

The Best Advice to Stay Sane Your First Year

1. Stay on top of the reading. If you are absolutely crunched for time, at least skim it and look over a canned outline.
2. If you decide to study with an outline – start outlining about a month and half after the term begins rather than the last two weeks. Also, if you decide to make an outline, ask 2L and 3Ls for their outlines to help guide your own. You will be surprised how collaborative Lewis and Clark Law Students are. But, honestly – you will be more prepared for final exams if you put the time into creating your own outline, and just using other outlines as a guide (and not a crutch).
3. Start doing hypos almost immediately. Memorizing the law is one thing, being able to apply it to a set of facts is a whole ‘notha story. There are so many supplemental books available on reserve in the library, in the school book store for sale, and the various school organizations have used book sales. Also, most professors have old exams available. You should definitely do a practice exam a few days before the real deal. Seriously, take advantage.
4. Professors are more than happy to talk to students. Don’t be shy, afraid, or intimidated. If you have a question, email them and set up a time to drop by.
5. You are not a robot. Remember to breath. You need to relax and have fun every now and then.

What To Do Before It All Starts:

There is no point to stress out before law school starts. Yes, law school is pretty intense – but it can also be a lot fun, make great friends, have unique challenges, and have awesome experiences. Just remember everyone is in the same boat – and everyone is probably feeling just as nervous and excited as you are.

To ease into law school I suggest the following:

If you see students on campus before or after school starts – stop them and ask questions, introduce yourself, say hello. Research some of the school organizations and see which ones might be a good fit for you and email a board member with questions. Get your laptop configured at the computer lab a week or two before school starts to beat the rush. In addition, go to campus safety at the undergrad campus to get your student ID card earlier, too. You should know that your ID photo will be posted on seat assignments and the Who’s Who catalog – so remember to smile! It may also be a good idea to take you ID card to the circulation desk at the library to set up your library account before school starts, as well.

Really? The first year is the most important?

Honestly, the first year is incredibly important. However, whether it is the most important can be debated. It pretty much depends on which sector you want to practice law. If you want to practice at a big top corporate firm, then yeah – the first year is probably the most important. With this being said, keep in mind that it is probably better that your transcript reflects an improvement over the years rather than it starting awesome, and then it being – well – not so awesome. So, don’t be a slacker but don’t freak out if your grades aren’t what you are use to getting. It is not the end of the world, or your law career.

Noteworthy Reads

Doing some reading may help the transition into law school. If you find sometime, perhaps you may want to pick up (1) *One L: The Turbulent True Story of a First Year at Harvard Law School* by Scott Turow. This read emphasizes the hardcore old school Socratic method – generally this is a bit obsolete, but it is a fantastic read. (2) *Law School Confidential (Revised Edition): A Complete Guide to the Law School Experience: By Students, for Students* by Robert H. Miller. This book is one of the most read books by prospective and current law students. It is a good directive from the first initial decision to the ultimate destination of taking the Bar. (3) *The Brethren: Inside the Supreme Court* by Bob Woodward and Scott Armstrong. This is more of a behind the scenes of what goes on in the Supreme Court. You will probably here professors bring this book up at least once your first year. (4) *1L of a Ride: A Well-Traveled Professor's Roadmap to Success in the First Year of Law School* by Andrew McClurg. Straight advice from an award winning professor who will help you prepare for academic success while maintaining emotional sanity. (5) *Getting to Maybe: How to Excel on Law School Exams* by Richard Michael Fischl and Jeremy Paul. This read clearly and easily shows how a law school exam should be answered. Fact patterns are more often than not ambiguous. Professors Fischl and Paul have put together easy lessons that will help approaching an exam – and thinking like a good lawyer.

Legal Fictions and Law School Myths

More often than not there are all sorts or rumors and myths flying wild about law school. So now is the time to set somethings straight:

Professors will grill (Socratic Method) you till you cry – total myth. Yes, most professors do use Socratic method in class, but seriously it is not that bad. I mean, yeah – it totally sucks at first, and it is frightening, but you will survive. If I survived, you will survive. Seriously. Many professors have a system (alphabetical, seat assignment roll call), so it is easy to predict when you will be called on. Other professors have a completely random cold calling method, and well you just have to be prepared. But, if you don't know an answer – it is okay. Just know that most of the time the way that profs at Lewis and Clark Law are using the Socratic Method in a way to stimulate thinking, class discussion, and to train you to be lawyers. Not to make you cry.

