**So You Want to go to Law School**

**Part 8**

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**Study Groups/Study Buddies in Law School**

**[For some, this will even work in Undergrad courses.]**

Let me ask you a couple of questions: how do you study? By yourself? With others? I’m guessing that most of you studied by yourself and probably not very much – except maybe for science classes – they’re hard. I was a lone wolf studier in college and in all the classes I took while in the military. I’m not sure why, but when I went to law school the world of study groups opened up to me. Here are a few thoughts about the pros and cons of joining a study group. But fair warning, study groups are not for everyone. If you have no interest in studying with others and only interested in studying by yourself, you can skip this. Before you skip reading this, think about it for a minute. Law school is a different animal. Having someone beside you can be very helpful. So just in case you might want to re-think your lone wolf decision, I suggest you read on.

**Study Group** AND SOME OTHER MISCELLANOUS STUFF

 A study group is just what it sounds like: a group of people that study together. But how many? How often? How will the group study? How do you decide who is in the group? How . . . ?

 The first and most important thing to decide is should I be in a study group? Yes, Maybe, No. Whether or not to join or form a study group really depends on you and the best way for you to study. In law school I was a member of a five person study group. I found it very helpful, beneficial, and calming. I found people I could count on when I needed help. Classmates with a similar goal – graduating. I honestly believe our study group was instrumental in me doing so well in law school. When my daughter headed for law school, I suggested that she try it. She came home after the first semester and said it wasn’t working for her. She is a study-alone-in-the-quiet person. Another young lawyer I recently talked to said group study really didn’t work for him until his last years in law school because in the first year no one really knew what they were doing. A third said he did study buddy. He tried group but there was too much goofing off. One out of four? Not good odds, but most people I know tried or were members of study groups – some groups more successfully than others. Just being in a study group doesn’t guarantee success. Success or failure in law school is still your responsibility.

If you decide to try a study group it raises a lot of questions.

**Question 1:** How do you decide with whom to study? This is a tough one. Law schools don’t assign people to study groups. Study groups are not normally formed the first day of classes but after you have gotten to know some, several, or many of your section mates. During the first year, most schools divide up the incoming class in to smaller groups or sections of 50, 75, or some other number. You will likely have all the first year, required courses with these people. Your study group should, really must come from the people with whom you have classes, people that are in your section. This is needed for ease of scheduling group meetings and avoiding the possibility of different professors for different sections.

 Depending on your outlook, will you form a group by asking others to be members? Or, will you wait for someone to ask you to join a group? Each has its advantages and disadvantages. If you form it and it’s a bust, you get the blame. If you want to leave the group because it’s not working for you, well that’s awkward since you formed the group. And you will have to judge each person you ask to be in to the group on their ‘fitability’ with the others.[[1]](#footnote-1) If you wait to be asked, you can pick a group you believe you will feel comfortable in and will provide you with the best opportunity for success. However, it is always possible no one will ask you to join their group. Then what?

 For me deciding who to study with was easy. In our section there were four fairly recently discharged, ex-military people: three army and one navy. We found each other fairly quickly, probably because we stood out from our classmates. That was our group. We were all four to six years older than most of our classmates and had a different view on life and the world. I believe it is important to have something in common with the other members. It doesn’t have to be as binding as ex-military or the same undergraduate college, but there should be some connection. You have to work with the members of your group, so it helps if you like them. Knowing who to pick or what group to be in is why you don’t show up the first day and say I want to be in a study group with you. Get to know your classmates, at least a little bit, before you jump into being in a study group.

 Yes, earlier I said I was a five person group. There was a fresh out of undergrad school student, a 21 year-old baby, that sat between another member of our group and me. He was lost, totally lost. He was a math major, very smart, but was trained in the world of black and white. In math, 2 + 2 is always 4. In law, the sum of 2 + 2 depends on what you want it to be and how much money you have. In law rarely is anything as certain as 2 + 2 = 4. He was like a lost puppy. He begged to join our group. We let him – I don’t know why, but it was the right decision. He was good for the group. He was a nice person that could take and give a joke when needed. He brought a different outlook to the group, one that we were lacking. He was often more analytical in an Ivory Tower sort of way where as we may have been more real world. He helped the overall group to prosper. Another thing that was valuable with having the mathie in the group was we would often have to explain something to him that was hiding in the shadows. It was often something that was obvious to us but not to him. So we had to explain it so he could understand it. When you have to explain something that seems obvious to you to someone that doesn’t understand it, it will help you to better understand the concept and better able to explain it on a test or in class. “Explain it to me like I’m a 6-year-old.”[[2]](#footnote-2) And we were able to help him understand and as a by-product, help ourselves. The mathie graduated in the top 10 students in the class. And he still owes me a six pack of beer.[[3]](#footnote-3)

