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A Guide to the Juridicae Scientiae Doctor (J.S.D.) Degree

2018-2019

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May 2018

About the author of this guide:

This guide was written by Professor Dr. Cesare P.R. Romano (Ph.D., LL.M., D.E.S., Laurea). I am a Professor of Law and W. Joseph Ford Fellow at Loyola Law School, Los Angeles (LLS), and the Academic Supervisor of the J.S.D. Program.

I earned my Doctorate (Ph.D.) in International Law at the Graduate Institute of International Studies, of the University of Geneva (Switzerland). The title of my dissertation was "The Peaceful Settlement of International Environmental Disputes: A Pragmatic Approach." I successfully defended my dissertation before a three-member panel composed of Prof. Lucius Caflisch (my Chair); Prof. Georges Abi Saab; and Prof. Pierre Marie Dupuy. My dissertation was eventually published, verbatim, as Romano, C., The Peaceful Settlement of International Environmental Disputes: A Pragmatic Approach, London, Kluwer, 2000, pp. XLV-395, (ISBN 904-411-9808-3).

I did my undergraduate studies in Italy, at a time when the Italian University system required writing a "master thesis" to obtain the "Laurea" (B.A.). My undergraduate thesis for the B.A. in Political Science (specialization in Public International Law) was entitled the "Compliance Verification System of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons".

Over the years, I wrote another nine books, some single-authored, some with other scholars, and published more than 50 articles and chapters in collective works. I am editor of the book series of Oxford University Press on International Courts and Tribunals and often review manuscripts for a wide range of publishers.

Finally, I am Senior Research Fellow both at Pluricourts, Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order, University of Oslo, Norway, and at iCourts, Center of Excellence for International Courts, University of Copenhagen. Every summer, I teach at the joint Pluricourts-iCourts Summer School in Copenhagen to students from all over the world who are writing their dissertations on international courts and tribunals. I have had the pleasure to be a member of dissertation committees of various universities in several countries.

Acknowledgments:

Although I wrote this guide by relying mostly on my own experience as a doctoral student and, later, as prolific writer, I have freely borrowed from multiple sources and benefitted from the input of many colleagues.

My three main sources are: the very comprehensive Dissertation Guide of Loyola Marymount University, School of Education;[1] the excellent, and, by now, a classic pamphlet by the Italian polymath Umberto Eco on how to write a dissertation;[2] and a series of internal documents of Loyola Law School detailing the organization of our J.S.D. program.

I also benefitted from the advice of several colleagues, at our school and at other institutions. At Loyola Law School, I need to thank my colleagues Jeffery Atik (Ph.D., Universidad Autónoma de

[1] Terese Jiménez, Mary McCullogh and Andrea Clemons, Dissertation Guide, (Loyola Marymount University, School of Education, 2015-2016).
[2] Umberto Eco, How to Write a Thesis (trans from Italian's last edition of Come si fa una tesi di laurea (1977) (2015 MIT).

Madrid , and Ph.D. hon., Lund University), Lee Petherbridge (Ph.D., Baylor College of Medicine), Carlos Berdejó (Ph.D., Harvard), and Laura Cadra (Head of Reference/Foreign and International Law Librarian at LLS William M. Rains Library) for taking the time to read an early draft and suggest corrections; Aaron Ghirardelli for input and encouragement; Sean Scott for guidance and support. Outside our school, I am indebted to Ernest Rose (Ph.D.), Professor and Director, Doctoral Program in Educational Leadership for Social Justice Educational Support Services, and Jill Bickett (Ed.D.), Associate Director, Doctoral Program in Educational Leadership for Social Justice, and Dr. Dave Baiocchi (Ph.D. and M.S. in optical sciences, University of Arizona; B.S. in physics, DePaul University), at the Frederick S. Pardee RAND Graduate School, for the time they took to walk me through doctoral processes and options. Finally, a big thank you goes to my colleagues and students at the 2016 Summer School at iCourts, Center of Excellence for International Courts, University of Copenhagen.

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I) INTRODUCTION

Dear student, if you are reading this guide it is because you are enrolled, or are considering enrolling, in the J.S.D. program (*Juridicae Scientiae Doctor*) of Loyola Law School, Los Angeles (LLS).

The purpose of this guide is to assist you in realizing your goal of earning a J.S.D. and contributing to the advancement of legal scholarship in your chosen field. It aims to demystify the process, to arm you against overgeneralizations and rigid advice, and to debunk many misconceptions. It has been written with the purpose to hold our school's doctoral students to a single, high standard, and with a spirit of empathy and genuine commitment to your progress.

What Is a J.S.D.?

The *Juridicae Scientiae Doctor*, or, in English, the Doctor of Juridical Science, is a post-graduate, advanced degree in law, equivalent to the more common Ph.D. (*Philosophiae Doctor*). Sometimes, the degree is also referred to as *Scientiae Juridicae Doctor* (S.J.D.), or the Doctor of the Science of Law. At our school, we refer to the doctoral degree as J.S.D., not S.J.D.

Although the requirements to earn a doctoral degree vary from country to country and from school to school, typically, earning a doctorate is a two-stage process. First, the candidate is required to take, over a certain amount of years, a minimum number of courses. Second, the candidate is required to write a dissertation under the supervision of a chosen member of the faculty (i.e., the Chair, who will eventually become the Dissertation Chair) at the school where the degree is to be obtained.

The J.S.D. is the highest degree that our school bestows and a significant accomplishment of which one should be very proud.

What Is a Dissertation?

A "dissertation" is a document submitted in support of the candidature for an academic degree. Typically, it is a typewritten manuscript in which the degree candidate addresses a particular problem in a chosen field. A dissertation can also be referred to as a "thesis" or a "master thesis."

A "doctoral dissertation," like the one you are required to write to earn the J.S.D., is an original piece of research and writing, independently researched and written, that demonstrates the candidate's scholarly capacity of furthering the discipline.

According to the J.S.D. Handbook, to be awarded the J.S.D. degree, all candidates must research, outline, draft, finalize, and successfully orally defend a dissertation. Your dissertation can be either:

- A single work, of a minimum of approximately 75,000 words and no more than 100,000 words, all included, of publishable quality; or
- Three related law review articles of approximately 25,000 words each, of publishable quality. The three articles must be logically connected and be part of a coherent overall scholarly agenda.

What Are the Dissertation and the Degree For?

The dissertation is a means to an end, not the end itself. Few would undertake such a challenging enterprise just for the fun of it. A J.S.D. is usually sought by those interested in becoming legal scholars. If no one other than your Chair and the members of the committee before which you will defend it reads it, it will have been too much work for little reward. This is your opportunity to make a significant and original scholarly contribution in the field of law, and every doctoral candidate is strongly encouraged to write their dissertation with the ultimate goal of having it published, ideally by a publisher of repute. The degree certifies competence in legal research and academic writing, and most program graduates subsequently pursue academic careers. It can be a launch pad for a successful career in academia or as a public intellectual.

Even if one decides to change fields or practice law instead of teaching it, the exercise of writing a dissertation is useful in many ways. You will learn how to tackle a complex problem methodically. You will learn how to identify a problem; how to research it and collect documents; how to organize your documents; how to review your initial questions in light of what you found; and how to write and express yourself clearly and eloquently. In short, it gives you the opportunity to refine and deepen your ability to think and write!

Completing your dissertation also builds character. It demands self-discipline, patience, and self-reliance. You will work as hard as you ever will in your life. In many ways, it is a rite of passage. Once you successfully complete the journey, you will look upon your accomplishment with great pride and you will belong to an elite group of legal scholars.

Still, keep in mind that writing a dissertation is an entirely voluntary undertaking. A doctorate is not an entitlement – while admission to the program is itself an impressive step, it is not sufficient. Indeed, it is no secret that many students have attempted doctoral programs without completing them. We are committed to supporting you in this endeavor and to giving you the resources, guidance, and other tools you need to succeed. That said, you are the only one who can control how hard you are willing to work, how disciplined you will be throughout the program, the depth and intensity of focus you will bring to your research and writing, and your level of engagement with JSD faculty and peers beyond the program requirements. You possess the most important tools necessary for your success.

II) THE DOCTORAL PROGRAM: AN OVERVIEW

In short, to obtain a J.S.D. degree at our school you must:

- Complete two years in residence. During these two years, you must take a series of courses.
- Meet a series of coursework and research milestones, described further down in this Guide.
- Write a dissertation under the guidance of a selected member of the faculty, called the Chair. Your dissertation can be either a single monograph or a set of three related law review articles.
- Finally, you must successfully defend orally your dissertation before a Committee.

How to Pick Your Chair and Committee

Picking the right Chair and topic is crucial. When you apply to be admitted to our doctoral program, you are asked to submit with your application a rough description of the topic that you intend to write

your dissertation on, or at least indicate the field of your work, and suggest members of the faculty who you think could supervise your work. (You must pick a full-time member of the faculty. Adjunct professors cannot supervise dissertations.) This faculty member is called the Chair and, once a committee of three professors before which you will defend your dissertation has been formed, she or he will serve as Chair of the Dissertation Committee, hence the professor's title.

1) How Do You Pick Your Chair?

To a large extent, your Chair is determined by your choice of field of work, and vice-versa. We will come back to this in more detail later. For now the recommendation is: be smart and strategic in picking your professor.

First, research our faculty. Who are they? What interests them? If you have the chance, try to talk to them, and talk to other students, too. What reputation do they have as Chairs? Are they likely to give you the time you need? Are they going to review your dissertation on time? Will they be fair? Will they be useful? Are there aspects of their personality that you may find challenging in light of your personality? Also, know thyself. Are you someone who needs a short leash or a long one? Do you need someone who holds you accountable for meeting deadlines? Can your professor give you what you need?

A good Chair is supportive of you and interested in seeing you succeed. But avoid choosing someone simply because the person is likeable. Remember that you can also seek guidance from the JSD Academic Supervisor.

Of course, select a member of the faculty who has strong substantive or methodological expertise in your chosen field. If you do not find anyone who fits your chosen topic, you are strongly advised to reconsider the topic. "Wahhabism and Telecommunications Regulation" is not a good thesis topic - not because there is anything wrong with Wahhabism and telecommunications regulation per se, but because LLS does not currently have an Islamic law legal scholar in residence. If you anticipate doing empirical research that depends significantly on original, quantitative analysis, you will want to seek guidance from a faculty member knowledgeable about quantitative methods of research.

Lastly, do not worry. We all make mistakes. You might have picked the wrong member of the faculty, one who does not fit your needs. If that happens, after the first semester but not later than the end of the first year, the Chair may be able to be replaced with a different faculty member. But before you attempt to change the Chair, you should make sure there is a suitable alternative – remember all of the advice above about finding an appropriate faculty Chair. You should also seek the advice of the Academic Program Supervisor. If you decided to try to change, you should speak with your Chair and make sure she understands the reasons you want to change advisers. Then, the J.S.D. Program Director and Academic Supervisor will try to help you find a replacement. Keep in mind, however, that your continuation in the program depends on your finding a suitable replacement.

