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This guide to ONU Law has been developed to ensure a students’ greatest success during their first year of law school at ONU by providing tips and advice on how to have the easiest transition.

It was created in response to requests from current students who believe a guide would have been helpful for them in preparation for the start of classes. The packet was written by a recent ONU Law alum who spent time as a Teaching Assistant and graduated first in her class. She currently serves as ONU Law’s Assistant Director of Academic Support.

We hope you find the included information both helpful and informative.
What to expect your first day/month/semester and how to prepare:

- To prepare for the first day of class (in the summer and right before your classes start)
  - Familiarize yourself with the law school process – read blogs, student forums, talk to other law students or attorneys about what to expect.
    - The more you familiarize yourself with the process/environment, the less stressed you will be as the time approaches.
    - Recommended books:
      - Bridging the Gap Between College and Law School: Strategies for Success, Ruta K. Stropus and Charlotte D. Taylor (2001)
      - Succeeding in Law School, Herbert N. Ramy (2nd Ed. 2010)
      - The Buffalo Creek Disaster, Gerald Stern (2008)
      - NOTE: you can’t read them all but should look at them for guidance before you come to school and use them throughout your first year as needed on specific, relevant topics
  - Get a handle on the basics before you come to orientation, because once law school starts, you will not have a lot of available time
    - Getting a handle on these things now will ensure that you are not distracted from your primary task – doing well in law school.
    - Basics include:
      - Secure living arrangements (on or off-campus housing) and settling into those arrangements at least a few days before classes begin
      - Figure out your way around the area – grocery stores, banks, etc…
      - Check out the school itself and familiarize yourself with the lay of the school – library, classrooms, study carrels, etc…
  - Get a jump on your academics as well
    - You will hit the ground running with reading even before you show up for your first day of classes, so make sure you do what you can to get as many things set up and arranged ahead of time
      - Get your law school class schedule and book list as soon as possible, and buy your books so that you can have them at least one week before law school orientation
      - Get your first day reading assignments and complete them before your first class
• Most 1L professors will have a first day reading assignment and it will be solely upon you to find it out and complete it before you show up the first day

- First day of class
  o Don’t expect a lot of introduction and easing you into the process
  o Your professor may discuss their syllabus for the class right in the beginning; however, expect that most will jump right into things and call on a student to discuss the first case in their reading assignment
    ▪ See Class Info and Socratic method for more information
  o Don’t worry if things seem slow to you in the first few weeks of classes – the material and terminology is foreign and it will take some time to get familiar with the concepts
    ▪ In addition, law school involves a completely new process in the classroom for discussion and note-taking, and outside the classroom with studying and preparing for class, so reading and comprehension will be slower in the beginning of school

- First month of class
  o The legal terms and the concepts should be getting more familiar to you around this time, so it should not be taking you as long to read and prep for classes.
  o However, the extra time you have should be used for Legal Research and Writing and for starting your outlines.
    ▪ You will start having several Legal Research and Writing assignments to work on throughout the semester, including a research exam halfway through the semester, and an Office Memorandum due at the end of the semester.
    ▪ In addition, around this time, you should have discussed enough material in your classes that you need to start preparing and compiling your study document (also known as an outline) for each of your classes
      • See outline section for more information
  o The biggest thing to keep in mind, around this time in the semester, is that while you should definitely not get behind on your reading and preparation for classes, you will need to start carving out time in your schedule to work on outlining and going back to review the materials from the beginning of the semester.
    ▪ Not to mention that you will have several small LRW assignments you will need to find extra time to work on as well

- End of the first semester
  o Your major LRW paper will be due a few weeks before the semester is over, so you will have a lot going on and should expect to be busy
- Which is why time management and prioritizing your schedule is so important
  o You will still be expected to be prepared for class during this time and should realize that most of your free time that you had before, will now be devoted to working on your LRW paper and finalizing your outlines in preparation for final exams
  o Key here is to make sure your outlines are up-to-date, so that you can start using some of this time to begin reviewing the outline material