Law school means that you won't have time for anything but law school – sort of myth Yes, law school is very time consuming. However, if you budget your time, you can still weave life into law school. There is a lot of reading, and yes there is some memorizing. But, law school is more about understanding and application of the law. So, don't kill yourself over all the details. Just try to understand the cases reasonings and legal applications. A little time management goes a long way.

Professional or business casual dress is required at law school – total myth. Maybe at Harvard it is, but not at Lewis and Clark. Some students choose to dress business-esqu, while others choose to wear jeans and a hoody.

First Week as a 1L

Flask back to high school – Yes, there are some similarities like lockers, seat assignments, and hallway small talk. But assure you that you are in law school.

Get involved, find a network – You will see many posters and announcements for all the various school organizations. It may be a good idea to get involved in something and build somewhat of a network. There are many different clubs/organizations on campus that can be rewarding. It is an easy way to meet other 1Ls, as well 2 and 3 Ls. Also, a lot of the organizations have shared outline banks. Use them. And, if anything there are many social events and meetings that have free food and sometimes even beer. Yeah, law school can be awesome.

First Year Classes

So how your first year classes work is that you are assigned to a pod: Purple, Red, Orange, Blue, Yellow or Green. Each pod has something like thirty-five students. You will have three out of your five classes with your pod plus another pod (With the exception of the evening pod, which has one class with another pod). One class is just your own pod. And, your Legal Analysis and Writing Class is a much smaller class (about sixteen students), so you may have it with just a portion of your pod or it may be a mix of pods. This will make more sense when you start classes. Trust me.

So now you have the details about pods, but you may be thinking what the classes you are enrolled in are. As 1Ls, you don't pick your classes. They are just required classes and your schedule is pretty much set for you. First year law students at Lewis and Clark generally take: Constitutional Law I (1 Semester), Property (1 Semester), Criminal Procedure I (1 Semester), Torts I (1 Semester), Contracts (2 Semesters), Civil Procedure (2 Semesters), and Legal Analysis and Writing (2 Semesters).

Constitutional Law I (Con Law I)

Con Law I is basically about how the Constitution navigates national power, federalism, states' rights.

Property

Property has the general reputation as being the hardest first year course. Part of the reason is because a lot of property law is pretty much based on old school tradition that just doesn't make sense to keep around anymore. It also just covers a lot of material with contract and tort law weaving in and out a bit. But pretty much it is about property rights. It is a lot of information, yet it is manageable (most of the time).

Criminal Procedure I (Crim Pro I)

This class tends to be a favorite among 1Ls. To boil crim pro down it is the good guys versus the bad guys. This class generally has three main parts: The Fourth Amendment, The Fifth

Amendment, and The Sixth Amendment. You will learn things like the exclusionary rule, fruit of the poisonous tree doctrine, what is compulsion, Miranda Rights, what is search, and such.

Torts I

If you don't know what a tort is – don't be alarmed. Many entering law students don't. Tort according to dictionary.com means “a wrongful act, not including a breach of contract or trust, that results in injury to another's person, property, reputation, or the like, and for which the injured party is entitled to compensation.” The course is pretty much divided into two sections: intentional torts and negligent torts. The class is approximately one-third based on intentional torts and two-thirds torts.

Contracts

How contracts is taught depends on the professor. Some professors start with what is a contract (offer and acceptance), while others start with remedies for a breached contract. Regardless, contracts has a lot of details – but as long as you do the reading, go to class, pay attention, and study – the details won't get too crazy.

Civil Procedure (CivPro)

Civ Pro is usually just one of those classes that doesn't make sense till you see the big picture (usually right before finals). Civ Pro is basically how a civil trial (non-criminal) operates. It is divided into two parts: Federal Rules (FRCPs) and Jurisdiction.

Legal Analysis and Writing (LAW)

This class is sometimes the most frustrating for students. This is for several reasons. First, legal writing is very different from any other sort of writing you have probably ever done. Second, this class is not a graded class – so it is frustrating to spend endless hours on an assignment that won't affect your GPA. With that being said, LAW may be the most important law course you take. Why? Because this class will give you the tools to do your lawyer job in the future – analyze and apply the law to your client's facts. Also, you will likely need a writing sample to get a summer job. Third, legal writing will help take exams. So take it pretty seriously. The class is structured to have the first semester focus on writing a legal memo. Second semester is focused on writing an appellate brief and an oral argument.