Alternately, the member of the faculty might realize she is not the right fit for you or on your topic. Just as you can ask that your Chair be replaced, your Chair can resign if she loses faith in your ability to successfully complete the program. If a replacement cannot be found, this would jeopardize your ability to successfully complete the program. This is why it is essential for you to stay in regular contact

and with your Chair and the Academic Supervisor as you progress through the program, to take seriously any feedback or critique you receive from your chair, and to meet all program deadlines.

2) Talk to Your Chair!

To avoid these problems, you are strongly advised to check in with your Chair throughout your doctoral program. Consult regularly with her. The Chair must always be aware of the approach, themes, and direction of the dissertation. You are also encouraged to consult with other members of the Dissertation Committee as you prepare the early drafts of your dissertation, but keep the Chair apprised of all comments and suggestions you receive from other members of the Committee.

If you want to write a good dissertation, you must discuss your work incrementally with your Chair, at least within reason. Writing a thesis is like writing a book. Working incrementally with the professor is a communication exercise that assumes the existence of an audience, and your Chair is the most important audience available to you during the course of your work. If you fail to meet deadlines or complete your work hastily, you are depriving your Chair of the time and material necessary to provide you with thoughtful and useful guidance. This also significantly increases the risk that your Chair may be dissatisfied with the results, in which case you would not be allowed to defend it. Remember, you must demonstrate your ability and qualification to advance through each stage of the dissertation process. Each benchmark is an important measure of your progress and the Chair (and the dissertation committee where applicable) takes these assessments seriously. Program advancement should not be taken for granted.

3) How Do You Pick Your Dissertation Committee?

All that has been said about picking your Chair also applies to the Dissertation Committee. Try to get a good mix of competencies and skills as well as different methodological approaches and interests. It will make the final product so much more interesting. Make sure the three professors know how to work together. Follow the advice of your Chair. She will tell you with whom she is willing to work.

In sum, cultivate your professors, the entire panel, and, in particular, your Chair. Get to know them both as jurists and as human beings. These people invest a lot of time in you and you should see them as an essential resource for advising and mentoring. They are your Yodas. The bonds that form between you and the professors who supervise your work often lasts a lifetime and will be the key to your future career.

How Do You Pick the Topic?

Students applying for admission to the LLS J.S.D. program are required to provide a tentative description of their dissertation topic. This gives the school useful information about whether there is, among our faculty, a professor who is knowledgeable about your chosen field. Still, you are advised to use this proposal only as a starting point.

Your topic should not be pinned down until the end of the first year. It is very likely that your final work will be on a rather different subject, and perhaps in a different field, than the one you originally imagined. Approach the program with an open mind and heart. Allow your Chair to guide you.

That being said, these are some pointers to help you pick a topic:

i) The topic should reflect your studies and experience. It should relate to what you have already studied and/or the areas you are currently studying. For many students, their choice of topic also reflects interests informed by their own political, social, religious and other life experiences.

ii) The necessary data and sources should be accessible. It is your responsibility to ensure that the information you need is nearby and accessible, and that you have permission to access them. You can work with our librarians to assist you with this.

iii) The data and sources should be manageable. You should have the ability, experience, and background knowledge to understand the sources.

iv) You should have at least some experience with the methodological framework that you will use for your thesis. The required course on Research Methodology should help you assess this – consider reaching out to the instructors of that course to get their input on your topic ideas and research plans.

v) While it is important for you to be proactive in choosing a topic, it is also essential that you be flexible about your topic in the beginning. Your chair can be instrumental in helping you to focus your topic and can provide important feedback that you should consider in designing your research plan. If you cling too rigidly to your early ideas or plan – that is, if you are not flexible or open to guidance - it may be difficult for you to find a suitable chair and you may end up going down a path that proves unworkable and delays your progress. The relationship between choosing a Chair and a topic is a dynamic one, and the Academic Supervisor can be a resource for you as you try to navigate these decisions.

vi) Think about what you want to do with your J.S.D. degree. If you want to pursue a career as a law professor, the topic may not matter as much as the craftsmanship of your dissertation – for example, it will be essential for you to publish your work, and the choice of three law review articles as opposed to a single monograph may be more useful to you once you enter the teaching market. If instead you want to pursue a leadership position in the area of legal policy or practice, this is your chance to become a recognized expert in the chosen field so the specific area of law you explore in your dissertation becomes more important.

vii) Are you planning to publish your dissertation? Does the topic have a market? If you are going to write three articles, where do you think you will publish them? Do those journals have particular preferences? These are important questions to investigate early in the process.

viii) Enjoy the topic you will work on. You will spend a lot of time working on it so you'd better enjoy it. At the same time, be aware that you are not a hermit. You want people in the academy to be interested in this topic and you will be spend a lot of time presenting your research. Pick a topic that is timely and important - and is likely to have an audience.

In sum, you can only write a dissertation if you have the resources, ability, and interest in actually writing it. This idea may seem obvious but many students have been wrecked on those shoals.

1) Broad or Narrow?

When it comes to dissertations, avoid picking too broad a topic. Focusing on a single topic is better than a survey of a field of study (i.e., the study of a whole discipline or branch). The most common

error ill-advised doctoral students commit is picking a topic that is too broad. For example, a student's first impulse may be to write a dissertation on "Justice." If told to narrow the scope by a wise Chair, the student might pick "Justice in America: From Desegregation to Today"." Though a bit more focused, the topic is still impossibly vast. A dissertation like this is dangerous. It is an impossible challenge for a young scholar. The student will either end up being pedantic or superficial - inevitably incurring unforgivable omissions.

For example, a survey of "Justice in America," even if only over the past 30 years, is vulnerable to all kinds of criticism and attacks. It is likely that readers of this work, including the dissertation committee, will immediately be drawn to all of the important aspects of "Justice" that were either neglected or underdeveloped. However, if the student selects a narrower topic, one that she ends up mastering completely, likely based on materials previously unknown to the Committee members, she has a much better chance of standing out as the "expert' on that topic in front of the Committee.

As another example, take a student's interest in writing on an international human rights topic. A dissertation on "international human rights" is way too broad. Although a bit narrower, a dissertation on "civil and political rights in international human rights law" or on "The right not to be subjected to torture and other inhuman, cruel and degrading treatment under international law" is still too broad. Specificity is critical in identifying a manageable topic. A dissertation on "how international courts and tribunals interpretation and application of the prohibition of torture" is coming a bit closer because it is more focused, but is on the edge of being unfeasible because of the diversity of cases or circumstances that one may have to tackle. However, a dissertation focused specifically on the Inter-American Court of Human Rights' approach to the prohibition against torture, which perhaps analyzes an evolution in the court's approach since its inception (1986), is certainly ambitious but perfectly feasible. In fact, it is acceptable to narrow your focus even further to write on the interpretation of the prohibition against torture seen through the lens of, say, the *Vargas Areco v. Paraguay* case, but then you must be sure that there is enough meaning in that case that makes your dissertation relevant and interesting to the broader conversation about legal prohibitions of torture, and you must make sure that your dissertation says everything there is to possibly say about that case.

In sum, the more you narrow your field of research, the better and more safely you will work. It is better for your dissertation to resemble the kind of focus found in an essay than the kind of breadth one finds in a legal treatise, complete history or an encyclopedia.

Often a student chooses a topic based on her own interests, but at other times a student wishes to work with a particular professor who suggests a topic to the student. As I said, the relationship between choosing a chair and a topic is dynamic, but your chair is an essential resource in choosing/refining your topic.

Professors tend to follow one of two different criteria when suggesting a topic. The professor may recommend a familiar topic on which she can easily advise the student, or the professor may recommend a topic that is related to her area of expertise, but is a topic on which she may be less familiar and wants to know more. In the latter case, the faculty member may already have her own active research on the topic and is indirectly enlisting the candidate in the research effort. When the professor chooses this path, it is because she trusts the candidate, and this can lead to a fulfilling and exciting partnership in which the professor and JSD student are embarking on new research and expanding their horizons together.

If the professor is already an expert on your topic, she might be working with other doctoral students and researchers on a larger project, over several years. This can lead to a fulfilling partnership as well, as the professor may be enlisting you as a de facto member of a team in which you can find even greater support throughout the program. This approach is not only legitimate but also scholarly useful, as each dissertation contributes to a larger project that is itself more important than each dissertation or sub-project. If you do good work, you can hope to see the results reflected in a larger collective work.

2) Be Normative, Original, Scientific and Useful

We have already made clear that the dissertation should not be too broad or a survey of some expansive area of law. Relatedly, a dissertation should also not be merely descriptive – whether of a broad or narrow area of law. Describing, accurately, the state of the law or how it applies in a particular circumstance is just the first step. But, you cannot only describe *how things are;* you must venture into *how things ought to be*.

In law, the term "normative" is used to describe the way something ought to be done according to a value position. For example, from one normative value position, the purpose of the criminal process may be to repress crime. From another value position the purpose of the criminal justice system could be to protect individuals from the moral harm of wrongful conviction. As long as you make clear what your values are, you are free to develop any normative arguments you want.

Your dissertation must be original. It must say things that have not yet been said on your chosen topic. You can also challenge existing positions or present a different perspective on arguments or assumptions that have been made – the key is that you must show how your particular perspective is new and original.

Notwithstanding the discussion above, ultimately, the dissertation must be scientific. What does "scientific" mean? It means writing a dissertation that deals with a specific, defined object that others can identify. Your research must also be verifiable, that is to say, it provides elements required to verify or disprove the thesis and hypothesis presented. It must provide the foundation for future research.

Finally, your research must be useful to others. A serious scholar wants to impact humanity and move it forward.

3) Is It Necessary to Know a Foreign Language?

Most doctoral candidates at our school do not have English as their mother tongue, but one must be fluent in speaking and writing English to successfully write and defend a doctoral dissertation. I was not born speaking the language of Shakespeare and Hemingway; I had to learn English the hard way. To a certain extent, writing my dissertation helped increase my proficiency. Still, you must already have high level of English proficiency before you start.

Do you need any other languages? To keep it simple, my advice is:

- Do not choose a topic that requires having foreign language skills that you do not currently possess, or that you are not willing or able to acquire.

- Do not write a dissertation on foreign legal systems if you cannot read the foreign laws in their original language or if reliable translations of the materials do not exist.
- Do not write a dissertation on a topic on which the most important secondary sources are in a language you do not know.
- In sum, if you want to study a foreign legal system or compare American to foreign legal systems, make sure you can read and correctly understand the materials of that legal system.

Also, it is not just a matter of primary sources (legislation). It is also a matter of secondary sources (literature). Although English is the modern lingua franca, a lot of scholars have said intelligent things on the topic of your work in languages other than English. Dissertations that draw only on English literature tend to be of inferior quality to those that draw on a broader spectrum of languages. In some cases, another (sometimes third) language is a must.

For those students who are fluent in at least another language beside English, you may be considering pursuing a topic in which a significant number of the required resources are available only in that other language. If so, then you need to make sure that the members of the faculty supervising you have, at least, a grasp of that literature as well.

III) TIMELINE AND MILESTONES

J.S.D. students at LLS must complete their doctoral studies in no less than three and no more than five years. Three years is the minimum amount of time the school believes you need to invest in writing a decent dissertation. It is not uncommon, however, for diligent students to take four or five years to complete the dissertation; but do not make the mistake of planning your work over the whole five year span. If something goes wrong, you might not have time to fix it before time is up.

