

PREPARING FOR CLASS 2.0

Reading & Briefing Cases

Please sign in:



BEFORE CLASS

Reading & Briefing Cases

YES

Considerations.

- Time Intensive
- Changes over time
- Is it working for you?
- *Supplemental* Materials
- Essential Lawyering Skill
- Naming the component parts helps create muscle memory that allows you to read cases more quickly and with a more targeted goal in practice.

THINKING LIKE A LAWYER

Skill building

- Boundaries of legal rules
- Applying the rule to new facts
- Interactions of rules
- Making counterarguments

ABA STANDARD:
2 hours out of class study
for every 1 in class

Read with Purpose

Concept

What is the law?

How is the law being interpreted?

What do you already know?

How is this case different?

Expert v. Novice Legal Readers

Skill	Expert Readers	Novice Readers
Remembering	Remember vocabulary words and procedural terms	Skip over unfamiliar words and procedures
Understanding	Create diagrams of facts	Skip over facts
Applying	Think about the problem to be solved	Read case in isolation from any actual problem
Analyzing	Brief cases	Use commercial briefs or other students' briefs
Evaluating	Critical thinking; Ask questions	Assume cases have a fixed meaning & judges always correct
Creating	Synthesize cases to solve problems	Examine cases in isolation from each other

Case Briefs

Set of structured notes
Tool to analyze the cases

- Caption
- Procedural History
- Context
 - Parties
 - Objective
 - Material Facts
- Legal Content
 - Issues(s)
 - Legal Theories & Arguments
 - Holding & Disposition
- Court's Rationale

Book Briefs

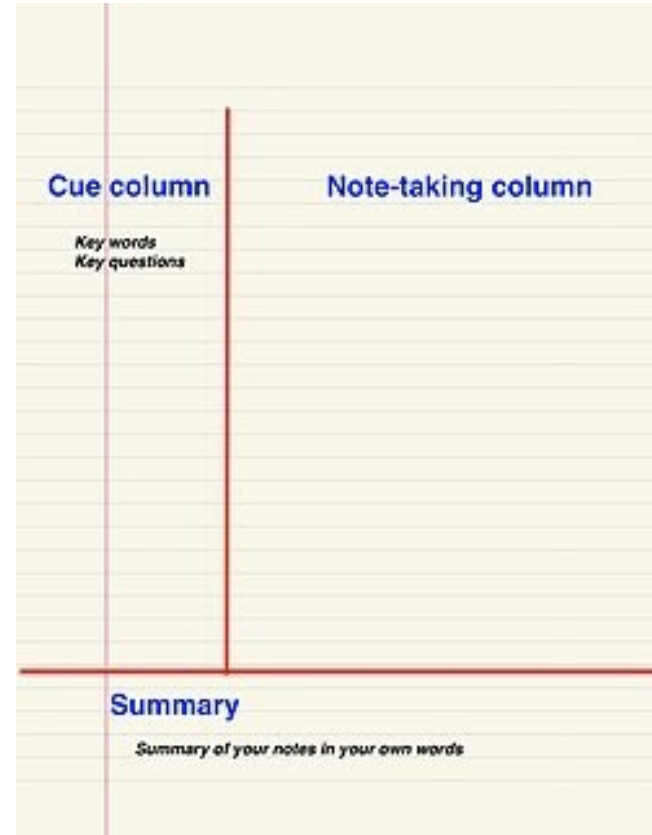
- Take notes in your book
- Highlight important portions
- Make a note at the top that helps you quickly remember the facts

DURING CLASS

Taking Notes & Responding to Cold Calls

Taking Notes

- You're not a stenographer
- Typed v. handwritten
- Do what works for you!



Socratic Method

- Know the facts
- Know the legal arguments
- Know the result
- Know the reasoning
- Anticipate what's next

AFTER CLASS

Synthesizing & Office Hours

Synthesis

Putting together and harmonizing group of cases



How does this case add to my knowledge?



Formulate the rule(s) cases stand for as a whole

Office Hours (Faculty and TA)

- Clarify and confirm understanding
- Ask questions

Study Routine

- Schedule
- Space
- Plan Ahead

OUTLINE

September 22

September 24

- Focus on the big picture – key concepts with important details
- Personalized & tailored to you and your class
- Study and reference

QUESTIONS?