- Final Exams
  o Normally, you will be given a few days off before your first final exam, which are called “reading days” and are designed to allow you some time to prepare for your final exams
    ▪ However, the “reading days” are certainly not enough time for you to create an outline for the entire course
      • Rather, the “reading days” time should be used for finishing up and reviewing your outlines, along with practicing answering questions
        o You will never know for sure what issue(s) you professor will test nor will you know exactly the facts that will be presented to you; however, by practicing answering questions you will be better prepared to answer questions involving similar legal issues on the exam
  o Law school exams do not require you to repeat class discussion verbatim or repeat the facts of every case you read
    ▪ So don’t memorize each and every detail of the cases covered in class
  o Rather exams test your understanding of the rule that evolved from the cases, and your ability to apply that rule to a new set of facts
    ▪ Most law school exams are similar to cases in that they have a few or many persons with problems
  o In comparison
    ▪ Undergrad exams mostly test comprehension, memorization, and, to some degree, analysis
    ▪ Most law school exams test primarily analysis or application
      • Although memorization and comprehension are necessary to do well on a law school exam, memorization and comprehension are not alone sufficient
        o To do well on law school exams, you have to problem solve
  o Essentially on a law school exam you will have to:
    ▪ Dissect a fact pattern
- Identify the legal issues
- Articulate the rules of law
- And most importantly apply those rules to the facts given to you

**What you should know about classes:**

- **Curriculum in the 1st year is pretty well-established and set in stone for all 1Ls**
  - Purpose is to expose you to a broad base of legal knowledge and to help you to start thinking critically and analytically
  - Classes will include
    - Contracts – full year
      - Law that governs the agreements b/w parties
    - Property – full year
      - Law of ownership – mostly deals with real property (land ownership) and personal property
    - Civil Procedure – full year
      - Law of bringing a lawsuit in federal court
    - Torts – Fall semester
      - Law on civil wrongs
    - Criminal Law – Spring semester
      - Breaking down crimes into constituents parts and addressing whether the conduct satisfies the definition of the crime
    - Legal Research & Writing – full year
      - Teaching you to write like a lawyer – using research skills to review sources to find the rules of law, then using your writing skills to communicate this knowledge clearly

- **Socratic method is an integral part of law school experience**
  - You will spend almost an excruciating level of detail on reviewing cases
  - What is the “Socratic” method in general?
    - Professor will call on a student to provide essential info on an assigned case
    - After hearing information, professor will ask the student questions to flush out the student’s and the class’s understanding of the principles for which the case stands
  - Most frustrating thing about method is that regardless of how hard you try, it seems almost impossible to perfectly respond to the professor’s questions
    - The reason is that there is rarely just one perfect answer to any q’s in law school
      - Instead of looking for one right answer, the professor wants you to consider alternative ideas and points of view
- You will learn there might not be an absolute answer to every q’s, and even if there is, your professor will be concerned with getting you to show the process you took in arriving at that answer, rather than the answer itself
- The whole point of the method is to gets you to “think like a lawyer” = to think analytically = to look at an idea from every angle and to consider the pros and cons of each possible outcome
  - So while your answer to the q's is important, the professor is more concerned with the “why” behind it and getting you to explore and explain the “why” behind the answer

- How to prepare for class
  - It is very important to be prepared for class!
    - The more you are prepared, the more you will learn and understand generally the concept and what is going on in class specifically
      - Helps you get the discipline and conditioning your mind needs for the work that lawyers do in practice
  - How to prepare for class?
    - Read and brief assigned cases and review them before class
      - If you are a visual learner rather than getting info out of the Socratic method in class, creating charts or decision trees ahead of time can be helpful
    - Look at the Notes and Questions in the casebook that typically follow the case you have been assigned to read
      - Sometimes this section focuses on the important issues involved in the cases, and it is usually a good source to use in preparing you for what your professor might focus on in class
    - You definitely need to become familiar with the concepts and terminology you come across in your reading
      - So if you don’t fully understand the concept or term, you should take the time to look them up ahead of class, so you can understand them more fully when your professor talks about them in class

- Taking notes in class
  - Since law school discussions are mostly lectures and some form of the Socratic method, you may find that you might need to change the note-taking style that you used in undergrad
  - Some tips for taking notes
    - Don’t just write down the clear rules that your professor announces
• In fact, that is the easiest and most readily available information that you can supplement and find outside of class
  o Usually available in the case itself, or in the notes following the case, or in the texts, etc…

- Instead, you should be paying more attention to the questions your professor asks, the criticisms they offer of the decisions, and the hypotheticals they pose
  • If your notes look like a series of questions rather than a group of rules, that’s ok
  • And you should listen and jot down ideas and responses from your classmates, especially if they are different from your own
  • And you should think about and possibly include your own responses to the questions your professor asks

- Other things:
  • Before class
    - Should review prior notes, assignments
    - Bring a list of q’s
  • During class
    - Get the speaker’s main points, not every word
    - Organize as you write
    - Pay attention to repetition and emphasis
    - Indicate main points and supporting points
    - Jot down key vocab, important facts, formulas
    - Ask questions!