In this section, we discuss timelines and milestones you need to reach to complete your degree. Keep in mind that all deadlines are "no later than." This means you can satisfy them earlier (as long as the sequencing remains the same). You are encouraged to finish the program way before you reach the five-year limit. Don't waste time. Delays pile up and make it less likely that you will be able to complete all of the program requirements before the deadline, which means you will not earn a JSD. As soon as you have pinned down the topic, it is time to focus and intensify your researching, reading and writing! Do not wait until you start classes. The timeline of the program is very tight, and the amount of reading and research a doctoral dissertation requires is very large.

<u>Research Units & Progress Reports</u>

Remember that each term (Spring, Summer and Fall), students are expected to earn two units of credit for their research-related work (six units a year). To earn these units, students must submit a progress report to their Dissertation Chair at the end of the summer term (August 1st), the end of the fall term (December 1st), and the end of the spring term (May 1st), describing in detail the progress they have made toward their research goals. Credit for research-related work is awarded on a pass/fail basis. A student scoring two consecutive fails will be terminated from the program. A student scoring three or more fails in total during his or her enrollment in the program will also be terminated from the program.

The Timeline

You will find a table summarizing the Program timeline and the required milestones in Annex A. Let me give you here a narrative overview of the progression of your program.

1) First Year

Much of your first year is set. You have little leeway. Just follow directions and keep your mind open. The J.S.D. core curriculum classes are described in Annex B.

Classes

During the first year of residency, J.S.D. students must complete a maximum of 12 units of coursework. The following is the mandatory, first year, core curriculum for J.S.D. students.

FALL	**SPRING**
J.S.D. Colloquium I (year-long) (4 units, total)	
Biological Foundations of the Law seminar, Part I (2 units). If it is not available, another seminar approved by the Academic Supervisor.	*One elective class (maximum 3 units)*
Doctoral Research Methodology course (3 units, total)	

The choice of the elective class for the spring of the first year will be made after consulting with the Chair and Academic Supervisor. You can take classes/seminars that are offered at the law school or in other programs within LMU, with approval. Taking seminars is strongly recommended. They give you a chance to write and present your work, essential skills you need to hone. On average, about 11 seminars are offered each spring at LLS alone. These courses tend to be more theory-oriented and provide ample opportunity to hone the kind of writing and analytical skills that translate well for scholarly writing. The law school also offers many other elective courses that allow you delve more deeply into a particular legal topic, though these tend to be more doctrine or practice-oriented. Taking classes/seminars taught by your Chair, and, possibly, Committee members, is also a good idea. You will learn how they think and what their pet peeves are.

Research Reading List/Bibliography

By the beginning of classes of the Spring term, in January, all first-year doctoral students must turn in to their Chair a bibliography/reading list that is designed to ensure students get a solid foundation in the legal theories and concepts relevant to their field of research. This list will also be used to facilitate first year students' participation in the J.S.D. Colloquium; they will be required to choose one or two articles from their reading list for discussion in the J.S.D. Colloquium. This list must be approved by the Chair.

2) Second Year

Classes

During your second year, your focus starts switching from classes to research. During your second year, you are required to attend the J.S.D. Colloquium II, which earns you 4 units and it is year-long. A description of the J.S.D. Colloquium II, and what makes it different from the Colloquium you took during the first year, is contained in Annex B. You may also choose to take up to 6 units of electives over the course of the year, if your Chair deems it necessary.

Remember: Should you fail to complete all required coursework by the end of the second year, you will be required to remain in residence for up to two additional semesters to complete the required coursework or equivalent coursework as deemed suitable by the Academic Supervisor and the Chair. Absent prior approval from the Academic Supervisor, failing to complete all required coursework by the end of the third year, results in you being withdrawn from the program. The Academic Supervisor may approve a limited extension to complete coursework only under extraordinary or compelling circumstances.

Draft Prospectus.

Before the beginning of classes of the second year, in mid-August, you are asked to turn in to the Chair and the Academic Supervisor a draft Prospectus. A "Prospectus" is a maximum 10,000 word long document that lays out the justification for the dissertation research, identifies relevant theoretical, epistemological, and methodological issues, reviews the relevant literature, and provides a detailed research design that includes a timetable for the completion of the work. You can find some samples of prospecti in the J.S.D. Program folder in Box.

Identify Dissertation Committee Members.

By May 30 of the second year, you must have chosen the members of your Dissertation Committee. Your Chair will help you do that. The Chair must ultimately approve of the composition of the Dissertation Committee and serve as its Chair, hence the name. The Dissertation Committee comprises three professors, including the Chair. The other two members of the Committee will be typically be chosen from the full-time research faculty. If the topic chosen for the dissertation so requires, the Academic Supervisor may approve an LLS clinical faculty member, a LLS adjunct faculty member, or a research faculty member from LMU or any other school or university to serve as a member of the dissertation committee.

Revised Prospectus.

By May 30 of the second year, you must have turned in to the Chair and the Supervisor a revised Prospectus. The Supervisor and the Committee Chair consult to determine whether you may move forward with the defense of the Prospectus. If the Chair and the Supervisor determine that, given the Prospectus, you are not likely to be able to complete the program requirements, the Chair can resign and you will be withdrawn from the program. Or, if the Supervisor and the Chair conclude the Prospectus is not ready to be defended yet but can be fixed, you will be asked to revise and resubmit it. This can be done only once.

3) Third Year and Beyond

After the second year and completion of residency, you are expected to dedicate yourself completely to writing the dissertation. You are no longer required to take classes and participate in seminars. You are also not required to be full-time students, unless you are residing in the U.S. on a student visa requiring that.

Assuming the required coursework of the residency and the first and second year research-related milestones have been completed, and unless otherwise authorized by the Supervisor, you must clear the following additional milestones to graduate:

Final Prospectus.

No later than mid-August of the third year, you turn in to the Chair and the Supervisor the final Prospectus. The Supervisor and the Committee Chair consult to determine whether you may advance to candidacy. If they agree, you are cleared to proceed to the Prospectus Defense.

Prospectus Oral Defense.

Each year there are two sessions during which the prospectus can be orally defended: March and October. You must defend orally the Prospectus in front of the Academic Supervisor and the Dissertation Committee no later than October 31st of the third year.

The Academic Supervisor (truly yours) is the chair of the Prospectus defense.[3] The other examiners include the members of the Dissertation Committee. The Chair will attend the defense but will not vote.[4] The prospectus defense is open to all members of the academic community and you are free to invite guests.

The Prospectus defense and evaluation takes approximately two hours. The format of the defense is the following.

You are given 15 minutes to present a brief summary of the Prospectus. You should construct the presentation based on the knowledge that the committee has already read the Prospectus, so don't repeat it.

Each member of the examination committee is given 15 minutes to question you about the proposed research (other committee members may ask a question during another member's time if its purpose is to clarify a response or specifically relevant to the issue at hand).

[3] If the Academic Supervisor is the Chair, the role of Academic Supervisor for the purpose of the defense of the prospectus and dissertation will be taken by another full-time LLS professor holding a Ph.D. or equivalent degree.
[4] Idem.

Then, you and the audience will be asked to leave the room while the members of the examination committee discuss your defense. Within 30 minutes, if discussion is simple, you will be asked to return to the room so that the Academic Supervisor can inform you of the outcome of the defense.

The Committee, including the Academic Supervisor and without the Chair,[5] decide by consensus whether you received a:

- Pass – You may go forward with the proposed research, and now you have the much coveted title of "J.S.D. Candidate"! Keep in mind that, after a successful defense, you are expected to update your dissertation design as the project evolves. Under most circumstances, you should simply keep the Committee informed of these developments.
- Provisional Pass – You are given specific areas of the prospectus that must be addressed before the research can proceed. The examining committee will also determine by whom the revisions must be approved in order for the results of the defense to be changed to Pass.
- Fail – You are informed of the specific deficiencies of the prospectus that must be addressed in a future draft. If you fail the prospectus defense, you must, in consultation with the Chair and the Academic Supervisor, prepare a new prospectus and successfully complete the prospectus defense procedures within six months.

Keep in mind that the Chair has the discretion to ask for a new prospectus at any time if the research question, method or subject matter of the dissertation change so substantially that it is a fundamentally different research project from that which was defended. However, you are not required to defend the new prospectus in such instances. The Committee has the responsibility to ensure that the content, scope and method of the new proposal are appropriate for a J.S.D. dissertation.

At this point, congratulations would be in order because you would have cleared the first major hurdle between you and the degree you covet. Depending on which option you selected (three-articles or one single monograph), the next steps are:

Submission of Substantial Research Paper.

No later than December 1st of the third year, you must…

If the J.S.D. Candidate elected the three-article option….	If the J.S.D. Candidate elected the single monograph option…
The Candidate must have completed a research paper that is indicative of the overall research project, and is equivalent to one of the law review articles required for graduation.	The Candidate must complete a Doctoral Essay (in French: mémoire de thèse; in Spanish and Italian: tesina), of approximately 25,000 words.

Another step…

No later than April 30th of the third year, you must…

[5] Idem.

Three-article option	Single monograph option
The first article is completed and has been submitted or accepted for publication in a law review acceptable by both the J.S.D. Candidate and the Chair; and a draft of the second article is given to the Chair and Supervisor.	A substantial draft of the dissertation must be submitted to the Chair and the Supervisor.

Keep going…

Then, no later than April 30th of the fourth year, you must…

Three-article option	Single monograph option
The second article is completed and has been submitted or accepted for publication in a law review acceptable by both the J.S.D. Candidate and the Chair; and a draft of the third article is given to the Chair and Supervisor.	The Candidate must submit a more developed draft of the dissertation, demonstrating continued progress toward completion and making improvements based on feedback from the Chair.

Almost there…

No later than April 30th of the fifth year, you must…

Three-article option	Single monograph option
The third article is completed and has been submitted or accepted for publication in a law review acceptable by both the J.S.D. Candidate and the Chair.	The Candidate must submit the final draft of the dissertation to the chair and the full dissertation committee.

Oral Defense of the Dissertation.

Finally, each year there are two sessions during which the dissertation can be orally defended: March and October. You must defend orally the dissertation in front of the Academic Supervisor and the Dissertation Committee no later than August 15th of the fifth year.

You must announce his or her intent to graduate by notifying the J.S.D. Director and the Supervisor three months before the chosen session. One month before the dissertation defense, you must turn in to the Director and Supervisor:

Three-article option	Single monograph option
All three articles and all materials presented at the defense, as a PDF file. Letters of acceptance of publication for each article will be included.	The complete dissertation and all materials to be presented at the defense as a PDF file.

You defend the dissertation in front of the Committee, including the Academic Supervisor, if she/he is not already your Chair.[6] The defense session is open to full-time faculty members of Loyola Law School and Loyola Marymount University, who may also ask questions.

The dissertation defense and evaluation takes approximately two hours. The format of the dissertation defense is the following.

You have 30 minutes to present your project. Keep in mind that everyone, by now, has read your dissertation, so, do not repeat it.

Members of the academic community in attendance have fifteen minutes to ask you questions, if they want.

