Topic Selection & Preemption Checking
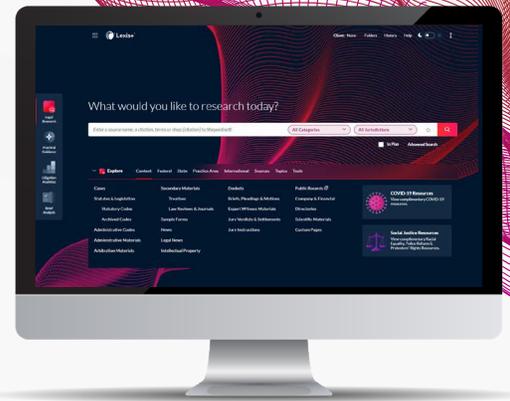
Your note topic must be unique and not preempted by another published note. Lexis+ helps you discover and develop a note topic and ensure it is not preempted. If you want to get your note published, then make sure it is: (1) Current (3) Writable (2) Relevant (4) Interesting to the reader.

Top three tips:

1

USING UNRESOLVED POINTS OF LAW IN CIRCUIT SPLITS TO FIND A NOTE TOPIC

Enter **circuit w/2 split or disagree!** in the search bar and click search. (1) In **cases**, select **Federal** under the **Court filter** (uncheck Supreme Court), select the **Timeline filter**, and restrict to the past two years. (2) In **legal news**, use Sort By to sort Newest to Oldest.

2

USING TOOLS AND RESOURCES IN PRACTICAL GUIDANCE TO FIND A NOTE TOPIC

Select **Practical Guidance** from the Experience Dock. (1) Click **View All** next to **Tools and Resources**. Select **Evolving Guidance**, which gives analysis and coverage of emerging legal developments. Scroll to an area of law and click a link. (2) Click **View All** next to **Tools and Resources**. Select **Trackers**, which monitors statutory, case law and regulatory developments. Select an area of law and click a link.

3

CONDUCTING A PREEMPTION CHECK

1) *Shepard's*® Preemption Check: a preempting article would have to cite a certain case or statute. Shepardize™ the case or statute, click **Other Citing Sources**, then **Law Reviews**. (2) **Term Preemption** Check: craft a terms and connectors search on your topic, select **Secondary Materials**, then **Law Reviews and Journals**.