

Many of the student comments *CLR* publishes are adapted from papers originally written for seminars. By following a few suggestions before and during the writing process, students can greatly simplify the process of adapting these papers for publication as comments.

#### What kinds of student work does Notes & Comments publish?

There is no set formula for crafting a publishable note or comment. *CLR* publishes work on a wide array of legal topics and has chosen to set loose parameters for which topics qualify as sufficiently “legal.” The most successful submissions are those that best showcase the originality and intellect of the author. For recent examples of comments published in *CLR*, see Emily Tredeau’s “Tribal Control in Federal Sentencing” (Oct. 2011, available at <http://www.californialawreview.org/assets/pdfs/99-5/04-Tredeau.pdf>) and Joanne Villanueva’s “The Power of Procedure: The Critical Role of Minority Intervention in the Wake of Ricci v. DeStefano” (Aug. 2011, available at [http://www.californialawreview.org/assets/pdfs/99-4/04\\_Villanueva.pdf](http://www.californialawreview.org/assets/pdfs/99-4/04_Villanueva.pdf)).

#### Some differences between seminar papers and publishable notes or comments:

While many notes or comments published in *CLR* begin as seminar papers, not all seminar papers are readily adaptable for publication. Successful notes and comments may differ from typical seminar papers in their length, depth of analysis, originality, and quality of citation.

- **Length.** While *CLR* has no formal length guidelines for notes or comments, the typical comment is between 40 and 60 pages long, as compared to the 25 to 30 pages generally expected for seminar papers. Notes are often shorter than comments.
- **Depth.** Seminar papers are usually written over the course of one semester. This may place considerable constraints on the depth of analysis a student can achieve. In general, a successful note or comment may require more research and analytical depth than is practically possible in a seminar.
- **Originality.** A key feature of a successful note or comment is its original contribution to scholarship. Notes & Comments seeks to publish pieces that provide new insights into and/or solutions to legal issues, debates, and problems. Not all professors will expect the same degree of originality in seminar papers.
- **Citations.** While Notes & Comments does not expect the citations in submissions to be flawlessly formatted, a successful submission should provide source support whenever necessary. A publishable piece often demands more meticulous attention to citations than would be expected in a seminar paper.

#### Some tips for easing the transition from seminar paper to comment.

Taking a few steps before and during the writing process can greatly ease the transition from seminar paper to publishable note or comment.

- **Choose a topic that interests you.** The entire process, from research to writing to submission, will be easier if you are invested in your topic. Remember that the end goal of the process is to submit your writing for publication, so choose a topic that showcases your individual interests and intellect.
- **Conduct a preemption check.** *CLR* publishes pieces that make original contributions to scholarship. Once you have identified a broad subject area in which you wish to write, you should craft a thesis that has not already been “preempted” by earlier work. A piece is considered preempted when an author has already written a piece with a substantially

similar thesis. Conducting research before settling on a specific thesis will help you to craft a paper that makes original contributions to scholarship. Consult the research librarians for guidance on how to conduct a preemption check.

- **Will your thesis still be relevant when you submit your comment?** Remember that it can take upwards of a year to publish a submitted note or comment once it is accepted for publication, in addition to the time you invest in the writing process before submission. For this reason, it is important to consider whether your thesis will still be relevant two years from now. Is a pending case likely to render your insights moot in the interim? Is there pending legislation affecting your thesis? These considerations, while not always relevant when selecting a topic for a seminar paper, are of great importance when crafting a note or comment.
- **Be attentive to the limits of a seminar.** It may not be feasible to craft a publishable note or comment in one semester. It may make sense to identify elements of your piece that can be most easily added after you finish your paper. For instance, a detailed discussion of existing approaches to a legal issue may constitute an exemplary seminar paper. Such a discussion might also provide a platform for a comment that engages in a detailed critique of these approaches and/or proposes a new solution to the issue.
- **Keep detailed notes and citations.** It may help to develop a system for keeping track of the sources you have read. This can be an indispensable resource as you transition from a paper to a note or comment. A number of citation management tools are available online, including Zotero (available for free download at [www.zotero.org](http://www.zotero.org)).
- **Revise.** Notes and comments benefit greatly from extensive revision. Solicit feedback from your fellow students, your professors, and anyone else whose opinion you value. Considering diverse viewpoints during the revision process may help you to address unforeseen weaknesses in your writing and your argument.