Top Law School Study Aids And How To Benefit From Them

This article will apprise you about the mechanics of the law School Success System, as it is also an integral part of law school classroom system. Several things need to be looked into, prime among them, what study aids are available, how to handle daily class work, and the study group and most importantly, how to read, given that there is a large volume of reading to be done.

**Click Here to Find Law Student Jobs on LawCrossing**

**Speed Reading**

We all feel that we know how to read, perhaps unaware that there are various ways of reading. Law students will find that their normal reading habits cannot cope up with volumes of material they will be expected to read every day.

An attorney to his chagrin found out that he was assigned 300 pages a week, which was far beyond what he was able to cope with and too much for his reading habits. He started to fall behind and in order to catch up he tried speeding through his assignments. That was pointless; he comprehended nothing. It suddenly dawned upon him that he needed assistance and he asked advice from friends he knew could read rapidly. Their suggestions helped him immensely, practically doubling his reading speed.

This is what he learnt:

Essentially, the technique he used is this: You mentally divide each line of printed material into two or three segments and then train your eye to pause in the middle of each imaginary segment of the line and only there. The reasoning behind this technique is that reading speed is correlated to eye movement. Therefore, the fewer times the eye pauses per line, the faster the line will be read. In terms of comprehension, too, this method is supposedly more efficient than word-by-word reading because the stream of the author's thoughts will flow into your mind undisrupted by random stoppages or jumps of your eye around the page. As you become accustomed to this method of speed reading, which requires practice, you will be able to decrease the number of stops per line from three to perhaps two or even one on short lines.

**Vocabulary**

One problem hampering a student’s reading at first will be the unfamiliarity with legal vocabulary. It takes time to get to know what the legal terms mean. Normal people don’t say, “assumpsit” or “a fortiori” at cocktail parties— at least not if they want to be invited back. Buy a paperback, not hardcover legal dictionary and keep it with you at all times as you study during the first semester. Hardcover dictionaries are heavier to carry around and some are four times more expensive than paperback ones.

However, if you don’t want to spend money on dictionaries, you don’t really need to do so as Westlaw and Lexis are online dictionaries that you can always access. Most law schools have subscribed to them and they provide their students with the passwords. Even if buy a dictionary, mark my words, you will be using the online version more, because its faster, easier and more convenient.

It is better to read the assigned message twice. Reading it once may not be enough and in your haste you may miss out on important parts. The students understanding of the material he is assigned will be dramatically increased if he reads it twice. Yes, this sounds burdensome, but trying it will prove that it is a simple yet effective method.

Take an unfamiliar passage and see if two readings don’t dramatically improve comprehension and understanding. While textbooks and law review articles don’t always require such double duty if written in straightforward style, case decisions—the bulk of class assignments—must be read twice, at least during the first semester.

Marking important text is a personal matter. Many will found that underlining a word or a phrase was not particularly helpful. Furthermore, it was slowing down the reading. Often the act of underlining replaces the process of learning the material there is always that sense of "I'll mark it now and go back and learn it later".
Unless a passage is so clearly important that it sets off bells and whistles on the first reading, postpone any such marking until your second time through the material. When you're not familiar with the subject, you tend to mark everything you read, which obviously undermines the whole point of high lighting text.

A Guide To Books And Study Aids

Now that you know how to read, we will deliberate upon what should be read, what books you'll be required to buy and from which you'll do your class assignments and what optional materials you may wish to read to help you in your studies.

Casebooks

Casebooks, which you will be required to buy for class, contain edited court decisions, or cases. Reading from these case books will comprise the bulk of your assignments. These books will also have, interspersed between the cases, sections called "notes" (or something similar), in which the author gives you additional information about the case itself or the legal topic it deals with.

Law is a dynamic field, and casebooks must be updated to incorporate new decisions. In addition to the hardcover casebook, you will often be required to buy a paperback supplement, which includes recent decisions and legislative changes that have occurred since the hardcover edition of the book came out. Warning: Do not neglect to read the supplements. Since they reflect the up-to-the-minute state of the law, professors often put greater emphasis on the cases in the supplement than they do on older cases.

