

International, Comparative & Foreign Law Research

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This is an overview of information & research tips about:

- ❶ Finding a Good *Note* Topic
- ❷ Doing a Preemption Check
- ❸ Researching International & Comparative Law / Getting help

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FINDING A GOOD *NOTE* TOPIC:

→ Think about a subject area or country that interests you. Such as . . .

- the war on Iraq
- human rights
- Japan
- Myanmar
- NAFTA Chapter 11
- SCUBA diving

→ Then . . . Try to think of a narrow topic within that area: - Such as . . .

- Forced labor in Myanmar
- Human rights violations resulting from the economic sanctions against Iraq
- The legality of dynamite and cyanide fishing in international waters and in World Heritage Sites.

→ And then ... develop a thesis (an original and supportable proposition) about your subject.

Or . . .

→ Find a problem and propose a solution. - Such as . . .

- Elephants are being needlessly killed because of “overpopulation” in some areas and the illegal trade in ivory.
- The world’s coral reefs are being destroyed.

Or . . . contact an NGO . . .

→ Think about what you're really interested in Figure out if any NGOs work in the area Look in an NGO directory or ask a professor Contact (call or e-mail) the NGO and ask what would be useful to them. It's always more fun to write on a real-world problem, and might even (heaven forbid!) be useful to someone.

Or . . .

- Apply a legal/political theory to a given situation
- Import knowledge from other fields (like science or medicine) into a discussion of a legal problem

Or you might . . .

- Compare the laws of two countries
- Consider how U.S. law may be applied to an international incident. (For example, develop a thesis involving claims brought under the U.S. Alien Tort Claims Act)

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Finding a Topic – Hint #1

It is easy to pick a topic that is too broad
For example: “human rights violations against women”

Finding a Topic – Hint #2

It is hard to pick a topic that is too narrow (Although it is possible to pick a topic that is so narrow that resources are essentially unavailable)

Finding a Topic - Hint #3

Here are several resources that may help you find a good topic:

Links for all of these websites will be posted on library web site available at:

[Library > Library information > Student resources > Journals > HICLR - Hastings International and Comparative Law Research](#)

→ BNA’s *International Trade Reporter* :

- Great for new international business topics
- Available online thru the library subscription database webpage
<http://library.uchastings.edu/library/ref/databases.htm>
- Email Vince (moyerv@uchastings.edu) if you want to receive a weekly e-mail update
- Available in print the library at KF 1975 A5 I5 in the 4th floor Research Alcove (look at the two “Current Reports” volumes)

→ Other Places to Look for a Topic:

- *American Journal Of International Law* – read “Current Developments”
- *ASIL Insights* - <http://www.asil.org/insights.htm>
- *International Legal Materials* - Available lexis / westlaw / print
- Newspapers - lexis / westlaw
- *U.S. Law Week* - Available at library’s subscription database webpage

→ Other Websites with Good Topic Ideas:

- UN - <http://www.un.org>
- State Dept - <http://www.state.gov>
- WTO - <http://www.wto.org>
- Amnesty - <http://www.amnesty.org>
- Human Rights Watch - <http://www.hrw.org>

Finding a Topic - Hint #4

Here are two books that might be helpful when you start thinking about writing your *Note*:

- ***Scholarly Writing for Law Students: Seminar Papers, Law Review Notes, and Law Review Competition Papers***, by Elizabeth Fajans and Mary R. Falk (3rd ed. 2005)
[Location: 5th Stacks / Call # KF250 .F35 2005]

- ***Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review***, by Eugene Volokh (2d ed. 2005)
[Location: Reference Desk & Circulation Desk / Call # KF250 .V6 2005]

They both include information about choosing a topic, writing & editing your paper, and getting your paper published.

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DOING A PREEMPTION CHECK

- You need to check various sources to make sure that an article has not already been researched and published about your selected topic.
- Before you start writing your article, follow the preemption check steps listed on the library's webpage at: <http://www.uchastings.edu/library>

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RESEARCHING INTERNATIONAL & COMPARATIVE LAW

→ How to Start Researching Your Issue:

- Has someone started the research for you (find a book or article or website)
- Then locate the primary sources mentioned
- Is there a research guide published that covers your topic?
- Is there a useful encyclopedia or treatise?
- The web (Google), Lexis, & Westlaw should only be a part of your research strategy
- Go to the HICLR research page at the Library's website

→ Useful Subscription Databases are available at:

<http://library.uchastings.edu/library/ref/databases.htm>

These include:

- E-Journals

Go to: Library Website > Legal Research > E-journals > Full Text Electronic Journals -OR-

http://library.uchastings.edu/library/Legal%20Research/E-journals/e-journals_main.htm

to find full text articles online (mostly pdfs)

- FirstSearch (Use the WorldCat link)
 - Determine if items are available at other libraries
 - Make sure the item is cited correctly
 - Borrow items through inter-library loan from another library

- Hein Online
 - To locate pdf versions of law review articles that are at least 1 year old
 - Also includes archives of Federal Register volumes, English Reports, US Reports, numerous treaty collections & many full-text legal classics.

- Foreign Law Guide
 - A comprehensive index and research guide to current sources of codes and basic legislation in jurisdictions of the world.
 - Good for locating sources of foreign law and for getting background information

- BNA International Trade Reporter
 - As mentioned above, this resource is great for finding and tracking new international business topics
 - Email Vince (moyerv@uchastings.edu) if you want to receive a weekly e-mail update
 - It includes comprehensive, current information on developments affecting the trade and international business policies of the U.S. and major U.S. trading partners. Covers latest news and trends in U.S. trade policy, including regulatory, legislative, and judicial developments, activities of the International Trade Commission, Departments of State, Treasury, and Commerce, World Trade Organization, and European Union. Service includes opinions of the U.S. Court of International Trade, International Trade Administration, and International Trade Commission.

- Search the Hastings Library Catalog at <http://hopac.uchastings.edu>
Check the library catalog to see if Hastings has the item you need and to find other similar items.

- Ask for Help:
 - The Reference Librarians are available to help you plan your research strategy and to help you find the resources that might be useful in researching your Note topic. Either stop by when the reference desk is open, or if you have a more complicated question, e-mail (or call) Vincent Moyer (565-4752), and make an appointment to discuss your research.