

**PAPER REQUIREMENTS
CONSUMER PROTECTION
Fall 2002**

You may not believe it, but a research paper can be a lot of fun! The most important thing is to pick a topic in which you are truly interested. Don't spoil all the fun by not following the rules. Rules are not fun, but the rules for your papers are easy to follow. This is good practice for being a lawyer. As a lawyer, your failure to follow exactly the precise requirements in regard to timing, format, and content of pleadings, motions, briefs, etc. will often guarantee that you will lose your case. The purpose of this memorandum is to spell out some of those rules and explain what I want your paper to include. Your grade is based on how well you perform on each of the factors discussed below. Those submitting a research paper instead of an exam must follow the requirements set forth in this memorandum. The Syllabus contains additional requirements which must be adhered to. The deadlines for submitting the Outline, first draft, and final paper are listed in a separate document on the course web site. In addition, I have prepared a list of possible paper topics which is also available on the course web site. If you have any questions about any of this, I am eager to answer them.

The paper must be a minimum of 25 typed pages in length, plus footnotes or endnotes. Some students fill the text of the paper with long quotes. These do not count toward the 25 pages. The page count aside, usually the better form is to put the quote in the footnote or endnote rather than the text. You may use either footnotes or endnotes. It's up to you. The citations should be in proper footnote form, according to the Uniform System of Citation. The paper must be double spaced.

The paper should be well-organized, the discussion should follow clearly and logically. You should not repeat matters which relate to something you already thoroughly discussed earlier in the paper; use cross-references to refer the reader back to where you have already discussed that topic. For example, use the citation: see supra text at note 34. The paper should be well-written: clear, precise, use correct spelling and grammar, proper sentence and paragraph structure, etc. I've talked to many judges and law clerks and can tell you that bad writing greatly influences how persuasive they find lawyers' arguments.

Your paper should contain complete and thorough research with appropriate citation to sources used. Research must include reference to (a) primary sources such as case and statutory authority, and (b) secondary materials including but not limited to legislative history materials, law review articles and other works of legal scholarship, and nonlegal materials where appropriate.

I will be looking at whether the paper is comprehensive, the level of complexity with which you can handle issues, the sophistication of your analysis, the support you offer for your contentions, and the

extent to which you are original

You should have an overall premise, thesis or theme.

Your paper should describe the legal and situational problem which is the topic of your paper.

Your paper should contain an analysis of the issues with which you are dealing. In other words, don't just describe the situation (e.g., consumers defrauded by telemarketers), and describe the current law (e.g., statutes, regulations, and cases involving telemarketers). You also must compare and contrast the various statutes and cases, probe the legal reasoning used in the cases, point out flaws, nonsense, holes, etc.

The paper should include your evaluation of the current state of the law. What issues are unresolved, what problems remain for consumers and industry, what are likely future developments, what new laws (if any) are needed?

Adhere carefully to the Honor Code's provisions on plagiarism. The paper should be extensively researched and every source used in writing the paper must be cited. Direct quotes should be reproduced as such, including quotation marks and a citation to the author. If you paraphrase, you still must give a citation. Give citations to statutes, regulations and cases. When in doubt, throw in a citation.

Now go and have fun. Every year students write excellent papers on interesting, timely, and important topics.

Again, if you have any questions, ask me.

Professor Mark Budnitz