Each member of the Committee is given 20 minutes to question you about the research (other committee members may ask a question during another member's time if its purpose is to clarify a response or specifically relevant to the issue at hand).

Then, you and the audience are asked to leave the room while the members of the Committee discuss the merits of the defense. A consensus decision determines the result of the defense, which means that if even one member of the Committee objects, the defense has failed.

Upon completion of the discussion, you are asked to return to the room so that the Chair can inform you of the outcome of the defense.

The possible outcomes for the defense are:

- Pass – The Law School will only award the J.S.D. degree if the Committee decides so by consensus. Congratulations!
- Fail – You are informed of the specific deficiencies of the defense by the Supervisor. If you fail the defense, you can try only a second time in the same month of the following calendar year.

After a successful defense, you must print and bind three copies of your dissertation or three articles, bundled in a single volume: one will be given to the Chair; one to the Supervisor; and one to school's library.[7]

In the case of single monograph dissertations, should the Committee suggest any changes to the dissertation prior to attempting publication, you will have six months to make these changes. Publication will not be sought unless all changes have been made. Once these are complete, with the assistance of the Chair and Supervisor, you will contact academic publishers and/or law reviews about publishing your work.

[6] Idem.
[7] If the Supervisor is your Chair, only two copies are necessary.

IV) DISSERTATION: AN OVERVIEW

Overview and Key Rules

Because writing a dissertation is often the first significant long-term research project a student has attempted, and is often completed in addition to full-time professional and personal obligations, this section aims to clarify the steps in the process of conceptualizing, writing, and completing a dissertation, whether that be a single monograph or a set of law review articles.

How does one write a dissertation? A dissertation, whether that be a book or a law review article, is a scholarly endeavor with certain scholarly conventions and principles expected by legal journals and the academy. That said, there is some flexibility in how you develop and present your dissertation. There are a number of acceptable ways in which you can reach the goal as explained further by this guide. When in doubt, your Dissertation Chair will guide you through the process and help you pick the best method to achieve your goal.

As previously indicated, a doctoral dissertation is: (a) an original piece of research and writing; (b) independently researched and written; (c) that demonstrates the candidate's scholarly capacity of furthering the discipline.

(a) *It is an original piece of research and writing*: A dissertation that merely maps and describes is not acceptable. A dissertation must aim to go beyond description and repetition of what has been said. It must say something new and help advance the discipline. As you will see, a "literature review" (discussion of relevant scholarly conversation on the matter to date) is the first step, but you can't stop there.

(b) *It must be independently researched and written*. It is your own work. Although during the process you have a support team made of the Chair, the Dissertation Committee, the librarians, perhaps a hired editor, fellow doctoral students, and others, the dissertation you write must be the fruit of your own labor and mind.

(c) *It must demonstrate your capacity of furthering the discipline*. The J.S.D. degree certifies you as a *jurist*. A "jurist" (a word coming from Medieval Latin), also known as *legal scholar* or *legal theorist*, is someone who studies, analyzes, and comments on law and, specifically, researches and studies jurisprudence (i.e. the theory of law). The jurist stands in contrast with a lawyer, someone who applies law on behalf of clients and thinks about it in practical terms. The doctoral candidate must produce work that, hopefully, other scholars in the field will not ignore, because it says something new and important. In other words, you are asked to map the world, find the edge, and then, say how we can go one step further. To use a more common metaphor, you are asked to "stand on the shoulders of giants."

What Does a Good Dissertation Look Like?

You can find samples of various kinds of dissertation in the shared folder in Box. However, if you take to heart the expectation of producing a publishable work (and in the case of the three-article option, publication is required), then you are strongly recommended to read existing legal scholarship - whether it is books or law review articles. You can start with reading work published by faculty who

write in your area of interest or any of the JSD faculty. Take a law review article or book (a helpful sample for the monograph option) and take your time reading through it - pay attention to the different parts of the article or book, how they fit together, and how the author develops his or her thesis. Do this now. Do not continue reading this guide until you have done so.

A) If you select the single monograph option…

What did you find? If you looked at a book, you will see it is structured in three parts, like a good hamburger: two buns with the substance in the middle. The buns are the "Front Matter" and "Appendices"; the food in the middle is the "Body".

i) In the "Front Matter" you will find: the Title; Copyright Page; perhaps Dedications and Acknowledgments; Table of Contents; List of Tables; List of Graphs and Figures; and List of Abbreviations. You might also find an Abstract.
ii) At the end of the book, you find the "Back Matter" or "End Matter": the Bibliography and Appendices. (In a published book, you will also find an Analytical Index, but that is not required for a dissertation).
iii) Sandwiched between these two, you will find the onions, tomatoes, pickle, bacon, etc., and, of course, the meat. These compose the body of the dissertation.

These are exactly the parts that your dissertation needs to have once it is completed:

1) Front Matter

    a) *Title*

In a book, the title is the single most important determinant of whether your work will be read. A good, clear, and snappy title will help you a lot. Creativity and wit are encouraged but make sure you do not exaggerate or confuse the reader. The title must be fully explanatory when standing alone. Often, it is the only visible part of your hard work. One day someone will see that title in a library database. If your title is not understandable, the person will move on with a click, and your ideas will not have the chance to be propagated.

A good title must indicate your object of study of course, but also your methodology. Is your approach pragmatic, philosophical, historical, sociological, political, quantitative or qualitative, post-modern or something else? For example, the following are good titles:

- Michael Zymler and Jennie Evans, How To Win Every Argument: The Use and Abuse of Logic;
- Daniel Kindlon, Raising Cain, Protecting the Emotional Life of Boys;
- David Waltner-Toews, The Origin of Feces: What Excrement Tells Us about Evolution, Ecology, and a Sustainable Society;
- Jared Diamond, Guns, Germs, and Steel: The Fates of Human Societies.

They immediately let the reader know what the content of the book is while being catchy and even funny.

But don't worry about the title yet. It will emerge well into your work. All you need for now is a working title, a place holder. You will find the perfect, concise, and witty one-liner much later in the process.

b) *Abstract*

Books tend not to have an abstract while law review articles do. However, books often have a concise description of the ideas contained in the book on the back cover. Having an "elevator pitch", a description of your work in two paragraphs or the time it takes to impress someone sharing an elevator ride to the 25th floor, will help you later on in life. The abstract is simply a very short summary of your dissertation. It tells the reader: (a) what the topic is; (b) why the topic is relevant; (c) what the problem is and what impact it has; and (d) what your take on the problem is and how you propose to address it. Do not include citations unless your work is all about one author or one book (e.g., "This dissertation deconstructs Ronald Dworkin's idea of justice in Law's Empire (1986)…")

As is the case for the title, fine-tuning the abstract is one of the last things you will do after you have completed your dissertation, but you should nonetheless have one earlier rather than later as a road map for yourself and your Chair.

How long should the abstract be? I would recommend about 150-250 words.

c) *Other Front and Back Matter*

The Copyright Page; Dedications and Acknowledgments (if you feel grateful and generous); Table of Contents; List of Tables; List of Graphs and Figures; List of Abbreviations; Bibliography; Appendices, etc. will be generated at the end of your work. They are tedious, but absolutely necessary. Again, the dissertation is a ritual. The method and its rigor are more important than the scope or the topic. The how you do it matters more than what you do. We will address these later.

2) The Body of Your Dissertation

How many chapters should your dissertation have? There is no hard and fast rule about this. What matters more is that the dissertation has a structure and that the structure is logical.

a) Prolegomena

> *pro·le·gom·e·na (-nə) : A preliminary discussion, especially a formal essay introducing a work of considerable length or complexity.*[8] (Or the onions, lettuce and pickle).

The prolegomena includes the things that you need to discuss in the body of your dissertation at the outset. You are advised to do so in the following order:

i. Background
ii. Statement of the problem
iii. Research questions

[8] Merriam Webster Online, http://www.merriam-webster.com (15 August 2016).

iv. Purpose and significance of the research
v. Theoretical framework
vi. Research design (for empirically-oriented work)
vii. Limitations and caveats
viii. Definition of terms
ix. Organization of the work

i) Background

Your idea does not exist in the universe, pure and disconnected from everything else. You need to situate it in the world and in history. What is the background of the problem you identify? Is it the end of the Cold War? The advent of the internet? Shifting gender roles? Climate change? The Rapture? What are the history, trends, conflicts and changes that led to your story's beginning?

I recommend keeping the background short and to the point. It should not be a digression; it should logically lead to the object of your study. The number of words it takes depends on the chosen topic.

ii) Statement of the problem

This is straight out of your elevator pitch: a clear, declarative statement of the focus of your study. If your dissertation is normative, what is the policy issue? Your statement should identify the problem to be researched and its importance. You can say you are going to address a gap in knowledge, change a paradigm in knowledge, or suggest a different take. Whatever you want. But everything after this should be consistent with this statement and flow logically from it. This is not the place for questions. It is the place for statements and answers. Keep it short and to the point.

An example of a good problem statement is:

> "The purpose of this study is to investigate how tort regulation, in a selected number of developing countries, impacts the design of playground equipment."

iii) Research questions

The research questions should flow from the problem statement. Indeed, it is a common trick to rephrase the problem statement as research questions. For instance:

> "How does tort regulation in Senegal, Iran, China and Paraguay impact the design of playground equipment?"

Keep the number of questions you address manageable. More than those you can count on one hand may cause trouble. Also, your questions must be narrow enough to give depth to your work and be manageable, yet broad enough to be meaningful.

iv) Purpose and significance of the research

This is the answer to the "so what?" question. Why is answering your questions important? What will we learn from the answers? How will they have a consequence in the real world? Unless you can

explain how your work matters, or will likely matter, you should not do it. Life is short and there is no point in wasting it on idle questions. Besides, answering the "so what" question will keep you both humble and grounded.

To continue with our example, a good way to address the question of why studying how tort laws impact playground equipment design in developing countries is to note how many kids are injured or killed on playgrounds in developing countries every year, and suggesting that better designed tort laws could reduce that number.

v) Theoretical framework

The theoretical framework is the structure of your work. You need to let the reader know the concepts, assumptions, expectations, beliefs and theories that you will rely upon in your research and thinking. You must lay bare the inner parts and mechanics of your work. Writing a dissertation is not like pulling a rabbit out of a hat; you are not a magician. You must let the audience know how you did it! Jurists are scientists, and they must be able to follow your steps and to understand how you arrived the conclusions you reached.

vi) Research design

Research design is your game plan. How will you balance theory and analysis? How will your descriptive or normative parts fit together? Does your topic require an interdisciplinary approach? Will your research be primarily quantitative or qualitative? In the social sciences, there are dozens of research options, each with challenges and advantages.[9] Luckily, there are many guides, in print and online, to help you navigate the field. Below are a few helpful resources that you can easily access:

- Anol Bhattacherjee, Social Science Research: Principles, Methods, and Practices, University of South Florida, 2012;[10]
- USC Libraries, Organizing Your Social Sciences Research Paper, USC Libraries Research Guides.[11]

If your dissertation is going to be on international, foreign or EU law, you might find this book useful:

- Robert Cryer, Tamara Hervey, Bol Sokhi-Bulley, Alexandra Bohm, Research Methodologies in EU and International Law, Hart Publishing, 2011.

