

Important Learning Skills for First-Year Students in Law School

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Abstract: Learning skills and cultivating models for law students is one of the important tasks of law schools in universities. So, as a law student, what learning skills should we possess, how to better understand cases and present our own views? With these doubts, the author, through questionnaires and interviews, elaborates on the preliminary inspiration for these issues through the cases explored by everyone.

Keywords: Law school; Skill development; Apple case; Learning model

This article briefly describes the experiences and feelings of first-year law students through questionnaire research and on-site visits, and elaborates on their insights into the cultivation of law students. Especially the case analysis method elaborated in the "Apple Case" demonstrates the cultivation mode of legal thinking.

1. Preparation for First Time at Law School

1.1 Preparation for admission

The first day of the law school meeting arranged for all students to come together. Next, a simulation classroom will be divided into classes of 15-30 people. The next day's class will consist of basic rules such as student rules, homework submission, exam system, and a unified email address within the school. Then, everyone will be arranged to visit the school together.

1.1.1 Formal classes

Pre class preparation, syllabus, personal information form, we need to fill out, who are you, what are your goals, your strengths, weaknesses, learning goals, and goals for your future work. And the students need to understand the objectives of this course through the syllabus, and what skills we need to possess after the semester ends. There is a mutual understanding between teachers and students. Compared to traditional teaching methods, some teachers will proactively inform us of class hours, course semester arrangements, and other related content. Some teachers will talk incessantly to get to the point, which can easily lead to teachers not understanding how many students they have, their differences, their strengths and weaknesses, and students not establishing a clear understanding of the teacher's class.

In class teaching, the teacher invites students to discuss and answer the course content of the previous lesson. In class, the teacher will test how much you have mastered the content of the previous lesson and learn in a group cooperation mode. Each class of doctoral students, senior students, and senior sisters will participate in teaching activities together as teaching assistants. The teaching assistants will send homework in the form of emails, and the teacher will announce the results of this week's reading. In the teaching assistant work area, feedback is fast, and the learning progress is tight, Pay attention to cultivating students' learning skills and how to take notes.

After reviewing in class, the teacher prepared a large amount of reading content and requested to take notes. After scanning, an email was sent to the teacher. The amount of extracurricular reading is one of the biggest ways for law schools to cultivate students' abilities.

1.1.2 Training of other basic skills

Typing speed, weekly typing speed test, weekly reading volume test. Read a large number of cases every week and take notes. Take photos of the notes and upload them via email. Interview two senior students to record how they arrange their daily activities and report in class as required. Arrange to read books on how to do well for law school students. Regular alumni gatherings can be felt, and the school places great emphasis on gathering the strength of students, learning teams, and the cohesion of alumni after graduation.

2. Looking at Debate Thinking in the Apple Case

After the class starts, case studies are used to cultivate students' thinking abilities, especially how to present strong and supportive viewpoints.

2.1 Overview of the Apple Case

Basic situation of the "Apple Case": A jogger walking by the beach, holding an apple and preparing to start eating before jogging. But at this moment, he saw a notice on the beach that said, 'Throwing garbage will result in a fine of \$100.'. The jogger ate the apple and casually threw the apple skin. A police officer was patrolling at the moment and said to the jogger, 'Please fine \$100.'.

Question 1: If you are a jogger, how should you defend yourself?

Question 2: If you are a police officer, how should you defend yourself?

After presenting the basic situation of the case, the professor asked the students two questions. Students can choose their own stance to answer and express their reasons separately.

2.2 Observing Classroom Performance

Some students will immediately stand on the side of the police because according to the warning signs, it is indeed quite clear that garbage should not be thrown and legal consequences are given. Some students not only think about the police's stance, but also think from the other person's perspective. The jogger may give a rebuttal, and then break through the rebuttal one by one.

2.3 Adding Precedents

After reaching a certain stage of discussion, the professor added the element, which is the precedent: "Previously, a person threw a candy wrapper and was punished; a person poured coffee on the ground and was not punished

2.4 Role of Precedents

After adding precedents, what we need to judge is the relationship between apple peel, candy packaging paper, and coffee. It can be clearly seen that we can obtain the following relationship:

Apple Peel: Is there a need for punishment?

Candy packaging paper: Penalty.

Coffee: No penalty.

2.5 Observing Classroom Performance Again

Some students can clearly feel that we need to compare the differences between the three. What factors affect the core of whether punishment is needed? Is apple peel prone to decay, or is coffee prone to volatilization? Is apple peel closer to candy wrapping paper or coffee?

