

The Ten Commandments of [The First-Year Course of Your Choice]
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Students are aware that law school is a different ball game from undergraduate school before they set foot in the door. They have heard horror stories about the Socratic method and the immense workload. The problem is that they are familiar with these things only as abstractions. For example, they know it is important to be well prepared for class, but have no clue as to what "being prepared" means. As a result, new law students spend their first few weeks on the verge of panic attacks as they sit through classes speculating about what is going to happen and how they are supposed to behave.

Properly directed, a little anxiety can be a powerful motivational force. But when it is unfocused and consuming, anxiety interferes with learning. A simple and effective way to help alleviate this problem is to give beginning students some vital information up front about what they can expect in your course. I accomplish this with a protocol I call *The Ten Commandments of Torts I*, which is just a jazzy way of saying *Here Are Ten Important Things You Need To Know About This Course*. This protocol gives students a kind of blueprint to help them navigate through my course. Eventually, they would pick up this information on their own, but only inefficiently and after much wasted emotional energy. An abbreviated version of *The Ten Commandments* appears below. It can be adapted to any course.

1. ***Thou shalt be prepared for class.*** It is extremely important that you always be prepared for class. "Being prepared" means that you must know: (1) the facts of the case; (2) the procedural history that resulted in the case being heard by an appellate court (*examples*: the trial court dismissed the complaint filed by the plaintiff and the plaintiff is appealing; or the trial court gave a legal instruction to the jury which the defendant asserts was incorrect and the defendant is appealing); (3) who won the case (the plaintiff or the defendant); (4) the substantive legal issue in the case; and (5) the court's reasoning. To be well-acquainted with a case, you usually will be required to read it at least twice. Briefing cases is essential for first-year law students. By "cases," I mean the principal cases that are set forth in the casebook. You are not required to look up the "note cases".

2. ***Thou shalt be on time.*** It is rude and distracting to both your classmates and the professor to arrive late to class. Please make your best effort to be on time.

3. ***Thou shalt not be afraid to ask questions.*** Most people do not know anything about the law when they get to law school. Even diligent studying and preparation are not going to answer many of your questions, particularly early on. Thus, I encourage you to ask questions. There is no such thing as a "stupid question." If you have a question about some aspect of a case, the chances are good that many others share your confusion.

4. ***Thou shalt not be afraid to voice one's opinion, even when it is believed to be contrary to the professor's.*** A law school class should be a vital and exciting learning environment. The most controversial issues of our time are rooted in the law (e.g., abortion, affirmative action, gun control). Law school can be an intimidating place, but I encourage you to come to class willing to discuss the material. Your thoughts and opinions are valuable and your contributions to class discussion will make Torts a more enjoyable course for everyone. Do not

be afraid to disagree with me. So long as we all remain respectful of one another, hearty debate is something to be encouraged.

5. ***Thou shalt tolerate the professor's offbeat sense of humor.*** Students learn better when they are interested and involved in what is going on in the classroom. Thus, I go out of my way to try to make classes interesting and entertaining. If I make a humorous remark at your expense, please take it in the spirit in which it was intended. I do not try to belittle students.

6. ***Thou shalt respect thy classmates.*** You are all in this together and one of the most wonderful things about law school is the bonding that occurs among entering classes. Students come to law school from many different backgrounds, which affects their viewpoints. All views are entitled to respect. There is no such thing as an incorrect opinion.

7. ***Thou shalt understand that there is method in the madness.*** Most first-year law school classes are conducted by the Socratic method. From a student's perspective, the Socratic method might be defined as follows: "The professor hides the ball and then tries to embarrass students who can't find it." I can appreciate this view, but embarrassment is not the purpose of the Socratic method. Students arrive at law school believing they are here to learn and memorize legal rules. That is certainly part of it, but not nearly all of it. You could memorize all the legal rules in the world, but still be a lousy lawyer. Good lawyering is about problem solving, and the Socratic method involves forcing you to apply legal rules to solve problems. That is why I use many hypothetical fact situations in the classroom. I am trying to enhance your ability to reason well. Unfortunately, true appreciation of this usually comes, if at all, only when it is all over. In the meantime, I ask you to just trust me that it really does work.

8. ***Thou shalt not be afraid to seek out the professor's office.*** I encourage you to drop by my office to talk about Torts, law school, or anything else that is on your mind.

9. ***Thou shalt regularly attend class.*** [I explain my attendance policy in detail.] Though you are allowed six misses, I strongly encourage you not to use them unless necessary. I can tell you from experience that rarely does a student who has missed several classes do well on the final exam.

10. ***Thou shalt take a deep breath and prepare for a long, hard semester.*** Law school is not like undergraduate school. It requires a tremendous amount of work. You need to realize this at the *very beginning* so you do not fall behind. Over the years, many students who did not succeed in law school have told me they just did not realize how much work it required until it was too late. Do not let that happen to you. My goal is for all of you to succeed. I will do my best to assist you, but, ultimately, your success will depend primarily upon how hard you are willing to work.