If you expect to rely on empirical research, this book gives helpful tips on how to properly do empirical legal research:

[9] Gabriele Beissel-Durrant, A Typology of Research Methods Within the Social Sciences, ESRC National Centre for Research Methods Working Paper, November 2004, available at http://eprints.ncrm.ac.uk/115/1/NCRMResearchMethodsTypology.pdf (August 15, 2016).

[10] Available at http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=1002&context=oa_textbooks (August 15, 2016).

[11] Available at http://libguides.usc.edu/writingguide (August 15, 2016).

- Lee Epstein and Andrew Martin, An Introduction to Empirical Legal Research, OUP, 2014.

If your work requires the collection of facts and data, what data do you need and how are you going to collect it? For instance, if you will write your dissertation on gender sensitivity in criminal justice in California, which courts will you look at? All of them? Only some? If some, can you justify how you pick and choose between them? If you are going to interview persons, do you have a protocol in place? Have you cleared it with the school's administration and Institutional Research department to make sure you are not violating any ethical rules or other research related regulations?

Choosing the theoretical framework and research design are probably the most difficult part of the exercise. It is easy for students to feel lost at this phase, but remember reading other scholarship can provide a useful guide. As you already discovered, someone, at some point, somewhere has already tried to solve, if not the same problem, a very similar one. How did they do that? What was their research framework and methodology? Finally, you should use the lessons learned in your Research Methodology course to help you in this endeavor.

LLS offers a weekly series of Faculty Workshops where professors of LLS and other schools throughout the U.S. present their ongoing projects.[12] Make a point to regularly attend these presentations so that you get exposure to many possible ways to frame a project.

vii) Limitations and caveats

These are the factors that are out of your control but impact the validity and significance of your research. For instance, if you are writing your dissertation on gender sensitivity in criminal justice in California, are the decisions you need accessible? All or just some? Are they online? Do you need to go to a library? Which one? If your dissertation is particular to Brazil, do you know Portuguese? If you don't, how is that going to limit you? How did you overcome that limitation? (If you did not, maybe you should have picked a different topic!)

viii) Definition of terms

Once you've chosen your topic, remember that you are the expert - excuse everyone else's ignorance and explain your terms! Part of the privilege and burden of being an expert is effectively communicating the fine points of your topic to a broad range of readers, beyond the cognoscenti. Do not assume your readers have the necessary knowledge or familiarity with your topic - even if you are using terms-of-art, those must be briefly explained.

ix) Organization of the work

Be sure to provide the reader with a clear roadmap for your dissertation and remember to provide useful signposts and transitions for the reader. Tell the reader what you plan to do at each stage: "In Chapter 1, I will….. Then, in Chapter 2, I will...."

[12] http://www.lls.edu/aboutus/facultyadministration/facultyworkshops/. If you would like to attend a workshop, please contact Bridget Klink at (213) 736-1407 or bridget.klink@lls.edu. Workshops are generally held on Thursdays from 11:45 a.m. to 1:00 p.m. in Girardi (G202), 2nd floor - Courtroom of the 90s classroom - unless noted otherwise.

b) The Gist

Now we come to the core of your dissertation, or, to continue with the hamburger metaphor, the meat of your project. Your reader is primed to delve into your original and wonderful idea – your thesis.

Although used interchangeably, thesis and dissertation are not perfect synonyms. The word "thesis" comes from the Greek *θέσις* (thésis), meaning "something put forth," where the "something" is an intellectual proposition, an idea. However, "dissertation" has a different etymology. It comes from Latin *dissertātiō*, meaning "path" or "discussion." One is set, the other moves. The dissertation puts forth and discusses the thesis. Thus, every decent dissertation has a thesis, or central idea, at its core.

Do not worry if you do not have a thesis at the outset. You start by having a very vague idea of what your thesis is and it gradually comes into focus as you progress through the cycle of researching, reading and writing. Sometimes your initial idea is nothing more than an intuition. For many, the initial idea proves to be a mirage, something that could not be brought into focus and must eventually be abandoned. Through continued researching and a refinement of your thinking and writing, a thesis eventually takes shape. This thesis must be original, clearly articulated, and, crucially, defensible.

3) Back Matter

In a book's "Back Matter" you usually find the Bibliography, Appendices and the Analytical Index. The Bibliography and Appendices are a must for a doctoral dissertation. The Analytical Index is not required for a dissertation. When a book is published, the publisher usually relies on outside contractors to provide a professional service to produce the Index. (Today, publishers charge authors for it, and that is a scandal, but we digress).

i) Bibliography

The Bibliography is a must. It will be carefully scrutinized by your Chair and the Dissertation Committee. It must be well done, complete, and organized.

If you use a program called EndNote (see below) to organize your references as you write, producing a bibliography will be a breeze.

What goes into a bibliography is, to an extent, debatable. Some want the author's full first name, others only the first letter. Some want the year of publication in parentheses, others between commas. It does not matter what style you use, as long as you use only one and rely on it consistently and scrupulously throughout your work. Please see the section below on *Writing Your Dissertation*, the *Style* section, for recommendations of acceptable guides on citation format.

Again, if you write your dissertation with the goal of publication, you are well advised to look at the standard the most likely publisher of your dissertation uses and follow it from the outset.

ii) Appendices

This is the place for information that is essential to your work, but that may be so voluminous or detailed that it would likely detract from the flow and clarity of your work if included in the main text. Does your dissertation focus on one or two specific acts? This is where you might want to include them, in whole or abridged. Did you collect and chart data? This is where you put that bulky Excel table. (If it is small, you can have it directly in the body of your dissertation.)

Additional tips

Book publishers − the ones who are likely to be interested in publishing a doctoral dissertation in law − have structure and minimum length requirements. You are well advised to keep them in mind before you start writing your piece. Usually, book publishers will not print a monograph that is less than 100 or more than 500 pages. In this time and age of computers, word processors, and automatic word counts, that translates to about 70,000 to 300,000 words, all included.

B) If you select the three-article option…

What if you decide that your dissertation will be three articles instead of a single monograph? Much of what was written about a monograph still applies. Of course, there will not be any front and back matters. However, everything I said above regarding the body of your work (title, abstract, prolegomena etc.) is relevant for articles, too. You will just have to be more concise.

The school's target length for articles for the J.S.D. program is about 25,000 words, all included. Keep in mind that you are required to publish your articles. The acceptable length for articles varies from journal to journal, but 25,000 is a length that suits most.

If you need specific guidance as to how to write your articles, a few years ago, Professor Eugene Volokh, of UCLA Law School, wrote a very clear and handy guide to the process.[13] You can find the guide here, or in the Box folder of the J.S.D. program. Westlaw has a much shorter guide. You can find it here, or in the Box folder of the J.S.D. program. Finally, the library of the University of Washington, School of Law, has made one, too, which you can find here. I strongly recommend you read Prof. Volokh's guide, at a minimum.

V) WRITING YOUR DISSERTATION

Regardless of whether you write a single monograph or the law review articles, the following is good advice you are well-advised to follow.

Before You Start Writing

However original and great your idea is, chances are that someone, somewhere, at some point in history has already written about it, or an aspect of it. Remember, you must show that you are making

[13] Volokh, E., Academic Legal Writing: Law Revew Articles, Student Notes, Seminar Papers, and Getting on Law Review, Foundation Press New York, NY, 2007 (3rd ed.).

an original and important contribution to the field. This means that you must familiarize yourself with the relevant scholarly conversations that are already in progress, as well as any information that provides necessary context for understanding the theoretical and analytical choices you are making.

1) Literature Gathering and Review

Before you start writing, you must read a lot. By now, you probably have read several articles and maybe a monograph or two to narrow down your field of study, identify your topic and problems, etc. However, that is only scouting the ocean. Now, it is time to systematically map it.

First, you need to collect everything that has been written on the topic of your choice. Start from the obvious: the famous authors in the field, the must-reads. Again, chances are you already have those. Next, track down every article or book they cite. Once you have them, track down every article and book these sources cite, and so on. After three or four iterations, you will see that finding something that has not been cited before becomes increasingly difficult. This will give you an idea of the limits of knowledge in your field. If you did your research right, everything you gathered is the sum of all knowledge on the topic. Knowing where these limits lie is essential because, remember, your task is to venture into the unknown by going one step beyond that limit.

Later I will tell you how to conduct your research and where to find what you need. For now, all you need to know is that there are many ways to collect sources. Some are only available electronically (e.g., PDF or Word files). Others are only available in print (e.g., books, photocopies, or document printouts). You will most likely have a combination of both, or possibly, all files in both formats.

Clear and orderly organization of these materials is essential. You will soon be overwhelmed by the number of sources you have collected. The materials I collected to write my own dissertation are in a bookcase in my office, in binders and classifiers, occupying more than 15 linear feet of shelf space!

Collecting literature, statutes, laws, treaties, and any other documents is only the first and easiest step. The crucial and most difficult part is actually reading them. Do you need to read all of them? Well, not necessarily. There are two tests you can use to decide what you will actually read. First, definitively read the most recent ones. Then, work backward in time. It is likely that the older pieces are less relevant to your questions than the more recent ones. But keep in mind that those old pieces are the giants on the shoulders of which the giant you will be standing stands. It is always useful to check how sure their footing is. Second, even if you decide not to read something, it likely that someone else will have read it, including one of the members of your dissertation committee who may question your omission at your dissertation defense. You need to have a good explanation why you omitted it. Third, regardless of whether you end up citing the piece in your manuscript, you must have read the whole article from which the citation comes. Only in very exceptional circumstances (e.g., the statute in question is impossible to track down) may it be appropriate for you to cite someone else who cites the original source. Still, you want to be sure to read the piece you are citing carefully.

These days you can highlight a text on your computer. Or, you can do it old school by highlighting or printouts. Either method will work. The point is to distill the mass of material you have accumulated, that is to say, to eliminate the wheat, the useful stuff, from the chaff, the stuff you do not need.

This is a good point to begin producing the first draft of your bibliography. Make a list of all of the articles, books, documents, etc. you have collected. Break it down into books, chapters in collective works, articles, statutes, etc. in the same way you would organize it in the final manuscript. As you do this, make sure to follow any citation conventions you have decided to follow (see below). It will save you a lot of time afterward.

As you read each piece, return to your draft bibliography and write a short description (e.g., two paragraphs, maximum 100 words) of what the piece is about under each source. Soon you will have an "analytical bibliography," an essential tool to orient you and your Chair in the field.

You can organize your bibliography in many ways, e.g., alphabetically or by topic. Regardless, you should build it in a logical and organized way to understand perspectives on the problem, its history, current status, and importance. What are the landmark pieces? What research has been conducted on this topic? With what method? How did these authors frame their problems and design their research? With what results?

Soon you will spot the gap, the unexplored terrain. That is where you want to go. Beware, though. Be humble. If no one has done or said that before, determine whether it may be just because there are only so many things people can do in a lifetime and only so many scholars, because it is treacherous ground, or because it is otherwise pointless going there.

