The First Year
Law Students Before Law School

- Healthy well-being values and motives stronger than a large undergraduate sample
- Do not necessarily experience more neurosis or psychological distress than most people
- Give less endorsement to social popularity values.
Law Students During Law School

• Within first six months, law students experience marked decreases in well-being, life satisfaction and marked increases in depression and negative affect.

• According to one study, by late spring of the first year of law school 32% of law students depressed

• Same study also indicated these feelings do not subside during students’ second and third years.

• Demographic and descriptive differences do not matter with respect to this data.
The Legal Profession

- Depression continues to plague law students after graduation

- Rate of depression among lawyers 2-4 times higher than average rates among other professionals

- Johns Hopkins study – Lawyers had depression rate higher than workers in 104 other occupations studied

- 20-30% lawyers clinically depressed
Why Do Law Students Feel The Way They Do?

- Heavy Workload
- Shifting Motivations – Intrinsic to Extrinsic
- Thinking Like a Lawyer
- Substance abuse and other unhealthy coping mechanisms
Wellness Habits

• Keep in touch with loved ones
• Get optimum amount of sleep
• Eat well
• Regular exercise
• Keep any anxiety in check
• Keep in touch with personal values/spiritual needs
• Seek outside help you need to maintain these goals
Goal-Setting and Hope

• Set appropriate goals

• What is an appropriate goal?
  • Learning not performance oriented
  • Concrete not abstract
  • Approach not avoidance

• Study Plan, Study Plan, Study Plan
Why a Study Schedule?

• Law school is very different than college – Law school is like a JOB.

• Classes require more effort than your college classes.

• A study plan will help ensure you maintain a balance as you move through the semester.

• Positive psychological benefit
A Few General Thoughts...

- Must be written down

- Must be practical and workable

- Must incorporate responsibilities and activities

- Activities must include exercise, errands, cleaning, basically anything you would do in addition to your academic obligations
Basic Components of a Study Schedule

• Immoveable commitments
  Classes
  Scheduled group study time
  Family commitments
  Religious Services
  Meals
  Sleep

• Relaxation/Activities/Regular Tasks

• Reading

• Review
Reading...

• Do not read too far in advance. A good rule of thumb is that you should not do your assignments more than two days before they are discussed in class.

Consider the following reading schedule:

- Read Saturday for Monday’s Classes
- Read Sunday for Tuesday’s Classes
- Read Monday for Wednesday’s Classes
- Read Tuesday for Thursday’s Classes
- Read Wednesday for Friday’s Classes

• Remember, you should always read with a realistic time budget in mind.
Assignments and Exams

• You should mark all deadline for assignments and papers. Once you know your final exam dates, makes sure to write them down.

• Consider setting an artificial deadline for these assignments.

• Estimate the amount of time you will need to complete each assignment/prepare for exam.

• Work backwards from due date/exam date to determine how you should allocate your time in order to do your best work.
Grading as Feedback

- Grading is simply feedback not pure evaluation
- Self-monitoring – Create own feedback
- Trial and error
- Developing professional skills
What You Should Do Before Class...

- Read and brief the assigned cases
  - Your professors will assume you can acquire knowledge from text. Consequently, they will spend most of class sharpening students’ lawyering and analytical skills.
  - You will also want to quickly review your case briefs before class starts.
- Review/Synthesize Your Prior Day’s Notes
  - You learn new material by connecting it to prior learning.
  - By reviewing your notes, you determine what you understood from the prior class session and set a foundation for the next class.
  - Law classes are like a big snowball, with each class building on the lessons of the previous classes.
Reading Approach

• Three distinct steps:

1. Pre-Reading
2. Reading
3. Briefing
Developing a Time Budget

- To read efficiently, you have to read with a time budget – Remember – A task will expand to fill the time allotted to it.

- Reading is only one of many tasks you will need to complete each day/week to be a successful law student

- Determine the allotted time limit for your assignment by dividing your available study time by the length of the assignment

- Remember, you need to take a 1 minute break for every 15 minutes you work and a larger, 30 minute break for every three hours you work

- Read 2 days ahead - REVIEW!
Pre-Reading

• Goal is to make actual reading of case go as smoothly as possible

• By engaging in pre-reading, you ensure that you have the background knowledge you need to understand what parts of the case are important and what you are supposed to get from the case

• When reading, you must actively engage the text – Pre-reading is essential to this form of engagement
Obtain Prior Information About the Subject of the Case

- Course syllabi and casebook tables of contents
- Casebook topical introductions (even if not assigned)
- Be aware of where your present reading assignments fall in the overall context of the course design (as visualized by your professor)
- Be aware of the cases that fall around a case – Casebook authors make careful decisions before they cluster cases together.
- Think about how a new section of cases you are beginning might fit into what you have learned from past reading assignments.
- Information from the questions and notes following the case
Preview the Case

• The point of this is to identify the key topics addressed by the case

• Quickly skim the whole of the case

• Identify and read all the headings in the case

• Read the first sentence of each paragraph in the case. In most instances, that sentence is a topic sentence that states the point of the paragraph

• Note the decision

• Glance through the case notes and problems following the case
Note Details

• Be sure to take note of the following:

  • The date of an opinion
  • The names of the parties
  • The court issuing the opinion
  • The author of the opinion
  • Are there any concurring opinions? Dissenting opinions?
Generate Questions

• The last and more important step in the pre-reading process involves coming up with the questions you expect to be answered by the case

• Generating questions forces you to actively read the material (which improves comprehension)

• It also assists you with your self-monitoring for comprehension by increasing your awareness of whether you are getting what you expected to get from the material.

