

# CHAPTER

# 1

## STUDENT SURVIVAL GUIDE: LEARNING TO LEARN



**LEARNING IS A TREASURE WHICH ACCOMPANIES ITS OWNER  
EVERYWHERE.**

**—CHINESE PROVERB**

### CHAPTER OVERVIEW

This chapter focuses on the skills you will need to be successful in the classroom. A variety of study skills are discussed, including techniques on how to master your reading assignments and remember them, tips on note taking, and strategies to help you prepare for and take examinations. These study skills are useful not only in the classroom but also on the job, because working paralegals routinely read a great deal of material and are required to take notes for a variety of work-related tasks.

#### A. SUCCESS AS A STUDENT

A successful student is someone who leaves the classroom understanding the material covered and knowing how to put this knowledge to use in the real world. The only way teachers can measure whether students understand the topics covered in class is to give projects, homework, or tests, and then assign a grade based on the student's performance. Although these methods may be accurate gauges of comprehension in some cases, in other cases, perhaps due to a student's test anxiety or personal problems, the grade is not reflective of the student's mastery of the material. Nevertheless, because grades are assigned in most paralegal education programs and because

an employer later may rely on a student's grades as one measure of ability, it is important to be a successful student.

Students who have been highly successful at the secondary or undergraduate levels may struggle a bit in their paralegal classes. The techniques that were successful in other classes and schools may not work in law-related classes. Why? Because in much undergraduate work, the focus is on getting the "right answer." In the law, however, the right answer is not always easy to spot. Issues are murky. There may well be more than one right answer. Moreover, the process of analyzing the law is as important as finding the right answer. Add in an entirely new vocabulary, a new way of writing, and rigid time constraints, and it is easy to see why new paralegal students often feel overwhelmed.

Successful students share several things in common: They do the work assigned, they come to class prepared, and they persistently work until they have mastered the material. Even more important than being a successful student and earning a good grade is being a successful learner, because learning is not something you leave behind in the classroom. You will need to learn throughout your life.

## B. READING THE MATERIAL

### 1. Read to Remember

Legal professionals spend a great deal of time reading. They read statutes, cases, correspondence, briefs filed by adverse counsel, and so forth. To prepare you for this fact of legal life, your paralegal instructors will likely require a great deal of reading from you. You will take several different classes, each with at least one textbook and likely a packet of ancillary materials. The pace is nearly relentless. In some cases, the material is dry; in nearly all cases, the material is difficult. There is no plot to hold your interest. Thus, reading is a difficult assignment in and of itself. Consequently, it is critical to understand how to read the material in a way that will aid comprehension. Follow these five tips to master the reading material assigned in your courses.

- **Read before class.** First, unless instructed otherwise, read the material before attending class. You will understand the concepts discussed in class better if you have a framework in which to put them.
- **Preview for five minutes.** You will be greatly tempted to rush into the material and start reading. Don't. Invest five minutes before you begin any reading assignment by reviewing the table of contents relevant to the reading assignment. For example, if you are assigned to read Chapter Three of this text, a review of the table of contents discloses that you are given introductory material relating to ethics and responsibility, that the next topic discussed is the codes governing attorneys and paralegals, and then the chapter addresses nine specific ethical duties imposed on paralegals. Just as you cannot put together a puzzle without first seeing the complete picture, you should first understand the "big picture" of your assignment before trying to fit in the little pieces. Mark your table of contents with a sticky flag for easy reference. After reading the table of contents, read any chapter overview or chapter summary. Do not make the mistake of thinking these parts of

a chapter are fluff. In general, they are carefully constructed by the text's author to preview and then summarize the most important concepts covered. Similarly, key terms or margin notes are placed there for a reason: to reinforce learning. Don't ignore these helpful tools.

- **Divide and conquer.** Once you have completed your preview, break your reading into manageable parts. Unless your assignment is very short, it is unrealistic to think you can read all of the material in one sitting. Review the chapter headings and decide which sections you will read, how many pages you plan to read, or how much time you will read. Take frequent short breaks if needed. Set small goals for yourself. For example, decide to read the first section of a chapter. When you finish that section, reward yourself with a small break.
- **Take your text to class.** Bring your text with you to class and follow along as the instructor discusses the material. The instructor will likely explain difficult concepts and terms. Having your text in front of you will help you remember the material. Similarly, if you found a concept confusing, place a question mark or write the actual question in your text margin. When the instructor discusses this section, ask for clarification.
- **Read after class.** After the class discusses the reading material, invest another five minutes and review the text. It may be sufficient to review merely the chapter overview or the chapter summary. A quick review of the key terms may remind you of some of the material covered. Develop a habit of reviewing the material as soon after class as you can. Consider remaining in your seat for three to five minutes after class to review the material one more time and imprint it in your memory.