It is up to you and your Chair to discuss whether your dissertation will have a chapter containing your literature review in a narrative form or it is just background to fuel your trip into the unknown. Typically students are expected to provide a literature review section in the manuscript. Students are expected to demonstrate critical readership of all the existing literature on the topic and to explain it clearly, connect various authors' points of view, offering an intelligent review, and then to make clear how the student's thesis adds to the existing body of work in an original and important way. In some cases, a chair may advise that a literature review does not need to be part of the written dissertation. In the case of the three-article option, a shorter and more focused literature review may be appropriate in the case of each article. It is important to seek guidance from your Chair on these kinds of choices, but the following may provide helpful guidance.

If you think having the literature review makes your work more complete, thorough, and useful to other scholars, then you should include it. If you feel it is more throat-clearing and background, then you may not need to include it or you may decide to provide a shorter background description that includes only the most essential information to give the reader appropriate context. You must, in any event, acknowledge what has been done and said before you explain its relevance to your goals. Nothing is born from nothing. Your "original ideas" are not conceived in a vacuum. Your thoughts were formed under many influences, including in the process of grappling with others' ideas. Even if someone is a genius, especially if someone is a genius, the significance of her work will never be diminished by admitting to the influences of another author's work.

2) How Do You Organize Your Research and Where Do You Find What You Need?

a) *Where do you look for sources?*

Once upon a time, libraries were holy temples where scholars-in-training honed their skills. Every decent dissertation was written thanks to hundreds of hours spent browsing the stacks. In the 21st century, most research is done electronically, from wherever you wish.

I wrote my own dissertation in the mid-1990s. Back then, electronic sources and databases were available but were not as large and comprehensive as they are now. These days, I rarely venture into a library, but, trust me, that is a mistake. By looking at the spines of books in library stacks I made serendipitous associations with nearby books. That made my ideas so much more interesting and deep. I breathed books. I smelled them. I got inspired. I was motivated to create my own to put on that shelf alongside the rest of human knowledge. I made lifelong friends during breaks outside the library. I got a lot of help from knowledgeable librarians. I found peace and quiet, with that modicum of distraction that keeps you focused on writing, something I could not find anywhere else. No online catalogue will give that to you.

The William M. Rains Library: LLS is home to the William M. Rains Library, one of the largest private law libraries in the western United States. Its collection of over 500,000 volumes includes primary and secondary materials for U.S. and international law. In addition to its physical collection, the library offers access to online services including Bloomberg Law, Lexis Nexis, and Thomson Reuters Westlaw. Access to numerous databases on both legal and non-legal topics is provided by the Rains Library and by Loyola Marymount University's William H. Hannan Library.

Moreover, the Los Angeles Law Library, one of the largest law libraries in the U.S., is only a few miles from LLS and can be reached via the campus shuttle service.[14] Materials not available through the Rains Library can easily be obtained via interlibrary loan services.

Doctoral students have full access to the collections and services of the Rains Library. The reference librarians, who hold both J.D. and M.L.I.S. degrees, are happy to meet with you to acquaint you with resources and databases relevant to your area of study, and to help you locate the materials you will need in your research. It is recommended that you meet with a reference librarian early in your research process. There is also a dedicated study room for JSD students in the LLS Rains library, equipped with desks, computers, boards, printers and readily available reference manuals. Books in the JSD study room are not re-shelved, but please remember to check them out formally through the front desk.

Further information about the library and its services can be found at the library's website http://www.lls.edu/resources/library.

Please, be advised that Laura Cadra, the Head of Reference/Foreign and International Law Librarian, is designated as the contact person for our J.S.D. students. Laura will be happy to assist you. (213-736-1141, laura.cadra@lls.edu).

[14] http://www.lalawlibrary.org/

b) *What Should You Look For?*

Make certain to obtain sources that apply to your topic and advance your research arguments. Limit your sources to those directly pertaining to your topic and relevant research questions. You will not be able to read everything that is available on your topic. Be selective about what articles you request, copy, review, and critique given your time limitations.

c) *How Do You Look For It?*

Investigate dissertation examples. Spend time studying completed dissertations, even if they are not on your topic or within your field. This will be time well spent and will give you an idea of how others have organized topics, conducted research, presented information, and formatted their writing. These dissertations will give you hope (if they did it, I can do it too!), help you focus, and provide ideas for your own work. Samples of dissertations can be found in the school's box website (https://lmu.app.box.com/)

Keep a Notebook or a Note File. The moment you begin to collect and analyze the literature, you should jot down important ideas and hypotheses as they come to you. Do not wait until your data is completely collected and analyzed to initiate this process. By that time, you might forget those moments of inspiration. Most authors do not necessarily separate the research and writing phases. Recognize that the research process can extend through the formal stages of dissertation writing.

During your initial review of the literature in your chosen research area, take notes on the main ideas presented in each. You might indicate how your study fits into this previous research. Include a critique of each as you review them to highlight how your study adds to these previous works.

Keep a notebook or a special file on your computer where you record important citations and classic studies in this area. Write down ideas that appear absent in the literature you are reviewing or highlight potential research questions or methods. These notes should be brief but descriptive, and factual enough for you to later utilize them in your dissertation. Take time to record essential reference information from the resources you review (e.g., author's name, date of publication, journal title, page numbers).

Organizing and indexing your findings. I already mentioned the virtues of an Analytical Bibliography. Some people (usually people who wrote their dissertation last century) found it useful to catalogue their sources on index cards (i.e., those little rectangles of cardboard that you store in a small box). For each article you review, you may find this helpful: write a summary of the source on an index card to keep track of important information for later use. What information should you index? There is a lot of information you can index, but let's say that at a minimum you need to track what the article or book is about, any hypotheses, procedures, findings, and conclusions. Of course, also record the reference (e.g., author, date, title of study and publication date).

If you think index cards are too dépassé, do the same in an electronic format (e.g., using products like Word, Excel, or EndNote). Software such as EndNote (http://endnote.com), available free to students, is very useful for tracking sources for reference. It allows you to view and annotate PDFs, store PDFs in a central location on the Web, and cite in APA format. If you use it correctly as you gather your sources, generating footnotes and the final bibliography can become as easy as a click.

Other free programs you might consider using are Mendeley (https://www.mendeley.com/) and Zotero (https://www.zotero.org/).

Photocopying and Printing. You will likely make a lot of photocopies or printouts of materials. Any time you photocopy materials make sure that your copies are made appropriately. Oftentimes pages may be unintentionally left out or copied inappropriately with low toner or additional lines. You will not want to discover photocopying errors when you no longer have access to your materials. If you use printouts, please try to help the planet: print double-sided and only once.

Saving. As you collect your data (e.g., notes, files, articles) make certain to store it in a safe and appropriate place. If it is electronic, do not put all your eggs in one basket!

These are NOT appropriate backup strategies:

- Backing up by copying to another folder on the same hard drive.
- Backing up your laptop to a SD Card, USB key, or a different drive attached to the same laptop.
- Backing up to a hard drive that is 6 inches away from your computer.
- Backing up your Google docs to another Gmail account.

This is what a good back up strategy looks like. It is called the Backup 3-2-1 rule:

- Have 3 copies of anything you care about. Two is not enough, if it is important.
- Store copies in 2 different formats. For example, Dropbox + DVDs; Hard Drive + Memory Stick; CD + External Hard Drive (unplugged from your PC!), etc.
- Use a web-based backup (preferably on a cloud). If the house burns down, you will be able to get your work back.

You are strongly advised to use the cloud-based Box (https://lmu.app.box.com/) to back up your files. Every J.S.D. student has an account. I created one for you and invited you using the email you use to receive communications form me. You are the only student with access to your files. Your Chair can view files and add but not delete them. I, as Academic Supervisor of the program, have Editor level access.

Human Subjects Approval. Will your research involve human subjects, e.g., interviews or questionnaires? Prior to initiating any data collection you must go through Loyola Marymount University's Institutional Review Board (IRB). Information on the process is available online.[15] Keep in mind that using human subjects requires following certain guidelines, e.g., you must store this information in a secure place that is only accessible by the principle investigator in order to guarantee confidentiality.

The Writing Process

After having gathered all your sources and data and studying and analyzing them, it is time to start writing. Keep in mind that the process of writing a dissertation is not linear. During the dissertation

[15] http://academics.lmu.edu/irb/

process you revisit questions, data, literature, and drafts many times. Chances are you will need to go back to the library or online sources, and find more literature on a topic that initially looked tangential. And, if you are engaging in intellectually honest research, you will soon find that some initial assumptions or hypotheses are not proving valid and you need to reconsider them. That being said, there is no escaping writing, that moment when you glue yourself to the keyboard and start typing.

You will know that you are ready to begin writing your dissertation when you have formulated your research questions, exhausted the literature on your topic, discussed ideas at length with peers and professors, and gathered all of your notes.

1) Getting Started

To quote one of the greatest pieces of modern cinematography (Creed), you need to approach the writing process like a boxer in the ring: one step, one punch and one round at the time.

The writing process can feel overwhelming. "Writer's block" is a common ailment, and one that can afflict even seasoned writers. The more you read about your topic and the more you investigate your research questions, the more you will see connections and your ideas will begin to fall into place. The more you write, the more things start clicking. Do not waste time waiting for inspiration. Get going and inspiration will find you.

Create a comfortable environment. Take a few minutes to reflect on the methods and rituals you usually employ to do your best work. Do you need quiet? Do you need music? Do you need something to drink? Do you need company? Once you decide what you need, get it and create a comfortable space. Feel free to experiment. Make sure it can support you for the long haul. You will be writing for many months. Have rituals and follow them. They signal to your brain that it is time to get to work.

I recommend you consider working in the J.S.D. dedicated room in our library. It is room B212. The code to unlock the door is 514. You may be better off working there than working at home for several reasons. First, you are close to any sources you might need. Second, if you have any questions you can just swing by your professors' offices. Third, you have colleagues nearby who are suffering as much as you are, and you can provide much-needed support for each other during challenging times. Fourth, you can print what you need, which can save you the extra cost of toner and paper at home. Fifth, if you use it as your office, and approach it as a job, it will help keep you on track. There are few distractions there.

Discipline. One of the most difficult parts of writing the dissertation is actually getting in front of the keyboard, focusing your mind on the task at hand, staying for hours on end. It is an exercise in discipline, in not getting distracted, not standing up and chatting, or doing something else. Keep at it; whether you write longhand or with a computer, endurance and discipline are the key to completion.

I recommend you turn off email (and do not have it open in the background), close Facebook, silence your phone, etc. I know this is asking a lot, but you will be glad you did. This prevents distraction and helps you maintain focus, especially when you hit a wall or a particularly difficult section.

Make a schedule and stick to it. It is essential not to interrupt your writing. Work at least five consecutive days a week. If you can, work six days a week. If you can avoid taking a day off, write every single day.

It took me 14 months, 3 weeks and 2 days to write my dissertation, beginning to end. During that time I did not stop writing a single day. Some days, I was putting in 6-8 hours of work, others only one or two, but I never stopped. Stopping breaks your train of thought. Maintaining the train of thought, even after a one day break, can take several hours of effort and certain ideas never come back!

Develop a table of contents: You need to have a rough outline of what you are going to do before you begin. A very rough table of contents will do. Keep on updating it. You can use Microsoft Word to help you organize and update your table of contents. A current table of contents will be a good check for the sections you need to add or move, and a reference to your original outline.