 I guess what I am saying is that you will need to find people that you can get along with, that you have something in common with. You want people that don’t distract you from the goal of your group: studying, learning, and excelling. Our group was lucky [?] in that we all graduated in the top 40% of the class [with two in the top 20% and two member graduating in the top ten students]. Because we did well in the first semester, there were several women and men that asked if they could join our group. Okay, this will sound sexist, but I couldn’t have studied much with these particular women in our group. They were smart but they were also cute and I was single.[[4]](#footnote-4) I’m not sure I could have keep my mind on the “Rule against Perpetuities”. I’m not saying don’t have mixed groups, but I don’t believe it would have worked for me. I’m that shallow. Did we let the guys in? No. The group was functioning well and had established a working pattern that we were all comfortable with. Adding more people might have upset the rapport between the existing members. Plus, five was pushing the limits of how big a group should be.

 A side comment: think real hard about dating while in law school. I know people do it but it’s hard enough to date when you aren’t in something as demanding as law school. Remember, I’ve only given you a half a day for yourself – a day at the most.[[5]](#footnote-5) The rest of the time, you’d better be studying.

**Adding Members:** The above raises the question of should you let new members into an existing group. After the early addition of the baby math major in the first month, we didn’t add anyone. When a study group is first formed, several decisions need to be made concerning adding new members. The group will need to set some ground rules. Will you add new members early on but only if all existing members agree? Or add them if a majority agree? When can they be added? Any time? No new members later than the first month of any semester? Or, whenever?

 Our group was together for all two and a half years. [We all went to summer school and graduated in December.] I don’t know if that’s normal or not to stay together the whole time. Yes, the last two years we weren’t always in the same elective classes but if two or three or all of us were in a class together, we studied as a group. I never studied with anyone else. But staying together worked for us. We were lucky in that I don’t recall any arguments or personality problems within our group.

**Removing a Member:** A group can have issues with a member. Your group should have a rule that if a member wants to leave they must explain why and not just disappear. That’s pretty easy. Most people would do this anyway. The problem arises when the group needs to kick out a problem child. A really don’t have to explain what that means – if you’re in a group you will know when someone isn’t working out with the group. So how do you boot them? If the problem is fixable, confront them and give them a chance to fix it. Maybe they are missing meetings or making personal attacks on another member because of their politics or length of hair. Or maybe they just won’t shut-up. Those can be fixed. If they don’t fix the problem within a set time, boot them. This is one of the other rules that needs to be decided on when the group if formed. Will you boot someone with the agreement from all other members or just a majority?

**Question 2**: Size of the group? My group worked at five, but I think that is probably too big for most people. Three or four seems to be a more reasonable number. It may be that you work better with a study buddy – a two person group. Studies done, not by me, seem to favor the two, three, or four person group.

 The reason I like three or four is to get the difference of opinion, differing way of looking at things. Each person is different and view or outlook will vary from the way you see the world. You will see one thing in a fact situation that I missed. And the baby will see something else. The old guy [28] will see something totally different. Another reason to keep the group to a reasonable size [3 or 4] is for scheduling purposes and finding a place to study. The more people in a group the harder it will be to have regular meetings. And the more in the group, the less chance to have a good discussion where everyone can participate.

 I will discuss this more in a minute, but when reading a case and especially on a test you need to be able to see all sides of an issue. You need to understand the strengths and weaknesses of an issue or argument. **Nuanced understandings of the interaction of fact and law, not memorization of statutes or cases, is paramount not only to doing well in law school, but to being a good lawyer.** If your group is a reasonable size and works, you will start seeing more issues than you would have if you studied by yourself. This will improve your ability to successfully kill on your tests using IRAC,[[6]](#footnote-6) of course.

 There is nothing wrong with a two person group. However, it limits the viewpoints. You also run the risk of one person dominating the group with the second person eventually hesitating to disagree or point out a missed issue. But again, you have to find what works for you.

**Question 3:** Participation: Is everyone willing to participate equally? What does each person add to the group? You don’t want any freeloaders, I saw many groups where several of the members relied on one or two of the people to do all the work and spoon-feed them. There’s nothing wrong with helping a friend out, but if they are not adding anything of value to the group: (1) it puts more of a burden on you to have to be their teacher and nanny, and (2) they probably won’t be around long if they aren’t really studying and just copying your outlines. See above for a discussion on getting rid of a freeloader.

