

## LEGAL SKILLS FOR LAW SCHOOL & LEGAL PRACTICE

There are ten basic legal skills that every lawyer must master to be successful. Not surprisingly, law schools teach these skills. However, law students are often so overwhelmed with the volume and substance of their courses, especially in the first year, that they do not realize the importance of the ten basic skills to their success in law school and later in their legal practice.

The purpose of this material is to emphasize the importance of these ten legal skills and to highlight the nexus between law school and legal practice.

The ten skills are:

1. Critical thinking
2. Critical reading
3. Critical listening
4. Case briefing
5. Note taking
6. Outlining
7. Writing skills
8. Organizing for success
9. Maintaining balance
10. Collaborating & leading

At first you may think all of these skills are for law school only and this talk of a nexus between law school courses and private practice is pure fantasy. In fact, the ten skills mentioned above are used virtually everyday by lawyers in all types of legal practice.

### **1. Critical Thinking.**

Many law students believe that exam writing is the most important skill needed for success in law school. Before you can write like a lawyer, however, you must be able to *think* like a lawyer.

The relevant dictionary definition of the word “critical” is “exercising or involving **careful judgment** or **judicious evaluation.**” In this context, law students must learn to question and analyze what they hear, what they see, what they read, what they feel, and what they think. First impressions are often wrong and frequently change after more thoughtful analysis.

Many law school classes use the Socratic method of questioning students about the cases they have read. This process is referred to as “active learning.” That is, it is designed to engage the students in analyzing the facts and law presented in the case rather than have the professor talk while students sit as idle spectators. The Socratic method requires the students to think about the facts and law and then explain whether a court’s decision is well reasoned. It is an exercise in critical thinking, as are the hypotheticals presented by your professors. They are designed to stretch your thinking. It is common for some students to believe that their professors are “hiding the ball” when they do not give an answer to each and every hypo; but in reality, there may not be an answer. Hypos are designed to exercise your critical thinking skills as to what a possible answer might be in the future (either before an appellate court or on a future exam).

Critical thinking often includes **deductive reasoning** – that is, reasoning from a general rule to a specific conclusion. Most law school exams require students to identify issues, state the general legal rules that

apply, and then analyze the facts in light of the rules to formulate conclusions. Applying a general rule to a set of facts is an example of deductive reasoning. Sherlock Holmes was famous for using deductive reasoning to solve mysteries. Remember the case of the dog that did not bark in the story *Silver Blaze*? A crime took place in the stables where a dog slept near two stable boys. Because the dog did not bark and wake the boys, Holmes was able to deduce that the dog was familiar with the midnight visitor to the stables.

Reasoning from the specific to the general is called **inductive reasoning**. Lawyers and judges often use inductive reasoning when they analyze a series of specific cases to develop a general legal rule.

Another form of critical thinking is **reasoning by analogy**. This process is based on the concept that similar facts or principles should lead to similar conclusions. Lawyers often look for analogies in other cases or fields of law to make arguments that are beneficial to their clients. For example, if an employer is not liable for the intentional torts of her employees, then by analogy, an employer should not be liable for the criminal conduct of her employees. The element of intent is similar in both cases, thus the result should be similar. When a case is virtually identical to the facts and law of your case, it is said to be “on all fours” with your case.

In the same vein, lawyers look for **distinctions** in the facts or law while they argue that adverse cases do not apply to their client’s circumstances. Being able to **distinguish** a case is just as important as making an analogy.

In private practice, clients will often come to your office, give you a handful of documents and a long string of disjointed facts, and ask you if they have a case. First, you must understand the facts as thoroughly as possible. Then you must research the law and think through how the facts and law relate. Only then are you in a position to form a competent conclusion for your client. The same process applies in a law school exam where you are given a set of facts and asked to apply the correct legal rules to reach conclusions. In both cases, critical thinking is the key.

The only significant difference between legal practice and law school exams is the time available to respond. Unless a deadline is imminent, you normally have several days or weeks in legal practice to gather the facts and research the law. Not so in the typical essay exam. You often have only one hour to formulate your answer. So what gives? One practical reason for one-hour exams in law school is that the California Bar Exam contains six one-hour essay exam questions. Thus one purpose is to prepare you for the bar exam. More importantly, another purpose is to prepare you to think quickly, as well as critically. Lawyers must be able to “think on their feet” during trials, arbitrations, mediations, negotiations, communications with opposing counsel, and even communications with your own client.

