

# WELCOME TO RWU LAW!!



# Law School Preparation & Success

## Roger Williams University Law School Academic Success Program

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First & Most Important Tip:

Use Your Summer  
to Regroup and  
Refresh!



# Topics of Today's Session

Intro to First Year

Tools & Tips

Case Studies

# How Is First Year Organized?

- ▶ “Doctrinal” Classes
  - ▶ Civil Procedure
  - ▶ Contracts
  - ▶ Torts
  - ▶ Property
  - ▶ Criminal Law
- ▶ Legal Practice Course

At first, it will be like learning a new language – “legal discourse”

▶ **The Casebook  
Method**

▶ &

▶ **The Socratic  
Method**

# Knowledge

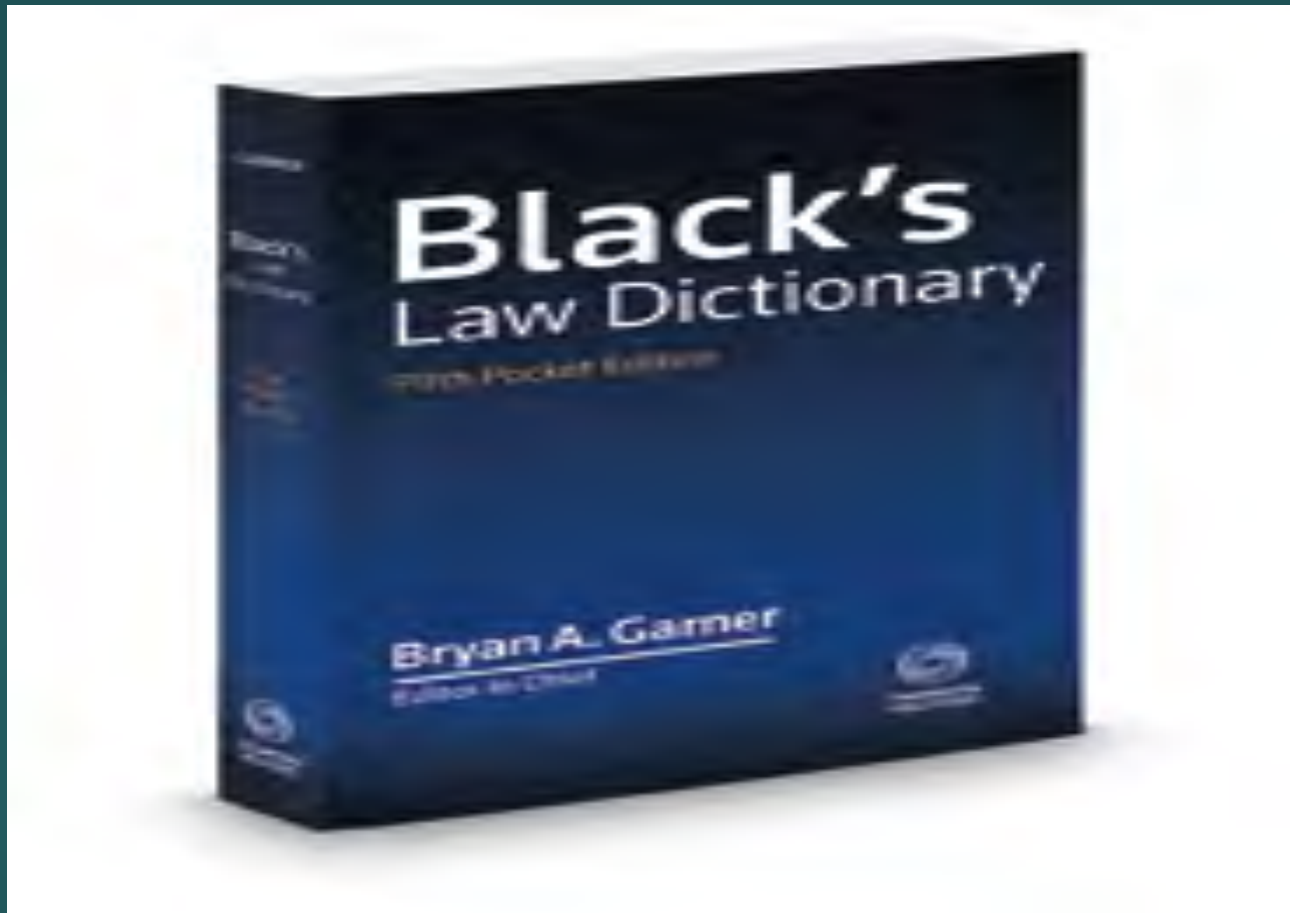
- ▶ Law professors use case books to teach the law.
- ▶ You will learn the law by reading and discussing these cases (appellate opinions).
- ▶ Knowing the law is necessary, but it is insufficient for success in law school.

# Skills

- ▶ Law school exams test you on your ability to
- ▶ USE your knowledge of the law and the cases you have read to Advise a client or Advocate for a client.