## 2. The SQ3R Method of Reading

One very popular method of reading material is the **SQ3R method**. There are five steps in this method, which is designed to improve reading comprehension.

- **Survey the material.** Quickly scan titles, key terms, headings, introduction, and so forth within a section of your assigned reading.
- **Question.** As you survey, think of questions to ask yourself about the material. Use the titles and headings to formulate questions.
- **Read.** Read the material at your normal reading speed.
- **Recite.** Repeat from memory out loud the section you have read and formulate the answers to your questions. Summarize the material you read.
- **Review.** At the end of a chapter, review the material you read by highlighting key terms and concepts.

### SQ3R method

A method of reading designed to improve comprehension; its five components are surveying the material, questioning the material, reading, reciting, and reviewing the material

## 3. Techniques to Remember the Material

Studies show that most of us forget nearly half of what we read within 15 minutes after reading it. Thus, we need to work to retain material. Reading a novel for pleasure is a passive activity. In contrast, reading a text to master its materials requires active work on your part. There are four ways to help you remember the materials you have read.

- **Mark your text.** Marking or writing in your textbook is an excellent way of helping you remember critical concepts. You may ignore the rule you heard all through grade school and secondary school that you may not write in your books. The books you purchased for your program are yours. Go ahead and mark them to your heart's delight. If you wish to sell your books at the end of a semester, those that are highly marked may be worth less money; however, the value to you of understanding the material is worth far more than the few dollars' reduction in resale price a marked book garners. Moreover, you may decide to keep your textbook, or a new edition may render your textbook out of date. The physical act of highlighting engages you more fully in the reading process and forces you to focus on the material. Consider skimming a section before you mark it. This approach will tell you what is important so you can mark it during your actual reading. There are different ways to mark your text to make it helpful to you:
  - Underscoring. Underscoring is a common method of marking a text. It will enable you to find important issues and key terms at a glance.
  - Highlighting. Many readers like to use felt-tipped markers to highlight critical issues. Consider using different colors for different issues. Highlighting important topics makes it easy to review these areas when preparing outlines or reviewing for tests. Resist the temptation to highlight nearly everything. Highlight only the core concepts.
  - Making margin notes. Placing arrows, notes, or key terms in the margin is an effective way to help you retrieve important information when studying for tests. This technique is effective if you need to memorize certain information. For example, if you are expected to know the elements of a cause of action for fraud, use a different-colored pen or symbol so that you can easily find this information when you prepare for your exams. Place question marks next to the sections you have difficulty with, so you can spend extra time on them or ask the instructor to clarify these sections in class.
- **Challenge your understanding.** When you reach the end of a section, stop for a minute and review out loud what you have just finished. Reciting the material aloud will help you remember it. Review any discussion questions at the end of a section or chapter and challenge yourself to answer them. Write encapsulations of your answers to the discussion questions on an index card and place it at this page, so you are ready to participate if the instructor reviews these questions in class.
- **Take notes.** After reading the assigned material, consider preparing a brief overview or outline. Use the table of contents as your guide to the key topics discussed in a chapter and prepare notes on the reading. You may wish to delay taking notes until after the class session, when you can then integrate notes on the text with notes from the class, using different-colored paper or pens so you can easily determine the source of the information.
- **Control your environment.** Make sure that you read in an environment that is conducive to learning. Sit in a comfortable chair; make sure the lighting is adequate; and, most important, eliminate distractions, particularly television. Although some activities can be multi-tasked with others, reading cannot. It requires your full attention. Try to notice when your energy levels are higher. For example, if you are more alert in the morning, schedule your reading for that time.