You know you are succeeding in your critical thinking skills when you dissect and analyze every statement or request from your parents, spouse, or roommates. “Wash the car? Oh, you mean our car? Today? Using our water?”

## **2. Critical Reading.**

Critical reading is a logical extension of critical thinking. While you read, you question the use of key words, phrases, and sentences. You think about the organization of the material and whether it is logically sequenced. Even the punctuation should not escape your scrutiny. Just as importantly, you should think about what is *not* said. For example, “I don’t disagree” does not necessarily equate to, “I agree.” This sounds laborious, but it becomes second nature with practice. Whether you realize it or

not, most law students during their first semester begin to analyze everything they read in much more detail than in college.

Lawyers are expected to be wordsmiths. Clients expect lawyers to be experts in communicating both orally and in writing. Lawyers are expected to know and explain the meaning of words in laws such as statutes, ordinances, and regulations, and in legal documents such as court opinions, contracts, deeds, and wills. Critical reading, along with a good dictionary, advances your skill as a wordsmith.

As a law student and a lawyer, you must think about why certain language was used. Why was a particular word chosen? Is it a term of art with a special meaning? Should the common dictionary definition be applied? Does the word have legal significance? For example, in a Contracts practice exam that was used in the fall Skills Hour program for several years, students were presented with the following sentence and had to decide whether it constituted an offer:

“Cal: I have looked at the cabin. I can tear it down and remove the debris for \$7,000.”

In deciding whether these two sentences constituted an offer, students had to analyze whether Cal manifested an intent to be bound. One important key was the use of the word “can.” Cal did not say, “I will tear it down” – clear words of promise. Instead, Cal used the word “can,” which communicates capability, but not necessarily a promise to tear down the cabin. The word “can” was specifically used in the exam to spur discussion of whether Cal sufficiently manifested intent; yet many students, new to the art of critical reading, passed right over this issue.

Other students ignored the first sentence, “I have looked at the cabin.” This sentence highlighted the fact that Harry and Cal had met before and discussed the cabin, and then Cal inspected the property. After the inspection, he made the phone call described above. To better understand the intent behind the word “can,” it was important to understand the context, that is, Cal used the word in a phone call after he conducted his inspection. This made the call sound very much like a bid or offer, even though he used the ambiguous word “can.”

Often lawyers in private practice will argue that a statute or case applies or does not apply by emphasizing the specific language used by the statute or the court opinion and the intended meaning of that language. Many cases have been won or lost based on whether a statute is worded using the conjunctive (“and”) or disjunctive (“or”).

Finally, law students must critically read the call of the question and the facts on all exams. One of the most common complaints from law professors and bar graders is that the student or applicant did not answer the specific question asked in the call. Read critically and do not fall into that trap.

### **3. Critical Listening**

Just as critical reading is important to the written word, critical listening is important to the spoken word. People can listen at a rate four times faster than people can talk. Yet few listeners have trained themselves to listen carefully and analytically. During class, non-critical student listeners become lazy and bored. They doodle or surf the Internet. While doodling does not normally bother other students, using a laptop for non-class purposes is distracting and disrespectful to other students and the professor. Moreover, it indicates that you are not training yourself to be a critical listener by digesting and analyzing every word and sentence.

For instance, as defense counsel at the end of a long trial, ask yourself why the District Attorney said in his closing argument that “the people believe the defendant committed the murder,” rather than simply, “The defendant committed the murder.” Seems like an innocuous point. But is it? Is the evidence weak? Is there a hole in the case? The clever defense attorney who is listening closely can exploit the use of the word “believe” and challenge the government’s proof. She might argue that the DA did not say, “The people believe beyond a reasonable doubt the defendant committed the murder.” Belief beyond a reasonable doubt is the standard and the DA so much as admitted no such belief exists based on the words chosen for his closing argument. She must only convince one juror that the DA’s case is weak to hang up the jury. Quoting back the DA’s inartful language may do it.