Keep an updated reference section. As you write and enter citations into the text, create a system of keeping track of all references used. One idea is to immediately enter a citation in the reference section and cite it correctly in the text by author, date, and page number, if appropriate. If you create your reference section using the proper format (see below) you will not need to redo it in the final draft stage. EndNote is very useful for tracking citations and creating properly formatted references.

Save often and in multiple locations. If you are using Microsoft Word, make sure it is set to automatically save in the background every few minutes. Never work on an unnamed file. Save the file with a name and place where it is easy to locate. A well-organized computer is the key. Do not have a million files on your desktop. Name and organize your files logically!

There are many stories about dissertation drafts and data being lost due to computer failure, destruction by fire or flood, laptop being stolen or being eaten by the family pet. To avoid adding to the dissertation horror stories, get in the habit of making multiple copies of important files and drafts. Follow the 3-2-1 rule I gave you above!

Consider keeping a journal. Separate from the Notebook, you may find it useful to keep a journal during the research and writing process. Journal entries can capture your reflections on what you are learning, source collections and analysis, and serve as a detailed record of your progress. Journal entries can also record your thoughts about the writing process. Your journal could provide data for writing future articles related to your dissertation topic. Decide which method of journaling works for you. You could keep your journal in a file on your computer, in a notebook, or in a file of emails addressed to yourself.

2) Writing the First Draft

Even if you are a genius, chances are that you will generate several drafts of your dissertation before you finish it. How do you write your first draft?

i. *Craft a clear outline for your dissertation*. Decide what topics you will address in each section of the dissertation and draft an outline. Break it down by chapter and section. Keep the outline within reach at all times. (I printed mine and set it on the desk next to me as I wrote).
ii. *Write with unity and coherence*. Clear, strong, consistent writing is essential for your dissertation. Do not use unnecessary words or flowery language. You are not writing the great American novel. Rather, you are writing a coherent piece of research that will shed

light on a topic you have researched, know well, and are anxious to share. Avoid writing one or two sentence paragraphs, and long, whole page paragraphs. That said, you are not writing a legal brief either! You are expected to present your work in an interesting and sophisticated manner, but remember that clarity is important.

iii. *Consult a reliable guide for questions on English grammar, structure, or word usage.* Consult a style-guide no matter how gifted a writer you are. This applies to everyone but, of course, it is especially useful if English is not your native tongue. Consider retaining a professional copy-editor. I have a list of good ones who know how to edit a dissertation, if you need help finding one.

iv. *Do not use jargon.* The dictionary defines jargon as "special words or expressions that are used by a particular profession or group and are difficult for others to understand."[16] Yes, you are trying hard to be admitted into the club of elite academia, but hopefully, your dissertation will be read by a wide audience. Write in plain English, unless it is absolutely necessary to do otherwise. Moreover, explain your terms! You need to explain all technical terms used in the manuscript.

v. *Use resources effectively and efficiently.* Your dissertation should reflect your knowledge of the material as an expert. Use direct quotes judiciously, but give credit where credit is due. Referencing material from the field gives your work credibility. Be sure to record all references accurately and reference only those works cited in the body of the dissertation.

vi. *Use tables, diagrams or figures effectively.* Keep in mind which parts of your data or information might best be presented in a table or graph. Be sure the information presented is accurate and adds to the explanation of your research questions.

vii. *Polish it.* As you write, it is important to carefully check all grammar, spelling, and word usage. Your computer has an automatic spell and grammar check function. Use it! If you carefully read over your draft before you share it with others, it will help your readers focus on your content and not your mistakes. Eventually, your dissertation will be interesting, well written, free from errors, relevant and significant in content.

3) Style

LLS does not require you to follow a particular style, but be sure you talk to your Chair to find out if she has any preferences or strong recommendations. She is likely to have no strong opinions, but check at the outset. Also, keep the following in mind:

- Whatever style you follow should be used consistently;
- If you aim to publish the dissertation, it is easier to conform to whatever style the most likely publisher of your work will eventually ask you to follow.
- If you aim to publish your dissertation as a series of law review articles, keep in mind that American law reviews follow the Bluebook standard.

a) *What Styles Are Most Commonly Used?*

i) *Bluebook.* "The Bluebook: A Uniform System of Citation" prescribes the most widely-used legal citation system in the United States. It is so named because its cover is blue. The Bluebook is compiled by the Harvard Law Review Association, the Columbia Law

[16] Merriam Webster Online, http://www.merriam-webster.com (15 August 2016).

Review, the University of Pennsylvania Law Review, and the Yale Law Journal. Currently, it is in its 20th edition. The Bluebook system is taught and used at a majority of U.S. law schools, and is also used in a majority of U.S. federal courts. That being said, it is the worst system of citation ever. As Richard Posner, a famous American economist and judge on the United States Court of Appeals for the Seventh Circuit in Chicago, recently remarked: "The first thing to do … is burn all copies of the Bluebook, in its latest edition 560 pages of rubbish, a terrible time waster for law clerks employed by judges who insist, as many do, that the citations in their opinions conform to the Bluebook."[17] Thus, unless you plan to publish your dissertation as a series of law review articles, you are strongly advised not to use the Bluebook.

ii) *Chicago Manual of Style*. Now in its 15th edition, this manual has sold more than 1 million copies since its inception. At nearly 900 pages, the manual is exhaustive in its coverage, providing basic and advanced rules and their exceptions. For example, the rules on commas span 17 pages and detail 67 discrete uses. The book is well organized and includes an extensive index, although some users may find it difficult to wade through myriad examples and exceptions in search for an answer to a simple question. Because the infamous Bluebook references the *Chicago Manual of Style* as an acceptable style manual for some matters, the Chicago Manual is thought to be a superior style guide and consistent with legal writing conventions.

iii) *OSCOLA*. The Oxford University Standard for Citation of Legal Authorities (OSCOLA) is designed to facilitate accurate citation of authorities, legislation, and other legal materials. It is used widely in law schools, journals, and by book publishers in the UK and beyond. OSCOLA is edited by the Oxford Law Faculty, in consultation with the OSCOLA Editorial Chair Board. Since I published most of my books with Oxford University Press, this is the style I follow. Now, even Cambridge University Press tends to follow OSCOLA.

These are suggestions to help you decide how to cite your references. As to writing style, I have no specific recommendations or pointers. There are a lot of books and online sources to hone your writing skills. If you want recommendations, we can put you in touch with one of our legal writing specialists. Again, you should also consider retaining a professional copy-editor. I have a list of good ones who know how to edit a dissertation, if you need help finding one.

4) <u>After the First Draft</u>

Once you have a fairly completed first draft, it is time to revise it. Revision is essential to the success of your dissertation writing process.

a) Feedback

Feedback is important for two reasons: it helps writing and creates accountability. It is a good idea to have at least one person to whom you are accountable for producing sections or drafts. Indeed, when you begin your dissertation research, make sure to establish a close circle of doctoral research partners. You can ask colleagues in your doctoral program or doctoral students at other institutions who are

[17] https://www.washingtonpost.com/news/volokh-conspiracy/wp/2016/04/03/judge-richard-posner-says-we-should-burn-all-copies-of-the-bluebook/

also beginning to conduct their dissertation research. Develop this partnership early so that you can formulate common goals and timelines. You may wish to meet with your research partners frequently (e.g., once per week) or every so often. During these meetings you and your colleagues can spend time discussing issues related to data collection, data analysis, conclusions, writing, etc. You do not have to choose research partners who specifically investigate your area of research. Multiple areas of expertise can assist you through this process. This will become your first line of assistance before going to your Chair or Committee members for further consultation. Share drafts with them and read theirs! You will learn a lot by reading other people's dissertations.

Your Chair will be happy to give you feedback but refrain from feeding him drafts too early or too often. Your adviser can give you more meaningful feedback if you share drafts at point in time where you have made significant progress on a particular section or new idea.

Of course, be sure to always give the person reviewing your dissertation the most current version of it. You should create a system of numbering or dating drafts, so you and your reviewer are clear on the correct draft to read for feedback.

Based on the feedback from your colleagues and your professors you will revisit your questions, data, introduction, and organization on several occasions, through to the end.

b) Overcoming Writer's Block and Dissertation Neurosis

"Writing about a writer's block is better than not writing at all."[18]

At some point during the writing process you may experience writer's block or dissertation neurosis. We have all been there. Not everyone makes it through but this is the rite of passage: separating those who will not be productive scholars from those who will.

One way to cure writer's block is to take short breaks from your topic and the process. Take a walk, go sailing, go salsa dancing. Just do something completely different to clear your mind. I used to overcome writer's block by visiting the NY Natural History Museum. Looking at and thinking about exhibits allowed me to get more ideas than anywhere else.

After a short break (not too long, lest you will break the rhythm), commit to spending time each day writing, even if the writing you do does not become part of your final draft. Starting to write again gets your words flowing. You can always edit later.

i) *Keep writing*. Even if you sit and write by stream of consciousness, keep writing. Keep to your schedule and write something, anything.
ii) *Set goals*. Set small goals that are easy to accomplish. Setting small goals, such as finishing one subsection of the literature review, will help you stay on task and keep you motivated. Make sure you accomplish something every day, no matter how small.
iii) *Find a partner*. Being accountable to someone can help with writer's block. It also helps in the writing process. Sharing a portion of your work, even with one other person, can break writer's block. However, your writing or research partner should not be your Chair or a

[18] Charles Bukowski, The Last Night of the Earth Poems (1992).

Committee member. You want someone outside of your Dissertation Committee to read first drafts and encourage you to keep writing.

iv) *Do not isolate yourself*. The worst mistake you can make is to isolate yourself. When people write alone, they tend to produce writing that is a bit off the mark and over the top, like Saint John did when he wrote, as a hermit in a cave, the Apocalypse. Talk to other students in the doctoral program. Attend their dissertation defenses. That will give you a preview of what is to come and a sense of what is expected of you. Bounce ideas around with them. Use them as your support group when the going gets tough. Use the J.S.D. dedicated room in the library!

5) Managing Time

One of the most important factors in finishing a doctoral degree is maintaining a balance in your life.

i) *Set goals*. Goals are an essential part of finishing your dissertation. Set clear and reasonable goals that will lead you to completion. A good idea is to include people in your personal life who support you in the goal setting process. They can help you set and follow realistic goals. Accountability to someone helps with goal attainment.

ii) *Map backward*. After you have your goal firmly in place, create a plan for finishing the dissertation. Use backward mapping as a tool to help create a schedule. Picture your dissertation bound and sitting on a shelf in the LLS library. From that point go, move backwards and make decisions about what you need to do to make that happen. Decide the length of the timetable, e.g., one year to completion. Then, decide what needs to happen in month number one, two, three, etc. Make decisions about when each section of your dissertation needs to be completed, the information and/or research to be gathered, the people to be involved, and the drafts that must be completed before the finished product.

iii) *Stick to your schedule*. Once you have your plan in place, follow it. Be sure to include time to read, think, and analyze your sources. Sometimes you will need to walk around with all the ideas floating in your brain long enough to put them into coherent language. Your questions, research, and drafts will be very close companions during the dissertation phase of your doctoral program.

iv) *Know yourself*. Be attuned to your needs, strengths, and areas of growth. If you know you are easily distracted by noise, work in a quiet space. If you know you have a tendency to procrastinate, make a timeline and stick to it. If you know you need help proofreading drafts, connect with a writing or research partner. Your partner can read drafts of your work and give you critical yet friendly feedback. You can return the favor.

v) *Be Balanced*: Finding a good balance between your dissertation and the rest of your life can be difficult. Oftentimes, one takes over and overwhelms the other, but you need both to complete your work and remain a sane person.

vi) *Don't take yourself and your work too seriously:* Again, balance is the key. Laugh at yourself, see the irony of things. And if you need comic relief, go here: http://phdcomics.com/

vii) *Learn to Live without Constant Feedback*: The life of students is easy. Every few months they reach a check-point and are told how well they are doing. However, in the world outside school, it is never like that. You might spend a decade of your life on a project and never actually know how good or bad it was. The process of writing a dissertation is half way between the cocooned life of a student and the professional world. A successful process

includes a balance of regular check-ins with your chair and the ability to self-assess during the periods between check-ins.

