

LAW SCHOOL 101

Time Management and Note Taking

Creating a schedule – control your time.

- Prioritize with layers:
 - **One:** Classes and TA sessions
 - **Two:** Review time
 - Notes daily. Class breaks are a perfect time.
 - Plan for extended review time at the end of sections.
 - **Three:** Consistent sleep times for weekdays.
 - **Four:** True commitments (religious services, scheduled activities)
 - **Five:** Study time. Estimate and allocate. Review and adjust.
 - **Six:** Exercise, meals, down time, chores, etc.
- As the semester goes on, add outlining time and practice exam time.
- **FLEXIBILITY IS KEY.** Move task blocks around – create guilt free down time

Break/Windfall Time

- Don't waste small increments of free time.
- What can you do in 20-30 minutes:
 - Review class notes and fill in gaps, re-organize, note questions.
 - Talk with classmate about a case or concept
 - Stop by office hours
 - Add/Review subtopic in outline
 - Make a to do list
 - Make some flashcards / review flashcards
 - Read and brief a short case

Beat the Procrastination Beast

- Location
- The Obvious: Turn your wireless off
- **Schedule time for email, TV, IM, etc. Make it a reward.**
 - A note about texting
- **Break tasks into small pieces**
- **BREAKS – at least every 50 minutes.**
- **Create accountability – study group/partner helpful**
- Get AT LEAST seven hours of sleep every night. Will reduce napping and help your memory rebuild.

Sample Section Schedule

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|---|---|---|---------------------------------------|---------------------------------------|--------------------------------|--|
| 7:00 | WAKE UP | WAKE UP | WAKE UP | WAKE UP | | | |
| 8:00 | Gym | Gym | Gym | Gym | WAKE UP | | |
| 9:00 | Prep for class Con Law I 9:10-10:17 | Prep for class Torts 9:10-10:17 | Prep for class Con Law I 9:10-10:17 | Prep for class Torts 9:10-10:17 | Prep for class Torts 9:10-10:17 | | |
| 10:00 | Civ Pro 10:30-11:37 | Civ Pro 10:30-11:37 | Civ Pro 10:30-11:37 | Con Law I 10:30-11:37 | Tort note review | | |
| 11:00 | | | | | Catch up | | |
| 12:00 | LUNCH | LUNCH | LUNCH | LUNCH | | | |
| 1:00 | Con Law I Read/Review | LRW 1:00-2:07 | Con Law I Read/Review | LRW 1:00-2:07 | LRW Assignment/Reading | | Review reading/notes for Monday courses |
| 2:00 | Torts Read/Review | LRW Assignment | Torts Read/Review | Con Law I Read/Review | | Torts end of section review | |
| 3:00 | | | | | What am I behind on? | | |
| 4:00 | Civ Pro Read/Review | Civ Pro Read/Review | Civ Pro Read/Review | Torts Read/Review | Catch up | | |
| 5:00 | DINNER/RELAX | Quick review of Torts notes DINNER/RELAX | DINNER/RELAX | DINNER/RELAX | DINNER/RELAX | DINNER/RELAX | DINNER/RELAX |
| 6:00 | | IM Football | | | | | |
| 7:00 | | | LRW Assignment/Reading | | | | |
| 8:00 | | | | | | | |
| 9:00 | | | | | | | Study Group (?) |
| 10:00 | | | | | | | |

The Semester Schedule

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September 2017

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--------|---------|-----------|----------|--------|----------|
| | 28 | 29 | 30 | 31 | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

October 2017

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--------|---------|-----------|----------|--------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |

November 2017

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--------|---------|-----------|----------|--------|----------|
| 26 | 27 | 28 | 29 | 30 | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

December 2017

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--------|---------|-----------|----------|--------|----------|
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | 1 | 2 | 3 | 4 |

Apps to try

- My Study Life
- Quizlet
- Meditation
 - 10% Happier
 - Headspace
- Wunderlist
- Evernote

Quick Note Taking Tips

Do:

- Assume you will forget
- Be organized (Cornell method)
- Get every hypo
- Looks matter (white space, abbrev)

Do Not:

- Count on memory
- Transcribe
- Log on
- Ignore classmates
- Check out during tangents
- Retype your notes

Better Notes: Step One

Go to class prepared.

- Bring highlighters
- Briefs
- Review notes from the day before and briefs for today's cases.
- Even if you type, make sure you have paper and pen with you in case you need to capture a drawing, underline something in your book, etc.

Better Notes: Step Two

Improve your listening skills.