# Tool #1: Legal Dictionary



# Tool #2: 1L of a Ride – Free Access to Digital Book

- ▶ One L of a Ride, by Andrew J. McClurg available online here:
- ▶ <https://subscription-westacademic-com.rwulaw.idm.oclc.org/Book/Detail?id=25293>
- ▶ <https://law.rwu.edu/sites/law/files/downloads/Academic%20Success/How%20to%20Prepare%20for%20Law%20School.pdf>

- ▶ **ZERO-L** - an online course designed by Harvard Law School to introduce incoming law students to the American legal system, the vocabulary of law school, and what it means to be a law student in the U.S.
- ▶ **Virtual Hangout with ASP Profs and Upper Level Students**
- ▶ **Tuesday, June 16th @ 2pm**
- ▶ **Open Door Hours with me on Thursdays from 4 to 5 Starting June 18**
- ▶ Join Zoom Meeting
- ▶ <https://rwu-law-edu.zoom.us/j/4636360694>

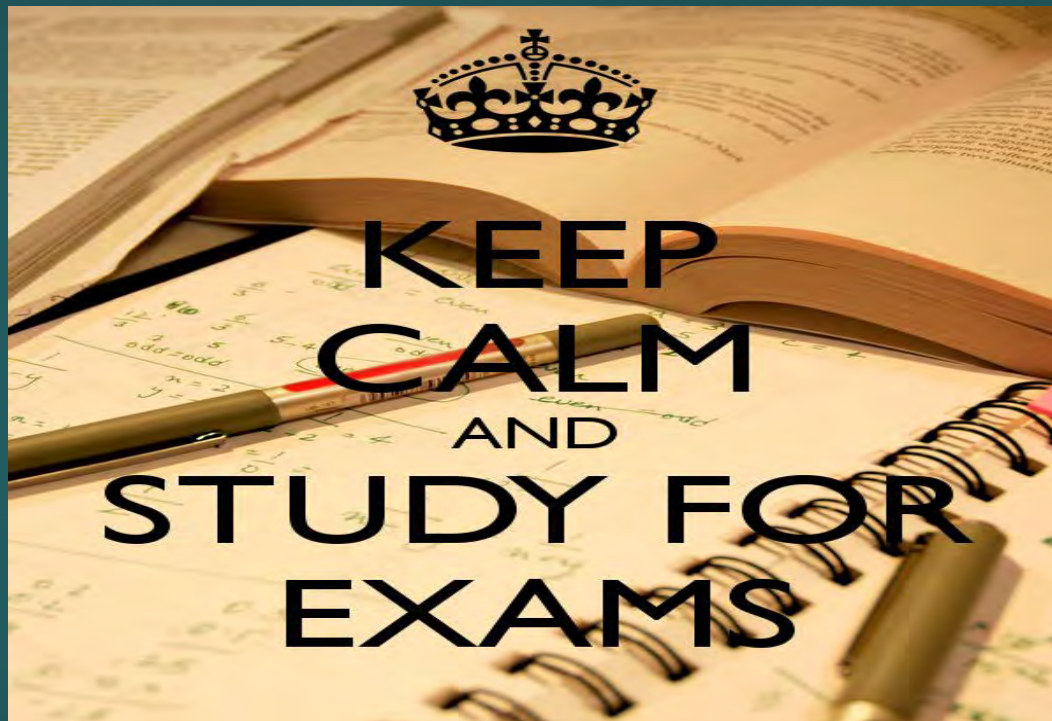
# Additional Opportunities & Resources

- ▶ Jump Start (Aug. 3-8)
  - ▶ July 1 application deadline
- ▶ <https://law.rwu.edu/admission/accepted-students/jump-start>
- ▶ Orientation Academic Skills Classes
- ▶ Additional Resources
  - ▶ <https://law.rwu.edu/admission/accepted-students/Preparing-for-Law-School>
  - ▶ <https://law.rwu.edu/student-experience/academic-success/resources>

# Biggest Rookie Mistake:

- ▶ Not Understanding the Purpose of What You are Doing in Class Each Day
- ▶ Why Am I Reading This Material?
- ▶ What are My Professor's Learning Goals for me?

# Tip #1: Be Intentional about Learning What is Expected of You on Exams.



# Casebook Method

## Case #1

- ▶ A jogger runs along a beautiful state beach past a sign that says, “Fine \$100 for Littering.”
- ▶ A few steps past the sign, the jogger pauses to eat a candy bar.
- ▶ He throws the wrapper on the beach and continues to run.
- ▶ A lifeguard reports him.
- ▶ He is fined \$100.

# State Statute

- ▶ Litter is defined as  
“trash, wastepaper,  
or garbage lying  
scattered about.”



# Must the jogger pay the fine?

► Yes?

► No?



Issue: Is a candy wrapper  
“litter”?

Holding: The Court answered  
Yes, a candy wrapper is litter.

# Why? (Rule & Reasoning)

- ▶ Rule Litter is defined as “trash, wastepaper, or garbage lying scattered about”
- ▶ Application of Rule to Facts of Case: A candy wrapper discarded on a beach is wastepaper lying about. It is also trash or garbage because it no longer serves its purpose of wrapping a candy bar.
- ▶ In addition, it mars the beauty of the beach and potentially harms sea life and birds who may consume it, concerns the state legislature specifically discussed when it passed the statute.
- ▶ Therefore, a candy wrapper is litter.