Trial lawyers will tell you that listening carefully at trial is so important that they have systems for their co-counsels and paralegals to communicate with them when witnesses are testifying or opposing counsel is making an opening statement or closing argument. The system usually involves written notes so as not to distract the trial lawyer from hearing and evaluating every word and phrase. Critical listening is crucial to making timely objections and counterarguments.

Initially, critical listening requires serious concentration; but like other skills, it becomes easier over time. Train yourself in each class to be a critical listener. Test yourself in your next class by trying to listen to each word and making a note each time your mind wanders. You may be surprised how often you are not listening.

#### **4. Case Briefing.**

Law schools have been using cases as the primary vehicle to teach law for decades. It makes sense; court opinions deal with a set of real-world facts, discuss the applicable law and the court’s rationale for applying the law to the facts, and then reach a conclusion. Most court opinions are one big IRAC exercise (issue, rule, analysis, conclusion) or a series of IRAC discussions. Case law provides an interesting and informative context for the general rules of law. Can you imagine not reading cases, but trying to learn the law by reading statutes? The Federal statutes have 50 different “titles” covering thousands of pages. The California Code has 31 different categories of statutes also covering thousands of pages. If statutes were the mode for learning law, our school would be named “The Pacific Institute for the Bored and Insane.”

Case law is critically important to all lawyers. Every large city has a legal newspaper that highlights the latest cases (Sacramento’s is *The Daily Recorder*). These newspapers are widely circulated throughout law firms. Westlaw and LexisNexis advertise how quickly they post the latest cases and offer case notification services by email. Lawyers use these resources to stay on top of the case law.

To many first-year law students, court opinions can be frustrating at times because students are new to the process of identifying key facts and law, as well as understanding the distinctions made in the opinion. This is where good case briefing helps. A case brief **summarizes** the key facts, law, and holdings. For law school purposes, a good brief should be no more than a page, and often can be shorter. For all but the longest opinions in a typical case book, a first-year law student should be able to read and brief a case in about 30 minutes. Many students say they spend one to two hours briefing a single case, and are therefore struggling to keep up with daily class preparation and outlining. The solution is to become more efficient at case briefing, i.e., identifying the key facts and rules of law that were the basis for including the case in the book. The wrong “solutions” are: 1) stop briefing cases altogether; 2) rely solely on commercial briefs; and 3) rely solely on book briefs. **Real learning occurs during the written summarization process.** Do not shortcut this process!! It is fine to use colorful highlighters or book brief a case as long as you **also** prepare a written summary.

There is no single right way to brief a case. Find the method best for you. Many use a FIRAC method: facts, issue, rule, analysis, and conclusion. In FIRAC'ing the case, think about the case in three stages: 1) the facts that brought the case to court; 2) the actions by the trial court and the mistakes alleged against the trial court; and 3) the action taken by the appellate court and why.

Under “**facts**,” include the procedural posture that brings the case before the appellate court. The procedural posture often will dictate the standard of review. For example:

**Jury Verdict:** Based on the law provided by the judge, the jury decided the facts and who won. In order to appeal, the losing party must allege errors by the judge, e.g., wrong decision on a motion to exclude evidence or erroneous instructions to the jury. Look for these allegations of errors. They will be the key to the appellate court's opinion.

**Motion to Dismiss or Demurrer:** This motion is usually made by a defendant after reviewing the pleadings. If granted to the defendant, the trial court found that even if all of the facts in the complaint were true, the plaintiff loses anyway. For example, there may have been insufficient facts to state a cause of action or the statute of limitations had run.

**Motion for Summary Judgment:** This motion is usually made after reviewing the pleadings and conducting some discovery. If granted, the trial court found no disputes of material facts and viewing the evidence in the light most favorable to the non-moving party, ruled as a matter of law for a particular party. On appeal, the losing party will normally allege many disputes of material facts.

**Motion for Judgment as a Matter of Law (formerly Motion for a Directed Verdict):** This motion is usually made after the plaintiff has presented his/her case. If granted on the defendant's motion, the trial court found that no reasonable jury could have found against the defendant, so the court decided the case without sending it to the jury. This motion is often made, but seldom granted. Not allowing the jury to decide the case is rather unusual. It will be reviewed very closely on appeal.

