

How to Study For Law School Classes

Before understanding how to study for law school or taking a law school exam a few terms are worth defining and understanding:

- a. **Socratic Method:** the Socratic Method is the traditionally used method of teaching law to students. Generally the professor will call one student and ask them a host of questions relating to cases or policy surrounding cases. The idea is that this process will lead the student to better understand, clarify, and produce an answer without the professor simply telling the student what it is. The “answer” that professors are typically looking for can be, among other things, a driving principle of a case or policy issues surrounding the principles. Although this can be an intimidating and scary way of learning, the style is meant to encourage independent thought and develop proper legal analysis. This is a very common method of instruction used in almost all accredited U.S. law schools.
- b. **Law School Grades:** Typically grades in law school, in particular for 1L year (first year of law school), are based solely on the final exam. Although some professors may give some credit to participation, attendance, or a small paper in the course, you should expect your final exam to be the bulk of your law school class grade. Most professors will give an essay based “issue spotting” exam. Typically, the grades will be based on a curve, which is in turn based on your performance in comparison with your classmates’ performance. Thus, a student who did “well” or “poorly” on an exam may not have their grade reflective of actual objective performance. Law school grades are extremely important because your academic performance, particularly in the “foundational” courses taken during 1L year, will be evaluated carefully by recruiters during interviews for summer positions as well as for full-time employment.
- c. **Issue Spotting:** An “issue spotting” exam is a law school exam that will test the student’s ability to spot the various legal problems within a hypothetical situation your professor gives. See Exam Taking below for further explanation.
- d. **Supplementary/Horn Books:** These are commercial books that give frameworks for a particular course and provide black letter rules on the subject. There are two competing views on the use of horn books to study: (a) the use and time of hornbooks are not optimal, and (b) survival of 1L is based on hornbooks.
 - a. The unfavorable view of hornbooks is based on two main ideas: (1) Since these books are not structured towards a particular professor’s course, and a professor may structure their exam around their version of a course, their use can become confusing and unnecessary. (2) Professors assign heavy reading 1L year. Adding

more reading to an already tight schedule can become burdensome and induce stress and anxiety.

- b. The favorable view of hornbooks is based primarily on the idea, that these books will: (1) clarify any misunderstanding of the material presented in class, (2) reemphasizes key notes that a professor may have been trying to make, and (3) present difficult material in a clear and concise method, typically with simple, easy to read examples.

This author's opinion is that hornbooks can be a great tool to studying law, if used in moderation. This can be particular useful to hard science students who are used to learning through strict observance of rules with a methodical method. Using hornbooks when misunderstanding a concept is fine, although, taking the time to meet and discuss with the professor is best. While hornbooks are a good way to review the basic concepts of a subject, consulting a professor might be the better course of action to clear up more complex issues, such as those surrounding ambiguous or, even conflicting, points in the law.

e. **Course Outlines:** Making an "outline" is the most frequently invoked studying method for law school. It is basically making a single, clear, and concise document that includes all relevant material for each particular topic of the course. This typically includes, black letter law, relevant cases, policy issues, and any particular information the professor provided, such as, examples in class. Oftentimes, students form outline groups near the beginning of the term to divide up the work in creating an outline for a course. See studying for law school exam for further information.

f.) **Briefing cases:** Briefing a case is the typical method used by 1L's to prepare for class discussion. It is a concise understanding of the key elements of each case. A typical brief will include, the court that decided the case, the date the case was decided, the parties of the case, the key facts of each case, the issue involved, the relevant law that the issue involved, how the court applied the law to the facts of the case, and the holding of the court. Briefing is a very good technique for 1L's to see and understand how to effectively apply law to facts and read legal cases. This will also serve as a quick reference if you are called on in class. Good briefs will also help speed up the outlining process, since you would already have a lot of needed information readily available. A good *brief* should be *brief*, from one paragraph to one page in length. Remember you are not rewriting a case; you are merely extracting key elements of cases. Writing case briefs for class discussions, however, should not be confused with the term *legal briefs*, which refer to much longer, analytical and evaluative pieces arguing for a particular legal position.

Studying for Law School:

Studying for your first year of law school can be scary and stressful, but if you follow the guidelines below you should do great and find the new experience an enjoyable one. Okay, that was probably too sunny; you may just avoid regretting your decision of going to law school. Some keys to a successful 1L year are the following:

- 1.) Preparing for, attending, paying attention to, and reviewing for class
- 2.) Maintaining a schedule
- 3.) Study Smart
- 4.) Outlining early
- 5.) Taking practice exams
- 6.) Taking care of your body as well as your mind.