# Case Number 2


- ▶ The same jogger is jogging on the same beach.
- ▶ He passes by the same sign “Fine \$100 for Littering.”
- ▶ He has some cold coffee in his portable coffee cup.
- ▶ He empties the coffee onto the beach.
- ▶ The Lifeguard sees it and reports him again.
- ▶ He is fine another \$100.

# Does he have to pay the fine?

► Yes?

► No?





Issue: Is the poured coffee  
“litter” under the statute?

Holding: The Court answered  
No, poured coffee is not litter.

# Why is poured coffee not litter?

- ▶ Rule & Reasoning
- ▶ **Same Rule:** Litter is defined as “trash, wastepaper, or garbage lying scattered about”
- ▶ **Application of rule to facts: Unlike a candy wrapper, liquid coffee is not solid and absorbs into the sand nearly immediately. Thus, it is not “trash, wastepaper, or garbage lying scattered about.” In addition, it poses no threat to the beauty of the beach or to the environment.**
- ▶ Therefore, it is not “litter.”

# Case Number 3

- ▶ Yet again, that same jogger is jogging along the beach and passes the same sign, “Fine \$100 for Littering.”
- ▶ And, yet again, he drops something on the beach.
- ▶ This time it is the banana peel from the banana that he just finished eating.
- ▶ He is fined...yet again.



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# Does he have to pay the \$100?

► Yes?

► No?

# Issue: Is a banana peel “litter”?

- ▶ So far we have:
- ▶ Case One: Candy wrapper is litter.
- ▶ Case Two: Liquid coffee is not litter.
- ▶ Case Three: Banana peel is ?

# Does the rule help us?

- ▶ Litter is defined as “trash, wastepaper, or garbage lying scattered about”
- ▶ Banana peel is not wastepaper like the candy wrapper.
- ▶ But... is it trash or garbage?

# Precedent Cases

## A candy bar is litter

- ▶ A candy wrapper discarded on a beach is wastepaper lying about. In addition, it mars the beauty of the beach, something the legislature specifically discussed when it passed the ordinance.

## Poured coffee is not litter

- ▶ Liquid coffee is not “trash, wastepaper, or garbage scattered about. In addition, it evaporates quickly and poses no threat to the beauty of the beach and does not pose a threat to the environment, both key concerns for the legislature when it passed this statute.

<p><u>Facts</u> Candy bar wrapper</p> <p><u>Issue:</u> Is candy wrapper litter?</p>	<p><u>Facts</u> Poured coffee</p> <p><u>Issue:</u> Is poured coffee litter?</p>	<p><u>Facts</u> Banana peel is ?</p> <p><u>Issue:</u> Is a banana peel litter?</p>	<p><u>Facts</u></p>	<p><u>Facts</u></p>
<p><u>Rule</u> Litter is defined as “trash, wastepaper, or garbage lying scattered about”</p> <p><u>Reasoning:</u></p> <p><u>Holding:</u></p>	<p><u>Rule:</u> Litter is defined as “trash, wastepaper, or garbage lying scattered about”</p> <p><u>Reasoning:</u></p> <p><u>Holding:</u></p>	<p><u>Rule:</u> Litter is defined as “trash, wastepaper, or garbage lying scattered about”</p> <p><u>Reasoning:</u></p> <p><u>Holding:</u></p>		

# Banana Peel?

Litter

Not Litter

Candy  
Wrapper

Liquid  
coffee

The slide has a dark teal background. In the top left corner, there are several overlapping, translucent bubbles of different sizes. In the top right corner, there is a solid red vertical rectangular bar. The text is in a white, bold, sans-serif font.

**You represent the jogger  
with the banana peel.**

- ▶ **Think of an argument for the jogger not to pay the fine.**
- ▶ **In other words, how is a banana peel more like the liquid coffee than the candy wrapper?**

The slide has a dark teal background. In the top left corner, there are several overlapping, translucent bubbles of different sizes. In the top right corner, there is a solid red vertical rectangular bar. The text is in a white, sans-serif font. The first line is "Now you represent the". The second line is "State of Liliput where the". The third line is "beach is.".

Now you represent the  
State of Liliput where the  
beach is.

- ▶ Think of an argument to require the jogger to pay the fine.
- ▶ In other words, how is a banana peel more like the candy wrapper and less like the liquid coffee?