6) Putting It All Together

Submitting the dissertation is one of the final steps toward successful completion of the doctoral program at LLS. Ultimately, both the doctoral student and Dissertation Committee are responsible for the content and organization of the manuscript.

It is the responsibility of the student and Dissertation Committee to ensure that all standards related to writing and research are followed and upheld. Dissertation authors may engage an editor at their discretion and at their own cost. I can help you find one, but you are responsible for selecting the editor, negotiating the price, and providing the editor with the necessary documentation to produce a dissertation that meets LLS standards.

All manuscript components, including preliminary pages, main body of text or chapters, tables, figures, appendices, and references, must be reviewed and approved by the Committee Chair and each Committee member. The Committee will read the dissertation in its entirety before giving final approval for successful completion of the dissertation.

ANNEXES

A – Program Timeline

<table>
<tr><td colspan="4">First Year (coursework is in italics) (Note deadlines are "no later than". Students are strongly encouraged to finish all tasks well ahead of the deadlines)</td></tr>
<tr><td></td><td rowspan="4">In residence</td><td>Fall Semester</td><td>Spring Semester</td></tr>
<tr><td></td><td>• Start working on Reading List/Bibliography</td><td rowspan="2"></td></tr>
<tr><td></td><td>J.S.D. Colloquium I

Biol. Found. of the Law seminar

Research Methodology – J.S.D.</td></tr>
<tr><td>Mid-January</td><td colspan="2">• Turn in Reading List/Bibliography</td></tr>
<tr><td></td><td></td><td>J.S.D. Colloquium I

One elective class (pref. seminar)</td></tr>
<tr><td>Mid-August</td><td colspan="3">Draft Prospectus</td></tr>
<tr><td colspan="4">Second Year (coursework in italics)</td></tr>
<tr><td></td><td rowspan="4">In residence</td><td>Fall Semester</td><td>Spring Semester</td></tr>
<tr><td></td><td>J.S.D. Colloquium II

Optional: One elective course (pref. seminar)</td><td>J.S.D. Colloquium II

Optional: One elective course (pref. seminar)</td></tr>
<tr><td>May 30th</td><td></td><td>• Identify Committee Members

• Turn in Revised Prospectus</td></tr>
<tr><td>mid-August</td><td colspan="2">• Turn In final Prospectus</td></tr>
<tr><td colspan="4">Third Year</td></tr>
<tr><td>October 31st</td><td colspan="3">• Oral defense of the Prospectus</td></tr>
<tr><td>December 1st</td><td colspan="2">Three-article option</td><td>Monograph</td></tr>
</table>

	• Complete research paper that is indicative of the overall research project and is equivalent to one law review article	• Turn in a doctoral esssay/tesina/memoire (about 25,000 words)
April 30th	• First article completed & submitted for publication. • Turn in draft of second article	• Turn in substantial draft of the monograph
Fourth Year (these are "no later than" deadlines. Students are strongly encouraged to finish well ahead of these deadlines)		
April 30th	• Second article is completed & submitted for publication • Turn in draft of third article	• Turn in further, more refined draft of the monograph
Fifth Year (these are "no later than" deadlines. Students are strongly encouraged to finish well ahead of these deadlines)		
April 30th	• Third article is completed & submitted for publication	• Turn in final draft of the monograph
August 15th	• Oral defense of the monograph or the three articles	

B – J.S.D. Core Curriculum Courses Description

J.S.D. COLLOQUIUM I - 2 UNITS

The JSD Colloquium provides JSD students an opportunity to meet as a group once a week in a low-stress environment and learn from each other under the guidance of a member of the faculty. Meetings are directed, on rotation, by several members of the faculty who are directing a doctoral project. This gives the professors an opportunity to see students other than their own in action, and exposes students to a wide range of styles, interests and approaches.

Each week students engage in two activities: (1) A discussion of a paper presented earlier on that day at a Faculty Workshop; and (2) a presentation to the group from their own doctoral project.

(1) Loyola Law School's Faculty Workshop Series brings to campus leading legal scholars from across the country to present original scholarship in a colloquium setting. Each week, two students are requested to attend the Faculty Workshop presentation, read the paper and then report to the whole group about it, presenting their own critical views.
(2) During the second half of the class, one student (two students towards the end of the semester, when workshops are over) makes a presentation to the class based on a selection from the reading list for the student's own dissertation project, as part of a "Journal Club." During Journal Club, students discuss and critique the selected work, and the student is given feedback on his/her presentation by the other students, as well as the professor directing the meeting.

Evaluation: Discussion only. Pass/Fail.

J.S.D. COLLOQUIUM II (ADVANCED) - 2 UNITS

JSD Colloquium II (Advanced) provides advanced JSD students another opportunity to meet as a group once a week in a low-stress environment and learn from each other under the guidance of a member of the faculty. The JSD Colloquium I and JSD Colloquium II courses meet together, once a week. JSD Colloquium II students also participate in the Loyola Faculty Workshop Series and critique Faculty Presentations. However, JSD Colloquium II students are expected to meet higher standards of scholarly proficiency and show greater capacity to self-guide and teach by helping to lead the "Journal Club." The Journal Club is the part of the colloquium in which a first-year JSD student selects a law journal article, book chapter, or other scholarly work that is related to the student's dissertation (from an approved reading list) for discussion by the group. In addition, advanced students are expected to make presentations based on their own dissertation research. Meetings are directed, on rotation, by several members of the faculty who are directing a doctoral project. This gives the professors an opportunity to see students other than their own in action, and to expose students to a wide range of styles, interests and approaches.

Evaluation: Discussion only. Pass/Fail.

DOCTORAL RESEARCH METHODOLOGY – 3 UNITS

All J.S.D. students are required to take a course that surveys quantitative and qualitative methods of doctoral research.

Evaluation: Exercises and papers. Graded.

BIOLOGICAL FOUNDATIONS OF THE LAW - 2 units Fall semester

Jurisprudence has long been mired in subjective belief systems, propounded by long dead philosophers and thinkers, that have no foundation in the natural sciences. This course pursues a relatively novel approach to jurisprudence: the idea that law is a characteristic of human social behavior, and that like other such behaviors has its roots in evolution by natural selection. This course thus departs from all other major theories of law in that the approach to jurisprudence it considers challenges the foundational belief that at bottom there is a meaningful difference between empirical biological fact and normative thought. Instead, the law's procedural and substantive content, as well as a human propensity toward law following may reflect human adaptation to historical environments—including the part of the environment comprised of other humans. A biological approach to law holds the promise of possibly placing jurisprudence on a rigorous and empirically verified theoretical foundation that has broad explanatory power, and one that is perhaps capable of intellectually unifying existing jurisprudential thinking.

Evaluation: This is a seminar. Students are evaluated on the basis of weekly essays and class participation. Graded.

C - Useful Contacts and Resources

The LLS faculty and staff are committed to helping you achieve academic excellence and complete your doctorate. This is a list of people you can count on to help you reach the goal.

Aaron Ghirardelli
Visiting Associate Clinical Professor and Faculty Director, LLM/ J.S.D. Programs
aaron.ghirardelli@lls.edu

Professor Ghirardelli is the Director of the J.S.D. program. He is the first go-to person for any issues or questions relating to program logistics, such as visas, tuition, and other support services.

Cesare Romano
Professor of Law; W. Joseph Ford Fellow; Director, International Human Rights Clinic; Director, International and Comparative Law Concentration; Chair, International and Comparative Law Review.
cesare.romano@lls.edu

Professor Romano is the Academic Supervisor of the J.S.D. program. He supervises all academic aspects of program. He is the go-to person if you need advice on curricular matters, especially questions on how to write your dissertation and research support. In addition, if you experiencing difficulties with your Chair, members of the Committee, or otherwise, you should let Professor Romano know right away.

Priya Sridharan
Associate Dean for Graduate Programs
priya.sridharan@lls.edu

Professor Sridharan is the Associate Dean for Graduate Programs. She is the dean who oversees all graduate programs at our school, including the JSD program.

Justin Levitt
Associate Dean for Research
Professor of Law & Rains Senior Research Fellow
justin.levitt@lls.edu

Professor Levitt is the Associate Dean for Research and in charge of developing and implementing strategies to promote a vibrant research culture that advances research activities, links faculty, and engages in the broader scholarly community. He is the go-to person for placing your article in law reviews, faculty workshops or other networking opportunities and grants.

Daniel Martin
Professor of Law
Director of the Law Library
daniel.martin@lls.edu

Professor Martin is the Director of the Law Library and the go-to person for any assistance you need with your research. He supervises an excellent staff and will be able to direct you to the librarian that best suits your needs.

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This is the list of professors at our school who have a doctoral degree.

Keep in mind that it is not necessary that a professor have a doctoral degree to effectively supervise a doctoral dissertation. Doctoral degrees are not required to become a tenured (or research) faculty member of a law school; in fact, the dominant form of legal scholarship in the academy is the law review article and our tenured law professors have extensive publication records and are accomplished scholarly writers. That said, if you would like to reach out to a faculty member who has been through a doctoral program to seek out their guidance, you should feel free to call on any of the following professors:

Jeffery Atik
Professor of Law and Sayre Macneil Fellow
Ph.D., Universidad Autónoma de Madrid (Spain) and Jur.Dr. (honoris causa), Lund University (Sweden)
jeffery.atik@lls.edu

Carlos Berdejó
Professor of Law
Ph.D., Harvard University
carlos.berdejo@lls.edu

Simona Grossi
Professor of Law
J.S.D., University of California at Berkeley, School of Law
simona.grossi@lls.edu

Lee Petherbridge
Professor of Law and Richard A. Vachon, S.J. Fellow
Ph.D., Baylor College of Medicine
lee.petherbridge@lls.edu

Cesare Romano
Professor of Law and W. Joseph Ford Fellow
Ph.D., Graduate Institute of International Studies, University of Geneva (Switzerland)
cesare.romano@lls.edu

Seagull Haiyan Song
Visiting Associate Professor of Law and Academic Director of the Asia-America Law Institute
J.S.D., University of California, Berkeley School of Law
seagull.song@lls.edu