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Law Students Lie and Other Practical Information for First-Year Students

By Meredith A.G. Stange, Northern Illinois University College of Law

Since I left private practice and began teaching first-year legal writing students, I have been in a prolonged “Groundhog Day,” reliving my own first year of law school over and over again. As we begin the school year, I am lucky enough to be teaching another group of eager 1Ls and again reflecting on my own first year. When I first started teaching, one of my colleagues gave me this advice on teaching first-year students, “You can’t make it too easy.” She was right. It is all too easy to forget how tough the first year of law school is and how little first-year students know, especially when you are in the comfortable position of teaching. I have found that, in addition to all the practical skills we teach our students, there is a certain credibility to be gained by acknowledging the trials and pitfalls of the first year.

The first thing I tell students, and the piece of information they most often remember, is something that took me nearly my entire first year of law school to figure out: Law students lie.

I do not mean that all law students are duplicitous, manipulative individuals. Not at all. Law students lie about things that only law students care about, like how many pages their outlines are, when they started outlining, and how far ahead they are in their readings for class. These may sound like dumb things to lie about but, as I am sure we all recall only too well, when 1Ls are knee-deep in first-year stress, such things become vitally important to them. Because of this, it is important to remind our students that law students lie so that they do not make themselves crazy worrying about how

behind they are in comparison to their classmates.

Perhaps it was my Midwestern upbringing, but, when I was in law school, it never occurred to me that people would be lying about how much work they were doing. In my first year, I assumed that everyone else was just “getting it” faster or more easily than I was. Since I felt lost in my classes most of the time, this merely fed into my fears of inadequacy. However, in one of those “light bulb moments” law professors often mention in class, one day it

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dawned on me that my friends had not been entirely truthful about their law school performance. I seem to recall this realization came to me when a friend, who had earlier claimed to be done with an outline, mentioned that she had yet to start it. However, how I reached this realization is not what matters. The key was that once I realized that people around me were bending the truth, I felt less alone. I relaxed a bit and stopped worrying about how I was doing in relation to my classmates.

But with our students’ recognition that lying is happening around them, it is also important for them to accept that they will eventually do the same thing. It’s true. Even the most well-intentioned among us has bent the truth in the face of

a relentlessly smug classmate describing how much time he’s spent preparing for finals that are months away. I certainly did it. It felt like self-preservation, as if I didn’t pretend I was doing the same amount of work, I didn’t belong in law school. So I invite my students to accept the fact that not only will other people be lying to them, they will be lying right back. The Contracts assignment that was ignored in favor of a Lost marathon will become “I read 40 pages of Contracts last night” and the Word document that is blank but for the heading Torts Outline

will become “about 20 pages” of an outline.

The second piece of advice I give my 1L students is that learning the law is like learning a foreign language. The law is tricky in that it looks like English but it is not. It is a complicated language called Legalese and law school is a three-

year-long immersion course. Because it looks like English, students often feel like they should be “getting it” from the beginning even though they would not have the same expectation if they were trying to learn Italian, for example. The perception that they should be “getting it,” or that their skills from the non-legal world will automatically translate into what I refer to as the country of Law, often makes students resistant to feedback. To be successful, students must get past their desire to impress the professors and recognize that they are in law school to learn. A partner once told me that part of how lawyers learn is through the mistakes we make, and the key is to treat those mistakes as opportunities to learn instead of failures.

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The way we teach in law school, in this immersion course manner, recognizes this concept. The Socratic method is designed for students to make their mistakes not only out loud but publicly, in the presence of all their classmates, so everyone can learn from them.

On the topic of making mistakes, each year I encourage students not to make the same mistake I did in Legal Writing and instead come to see me early and often. As an English major who defined herself by her writing skills, I was extremely resistant to criticism from my Legal Writing professor. I spent most of my first year doubting her ability to recognize my outstanding writing, given the comment-festooned assignments I received from her. Imagine my surprise when, while editing one of my memos, I absently reminded myself to make sure my reader did not “fall into a hole,” one of her common admonitions. Despite myself, I had learned all along. However, I cannot help but wonder how much better a writer I would have been had I chosen to listen instead of close off. Because of this, every year I tell my students about my Legal Writing

experience and encourage them to be smarter than I was. I explain that, although I know it is difficult to meet with a professor, and even more so when the professor is going to be criticizing your work, these meetings are how professors make their students better writers. I close with the simple advice that, “You may think I’m an idiot, but I’m the idiot in charge of your grade. So if you aren’t happy with the scores you’re receiving, you’d better figure out how this idiot thinks.”

Ultimately, however, I know that although my advice can make it easier, I cannot and should not make the first year easy for my students. Part of what the first year teaches students is that they can do this. They can learn analytical skills and master their fears. Thus my final piece of advice is to tell my students that although it is common practice to decry “hiding the ball,” or withholding information from students, I openly admit I am doing this. I hide the ball because part of what I am teaching students is how to find it. Knowing that I could and did survive my first year made me a more confident writer, a

more confident student and, ultimately, a more confident lawyer. I do not want to take that away from my students. I could spoon feed them and bury them with examples, which I admit I have done in the past, and I could darn near write assignments for them. However, that will not help them become good writers, good students or good lawyers. My job is to give them a flashlight, send them off into the deep, dark jungle that is legal prose and hope they make it through with as few scrapes and bruises as possible.

Of course, being good law students, they’ll tell their colleagues it didn’t hurt a bit.

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