- It starts with a positive attitude and goals.
- Make a conscious effort to pay attention. Concentrate on concentrating.
 - You need to write down important points, not transcribe.
 - Meditation can help with this skill!
- Don't zone out.

Better Notes: Step Three

Develop an organized method that works for you.

- Make them brief
- Abbreviations
- Note unfamiliar words/concepts to look up later.
- Try Cornell or some other template to keep you organized.

Notes examples – on brief

9/23/08

Palsgraf (Π) v. Long Island R. Co. (Δ) 1928 -- (Legal / Proximate Cause)

Facts: Two men catching a train on Δ's platform - Δ's guards helped 2nd man onto train, but dislodged a nondescript package man was carrying. Package contained fireworks, which went off and caused scales on other end of platform to fall and injure Π.

Wellborn says wacky facts
- original complaint said
stampede caused scales to
fall, not fireworks

Issue: Is Δ liable for Π's injuries due to negligence of Δ's guard, who caused the package to fall?

Rule: Foreseeability test - a reasonable person must foresee the harm caused by an act in order to be held liable.

to this particular
Π

Freeze frame process -
if you took a picture at moment of
push, would they have stopped
him boarding?
- a reasonable person would
not look + say that package
is a bomb -

Holding: Δ's actions were not a proximate (legal) cause of Π's injury. Δ wins because a reasonable person would not foresee that the dropped package would subsequently cause the injury to Π.

Analysis: "The risk reasonably to be perceived defines the duty to be obeyed." Since nothing alerted Δ's employee to the potential danger of fireworks and falling scales, he could not reasonably foresee the chain of events that caused the injury and therefore Δ cannot be held liable. Duty only to foreseeable Π's.

Dissent - liability should be based on the wrongfulness of the act, not the foreseeable consequences

Focus on foreseeability of
Π, rather than of event
itself

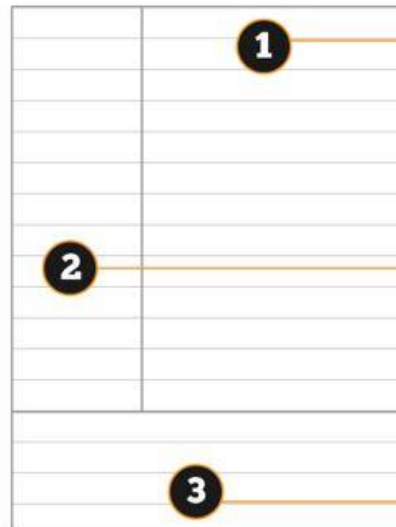
Distinguish Wagon Mound - chain of events in Palsgraf
far less likely than chain of events in Wagon Mound.
- Why? What is the threshold of foreseeability?

Cornell Method

Cornell Note-Taking

| | |
|-------------------------|----------------------------|
| CUES: | NOTE-TAKING COLUMN: |
| SUMMARY SECTION: | |

The Cornell Method



Notes

This is the section where you should take your notes during the course of the lecture. Use bullets, sentences, short-hand, etc.

Cues

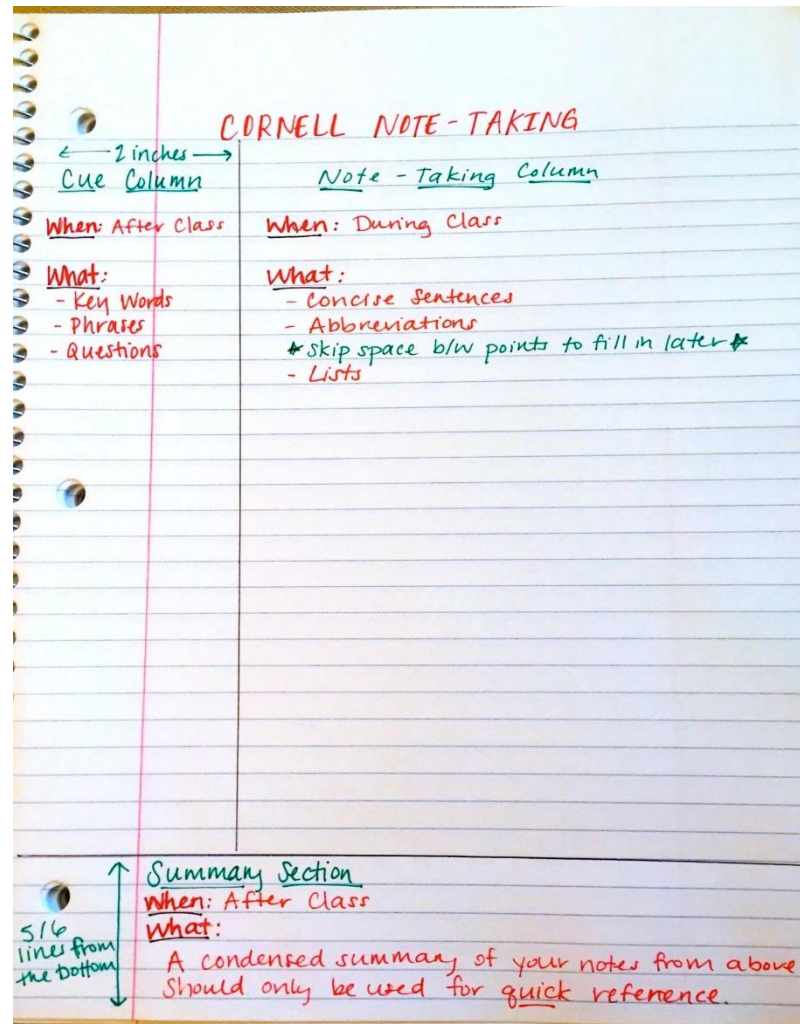
Questions, main points, visual clues, and other clues that jog your memory go here. Fill this section in after class.