**J should not have to pay the  
\$100 fine because a banana  
peel is not litter.**



# Rule & Reasoning

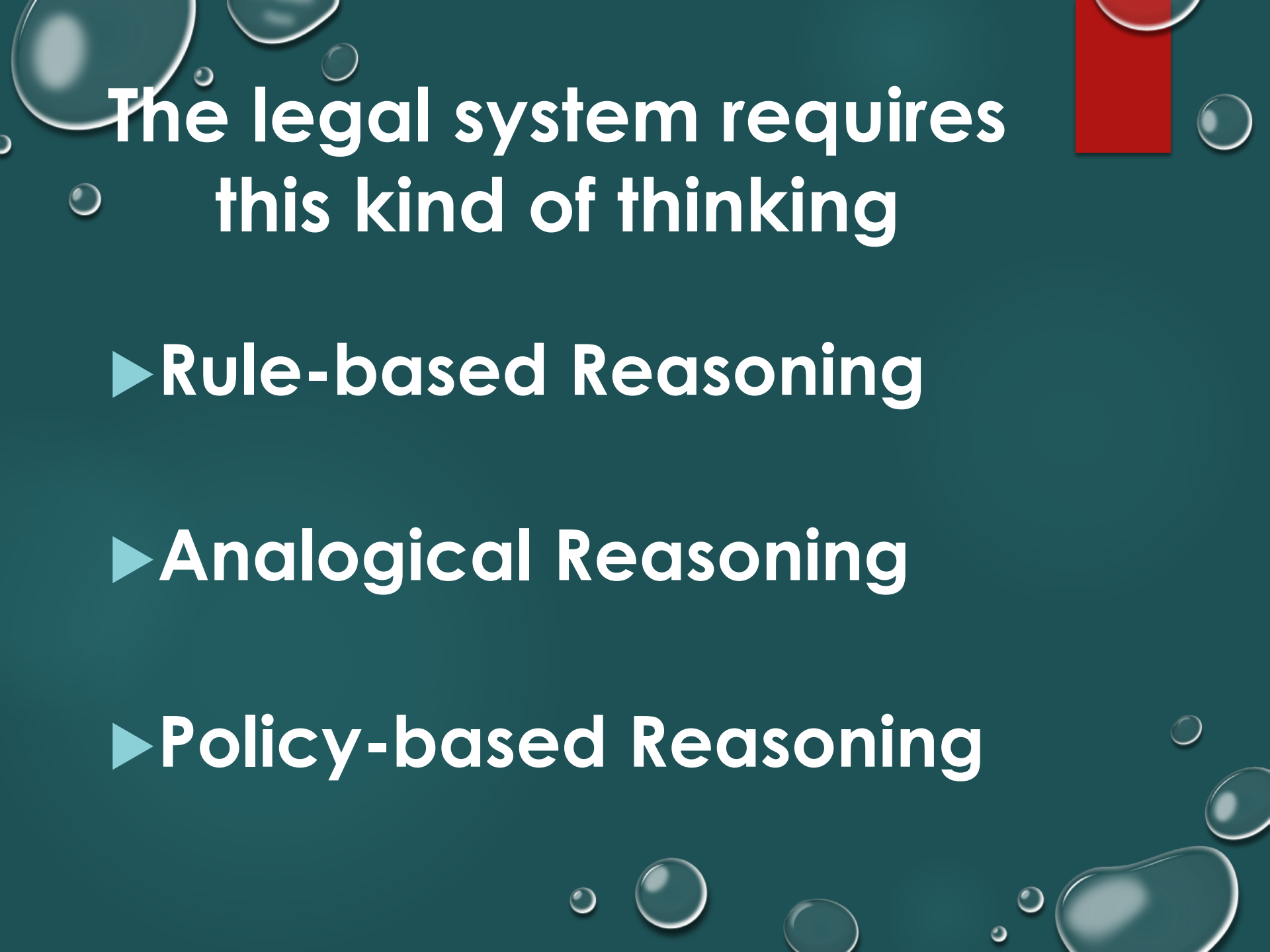
- ▶ Litter is defined as “trash, wastepaper, or garbage lying scattered about.” The statute’s purpose is to protect the beauty of state beaches and the natural environment surrounding the beach.
- ▶ A banana peel is not trash, wastepaper, or garbage lying about because, unlike a candy wrapper, it is biodegradable, will decompose relatively quickly, and poses little risk of marring the beauty of the beach. A banana peel is more analogous to spilled coffee, which this Court held was not litter. In addition, both spilled coffee and a banana peel are edible and raise little to no risk of harm to fish or birds if ingested.
- ▶ J should not pay the fine for littering.

**J should pay the \$100 fine  
because he dropped a  
banana peel and a  
banana peel is litter.**



# Rule & Reasoning

- ▶ Litter is defined as “trash, wastepaper, or garbage lying scattered about.” The statute’s purpose is to protect the beauty of state beaches and the environment surrounding the beach.
- ▶ A banana peel is trash or garbage because it is inedible refuse that no longer serves its purpose of protecting the banana. It also mars the beauty of a beach because it takes significant time to decompose. As such, it creates a prolonged risk to birds or other sea life that may ingest and choke on it. In this way it is more like a candy wrapper, which also mars the beauty of the beach and takes a significant time to decompose.
- ▶ J should pay the fine for littering.

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# The legal system requires this kind of thinking

- ▶ Rule-based Reasoning
- ▶ Analogical Reasoning
- ▶ Policy-based Reasoning

# Law School Success Requires

- ▶ The willingness to actively engage in your own learning process and to put in constructive effort outside of class
- ▶ The willingness to reach out for help and support when you need it. We are here!