- One thing not to do in class/note-taking:
  • Do not “check out”
    - Make sure you actively participate in the class and are proactive in class discussion
      o Even if you are not called on or do not volunteer, you still should be actively listening and thinking about the questions your professor is asking

- A brief note on Hypotheticals
  • Once dissecting a case is finished – your professor will usually want to see whether you truly understood the rationale underlying the court’s decision
    - To do this, the professor will change up the facts from the recent case you discussed and then ask you to determine whether this new fact pattern (also called a “hypothetical”) leads to a different conclusion
    • Again, it is not the conclusion necessarily that is important, but the process you took and the reasons behind your answer that the professor is attempting to get you to explain
- **How to brief a case (in general)**
  
  - There will be a workshop during orientation that will solely focus on how to brief cases
  - But some general points that you should know
    - It is a formalized way of taking notes on your reading in preparation for class
      - Need to brief as a student for 2 reasons
        - To have the essential information right in front of you should your professor call on you during class and/or to at least follow along with class discussion
        - Important study tool you will use later to help you with outlines
    - No such thing as a perfect case brief. They will vary between students, and the information you put in will vary depending on the professor and what they focus on in their classes and their teaching style
    - General sections include:
      - Case name, Judge, Citation
      - Facts
        - Only essential and critical facts, as opposed to merely retelling the entire story in the case
        - Just the relevant facts that pertain to the legal issue(s), not all background information
      - Procedural History
        - What happened below with the lower court(s), filings, motions, etc…
      - Issue
        - The legal question the court is seeking to resolve
      - Holding
        - Answer to the legal question
      - Rule
        - Idea(s) from the case that the reader can take away and apply to future cases
      - Reasoning
        - The “why” behind the court’s decision
      - Disposition
        - The court’s decision as what to do with the case.
      - Notes
- Catchall – anything you think is worth remembering about the case that doesn’t quite fit into any of the designated categories

- Laptops
  o Depends on the professor, but more and more law school professors are banning the use of laptops in their classes
    - Different reasons why:
      - Concerns about students surfing the web, playing games, sending messages to others = not paying attention and/or actively engaging in the class discussion
      - Concerns that students will try to be more stenographers – meaning intent on getting everything that is said in class rather than thinking and participating in the give and take of classroom discussion
  o Make sure to look at the first day reading assignment for each of your professors and/or the website your particular professor uses to check to see whether your professor allows the use of laptops in class
    - Most professors will let you know ahead of time, but if not, they will certainly tell you the first day
  o In the event that they do not allow laptops, make sure you have a notebook of some kind in which you can use to take notes during class and have printed off your case briefs, so you still have the information you compiled available to you for class
  o If you are allowed to use your laptop in class, make sure that you don’t check-out in class by surfing the web, playing games, IMing friends
    - And then, on the opposite end, that you’re not trying to take dictation of the entire lecture/discussion, but rather are actively participating and selectively taking notes on the important questions, comments, responses, and hypotheticals

**Studying in Law school:**

- Tip for prepping for law school studying (which is equally applicable for practice) is effective time management!
  o In first few weeks/month and throughout your first semester of law school, you won’t feel like you have enough time to do what needs to be done. And it’s true!
    - Because everything is new, things will inevitably take you longer in the beginning.
    - So it is extremely important to be organized and set priorities.
One suggestion is to set guidelines for your time on everything – targeted amounts of time to study, research and write for LRW, breaks for lunch/dinner, extracurricular things such as working out or going to church.

Don’t make these timelines rigid – you might find that it takes you longer to read for Civil Procedure, than for Torts.

- So while you need to be flexible to some degree, you need to have some sort of a schedule because the farther you get into the semester, the more there is to do and the more that is expected of you from your professors, because you should be getting more and more comfortable and familiar with the process and material.