Some tips: Don't put assignments off till the night before. Give yourself time to revise (you will revise a lot, no joke). Go to your professor's office and ask for help or clarification. They will be more than happy to sit and chat with you. Plus, the more they get to know you the better reference they will be when you are job hunting.

Understanding Legal Talk

I heard somewhere that it takes the average law student an hour to read three pages at first. I didn't believe this until I tried reading my first case and I quickly realized why. It is in a foreign

language. No really. There is so much Latin thrown around it is not even funny. Regardless, after a little time you will pick up and read cases faster. I almost promise you. But, just read slowly and look up the words that you don't know, Latin or not. And, keep in mind that sometimes you will look a word up nine times before you naturally incorporate it into your vocabulary.

Understanding Legal Thinking

It depends. Maybe. Under these facts. Get use to those words, because you will be saying them and hearing them a lot. Almost always the fact patterns you are given or you read have no clear right answer. As law students, and as future lawyers (I think) our job is to analyze the facts and apply the law and come to a conclusion that is based on those facts. But, keep in mind that conclusions may vary – and that neither conclusion may be right. This is not the same as a conclusion is wrong. This will hopefully make more sense when you read case opinions and dissents.

Social Life:

Don't let law school eat you alive. Get out and have some fun every now and then. Portland has so much to offer, so take advantage. There is an awesome music scene, rad bars, museums, independent theaters, 80s dance parties, as well as some cool quirky Portland-esque things. There are art walks in Alberta (Last Thursdays) and Downtown (First Thursdays). There is OMSI's epic event After Dark (<http://www.oms.edu/afterdark>) on the last Wednesday of each month. Portland also has several sport teams, such as The Trail Blazers (National Basketball Association) The Winter Hawks (Minor League Hockey), The Timbers (Minor League Soccer soon to be Major League), and The Beavers (Minor League Baseball). There are also tons of free things to do – for current listings and out of the ordinary events check <http://pdxpipeline.com/>. And, reading this New York Times article may be worth your while <http://travel.nytimes.com/2009/05/10/travel/10Portland.html?pagewanted=1&8dpc>. Seriously, have some fun and don't be a robot.

Academics and Studies

Study Groups

Some people work well with study groups, while others don't. If it is your thing then get with a group of people that you will study well with and set a plan from the get-go (time, location, material, objectives, etc). If it turns out that the study group isn't working well for you, it is okay to drop out – as long as you do it early on without affecting your group. And, if you know it isn't your thing then don't feel pressured to join one just because other people are forming groups. Do what is best for you.

Hypos

Doing hypos throughout the semester is key. Learning the law is relatively easy, the hard part is knowing when and how to apply it. Practicing application with hypos is a good way to get tease out confusions and mastering the concepts. If you decide to write down your answers, you may want to take it to your professor and ask for feedback. Some good sources for hypos are the E&E and Q&A books.

Outlining

Outlining is a good way to bring the whole class together. It helps connect all the details and see how they interrelate. Outlines are also a good thing to study – once it is completed. So don't wait till reading period to start outlining. This is a process that should be started probably six weeks or so into the semester. Also, some classes you can take outlines to your final – so that is always assuring. However, if you just don't think outlines are for you and you think you can study more effectively other ways – then do it.

Briefing Cases

A case brief is pretty much the notes you take on a case. A conventional case brief more or less has ten components: Facts, Procedural Posture (the history of the case), Issue, Rules, Holding, Reasoning, Judgment, Dicta, Policy, and Dissent/Concurrences. Some parts are more useful to brief than others depending on the class. Case briefing usually takes a little bit of time at first, but as the semester progresses you pick up on what and how briefing a case works best for you. Some people book brief, others use different colored pens handwriting them, some people use different color highlighters while reading, while some type out briefs and incorporate them into their class notes. Case briefs are also a good way to be prepared for class if you get called on.

Sample Exams

This is a great way to prepare for finals. Most professors have past exams available at <http://lawlib.lclark.edu/students/lawexams.php>. It is probably a good idea to get with two or three other students a few days before to take some together. Afterwards, you may want to discuss and compare your answers.

Study Aids

Before spending hundreds of dollars on study aids – know that the law library has an oasis of study aids. It may be worth your while to check out other resources before denting your bank account.

