals**: Weekly editions of the Current Index to Legal Periodicals, which indexes articles from more than 300 legal publications (VPN required for off-campus access).
2. **Index to Legal Periodicals Retrospective**: Index of law review articles and book reviews since 1908.
3. **Legal Source**: Covers law review articles and bar journals since the 1980s (VPN required for off-campus access).
4. **Index to Foreign Legal Periodicals**: Covers journals on foreign and international law (VPN required for off-campus access).

### Working Papers and Pending Articles
To determine whether pending, not-as-yet-published legal scholarship preempts your work on your note topic, look at [SSRN.com](https://ssrn.com), which is reachable from the Law Library’s Legal Databases page. To find law related articles, use the [LSN, the legal scholarship network](http://library.law.yale.edu/research/legal-databases). The LSN homepage provides a link to a list of law and law-related journals and working papers as well abstracts of materials they have accepted for publication but have not yet published.

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Law Professor Blogs:
Law Professor Blogs is a network of blogs designed from the ground-up to assist law professors in their scholarship and teaching. Each site focuses on a particular area of law and combines both (1) regularly-updated permanent resources and links, and (2) daily news and information of interest to law professors.

DEVELOPING YOUR TOPIC
Once you’ve chosen a topic, you can begin the research process. Here are some suggestions for starting points:

AMERICAN LAW REPORTS
American Law Reports (ALR) contains annotations that review and analyze the complete body of state and federal law. The attorneys who write the annotations search relevant sources, collect and analyze the law on the issue, and prepare a detailed discussion of the general principles deduced from their research. Each ALR article is a complete legal memorandum on a particular legal issue. Use the American Law Reports database (ALR) to gather background information, determine the applicable primary law, and find leads to other secondary materials such as forms and practice guides. American Law Reports are available on Lexis Advance and Westlaw.

FOREIGN AND INTERNATIONAL LAW:
1. International Law in Domestic Courts: http://www.oxfordlawreports.com/. An online case reporting service that brings you the most important public international law issues being decided in domestic courts around the world. The most significant cases are identified and thoroughly analyzed. Full text judgments are included, as are authoritative English translations of key passages. Fully searchable database; browse by country, key word, or topic.
3. Index to Foreign Legal Periodicals (IFLP): http://library.law.yale.edu/research/legal-databases
4. EISIL: http://www.eisil.org/. Use this site to easily locate the highest quality primary materials, authoritative web sites and helpful research guides to international law on the Internet.
6. Contact our Foreign and International Law Librarians for more help.

LIBRARY CATALOGS
1. Morris (Law Library): http://morris.law.yale.edu/
2. Quicksearch (Yale University and Law Library): http://web.library.yale.edu/
3. WorldCat (catalog of catalogs): http://worldcat.org

LEGAL HISTORY:
1. Research Guide: http://library.law.yale.edu/historical-research
3. Contact John Nann for more help.

REGULATORY AND EXECUTIVE MATERIALS
1. Federal Register: https://www.federalregister.gov/
2. CFR Parts for Agencies: http://www.ecfr.gov/cgi-bin/text-idx?SID=05c66f15dc8ce2a83677b1dae50f972df&tpl=/agencylist.tpl
4. Agency websites:
   a. The University of Virginia puts out a nice guide here: http://guides.lib.virginia.edu/administrative_decisions
   c. Browse websites by topic: https://www.govinfo.gov/app/browse/category
5. Weekly Compilation of Presidential Documents (includes daily comp)  
6. US Presidency Project: www.presidency.ucsb.edu/
11. Contact Julie Krishnaswami for more information.

STATISTICAL ANALYSIS
1. Statistical Databases: https://library.law.yale.edu/empirical-legal-research-resources.
2. StatLab Software available for use or download: http://statlab.stat.yale.edu/inventory/software/.
3. Statistical datasets: http://statlab.stat.yale.edu/data/
4. Contact Michelle Hudson for more help.

SOURCES OF COMPILED LEGISLATIVE HISTORY
3. Nancy Johnson, Sources of Compiled Legislative Histories on HeinOnline  
4. CIS Annual Legislative Histories on ProQuest Congressional. Also check Congressional Research Service Reports (CRS), which are also available online at ProQuest Congressional. http://web.lexis-nexis.com/congcomp
5. Congressional Quarterly: Legislative news and analysis from Congressional Quarterly, 
   http://library.cqpress.com/.
6. Contact Michael VanderHeijden or Julie Krishnaswami for more help.

SUBJECT COMPILATION OF STATE LAWS
1. Cheryl Rae Nyberg, Subject Compilations of State Laws: An Annotated Bibliography, on HeinOnline.
2. See also 50 state surveys in Westlaw and LexisNexis, as well as the State-by-State Legislative History Guides from our website.

BOOKS ON LAW STUDENT LEGAL SCHOLARSHIP
Academic legal writing: law review articles, student notes, seminar papers, and getting on law review, by Eugene Volokh (2010).


Scholarly writing for law students: seminar papers, law review notes and law review competition papers, by Elizabeth Fajans, Mary R. Falk (2011).