1. Class:

A. Attending Class:

The first step to doing well on your first year law exams and developing the “think like a lawyer” legal analysis skills is going to class. This may seem like a nominal step, but it has big effects and one that will become more and more challenging as the semester seems to drag on. Most law students are highly accomplished before law school and have tended to be at the top of their respective undergraduate classes; thus, some of them tend to treat law school like a small feat. Other students simply get tired with the “Socratic method” and start to believe they will gain more by studying at home and begin to rely too much on hornbooks. However, one good way to ensure doing well on your law school exam is to develop an understanding of the course similar to the structure of your professor’s thought process and opinions. Additionally, professors will often ask questions and give hypothetical examples that will inevitably show up on the exam. Lastly, developing your ability to analyze a legal issue will be easier if you go to class and pay attention to how your professor guides students through the process.

B. Preparing for Class:

The second step is preparing for class. As mentioned above, the most typical and best way to prepare for class is to create a brief of the cases assigned. It is best to have everything read and briefed two days in advance of class (or as reasonably in advance as possible). For example, if class is on Monday, then read and brief the needed materials on Friday. This will reduce any anxiety you may have about not being prepared on time for class and save you from any last minute situations where you just can’t get to the assigned readings. However, because you will be briefing your materials so early in advance you should review your brief or any notes you

took on the assigned reading just before class or the night before. Remember you are not memorizing your briefs. Briefs are there to cue you into the basics of the case. They are quick referral tools which you can use during class discussions to make your own persuasive arguments and comments.

C. Paying Attention in Class:

In regards to what to do when actually in class, a couple of points are important:

- (1.) Take notes on class discussion. Some students will go to class and not take notes on lecture or class discussion. You should remember that regardless if you took notes in an undergraduate class, law school is not college and, thus, should be treated differently. As discussed earlier, you are learning new ways of analyzing and reasoning in law school, so take notes on what is going on. The extent of your note taking is a personal preference. Some students prefer to almost transcribe the professor; other students will only take notes on key elements in class. Regardless of your method, you should take notes on (a) all black letter rules discussed by the professor, (2) hypothetical examples used by the professor, particularly ones that take up a significant portion of the class, and (3) policy issues surrounding cases or principles. Sometimes it is best to just *listen*, note the important thought or idea that a professor is trying to convey, and jot down that thought. If you are trying to transcribe what is coming out of the professor's mouth, you may miss the important takeaways and contextual points that the professor is attempting to convey.
- (2.) When in class physically be in class mentally. This can be particularly difficult if you use a laptop during class discussion. It is very tempting for most students to get online and "just check email" or change their status on Facebook. A good way of ensuring this won't be happening is to TURN YOUR INTERNET OFF. Some students find it useful to take notes by hand, so as not to have to use their laptops at all. The best method would depend on the depth of notes you need. If you like to almost transcribe class, then handwriting note taking is not optimal as you won't be able to catch everything that is said and discussed (though transcribing everything is probably not the best note-taking approach as previously discussed). However, if you only take notes on key elements, then handwriting your notes may be a better choice.

D. Reviewing for class:

When you are done with class, you should review the material. Many students believe that once class is done, they are done with that particular material until they outline. However, professors structure their courses to teach you an overall theme of the subject or

particular principles that a body of law is trying to accomplish. This is particularly true for certain subjects that involve a lot of history case law, such as, Constitutional Law. Reviewing material will help you to synthesize the important points and create an underlying theme, or “story,” easily.

Reviewing your material can take many forms. If you hand wrote your notes, then typing them up is a great method. If you typed up your materials then rereading them and making them more concise is also another good way of reviewing. Another method is to create a single document that will encompass class notes or other important elements contained in your briefs. Although this method is more time consuming, when you start outlining you will have all of your information in a single document.

If you find yourself not understanding something, go speak with or email your professor. You need not spend hours trying to understand a particular rule or question on your own. Your professor will help you understand any key elements or misconceptions you may have. Also, forming outline groups throughout the semester and/or study groups before exam time are great ways to use your classmates as valuable resources for your preparation.

2. Maintaining a Schedule:

Creating and maintain a schedule is another crucial element to doing well in law school. Due to the fact that most courses are evaluated almost exclusively based on a final exam, a lack of an organized schedule can create a whirlwind of confusion and chaos during exam time. A schedule will reduce anxiety, provide structure, and create a sense of accomplishment (especially as you check off the tasks that you have completed, both big and small). It is best to create a schedule at the beginning of the semester and update it every week or every month to make it more realistic. Be realistic about your schedule. You need at least one day off a week to maintain a healthy lifestyle, so, schedule it. If you know for Thanksgiving you are taking a trip home and won't be studying, then schedule it.

3. Study Smart:

Study for your classes paying particular attention to the weight a course will have on your GPA. Although employers will look at your transcript, they will do this after having seen and being satisfied with your overall GPA on your resume. Give due credit to classes that can disproportionately influence your overall GPA. For example, if your Legal Writing course is weighted only 1 credit and your Torts course has 4 credits, do not spend equal time on them. That would not be studying smart. Additionally, when studying for courses that are equal in weight, study them equally in the beginning and middle of the semester. However, towards the end of the semester give more time and attention (more, not all) to the course you feel you can achieve a higher grade in. This can be based on a number of things, such as, your understanding of the material or other students' understanding of the material. Be careful not to overestimate or underestimate other student's performance. This is definitely not to say that you should ignore,

or write off, courses with fewer credit units. Those courses may be very important in terms of substance (i.e. legal research and writing). But, the main point is that you should be cognizant of how you are allocating your time and energy, bearing in mind that some courses are weighted heavier than others when it comes to your grades.