# Law School Success Does Not Require:

- ▶ **Brilliance**
- ▶ **or**
- ▶ **Prior Knowledge of the  
Law**

# Two Key Traits of Successful Lawyers

Trait– “a distinguishing quality or characteristic”

- ▶ **Successful Lawyers & Law Students Take Control of Their Time**
- ▶ **Successful Lawyers Expect their Learning to Be Effortful & Know that Effortful Learning is not a Reflection on their Intelligence**



# Tip #2: Take Control Of Your Time in Law School

- ▶ Know What's Expected
- ▶ Create Projects based on Those Expectations
- ▶ Break Projects Into Manageable Tasks
- ▶ Prioritize Important Tasks
- ▶ Take Consistent Steps Every Day to Reach Your Goals

# Time Management Tips

- ▶ Calendar everything, and respect your calendar.
- ▶ Review your calendar at the beginning of each week.
- ▶ Track your time – to record how much time your tasks required
- ▶ Don't multi task
- ▶ Get enough sleep – 6-8 hours
- ▶ 3-4 hours preparing for every hour you spend in class
- ▶ So, if you're spending 15 hours in class that's 45-60 hours of prep time

# Balance Can Be Achieved!

168 Hours in a Week

- (45 + 15)

- \_\_\_\_\_

- 108 Hours Left

# TIP #3: Develop a Growth Mindset Toward Learning Law

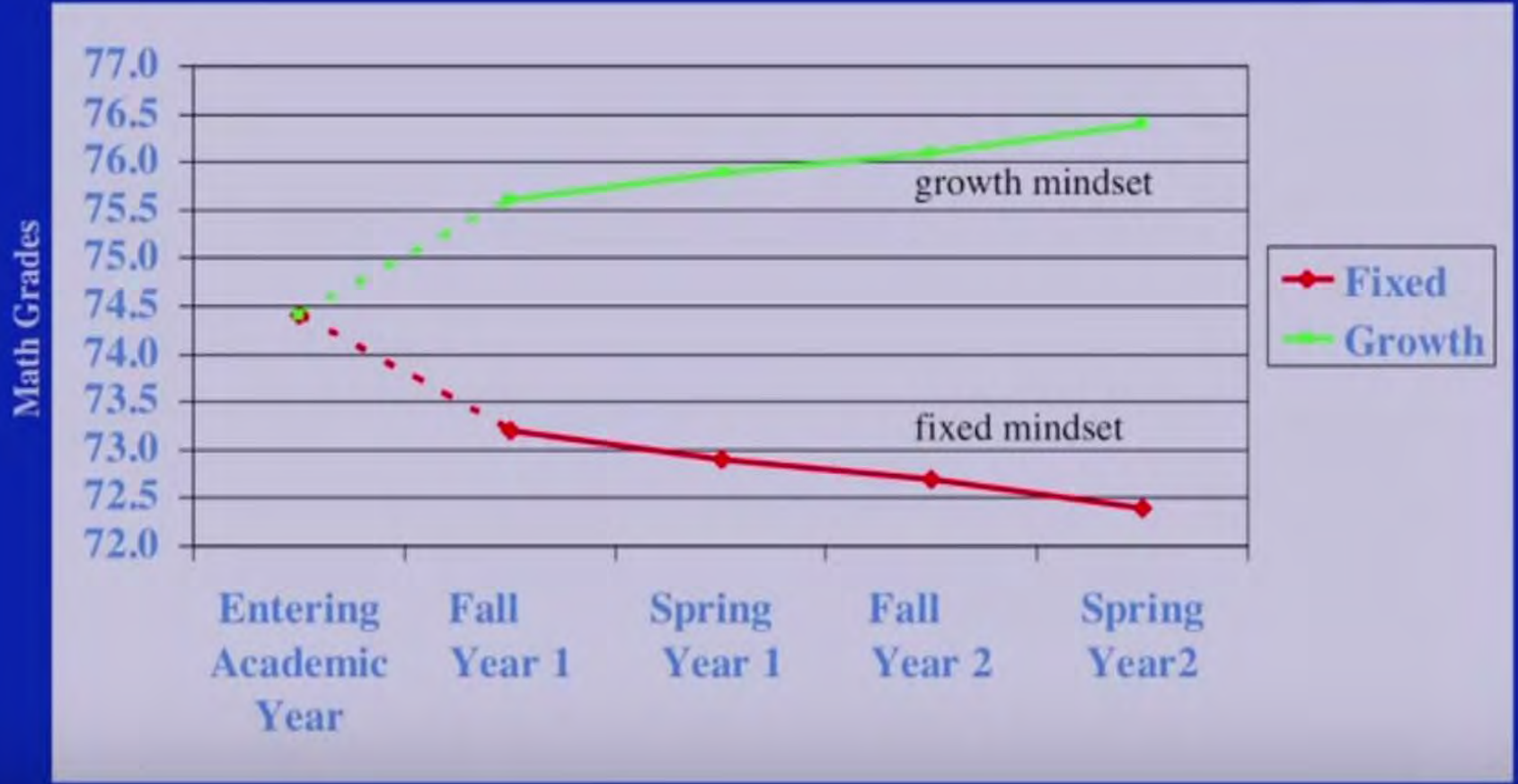
- ▶ Successful Lawyers Expect their Learning to Be Effortful
- ▶ &
- ▶ Know that Their Intelligence is Not Fixed