Speaking in Class

On Call

For most students, this is the first scary law school experience. But, honestly – if I was able to get through it, you will be able to get through it. If you have a really hard time with public speaking, talk to the professor and let them know. You will still probably be call on – but it is likely that they will be more compassionate and understanding. The thing to remember is that the

situation always seems worse in your head. Seriously. And, honestly even if you do royally mess up – no one will remember it next week. Just keep up with the reading. Take a breath. And, remember that almost everyone is just as nervous as you are.

Asking Questions

Asking questions in class can be a good thing. Most of the time, something you are having trouble with is the same thing that your classmates are having an issue with, as well. But there are just some general guidelines that should be followed most of the time, such as leaving it to the professors to ask the hypotheticals, not interrupting the professor in the middle of something important, using tactful language, and bringing something up something from six weeks ago. If there is some killer hypothetical or something of the sort then use your best judgment – if it is something of value for your classmates then ask; if not then maybe office hours are a good idea. The main thing is to not be scared to ask questions. They are a good thing. But, just be considerate of your classmates' time, as well.

Gunner: The G Word

Gunner: A student who speaks just to hear the sound of their own voice. A person who asks way too many questions, tries to answer almost all the posed questions, and on occasion thinks it is their job to teach the class. A gunner isn't necessarily the worst thing ever. But, it just isn't the reputation you really want either. Just be considerate.

Some signs to watch out for in case you think you are reaching gunning status:

You hear sighs and grunts when you raise your hand, the professor pretends to not see you raise your hand, or if by the third week you haven't figured out who the gunner is – it might be you.

To be frank – You pretty much don't want to be a gunner.

Be ready for it

Most students have somewhat of an idea that law school is going to be – um – intense. But, there are just some things that creep up on you that you were not anticipating.

Finals Madness

People, including you, will start becoming pretty strange during finals. Campus tends to tense a little (or a lot) with nerves all over the place. People may start being grouchy and negative. If the atmosphere is affecting you – just stay off campus. Go study at a coffee shop, hangout with positive people, and rest assured that after your last final everything the world will once again be restored to pre-finals madness.

Seasonal Affective Disorder (SAD)

Be prepared for the seasonal changes. It rains a lot in Portland. The weather is very temperamental in Portland – the weather can shift dramatically in less than five minutes. The days are pretty short during the winter. Many people have a hard time adjusting to Portland's

inherent seasons and reduced sunlight exposure. There are several ways to prepare and combat SAD. Some students purchase the Bright Light (known by some as the “happy lamp”). These Bright Lights work as somewhat of a substitute for sunlight. Exercising and running is another good way to keep the mind and body healthy. This is because exercising releases dopamine and serotonin into the brain. These chemicals generate a feeling of well-being, confidence and positivity. Another good way to stay motivated and combat SAD is to embrace caffeine in the mornings when you wake up and it is still dark. Seriously. Tea, coffee, something will do wonders.

Grades

Most of you are use to get really good grades. And, most law students aspire to be in the top ten percent of their class. Having high goals is good, very good. Now I am going to tell you something and I don’t mean to be a dream killer, but the top ten percent only fits the top ten percent. That means that ninety percent of the class will not fit into that ten percent. So, many of you will get grades that you are not use to getting. Some will cry. Some will be in disbelief. And, some will be astonished. It is okay, and it is normal. The ugly truth is that there is a curve, and that curve doesn’t allow for As across the board. The major frustrating part is that you will work your ass off in a class and get a B, while you totally slack in another class and get an A. This is pretty much normal. For whatever reason law school physics is sometimes a crapshoot with exams that are either completely against you or just almost perfectly designed for you. Whatever ends up happening – don’t get discouraged. It happens to most of us. It’s part of the rite of passage.

Feeling like a Fraud

There might come a time that you consider dropping out. There might come a time that you reevaluate your decision to come to law school. There might even come a time that you think you were accepted by mistake. These thoughts are pretty normal. I can’t assure you that you made the right decision to come to law school, since almost all circumstances are unique. If you really are thinking about dropping out you should re-read your personal statement and try to remember why you decided to come in the first place. Then I suggest talking to your professors and Dean Spence. As for thinking you were mistakenly accepted – you weren’t. I can assure you that. There is a vigorous acceptance process, and the admissions committee wanted you to attend Lewis and Clark Law School. Seriously, remember that.