Summary

Most important points and main ideas go here. Fill in this section after class when you are in the reviewing process.

<http://youveenteredlawland.com/note-taking-at-law-school/>
<http://lawschooltoolbox.com/tips-for-using-the-cornell-note-taking-method/>

Cornell handwritten



Better Notes: Step Four

Selective content

Knowing what to write down can be hard. Remember that you must pay attention to your classmates. Include:

1. Details, facts or explanation that expand or explain main points.
2. Hypos, examples, problems offered by prof.
3. Definitions
4. Any lists mentioned (elements of a rule, etc.)
5. Anything on the board.
6. Info that is repeated or explicitly spelled out – especially steps for analysis, test or preferred methods of answering questions.
7. “Buzzwords” your professor uses.

More things to write down....

- Listen for these phrases:
 - As I said before...
 - Remember to....
 - The main point is...
 - Don't forget that....
 - The six steps are....
 - Did everyone hear what Ms. X said?
 - That is exactly right...
 - Bottom line....
 - To recap....

Better Notes: Step Five

Review and edit your notes.

Reviewing and editing your notes is the most important part of note taking and essential to increasing learning capacity.

- Review within 24 hours.
- Edit for words or phrases that don't make sense or are illegible.
- Edit with a different color pen to distinguish notes/revisions.
- Fill in key words and questions in the white space or left margin.
- Note anything you don't understand and ask prof.

Handwriting Notes

- Multiple experiments and recent research show that students who handwrite learn better.
 - Results were superior to students who paid attention and took notes on a laptop.
- Handwriting forces you to process more – you have to select the notes you take, so you have to process what you're hearing, rather than blindly writing things down.
- “Even when allowed to review notes after a week's delay, participants who had taken notes with laptops performed worse on tests of both factual content and conceptual understanding.” (Mueller & Oppenheimer 2014).

Let's be logical about this....

- Do the hard work now or later?

What's the point of all this?

- You should be playing along in your head.
- The point of 1L year is to learn the methodology of law:¹
 - How law works
 - How to make arguments like lawyers
 - How to know a good argument from a bad one
- You're learning HOW to do these things – class is the best place to practice.
- Make sure you understand legal principles and how to use them. Don't let trying to take dictation or “perfect” notes distract from that goal.

¹Friedman & Goldberg, Open Book: The Inside Track to Law School Success (2016).

More resources on handwriting

To Remember a Lecture Better, Take Notes by Hand

<http://www.theatlantic.com/technology/archive/2014/05/to-remember-a-lecture-better-take-notes-by-hand/361478/>

The Pen Is Mightier Than the Keyboard

Advantages of Longhand Over Laptop Note Taking

<http://pss.sagepub.com/content/early/2014/04/22/0956797614524581.abstract>

The Case for Banning Laptops in the Classroom

<http://www.newyorker.com/tech/elements/the-case-for-banning-laptops-in-the-classroom>

What's Lost as Handwriting Fades

http://www.nytimes.com/2014/06/03/science/whats-lost-as-handwriting-fades.html?_r=0

Sources:

- Susan Smith Bakhshian; Association of Academic Support Educators Conference, Summer 2014, presentation: The First Domino: Teaching Note Taking
- Amy L. Jarmon; Texas Tech University School of Law