# Tip #3: Mindsets Matter

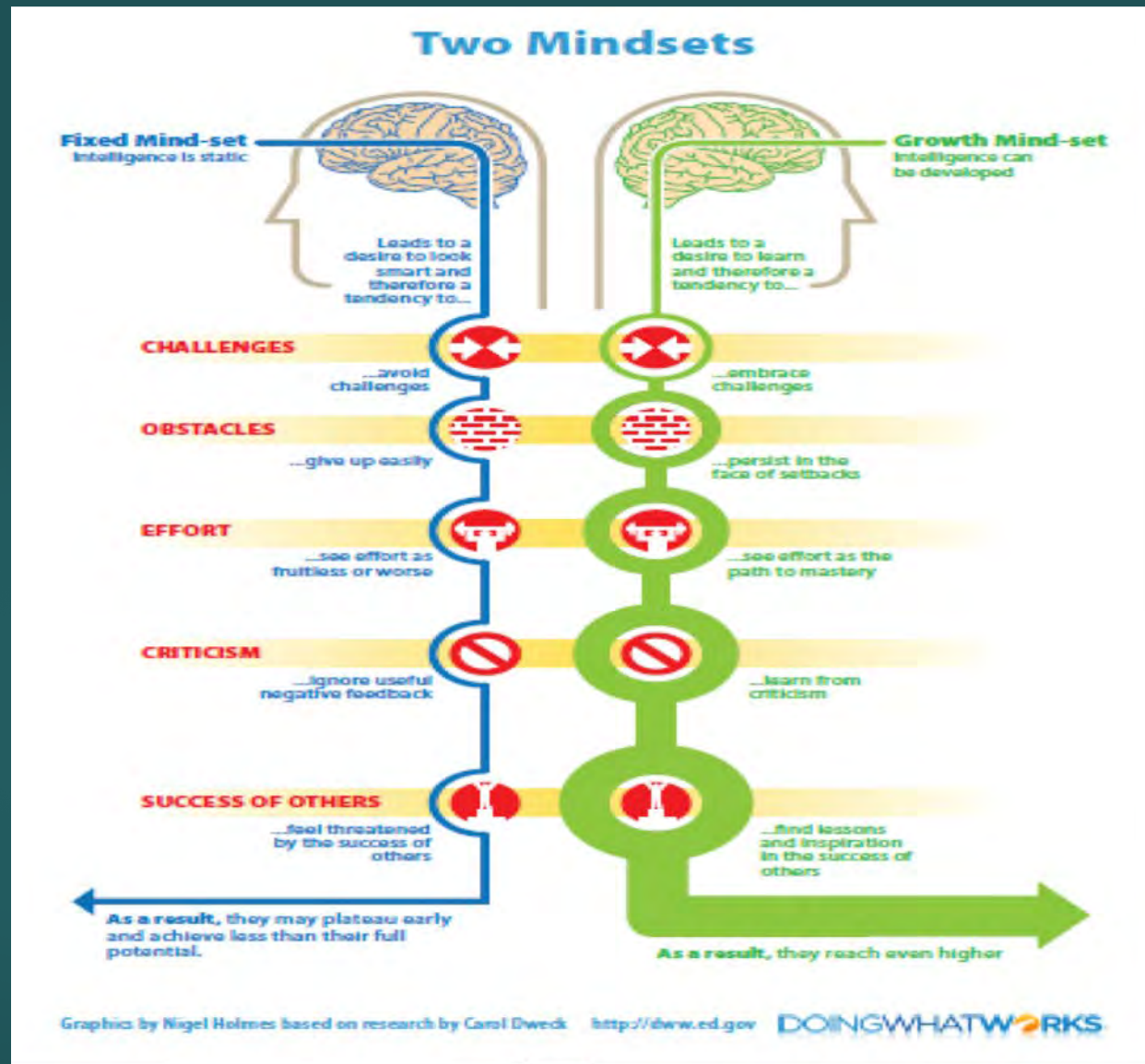
- ▶ Fixed Mindset: Intelligence is a fixed trait
- ▶ Growth Mindset: Intelligence can be developed with effort and practice

# Math Grades: 7<sup>th</sup> & 8<sup>th</sup> Grade

Blackwell, Dweck, & Trzesniewski (2007)