**Motion for Judgment Notwithstanding the Verdict:** Obviously this motion is made after the jury has rendered its verdict. The losing party alleges that the jury's verdict is against the clear weight of the evidence. In other words, the jury came to the wrong decision. If granted, the trial court has substituted its judgment in place of the jury. This is another motion that is often made, but seldom granted. It will also be reviewed very closely on appeal.

The “**issue**” part of the case brief may need to remain open until you have read the entire case. Ideally, you should read the case through before briefing; however, you may be able to brief sections of the case as you read, e.g., the facts. If you brief as you proceed section by section, leave the issue blank until you can formulate a correct statement of the issue, which is usually related to the legal rule for which this case is included in your book.

The “**rule**” summary is very important. In most instances, the casebook author selected the case for the rule it propounds. Look for a clear statement of the rule and copy it verbatim in your brief; but also try to say it in your own words to ensure that you truly understand it.

The “**analysis**” portion of the brief should include a tight summary of the court's rationale along with the key facts. This is one of the most important parts of an opinion, and often includes examples of the court using the critical thinking methods discussed above. Pay attention, because you will do the same thing on exams and in practice.

The “**conclusion**” states the holding of the case and action taken by the appellate court, e.g., affirmed, reversed, or remanded to the trial court. It should answer the question asked by the issue.

**Students should have a written brief for each case to be discussed in class.** If properly prepared, the brief can be used to recite the facts, explain the court’s rationale and holding, and give the disposition of the case. These are the basics. (If your professor wants a detailed list of facts, either include in your brief or highlight in your book as a supplement to your brief.) Briefs help ensure that a student can respond effectively in class if called upon by the professor.

Ideally, each student should take five minutes after completing the brief and think about whether the court’s opinion would change if the facts were changed just slightly. In other words, test the court’s rationale with your own hypos. Consider why a case was included in the casebook and then play with the facts to see whether the court’s rationale holds up. If you are in a study group, playing the hypo game with the past week’s cases and the next week’s cases will pay dividends at exam time. Also think about how the case issues will come up – that is, how you will recognize the issue. Try to anticipate how your professor might frame the issue in an exam.

## **5. Note Taking.**

Going to **all** classes is imperative. If you must miss a class due to illness or medical appointments, make arrangements ahead of time for another student to share his or her notes.

Professors work long and hard to prepare each day’s class discussion. Class discussions are windows into their thinking. Most exams come from class material and discussions. Aim to get five things from each case discussed in class: 1) the rule from the case; 2) the reasoning used to arrive at the rule; 3) the policy behind the rule; 4) key facts in the case; and 5) the professor’s opinion about the case or rule.

Good note taking will make your life easier. Once again there is no single right way to take notes, so find what works for you. Consider a “**modified court reporter**” style with liberal use of symbols and abbreviations. Try to capture all of the key points, arguments, and hypos in sufficient detail so that they make sense later when you review your notes. What does “later” mean? If you are smart, “later” means that day. Spend ten minutes after class going over your notes, adding points, clarifying issues, and lights will come on that you did not know existed. Consider using a different color ink when annotating your notes so you can see what you wrote in class and what you added later.

The purpose of class notes is to help understand and record the discussions about the assigned cases. This is another instance when you are summarizing key points from the professor and other students. Again, **learning occurs during the summarization process.**

Obviously, taking notes does not stop when you graduate from law school. You start scribbling notes from the first day a client walks in to the last day of your practice. Using “P” for plaintiff, “D” for defendant, “K” for contract, and other common symbols/abbreviations will help.

## **6. Outlining.**

This is the “big enchilada” of summarizing. Here a student summarizes all of her/his case briefs and class notes into **usable** information for exams. The concept of “usable” information means definitions, clear rules of law, and exceptions to the rule. It also means listing key cases in the area with facts that

raise relevant issues, along with a summary of hypos discussed in relation to each case. Often class hypos reappear on exams.