 Everyone participating equally is good – one of the group’s musts. But, are they doing a good job? Can the information, drafts, or private work they do be trusted? I realize it’s rare to have an un-smart person in law school, but there are people that don’t try and rush through an assignment making their output garbage. There are lots of reasons for this: personal problems, married, stress, substance abuse, and believe it or not, people that are in law school but don’t want to be but were pressured into going by parents or other relatives.

**Question 4:** Goals:What is the goal of your group? Well, of course you want the group to help you learn and understand the law so that you will excel on the tests and in school. Wow, selfish aren’t we. *I believe* that for a group to succeed, the goal of the group must be for everyone in the group to learn and understand, to excel. Often discussing a point with someone else, trying to convince them of something, will help you learn and understand it better than you did when you started. When everyone in the group is trying to help everyone in the group, everyone wins – including you. Although I never cared for the saying, at least in your group, there shouldn’t be any child left behind. Unless they’re a freeloader, see above.

**Question 5:** I’m often asked if law school is as cut-throat as depicted in some movies or books. Again, yes and no. [Wow, I really am a lawyer. I can’t give a straight answer.] Are there some people that will do anything to be number 1? To be editor of the law review? To get a clerkship out of school? Yes. They’re called – okay, I won’t say it because it’s a bad word, true but bad. These scheming people exist and who they are becomes pretty evident during the first semester and definitely at the beginning of the second semester after people find out their class standing after the first semester test scores are posted. Luckily we didn’t have any in our group. Yes, our group members wanted to do good [well?] and we did, but we were not driven to the point of hurting others. Avoid the people that want to win at any cost. AND, don’t be one yourself. I found that the vast majority of people were not the super-competitive kind that would sabotage others to succeed. But fair warning, they do exist. Watch out for them and avoid them.

**Warning** – just because everyone isn’t super competitive doesn’t mean your classmates aren’t smart. They are. You will run into some really smart people. I mean really, really, really smart. You may be tempted to say, “Everyone is smarter than me – I’m such a dummy. I’m going to fail.” Well, you’re not a dummy. You got into that law school. Hundreds if not thousands of students didn’t get in that applied. You are smart. YOU CAN DO THIS. And a good group can help.

**Some Rules:** Here are a few random suggestions for your group.

 Have set times for meetings with an unofficial agenda. Take turns chairing the group to keep everyone on task. Determine where the meetings will be held, for how long, and what the meeting will cover. When and where they are will depend on your class schedule. It’s okay to have them at someone’s house or apartment if there aren’t too many distractions.

 There are going to be times you just don’t want to study any more. If you’re in a group, they will hopefully come your apartment and kick your butt. Not studying when in a group is not an option. You can’t procrastinate studying. You can’t afford to not study. You can’t afford to get behind. Regularly scheduled meetings for the group will give you that extra push you need to devote the necessary time toward your goal of graduating. I told this in class and it’s true.

 Respect the others in your group, no personal attacks. Wow, do I really have to say that?

 Pool your knowledge. Each person brings something to the group that the others don’t have, don’t know, and never thought about. Remember, the goal of the group is for everyone to prosper – not just you. Don’t hide information from the group. The life experiences of all the members help you understand things, often better than cold readings and long-wolf studying.

 Support everyone else in the group. Everyone has problems: school, family, sinuses, money, Grand Theft Auto addiction. Give them support when you can. I doubt that you will get through law school without a monkey wrench being thrown into your smoothly working plan. You will probably need help sometime during you time in school, so lend a hand when you can to a study partner in need.

 It’s possible that someone outside the group will ask to ‘borrow’ your outline or class notes. If they are your private notes and not a group work product, okay. But if your notes are the outcome of the group’s efforts, you need to check with the group. The group needs to decide if they will share group materials with outsiders. To share group work should require group approval.

**Studying for a Test:** What I found extremely helpful was studying for tests in a group. Everyone sees things differently – we are all different with different backgrounds and different ways of looking at and thinking about things. Where I went to school, the professors were required to make old tests available. The group would get copies of the test, each of us would outline a response, and then sit around with snacks and compare our answers. It was amazing how different our answers were. Although we all might get the obvious, easy issues/defenses in a fact situation, Bob might also see X as an issue, Jeff would be the only one to see Y; Mike would bring up a defense unseen by the others, Gary would be able to tie somethings together that others couldn’t figure how to make logical sense out of. I would see that we were out of beer and run out and get some more.

