The Problem of Being Too Interested: How to Focus and Develop a Topic

What Do You Know?

- Are you starting from a recent/major case, statute, or regulation you heard about?
- Are you starting from a particular problem in the law? A tension between laws, or something not yet well-addressed in the law?
- Are you starting from the perspective of a particular class or group of people who experience problems or challenges getting relief?
- Are you interested in a problem that has been well-studied by researchers and professionals in another discipline, but that has not successfully been addressed by the law?

Write out your answer – including what you know about the case, legislation, problem, etc. Write it out as if you were citing to it in a footnote, with a brief history/explanation of how it came to be, or how it works, or what area of the law it controls.

What Do You Think?

- What do you think about that case/statute/problem? What’s working or not working?
- In the pieces you’ve read so far, what have other researchers or practitioners said about this case/statute/problem, and how does that perspective differ from your reaction?
- Be careful here to distinguish between opinion (which may or may not be based in fact) and researched/documented/demonstrated/supported theory and science.

Write out your summary or statement of the problem, your reactions and instincts and theory or opinion. It’s ok that they’re unsupported now; you’ll identify gaps in your thinking in the next question.

What Do You Still Need to Find Out?

- Considering what you’ve read and what you think, what do you still need to know?
- If you think a statute has been interpreted to the detriment of a certain group of people, what have the courts said about these situations?
- If you have a state law issue where you think certain people are disadvantaged, then what precisely are the blackletter law issues?

Write out a list of research tasks. Your list should be as detailed as “find Illinois statute on judicial waiver for juveniles for murder,” or “find cases that have applied the Lemon standard to situations where schools are running distance-education programs,” or “find applicable articles in Sociology about this.”

What Do You Want to Say?

- Now that you’ve read, and researched, and read some more, and found out what you need to find out (or started that process), what is it that YOU have to contribute to this area?
- You wouldn’t want to say that your contribution is to “explore” or “look at”. Your contribution should be to analyze through a new lens, to propose something new, etc.

Once more, write out your answer to this question -- your action verbs, your statement about the mark you want to make. This is your thesis statement.