Some students say that their semester outlines are over 100 pages long. Yikes! That is too long; but five pages is too short. Dean Naccarato's outlines were about 25-35 hand-written pages, and Professor Lee's were about 20-25 typed pages. Reducing the large volume of material into this small number of pages is hard – but necessary – work. It requires that a student understand the issues and the law well enough to summarize effectively a group of cases and class notes into short statements of law. Remember that the job of your outline is to get you ready to write essay exams and take multiple choice tests.

Let's stand back for a moment. Why not use a commercial outline where all of the hard work is already done? The question answers itself: because you, the student, did not do the **hard but necessary work to truly understand the material and use it effectively on an exam**. There is nothing wrong with buying a commercial outline as another resource to help you understand the law. Just **do not rely on it** to the exclusion of your own written outline. They are called "supplements" for a reason: They are meant to *supplement* your own work. The same goes for using another student's outline (which might contain outdated and/or incorrect information). Beware.

Once you prepare your 25-35 page outline, reduce it down to a one-page "attack sheet" of key topics that you should memorize. After reading and outlining the fact pattern, think back to your attack sheet to see if you might have missed any issues. Alternatively, as soon as you receive your exam and before reading the question, write down the key topics on a sheet of blank paper. This is an effective anxiety-management technique.

## **7. Writing Skills.**

For law school, the six legal skills discussed above culminate in taking exams and preparing you for any state's bar exam. For legal practice, they culminate in winning cases through well written briefs, persuasive arguments, and excellent trial/arbitration skills. The Global Lawyering Skills program will develop your letter and brief writing skills. Our focus here is on law school exams.

Law school exams commonly come in three forms: 1) fact pattern essays; 2) short answer; and 3) multiple choice.

### Essays

Essay exams are common in law school, especially in required courses. There are also six one-hour essay questions on the California Bar Exam. Essay exams are different from college exams in that they require issue spotting, rule statements, and **reasoning** through a set of facts to reach certain conclusions. Unlike college, telling the professor all you know about a topic will not work; in fact, it will probably harm your grade since you would likely be deviating from the specific call of the question.

Most law students use IRAC as a **tool** to organize their thoughts and answers. IRAC is a very helpful technique and is recommended for most fact pattern essay exams. Rule #1, however, is to always do what your professors want. They are your graders. Most believe IRAC can help students organize and write a better answer, so they either advocate or allow its use. (Moreover, IRAC is required on the California Bar Exam.)

Notice we categorized IRAC as a tool. That is all it is. You must still spot the issue, produce a clear, crisp statement of the law, analyze all of the pertinent facts in the context of the law, and state a likely conclusion. Note the importance of **saving the conclusion for after the analysis**. In writing persuasive briefs for GLS, you may start with conclusory thesis sentences. **Avoid this in writing essay exams**, which are objective, not persuasive. State the issue, give the rule, analyze the facts, then offer a likely conclusion. (Don't waffle and write, "This could go either way." Duh! That's why it's on the exam.)

Many students panic or "go blank" when they first read an exam question. Sometimes I wondered if I was in the right classroom. As noted above, one technique to overcome this is to write out your attack sheet or the key headings on a sheet of scratch paper before you even turn to the first question. This affirmative act will calm your nerves and ensure that any "blank out" is of short duration. (Just be sure to wait until the proctor directs you to begin.)

Once you begin reading the question, you must zone out all other matters – noises, other students, past and future exams, and what's for dinner later. Go first to the call of the question and note what your task is for the question. Then read the question *several times* paying particular attention to the facts. The facts will tell you what issues are present and require your complete attention.

**You must understand all of the facts and use 95% of the facts in your answer.** Why 95%? Some facts merely advance the narrative fact pattern and are not legally significant. Count up the number of facts in one of your exams and then count up the number in your answer. If there is a large disparity, you probably did not score well.

After you feel you understand all of the facts, even identifying the legally insignificant facts, begin preparing your outline of the answer by listing the issues in either chronological order or by party or lawsuit as indicated in the call of the question. Pay particular attention to dates and quoted statements. List key facts under each issue. No matter what, **you must OUTLINE your answer before starting to write**. It seems counterintuitive, but taking the time to outline will actually help you write more efficiently – it will take less time to write a better answer!