**Tips for Outlining:**

- You might have heard already, and if not, you will soon when you start school, that it is recommended that you prepare an “outline” for each of your substantive classes.
- Outlines are essential if one expects to do well on exams!
- What is an outline? It is an attempt to reduce all of the material/information you learn in your class into an organized and cohesive study aid.
  - The overall goal is to establish a document that is a reasonable length that essentially is a framework analysis for legal problems.
    - If done correctly, the outline should be your primary study aid for your final exams.
    - However, while studying an outline is important when it comes time for finals, it is really the process of creating an outline that is actually more important than the end product.
      - Your professors teach the law in class, but it is through doing an outline where you take all of the information and bit by bit piece it all together into a large analytical framework.
- There will be a designated workshop your first semester on how to outline, but some general points:
  - Start early
  - Don’t use commercial outlines or 2L/3L outline in place of doing your own outline
    - Again, it is through the process of creating an outline where you will develop a deeper understanding of the law
    - Plus your outline needs to be a reflection of your professor’s class
    - Could have mistakes or concepts not covered by your professor
  - Should be
    - Organized by topic/concept
    - Have black letter rules
- Include relevant and significant points from class discussion
- Contain cases as examples of how rule/issue was used
- Contain hypos to illustrate rules
  - Should use
    - Class notes
    - Casebook
    - Additional reading materials
- General/brief example of Torts outline
  - Intentional Torts
    - Battery – intentional infliction of a harmful or offensive contact on another person
      - Elements:
        - Volitional act, with tortuous intent (just intend the harmful contact), to cause the harmful or intentional contact or the intent to
          - Harmful or offensive contact- can be the direct or indirect result of what one did
        - Person of another- anything so closely connected to the body that it is customarily regarded as part of another's person
        - No requirement that one is aware of the battery when it occurs
          - Intent to bring about the contact or apprehension NOT the intent to cause the harmful results
            - Responsible if it was foreseeable or not!!
        - Standard – substantial certainty
          - Want the contact to happen (intention) OR act with a substantial certainty that it would happen
      - Consent – if person consents to touching, there can be no liability for battery
        - Express consent – actual consent by P. Consent to surgery
          - Mohr v. Williams – D doctor operated on right ear, but only had obtained consent to surgery on left ear. Held: battery. Today consent forms are written to cover additional necessary procedures
        - Implied consent – people must accept certain touching in society
          - Hypo – gentle nudge by someone to get on subway. Implied consent to this touching
          - Hypo – push someone out of the way b/c the person is blocking the door, and D pushes hard enough that P hits ground. No implied consent to this level of touching – goes beyond what is expected in society.
Resources available at ONU Law:

- **Academic Support**
  - Office provides services such as peer mentoring (Teaching Assistants) for the first year classes you will be taking, and also offers its own classes/workshops throughout the first semester on study skills, outlining, exam preparation, and time management
  - At ONU – 2 full-time professors:
    - Director Nancy Sabol
    - Assistant Director Melissa Kidder

- **Professors**
  - After trying to figure out the material on your own, through your casebook, class notes, outside sources, if you are still confused about a particular case or issue, you should make an appointment to talk to your professor
    - They are the ones that are going to test you and grade you at the end of the class, so they are the best source for you in clearing up any confusion/uncertainty
  - Plus, your professors want to get to know you and the more they get to know you, the more helpful they can be in the future, whether it is working as their research assistant or writing you a letter of recommendation

- **Recommended books**
  - See list above

**Things we wish we would have known:**

- Treat law school like a job – get to school early, study and go to class – go home at a decent hour to wind down for the day so you can physically and mentally do it all over again the next day.
- Take your responsibilities in law school seriously, but don’t forget that you need to find a balance in your life while you are at law school.
  - You need to consider your needs as a student and as a non-student and use your time wisely to fulfill those needs – whether it requires you to spend more time at school or more time with family.
    - So be honest with yourself about what you want out of your time in school and prioritize your time accordingly.
- Faculty and staff are here to help you succeed – whether it is in class, finding internships/externships, finding a job, etc… So don’t be afraid of them. They can be a great resource.
- It is hard to keep up with all of the work that is expected of you to accomplish throughout the semester, but really try your best to stay on top of things, because it is even worse (if not impossible) to cram all of that work in at the very end of the semester right before you take your exams.
Law school exams are by themselves very stressful, so the last thing you want to do is add even more unnecessary stress to your life because you waited until the last minute to do the work you should have been doing all throughout the semester.

- It is why time management and prioritizing is so important – which are skills that you need to master before you get to practice.

- You are not alone – everyone, even if they do not admit it, is going through the same feelings of uncertainty and insecurity as you are going through, and they are experiencing the same amount of stress as you.

**Finally, some general things NOT to do when you come to law school:**

- Poor class attendance
- Poor note-taking skills
- Poor time-management skills
- Last minute work
- Procrastination
- Failure to read directions
- Over-reliance on other students
- Over-reliance on internet
- Plagiarism
- Failure to ask for help