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# **& Strategies & Tactics for the First Year Law Student**

**Maximize Your Grades**

- How to Study
- How to Brief and Outline
- How to Prepare for Exams
- How to Get Superior Grades

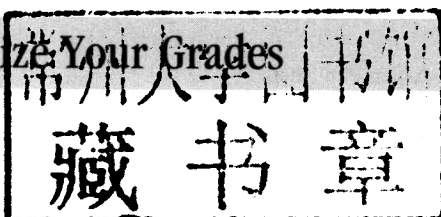


**Wolters Kluwer**  
Law & Business

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# Strategies & Tactics for the **First Year Law Student**

Maximize Your Grades



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**Wolters Kluwer**

Law & Business

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# **Dedication**

This book is dedicated to the hundreds of thousands of students who have wandered through the mazes and labyrinths of first year law, unadorned, unattended, and unassisted.

To the hundreds of thousands who will follow in their path, we offer this little guide in the hope it will help to light the way.

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## CHAPTER 1

# Introduction

There is no mystery about getting to the top of your law school class. All you have to do is score more points on your exams than your classmates do. It is as simple as that.

This book is designed to teach you how to achieve that goal. Ultimately, any work you do must contribute to that one crucial result: scoring more points on your exams. You will become frustrated if the time you spend studying does not produce results. You would be amazed at how hard some students work without rising from the bottom of the class. Their problem is not that they don't work hard *enough*, but that they work *ineffectively*. If you follow the principles in this book, you will avoid that trap. You will maximize your exam performance while minimizing your study time.

You must master three skills before taking a law school exam. In order to excel, you must be able to

- ❶ understand the law,
- ❷ remember the law, and
- ❸ apply the law to sets of facts.

One reason these skills are difficult to attain is that most professors never actually tell you what you need to do on your exams. Instead, they speak somewhat vaguely about teaching you to “think like a lawyer.” They neglect to tell you that what you will be asked to do on your exams is to *apply rules and principles to facts*. Unlike an undergraduate exam, where you basically regurgitate the principles you learned in class, a law school exam is closer to being handed a box of blocks and being told to build a castle. This book will teach you how to convert your class lectures, along with material from your textbooks and secondary sources, into the critical, usable information you will need for your exams. This book will teach you how to predict what your professor will include on her tests. This book will teach you exam skills—the skills that ensure that your performance will reflect your knowledge. And this book will help you create a study schedule that will not keep you chained to a desk until midnight every night. This book will show you what to do, and how and why to do it. These techniques are so effective that you can modify them to suit your own tastes and study habits and still achieve the goals your studying must accomplish.

### The Seven-Step Approach to Success on Exams

There are seven basic components to top exam performance:

- ❶ The Mind-Set of Success
- ❷ Drawing a Bead on Your Professor
- ❸ Class Preparation
- ❹ Taking Notes
- ❺ Outlining
- ❻ Test Preparation
- ❼ Working with Practice Tests

Reading this list, you may worry that you're in for a great deal of work. In fact, if you use the techniques this book outlines, you will obtain the best possible results from the least amount of study time. The secret of the approach is its "telescoping" nature: Once you have performed any task—such as reading a case in your casebook—you will never repeat it. After taking notes in class, you will never rewrite them; instead, you will summarize them, converting them from a class discussion into a usable outline. You will never read anything without thinking about it, summarizing it, and condensing it. By taking an active role in your work, you will reduce your study time and make it more effective, and your exam performance will benefit.

Of course, you *will* have to work to get superior grades, and if you aren't used to doing your homework regularly, you will have to change your habits. (This book will show you how to do this in Chapter 4, *Studying and Class Preparation*.) If this book told you that you could eat everything you wanted, give up exercising, and still lose weight, you wouldn't believe it. In the same way, if this book told you that you could get terrific grades without working, you would know it was lying. However, if you establish the habit of working effectively, as outlined in this book, studying will become much easier, and you will reach your full potential as a law student. Importantly, *you* are responsible for your own success—no one will do it for you. You need to plan and set yourself up to succeed rather than fail. You also need to take advantage of any help your law school offers (academic support professionals, your professors, etc.). Finally, while as an undergraduate you may have been able to wait until the last minute and still pull it together, that strategy is not going to work in law school (especially in your legal writing courses). Every year, students fall into this trap and spend the rest of law school (perhaps the rest of their legal careers) trying to dig out of it.

Welcome to the beginning of your legal career—good luck!



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## CHAPTER 2

# The Mind-Set of Success

Before you can successfully use the techniques in this book, you must be absolutely convinced that you can and will succeed. If you've started your classes, you may already have begun to doubt your ability to triumph on your exams. This book identifies seven sources that often contribute to this self-doubt: your classmates, your professors, your reading assignments, your personal commitments, your academic background, your unrealistic expectations of yourself, and your unshaken belief that law is too difficult.

This book will address each of these sources of anxiety, but first you should focus on something more basic—why it's so important to believe you can attain superior grades. If you are convinced that you can excel, you will be motivated to overcome obstacles and achieve your goal. With that motivation, you will work to understand and adopt the techniques in this book. Without motivation, you will find ample opportunities and excuses to give up along the way. A positive mind-set is absolutely crucial to your success in law school, as in everything else you do.

## Your Classmates

You may believe your classmates are simply more intelligent than you and that no amount of effort will overcome your shortcomings. You can overcome this feeling just by acknowledging the probable source of this belief—the things your classmates say to you. You can't actually see them learning because it's impossible to probe another student's thought processes. You base your belief on what they say about themselves, both in and out of class. In fact, there are a few common problems concerning classmates.

### They Sound Really Smart When They Answer in Class

When a student says something intelligent-sounding during class, you may decide that he has some special insight into the law that you lack. But there are several other possibilities, all equally likely. For example, a person who consistently comes up with the correct answer might have obtained the class notes of someone who has