Next, note how many issues you have identified and how much time exists to discuss each issue. This is called "weighting." There are usually five to six major issues in a one-hour question, so you will have only eight to nine minutes per issue in the approximately 48 minutes remaining. Yikes! While this can be a daunting prospect, understanding it up front means you can deal with it and **practice** accordingly. Time management is part of effective exam writing. Never lose points because you ran out of time.

For a normal one-hour exam, take approximately ten to twelve minutes to read the question several times and outline the answer. Because there is time pressure, this requires considerable discipline. Don't jump the gun because the student next to you begins to write five minutes after receiving the exam. Professors want a short, well-organized, well-reasoned discussion of the issues – not a rambling, unorganized discourse of whatever jumps into your head.

Use headings and short paragraphs in exam answers. There is no need for long flowing paragraphs of prose that would have dazzled your college English professors; in fact that might harm you in law school. Headings are vital (in law school and on the bar exam) because they help your reader navigate your discussion. **Make your answer as easy to read and follow as possible.** Remember, your grader has to get through 50, 100, or more answers to the same question in a limited period of time.

The first line of your answer should be an issue heading. You do *not* need an introduction. There is no need for an opening sentence that says something like, "In order to decide whether there is a contract



between Harry and Cal, one must discuss whether there has been an offer, acceptance, consideration, and whether a revocation occurred.” Such an introduction gets you no points and wastes valuable time. Remember: eight to nine minutes per issue!

Once you have identified the issue, you need to provide a clear, accurate statement of the law. This is less an area for technique or style, and more an area where you need to have the rules of law memorized cold. Use the legal language of the rule, as your professors may be looking for key terms of art.

In the analysis that follows, you should cover each element in the statement of the law. Announce each element with a subheading, then apply all of the relevant facts to that element and come to a “likely” conclusion. If it makes you feel more comfortable, you may use language like, “On balance, a court would probably find that Cal made an offer to Harry.” Your conclusions should flow logically from your analyses. Avoid disconnects – that is, an analysis that leans to one side while your conclusion leans to the other.

Most exam questions will have several issues and require several IRAC sections. Occasionally, a professor will test only in one major area – e.g., medical malpractice or products liability – and one long IRAC with several subsections in the analysis will suffice. The negligence practice exam given during the fall Skills Hour program (involving Global Airlines) is an example where one main IRAC, with several “mini-IRACs” inside the main analysis section, is appropriate.

### Short Answer

Short answer questions usually seek to test your knowledge of specific legal rules, the reasons such rules exist, or their relationship to other rules. In talking with students, the most common problem with these questions is over-writing the first one and running out of time on the last few. When you see a series of short answer questions, mentally calculate how much time you can spend on each one. It may be as low as two to three minutes. There are no short answer questions on the California Bar Exam; however, short answer questions are closely related to multiple choice questions.

### Multiple Choice

There are 200 multiple choice questions on the second day of the California Bar Exam (referred to as the Multistate Bar Examination or MBE). They cover six subjects: Constitutional Law, Contracts, Criminal Law/Procedure, Evidence, Property, and Torts. These questions test students’ knowledge of precise statements of law. The format consists of a controlling fact pattern followed by several multiple choice answers. Be sure to answer all questions; there is no penalty for guessing.

Consider the following strategy: On the bar exam, first, glance at the topic covered in the each question before reading the fact pattern so you know what area of law is being tested. Without such a glance, you may think the fact pattern is a torts question when in fact it is all about evidence. In law school, you know the topic for your exams, but you should still glance at the “call” of the question to orient yourself to the specific legal rule(s) covered by the question.

Second, read the fact pattern *very carefully*. Cover the options with your hand and try to answer the question on your own. Then review the options and see if your answer is there. If so, that is most likely the best answer.

Third, if your answer is not there or you do not know the answer, then you must try to eliminate the three options that are totally or partially wrong. In doing this, you must understand that the question seeks the **best answer** among the four options. So if you believe that three options are totally wrong and one is only partially wrong, the latter is likely the best answer.

Fourth, do not psych yourself out by over-reading the answers. Most professors and commentators believe that a student's first instinct is usually right. Pacific McGeorge professors usually give one right answer and three incorrect answers. Find the wrong answers and you will ace the question.