# Why?



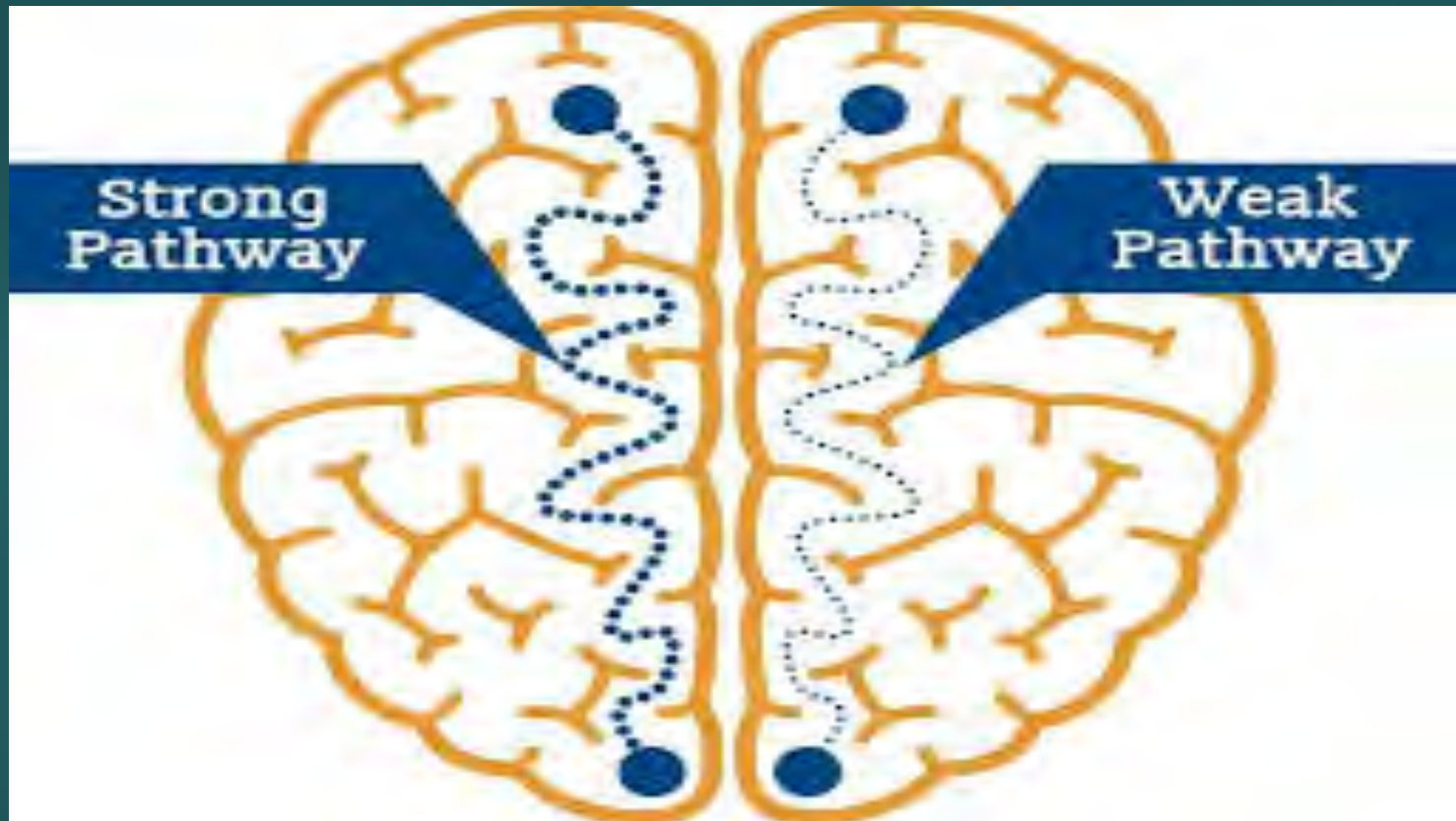
# Mindsets

## Carol Dweck's Research

- ▶ <https://www.youtube.com/watch?v=pN34FNbOKXc>
- ▶ <https://blog.mindsetworks.com/what-s-my-mindset>
- ▶ [https://www.ted.com/talks/carol\\_dweck\\_the\\_power\\_of\\_believing\\_that\\_you\\_can\\_improve?language=en](https://www.ted.com/talks/carol_dweck_the_power_of_believing_that_you_can_improve?language=en)



# Neuroscience Also Supports Dweck's Theory



# Mindsets Can Be Changed

## What Kind of Mindset Do You Have?



I can learn anything I want to.  
When I'm frustrated, I persevere.  
I want to challenge myself.  
When I fail, I learn.  
Tell me I try hard.  
If you succeed, I'm inspired.  
My effort and attitude determine everything.



I'm either good at it, or I'm not.  
When I'm frustrated, I give up.  
I don't like to be challenged.  
When I fail, I'm no good.  
Tell me I'm smart.  
If you succeed, I feel threatened.  
My abilities determine everything.

# The Power of “Yet”

“I don’t know it ...”

“I’m not good at this...”

“I don’t feel confident...”

“I’m not a good legal writer...”

# YET

## What Kind of Mindset Do You Have?



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When I fail, I learn.  
Tell me I try hard.  
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I don't like to be challenged.  
When I fail, I'm no good.  
Tell me I'm smart.  
If you succeed, I feel threatened.  
My abilities determine everything.