 The point is that we each saw thing the others didn’t. We helped each other see how to really get into a question, dissect it, and logically attack the problem and come up with a reasonable solution. Remember, you need to see all sides of an issue to truly understand it and to come up with a good conclusion. IRAC.[[7]](#footnote-7) Remember that just because someone has an opinion on what the correct answer is doesn’t mean it’s right. While you want to listen to everyone, you don’t have to accept someone else’s answer. Think about, and remember it with your skepticism. While it may well be wrong, you may find out later it’s right.

**Outlines:** Throughout the semester our group would also go over our individual outlines, comparing and contrasting what each of us had in ours. Sometime you’d forget something in your outline that the others thought important: like who painted Anne of Cleves.[[8]](#footnote-8) Add it to your outline. Maybe you’ll correct a misunderstanding of a legal issue while the group is comparing and discussing one of the topics. Not only does this make your outline complete, but you are also covering the material again – that called studying.

**Practice Questions:** To help with understanding different legal theories and how they work together, it’s a good idea to have the group discuss practice questions on topics as you cover them throughout the semester. If the professor doesn’t make any available, play ‘what if’ within the group. The ‘What if’ game was discussed in SYWTGTLS 7.[[9]](#footnote-9) Remember: *Nuanced understandings of the interaction of fact and law, not memorization of statutes or cases, is paramount not only to doing well in law school, but to being a good lawyer.*

**Brainstorm** potential final exam topics. Were there certain things the professor stressed? Did she give any hints in class? What were the important topics discussed in class? I think most students would be surprised how close they would be to figuring out what the professor is going to test over if they just thought about it. You probably won’t know the fact situation, but you should be able to figure out what topics and issues to look for and which ones will be stressed.

**The NO side** of being in a group.

**Freeloaders** and other people you want to punch in the throat. In other words, people that don’t do anything to help the group. If you had to do a group project as an undergraduate you likely had at least one slacker who did little or nothing and still got the same grade. Or maybe you had a know-it-all that had to do everything his way, or maybe there was the person that argued about every point making group meetings unbearable. Nobody wants to be in that group. If you somehow end up in just such a group and you can’t get the Freeloader/troublemaker kicked out, leave.

**Social Groups**. Yes, a ‘how’s the dog’, ‘some game last Saturday’, or a little chit-chat is okay, but some people really don’t want to study they just want to jibber-jabber. They seem to just want to gossip, or talk about something that happened to them or dissect some TV show or the latest movie. They can kill a group and waste the time you set aside for studying. Staying on task in important. You don’t want to be in a social group. Remember, the outside world doesn’t exist during the semester. Concentrate on your studies.

**The Lone Wolf**. Yes, some people just study better all by themselves. I generally am one of them for most things, but I just got really lucky to find the group of people I did. We had a great group. Their names are listed above. Don’t be afraid to be a lone wolf. If you join a group and it’s just not working for you, make an excuse and retire to the stacks to study.

**Don’t Waste Time:** Although this doesn’t have anything to do with groups, I want to mention it’s okay to study by yourself between classes, before classes, and after classes even if you’re in a group. And by study, I mean at the law school. Often there are too many distractions at home to have productive study time. At the school library you may find the quiet you need to concentrate. School was where I did a lot of my studying outside of my group during the day while my daughter was in kindergarten.[[10]](#footnote-10) And the libraries also have all the assets you need if you get lost and need help. Most schools also have areas for individual students to study or student groups to meet and discuss. Make use of them.

**Bottom line** from me is a big **yes** for study groups IF, IF you get the right people in your group. Don’t be afraid to leave a group if it’s not working for you. Be honest with the other members, kind but honest, if you leave. Maybe you’ll find a better fit somewhere else.

1. Fitability – a made-up word. [↑](#footnote-ref-1)
2. Joe Miller, from the movie “Philadelphia”. [↑](#footnote-ref-2)
3. Because I finished ahead of him in class standings. [↑](#footnote-ref-3)
4. See SYWTGTLS 7. [↑](#footnote-ref-4)
5. Ibid. [↑](#footnote-ref-5)
6. See, SYWTGTLS 6, p. 2. [↑](#footnote-ref-6)
7. Ibid. [↑](#footnote-ref-7)
8. SYWTGTLS 7, p. 4. [↑](#footnote-ref-8)
9. Ibid., p. 6. [↑](#footnote-ref-9)
10. Ibid, p. 8. [↑](#footnote-ref-10)