## **8. Organize for Success.**

The eighth skill for success in law and law practice is to organize for success. Professors and clients expect students and attorneys to be highly organized people. If you tend to be disorganized, you will struggle in legal practice unless you hire a great secretary or paralegal. Since students typically don't have assistants, you must change your habits.

First, get a calendar and use it. I like the week-at-a glance calendar so I can see every appointment for the week and plan for each session well ahead of time. Put in all of your classes and the exam times. Note the holidays and plan how you will study during each. Plan when you will begin your outlines. Use two-hour increments of study. After two hours of straight study, most of us need a break. Use a reward system for your relaxation time – e.g., if you study from 9 a.m. to 1 p.m., then you can see a movie or watch the game in the afternoon.

Second, put all of your notes and case briefs together for each class. Use a binder and/or create a folder on your computer. Print practice exams for each class in advance (available on GoCat in the Library) and keep them with your materials for that class. Have one place where everything is located.

Third, never let yourself fall behind. This requires discipline, which we define as doing something when you don't want to. You cannot wait for the right mood to study, but you can decide when you are most productive (some are morning people; some night owls) and use it to your advantage.

Fourth, plan your time so that you are never late – not for class and not for court. Being on time indicates professionalism and respect for others. Recall this when you're inclined to complain about not having enough time: 1) Each of us has all there is; and 2) time is just a matter of organization.

## **9. Maintain Balance in Your Life.**

Organize your mental attitude to focus on the right priorities, reduce stress, and maintain balance in your life. First, forget about the expectations of parents and peers. This is not high school. Do not focus on making the top 10% or law review. If that happens, great; if it does not, that does not mean you won't be a good lawyer or get a good job.

Second, you will be so much happier and live with less stress if you focus on these priorities in law school and in your legal practice: 1) personal growth; 2) relationships; and 3) doing the best you can given your circumstances. If you are doing the best you can in school and your job, no one can ask for more.

Third, keep doing what's fun! Are you a movie buff? A runner? A painter? A yogi? A musician? While you may be tempted to devote every spare second to studying, do not stop doing the things that make

you “you.” These are the things that will keep you centered, focused, and ultimately content as you tackle the challenges you’ll encounter in law school.

### **10. Collaboration & Leadership Skills.**

Success in law school and in legal practice often requires that you collaborate and work as a team with others. In law school, you must work with a variety of professors, classmates, administrators, and staff. In legal practice, you must work with senior attorneys, peer attorneys, junior attorneys, paralegals, administrative assistants, and clients from all backgrounds. So how well you work with others will often be a measure of your success. In fact, most employers are trying to gauge “team chemistry” when they interview you: how well will you blend in with the current team members. In addition to your academic and job record, they want to know if you have “people skills” or if you fall into the category of being a self-centered jerk who is difficult to work with.

In simple terms, leadership is the ability to influence others toward a goal. It involves many of the skills taught in law school: being prepared, spotting issues, gathering facts, analyzing facts with guiding principles, drawing logical conclusions, problem solving, developing a vision for success, planning ahead, working well in teams, and communicating effectively.

In short, social and emotional intelligence skills (“people skills”) are just as important as grades. Here are some of the most important:

- Emotional self awareness: recognizing how your emotions affect your performance,
- Adaptability: flexibility in handling change,
- Positive outlook: maintaining perspective (many people in the world would love to have what you perceive to be your problems),
- Empathy: understanding the perspectives of others,
- Organizational awareness: reading a group’s relationships and emotional currents,
- Conflict management: negotiating and resolving conflicts, and
- Influence: the ability to inspire others.

Additionally, professionalism is a key component of leadership. You are now part of a professional community – one that is quite small here in Sacramento – and your decisions and actions today will affect how your future employers and colleagues see you. You are creating your reputation right here in school with the way you talk, the way you act, and the way you dress. Before posting that photo online, before drinking too much at a social gathering, before making that suggestive joke or disrespectful comment (in class or out of class), think about whether you want to be remembered for it – because you probably will be. Instead, build a legacy where you are known for being respectful, thoughtful, punctual, and professional, both on and off campus. These traits will help you stand out from the crowd in a good way.