• Think about questions that test comprehension as well as connection.
Generate Questions

• Examples of questions that test **comprehension:**

  • Describe (the facts in the case, the holding, etc.) in your own words
  • What does (a concept or a term of art used to describe the subject area) mean?
  • Why is this (case, concept, etc.) important?
  • Why did the court decide __________?
Generate Questions

• Connection questions link new reading to ideas students learned previously in the course or before they came to law school.

• Making such connections increases retention, comprehension, and ease of recall and use.

• Examples of questions that test **connection:**

  • Why is (this case, this excerpt from a law review article, this entire topic, etc.) in this casebook?

  • How does this concept tie in to __________ concept (that you learned before law school, that you learned in another law school class, or that you already learned in this class)?
Generate Questions

• Additional examples of questions that test connection:

  • How are this case and ________ case similar?

  • How are this case and ________ case different?

  • What is the difference between ________ and ____________ (two similar concepts that have different legal implications)?

  • What are the strengths and weaknesses of the court’s reasoning?

  • What are the benefits and detriments of the court’s conclusion?
Reading a Case

- Expert law students read every court opinion more than once and mark the case only generally the first time they are reading the opinion.

- During the initial reading you should simply try to get a feel for the overall story and how the case comes out.

- In your next reading of the case, you should pay particular attention to the critical aspects of the case.

- You need to ENGAGE with the text and continuously monitor for comprehension.
Engaging with the Text

• Effective reading depends upon the extent of your engagement with the text as well as the degree to which you pay attention to the important details of the case.

• You should always be monitoring for comprehension – Continually ask yourself if you understand what you are reading – This is both sentence by sentence as well as big picture.

• You should also be engaged in finding answers to the questions you posted during the pre-reading stage.

• Text Look Back – After your first read, you should look back through the assigned material for the parts of the reading that answer your pre-reading questions.
Engaging with the Text: Dialogue

• You should be engaging in a dialogue with your cases and court opinions

• As you read, you should be evaluating the opinion, looking for flaws in the court’s reasoning, descriptions of the facts, statements of law and assertions about the public’s interests implicated by the parties’ dispute

• You should also argue with the opinion, making notes indicating your disagreements

• Cases are included in casebooks to give law students the opportunity to do what lawyers do in the real world
Questions During Reading

• As you read, you should think of hypotheticals and continue to pose questions – This effectively will test your understanding as you move through the text.

• Good examples of questions that are particularly applicable to this stage of the reading process are:
  
  • If I changed (a key fact in the case) to (a different fact), would the court have reached the same result?
  • How might I use the facts of the case to argue for a different result?
  • What must the losing party have argued?
  • Did the court reach the correct conclusion? Why or why not?
Developing Questions for Class

• You develop lists of questions you expect to be answered by the class discussion

• Questions should address aspects of the reading assignments that confused you and areas you expect your professor to address in the classroom discussion

• By developing these questions, you not only make sure you understand exactly you need to understand about the materials in the course, but also make you are actively paying attention to the classroom discussion, listening for answers to the questions they have developed.
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  • What are the strengths and weaknesses of the court’s reasoning?
  
  • What are the benefits and detriments of the court’s conclusion?
Effective Listening

• Preparation

• Mental preparation – removing distractions, avoiding hasty judgments and jumping to conclusions, resisting boredom, frustration and other emotional reactions and being physically ready to focus

• Self-monitoring – monitor for comprehension as a mean of self-evaluating class preparation as a way of making sure you are focusing attention on the classroom discussion

• You should be determining whether you understand what the instruction is trying to teach, evaluating whether your class preparation was effective and making sure you do not lose your focus.

• Effective listening involves making sense of what you are hearing – effective listeners are active listeners who constantly strive to restate what they are hearing into their own words
What You Should Do After Class...

• As previously noted, learning in law school is a cumulative process
  • Each class builds on the concepts learned in previous classes
  • If you understand this week’s material, you have a head start on next week’s material

• The first few hours after class are a crucial time period for reviewing your class notes
  • Material is fresher
  • Material is more easily remembered
  • Areas of confusion are more easily identified
  • You can remember your abbreviations
The Law School Learning Cycle

Read and Brief Cases

Review and Edit Notes

Class Notes
The Law School Learning Cycle

Read and Brief Cases → Class Notes
Review Notes → Outline/Organize Material
Thinking Like a Lawyer

• Narrow legal skill

• Only a part of what lawyers do

• Keep in touch with values, feelings and thoughts
Unhealthy Coping

- Takes many different forms
- Only compounds stress
- There are positive ways to relieve stress