## C. CLASSROOM ACTIVITIES TO ENHANCE LEARNING

### 1. Preliminary Guidelines

The classroom is the center of your learning activity. Classroom activity is meant to guide you to mastery of the subject matter, clarify any difficult material, and answer any questions you may have. Five very simple preliminary rules will greatly enhance your learning in the classroom:

- **Attend class.** Attend all classes. You paid for them, so make sure you get value for your dollars. If you are sick or cannot attend class, ask another student to take notes for you and pick up any handouts. Be responsible for your own learning.
- **Be on time.** Entering a class late is disrespectful to the instructor and other students. Other students are distracted while you search for a seat, remove your coat, locate your notebook and pens, and settle into your seat. Moreover, your ability to ask questions is compromised because it is possible the instructor has already covered certain material before you arrived. Asking the instructor to repeat instructions or material already covered is unprofessional.
- **Sit in front.** You probably search for the best seat in a movie theater or at a concert, yet you may be opting for the worst seat in a classroom: at the back. It is harder to see the board and any displays from the back. In addition, distraction levels are higher because you will be distracted by all the movements and activities of the students in front of you. Sitting in the front forces you to focus on what the instructor is saying because there's no place to hide.
- **Review the syllabus before class.** Your class syllabus provides an excellent overview of what material will be covered for each class and what is expected of you. Review the syllabus to make sure you bring the required texts, notes, or other materials to the class.
- **Avoid distractions.** You will not only distract others but also yourself if you eat or drink in the class or if you try surreptitiously to open a package or a beverage can. Similarly, turn your cell phone off and do not look at it during class. Reviewing your calls or messages during class tells your instructor you don't care about the material.

### 2. Active Listening

**Active listening**, discussed further in Chapter Seven, is a method of communication in which the listener is actively engaged in the discussion. Sitting in a classroom and hearing a lecture is easy; listening is far more difficult. Consider the following to enhance your listening skills so you get the most out of your classroom experience:

- **Be attentive.** You will need to make a good faith effort to concentrate on what is being said. Try not to let your mind wander. Keep your textbook open and be ready to take notes. Avoid places in the classroom (near hallways and doors) that are distracting.
- **Listen and watch for cues.** In many instances, instructors give cues as to what is critical. Thus, expressions such as “in sum,” or “to prevail,” or “there are three

#### **Active listening**

Communication technique that lets speaker know that listener is attentive

factors,” are signals that the words to follow are important. Similarly, copy down what the instructor puts on the board or displays in any visual projection. An instructor does not go to the effort of putting information on the board or preparing a visual display if he or she doesn’t think the information is important.

- **Anticipate and participate.** Think ahead to see if you can guess what will be discussed next. Such an exercise will engage you more fully in the lecture and will test your comprehension of the reading you did before class. Listen for the main idea the instructor is making. You do not need to write down every word the way a court reporter would. Focus on understanding the information being conveyed to you rather than on each word uttered. Be ready to participate. Many students are uncomfortable volunteering to answer questions posed in class. Don’t be shy. Go ahead and take a chance. If something is unclear, ask for clarification. Thinking of questions will also help you understand how the material being discussed relates to material previously discussed or presented in the text. If the instructor does not provide time for questions or there is no natural “break” in the class to ask questions, talk to the instructor after class. Prepare a “to do” list or list of action items that need to be completed before the next class session.
- **Don’t be judgmental.** Effective listeners avoid mentally arguing with speakers; they listen fully. Ignore a speaker’s mannerisms, tone of voice, appearance, and so forth. Every minute you spend judging how a speaker looks, acts, or talks is a minute that you are not focusing on the material being presented.

### 3. Note Taking

#### a. General Comments

Taking notes is an excellent way to force yourself to be attentive during a lecture. If you are note taking you cannot be daydreaming because you will have to focus on what is being said. You will also need to take notes on the job—for example, when you are given a new work assignment or are interviewing a witness. Taking notes in class is good preparation for this skill you will need in the workplace. No matter which method you use, there are some strategies to follow to help you take notes that enhance your understanding of the material:

- Write legibly.
- Write on one side of the paper only.
- Consider using a looseleaf binder so you can add pages or shuffle sections around.
- Use a separate binder or section for each class.
- Use labels and tabs to divide your notes into meaningful sections.
- Develop a system of abbreviations (see Figure 1-1).
- Do not worry about transcribing every word. Focus on the main ideas and concepts. Fill in gaps during class breaks.
- Write verbatim notes when identifying lists, such as the elements of a valid contract. Mark this section of your notes in some way, perhaps by using colored pens or placing a large “M” (for “memorize”) in the margin, so you can easily find this important information, especially if you are required to memorize it.