3. Looking at the IRAC Analysis Method in the Apple Case

Mastering the method of analyzing court precedents mainly starts from the following parts: IRAC analysis mainly refers to issues, rules, and conclusions. The problem section mainly explains what the basic facts of the case are, and there should be a biased description of the facts that are advantageous to one's own position. For unfavorable facts, it is necessary to simplify them appropriately while describing objective facts. Rules are the rules of judgment derived from laws or precedents. Analysis is a process of fully integrating facts and rules. Identify the relationship between new cases and precedents, analyze their similarities, and support one's own stance. The conclusion is the result of the final analysis. In every case, using this analytical method can quickly help us clarify the facts of the case and draw conclusions. For example, the "Apple Case" that this article focuses on can be analyzed in this way:

3.1 First Stance

Fact: A jogger is walking by the beach, holding an apple and preparing to start eating before jogging. But at this moment, he suddenly saw a notice on the beach that said, 'Throwing garbage will result in a fine of \$100.'. The jogger ate the apple and casually threw the apple skin.

Rule: On the warning sign "A fine of \$100".

Analysis: A penalty of \$100 is required because the apple peel is garbage, and a penalty of \$100 is required. Garbage refers to items that have an impact on the environment, affect hygiene, beautification, and are useless. And according to precedent, the candy shell paper is plastic and also garbage, and should be punished in the same way.

Conclusion: A penalty of \$100 is required because the apple peel is garbage.

3.2 Second Stance

Fact: A jogger is walking by the beach, holding an apple and preparing to start eating before jogging. But at this moment, he suddenly saw a notice on the beach that said, 'Throwing garbage will result in a fine of \$100.'. The jogger ate the apple and casually threw

the apple skin.

Rule: On the warning sign "A fine of \$100".

Analysis: There is no need to impose a penalty of \$100. Apple peels are not garbage because according to the warning sign, they are garbage and therefore require punishment. Garbage refers to useless things, but apple peels can fertilize the soil and provide food for hungry animals. And according to precedent, pouring coffee on the ground is not garbage, coffee is easily volatile, and apple peels are also prone to decay and enter the soil.

Conclusion: There is no need to impose a penalty of \$100 because apple peels are not garbage.

4. Inspiration from Legal Learning

4.1 Importance of Factual Concepts

Any thinking cannot do without concepts, which are the starting point of logical thinking. For example, a very important concept in contract law is "offer of contract", and the opposite concept is "acceptance of contract". For example, in the Apple Peel case, what is Apple Peel? It seems to be a very simple basic problem. When we delve deeper, we will find that apple peel can belong to garbage, which is only for most humans and can also belong to food, if it is for other animals. The law of each department should start from the most basic legal concept. Only by clarifying the most basic legal concept can we begin to analyze cases and think about law at a deeper level based on the legal concept.

4.2 Exploring the Legislative Value Behind the Exploration

We all know that the reason why law can play a role in managing and maintaining social order is because it determines people's rights and obligations through rules. In civil law countries, with written law as the rule and prior agreement on the limits, legal consequences, and limiting conditions of conduct, regulations are now formulated to better achieve legal predictability. In common law countries, the value of legislation and the spirit of norms are often derived from precedents, in order to better adapt to the constraints of social changes. This also puts higher demands on the way legal persons think. But they all have the same thing, which is the legislative spirit and value, which have always influenced the development of these legal rules and principles.

4.3 Thinking Like a Lawyer

After entering law school, a common saying is to think like a lawyer. To become a professional lawyer, it is not only a physical test, but also a mental challenge. The professor's requirement for us is to focus on the problem and repeatedly think about what is the core of the problem. For example, in the "Apple Case", what we repeatedly need to think about is "whether the apple peel belongs to garbage or not". Secondly, we should focus on the issue. If our defense position is "apple peel does not belong to garbage," then we must further consider the reasons why it does not belong to garbage? Can you suggest that many fruit skins can be eaten, such as watermelon peel? In many countries, cold watermelon peel is a delicious dish. Finally, after listening to the opposition of the other party's position, we should come back with the reason why the other party believes that "apples are garbage", which is the last point: digestion issues. Based on the other party's reasons, one by one, they may say that apple peels are generally not eaten by anyone, and apple peels can easily attract mosquitoes and insects.

5. Conclusion

I hope that this article can provide inspiration for first-year law students' learning, especially from the perspectives of learning methods and case analysis methods. Law school students inevitably need a series of ways and methods to continuously increase their professionalism, which is also a long-term learning process.

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