# Tip #4: Seek Assistance

- ▶ Work with me and the writing specialist to hone your skills.
- ▶ Attend your professors' office hours (their TA's sessions) with questions about the topic.
- ▶ Visit your Legal Practice professor as often as possible with your drafts to ensure you're on the right track

# Tip #5: Keep up with the work.

- ▶ Students cannot successfully cram in law school.
- ▶ Come see me if you need assistance finding more efficient ways to study



## Tip #6



# Tip #7: Always Remember Why You Want This!

- ▶ WHY DO YOU WANT TO BE A  
LAWYER?
- ▶ WRITE THAT DOWN NOW.
- ▶ Visualize Yourself as a  
Lawyer

# Tuesday, June 16th @ 2pm

## HANG OUT WITH

### Academic Success Professors

Kathryn Thompson,  
Justin Kishbaugh &  
Brittany Raposa

along with

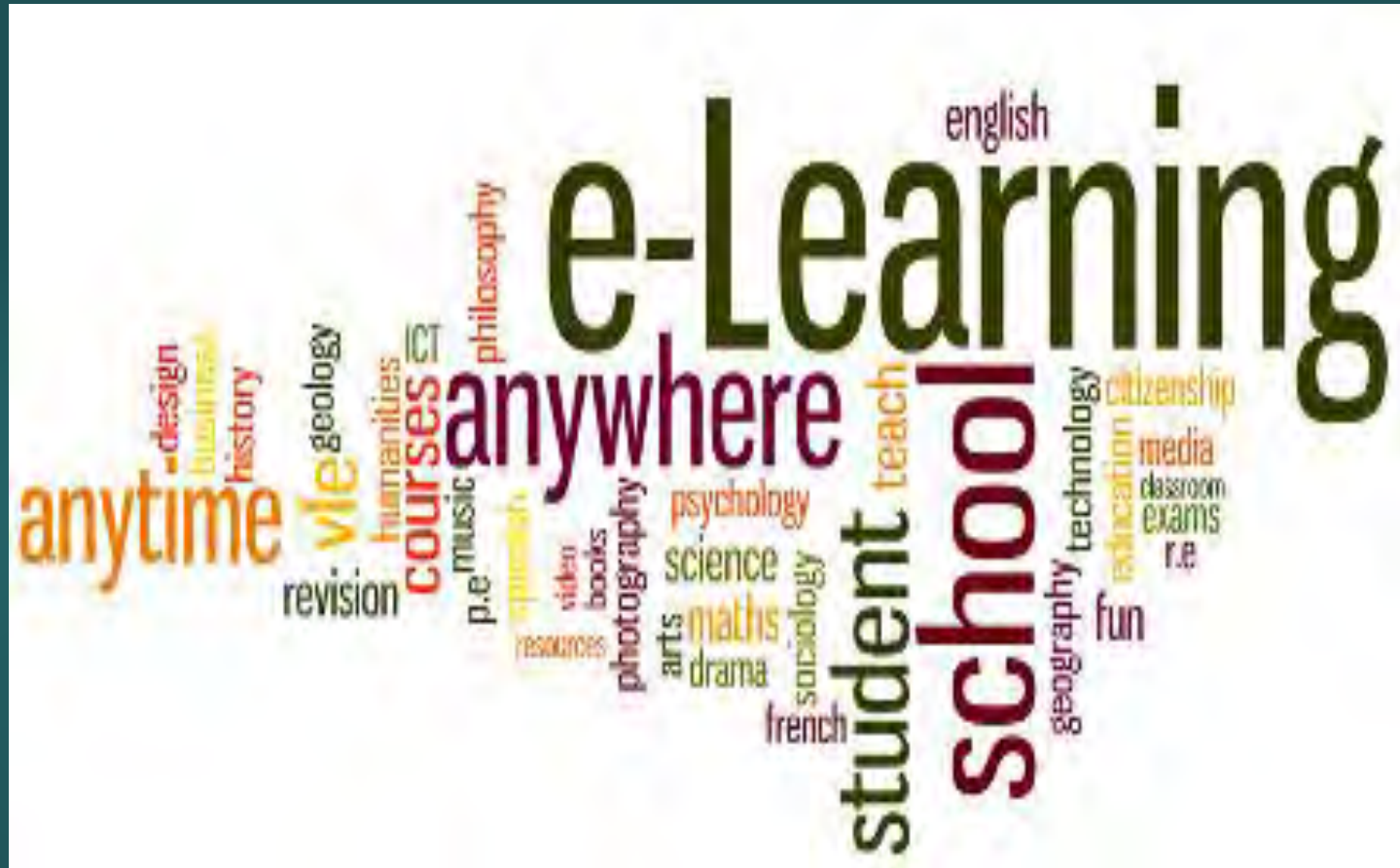
### UPPER LEVEL LAW STUDENTS

Academic Success Teaching Fellows  
& Writing Center Teaching Assistants

<https://law.rwu.edu/admission/accepted-students/coronavirus-covid-19-information>



# Zero-L Course Coming in July



# Thank You for Coming!!