4. Outlining Early:

This is key to developing your understanding of the material stress free and thoroughly. The key effects of outlining are three-fold: (1) absorbing the material, (2) synthesizing the material in a methodical manner, and (3) acting as a quick reference in open book/note exams. It is the “coming together” of the course. When creating an outline, it is best to use an old outline for the same professor and course as a guide in conjunction with your class notes and briefs (sometimes student organizations archive these old outlines). You may also use commercial outlines as a guide. However, remember that they are merely guides and should not be given more weight than your material as commercial guides and other students’ (particularly 1L’s) outlines can potentially have wrong, outdated, or incomplete information. Specifically, commercial outlines, although usually correct on legal principles, may not provide information in the same angle as your professor wanted you to learn. It is noteworthy to mention that cutting and paste from your briefs, class notes, or other outlines into your own is not a very good way to compile a solid outline. The point of making your outline is to force yourself to stop, read, and understand the materials. This lets you absorb the material thoroughly. Additionally, once you have an initial outline completed, review and revise it often. Your initial outline is like a book for the course. The more you read it the more you absorb its material and can explain it to yourself easily. It is noteworthy to mention that adding a table of contents or tabbing your outline is a great way to prepare your outline for the exam.

An initial version of your outline should be done by Thanksgiving break if your finals start at the beginning of December. You should continually review and shorten your outlines until the last day of class. By then, all of your outlines should be complete. It is in the opinion of this author that outlining should begin for a 1L no later than 1.5 months before the last day of class. Start by outlining the last exam first and then work your way up to the earliest exam. It is up to you on scheduling your outlining sessions. Some students prefer to outline in the morning or night everyday for a few hours and spend the rest of the time reading for class. Other students prefer to spend the week or weekend getting ready for class and switch the other time for outlining. Whichever you choose is fine, as long as you eventually get it done.

5. Practice Exams:

Taking as many practice exams as you can is another vital key to success. It is this author’s opinion that without taking at least two practice exams for a course, you have not fully studied for the course. Practice exams accomplish many things: (1) shows you what a law school exam

looks and feels like and in particular your professor's exams. (2) Gives you an overview on what your professor's exam style is and what the key concepts that he/she will most likely test you on are. (3) If a model answer is provided, it gives you a framework on answering the exam questions in a manner your professor desires. Model answers often provide good analysis of key concepts covered in class. (4) Answering past exams can create a great opportunity for going and discussing with your professor the material in a more concrete way.

Taking as many practice exams as you can is great. Start from the most recent and work backwards. Try to create a feel for the concepts that the professor tests and retests, this will most likely be tested again in your exam. Take at least two exams.

6. Taking Care of Your Body and Mind:

You need to take care of your body as well as your mind. Remember your body and your mind relies on each other. This means, you need to get adequate sleep, eat well, exercise, and enjoy some free time. A lot of students start law school believing they should minimize the amount of time they sleep to "get ahead;" well, without sleep your body, and thus your mind, won't function at optimal levels. Sleeping at least the minimum required for your body type is important and should not be ignored. Plus, nobody wants to look at or talk to people who haven't slept in three days. Also, eat well (no, energy drinks and coffee don't count). Eating for sustenance is not going to cut it. Eating healthy will give your body and mind strength and endurance. Exercise is another great way to get you out of the hole in the library, relieve stress, and keep your body in shape. Lastly, take time off to enjoy your life. You don't have to be and should not be an "alive-dead" person when in law school. Taking the time to go out, laugh, and enjoy your life will revamp your mind and body. This particularly true in the beginning and middle of the semester. Remember law school is like a marathon, you need to pace yourself accordingly.

Conclusion

Studying for law school classes is, simply put, a pretty intense process. But, that fact does not mean that it has to consume your life. Remember that, in the end, good organization, patience, and determination are what count in succeeding in law school. But, "succeeding in law school" is not really *succeeding* if it comes at the expense of making your life miserable. As a law student, you need to make time for *yourself*. This means being able to accommodate time for meals, exercise, family and friends, and religion. If you are a Muslim entering law school, you will face unique sets of challenges (many of which are addressed in a separate guide) and may have a different set of goals and expectations. The bottom line is that, while law school is challenging, it can also be extremely rewarding. What you learn through classes, clinics, and

activities shape the type of lawyer you will become and how you view the world. Don't just be a passive learner. Engage with your courses, your classmates, and your professors. Law school truly is a marathon. Keep focused on the race. But, never forget why you entered in the first place.

Good Luck!!!