While you may be tempted to sell your casebook after the course is finished, remember that they remain valuable for years as sources for cases and as bibliographies about the topic of law they cover. Even in practice, although you would rarely cite a casebook in a court brief, you might very likely refer to one of your old casebooks for lists of relevant treatises and articles that you could cite, or to help you begin research into a subject of law you need some refreshing in.

Treatises

Treatises are lengthy multivolume works that exhaustively discuss in narrative form an area of law. They do not reprint cases, but provide synopses of important ones and include detailed information on the history of the legal subject, what legislative changes have occurred, what the philosophy behind the law is, and so on.

You don't buy treatises for your personal use (not only because of the expense; who wants to lug around a twenty-two-volume set of books?). In fact, treatises often are not helpful for students since they include so much detailed information (they are intended primarily for practicing attorneys and judges). Still, if you're stumped by a difficult question, you'll almost certainly find the answer in the treatise dealing with the topic although you may have to do a little digging to find it.

Hornbooks

A hornbook is a mini-treatise, also called a textbook, and is intended primarily for students. Like a treatise, it does not contain the text of court decisions but rather presents a straightforward discussion of the law. A hornbook will say, "The rule of law is . . . ." whereas a casebook will present a sample case that contains a version of that rule. Perhaps the most famous hornbook, and one of the best ever written, is Prosser on Torts. If you're near a law book store or library, stop in and ask to see a copy to get an idea of what a hornbook is.

Hornbooks are usually hardcovers, but they are affordable. They're an excellent investment, especially around exam time when the library copies will invariably be checked out. Although they are intended mostly for students, you will use them in your practice. A good resource is the popular line of paperback hornbooks called the Nutshell series, which gives brief overviews of most areas of law.

Click Here to Find Summer Associate Jobs on LawCrossing

Legal Outlines

Legal outlines are commercially sold paperbound booklets designed to summarize an entire law school course, often following the organization and contents of specific casebooks.
They supposedly are to be used as an aid to the casebook although many students often use them instead of the casebook (more on this later). Outlines present a synopsis of each case in the casebook and include a discussion of the rule of law the case represents and other information about the subject.

These are, as the name suggests, in outline format, and are similar to the master outline you will write using the LCM system. Some of these outlines are nearly as lengthy as the casebooks they digest. Note that some of them are merely paperbound hornbooks in outline format; they don’t correspond to any particular casebook.

Case Briefs

Case briefs are nothing more than ready-briefed cases (also called "canned briefs"). Often they are in a form that allows them to be torn out of the book and inserted into your own notebooks. They, like many of the legal outlines, usually are written to correspond to specific casebooks and often offer a subscription service through which you will be sent briefs of the cases recently added to the latest editions of the casebook or its supplement.

Case briefs have some marginal value in presenting a summary of a case, but they are no substitute for reading the assigned cases and as such they would rank low on your list of potential study aids.

Law Review Articles and Periodicals

The law review is a scholarly journal published periodically, usually quarterly. Every law school has its own, and some schools have several, each dealing with a specialty such as environmental, communications, or antitrust law. The articles in these journals are written by professors, practicing lawyers, and judges, although a portion of the space is reserved for students who contribute smaller articles.

The topics of the articles are generally very esoteric and deal with the finer points of law. Often they will express authors’ opinions about areas of law that they feel need to be changed. Because they are written by experts for experts, most law review articles will not be helpful to students in their first year. Occasionally, however, a law review will present an excellent overview of an area of law and will do so with particular clarity and perception.

Students will also find dozens of legal magazines, ranging from the well-known ABA Journal down to limited circulation, specialized magazines. Although very little in any of these magazines will help them directly in their studies, picking up one or two that interest them and reading them at their leisure will help give them an idea of what practical issues attorneys are currently confronting and of how attorneys manage the business aspects of their practice (hiring staff, renting space, using computers, and so on).

Video And Audio Tapes

It is now possible to find many of the study aids mentioned herein on both audio and video tape, giving you the benefit of seeing on screen or hearing lectures by well-known legal educators. Video tapes are particularly helpful in upper-class courses such as trial advocacy, where you will learn such things as gestures, courtroom speaking techniques, and handling witnesses. To be able to see experts orchestrate a trial on tape is a major benefit to future litigators.

Camcorders and other personal video tape machines can help you prepare for your moot court argument in your first-year legal research class. Try taping yourself and studying both your argument and your body language, voice level, and so on. Practicing in front of this all-seeing eye will also prepare you psychologically for your appearance before the “judges.”

If you intend to audio tape a professor’s lecture, be sure to ask permission first. However, don’t do it on regular basis but only if you anticipate that a lecture will deal with a particularly difficult topic, and you wish to listen to it again, a tape of the session might be helpful.

Computer Research

Computers have, of course, now become standard equipment in legal study and practice. Most trial lawyers in the country do at least part of their research on computer systems. In addition, most legal libraries have systems that streamline “cite-checking” (verifying the accuracy of references to court cases and other legal authorities)—a notoriously tedious, but vital, task for students and young attorneys. You also can take advantage of CD-ROM machines (Compact Disk-Read Only Memory), computer storage systems that contain huge amounts of legal materials on a tiny disk (identical to music CDs). The CD-ROM
systems allow you to search through treatises, indexes, and other legal materials at literally the speed of light.

Interactive Systems

There is another interesting type of software on the market now—interactive programs. These allow the user with a standard personal computer to create legal documents in response to questions the computer itself asks. These interactive programs (meaning that the user and the computer can respond to each other) are not artificial intelligence systems and cannot replace an attorney's experience and judgment. But when it comes to creating customized legal documents for litigation or business transactions, many of the mechanical and repetitive aspects of assembling those materials can be left to the machine.

As a student, you will probably not have much need or opportunity to use such a system, but if you get access to one—if your library has a PC, for instance, or if you’re clerking in a law firm—you should try it out. It will greatly supplement your legal education, both in the discovery of what computers can do for you and how legal documents are assembled.

Using Study Aids

Treatises, hornbooks, legal outlines, and case briefs are the major study aids available to you. How do they fit into the Law School Success System?

Students often buy case briefs, or canned briefs, and use them frequently. But if you use them instead of briefing the cases yourself, you’ll be doing yourself a major disservice. For one thing, commercial briefs can miss issues. Also, they tend to be very short and may deal with complex legal issues in a superficial way.

More important, though, briefing cases is a skill that you must learn. There’ll come a day when a partner sticks her head in your office and says, “Jones, I just heard about this new case, Hansel v. Gretel. Get a brief to me in a half-hour.” There won’t be any commercial briefs you can turn to (and even if there were, it would be malpractice to rely on it instead of the actual text of the case).

Essentially, the same rule applies with the other types of study aids: They should supplement, not replace, your briefing of cases and reading of assigned materials. There is nothing wrong with such aids but, as the underlying philosophy of the Law School Success System maintains, you get out of school what you put into it. If you wrestle through a case and brief it, you’ll truly understand it. You’ll see the facts. You’ll have the decision with you for years. If you rely on a predigested brief or an abstract rule of law from a hornbook, you’ll forget it within a week.

It is often helpful, before reading assigned cases, to read the section in a hornbook or other study aid dealing with the topic of law your class is currently covering. You will not only get a good background for the subject, but you may find that the assigned cases have themselves been discussed by the horn book author. (A good tip: Look up assigned cases in the horn book’s “Table of Cases”; you will find that many of the cases have been included in the book.)

Click Here to View the 2015 LawCrossing Salary Survey of Lawyer Salaries in the Best Law Firms