



MSLAW Academic Support

Successful Strategies for Participating in Class

Being asked to stand up in front of your entire class and brief a case is about as much fun as being subjected to public flogging. The Socratic method is not meant to be cuddly and cute: it is meant to put people on the spot and make students advocate on a particular point or question of law. To some extent, the Socratic method is adversarial in that it pits the professor against the student. That can be tough to swallow, especially for students who are coming from backgrounds where they are not used to adversarial situations.

But having to brief a case in “public” can provide you with some valuable lessons. It can get you more comfortable speaking in front of others, which will ultimately help you in court. Plus, being asked to present a case to the rest of the class can really reinforce the material you’ve read: as they say, the best way to learn something is to teach it to someone else!

Here are some tips for making it through your first “public” briefing:

- First, be prepared. You most likely won’t make it through unscathed if you haven’t read and briefed the case—your professor WILL pick up on your failure to prepare. Remember: law professors teach their courses year after year, and the cases don’t change much. So, your professor likely knows the case inside and out and can tell the difference between a student who’s unprepared and a student who’s just nervous about briefing the case and isn’t answering the question correctly. Besides, a successful law school class is one that centers around discussion, where students are able to interact with the professor and with each other—and that can only happen if students are coming to class prepared. This is not to say that your professors won’t work with you if something in your life came up and prevented you from reading and briefing the assigned cases. Your best bet then is to talk to the professor and explain why you didn’t prepare—a much better strategy than chancing being called to brief a case and then having to explain yourself in front of the whole class!
- Be ready to be hit with difficult and nitpicky questions. Law professors like to challenge. They know the case book inside and out, and they know when they want to ask a student questions that the student couldn’t possibly anticipate even after diligently briefing the case. Remember that while some questions are asked to help you recognize what the case stands for and what rule you should have culled from it, other questions are asked simply for the sake of discussion.

- But if you did prepare, don't be too hard on yourself if you get a question that you can't answer. It's tough to answer a question that you did not anticipate when you're put on the spot, and your professors do understand this. It's expected that some questions won't be answered correctly, and that's a part of the natural give-and-take of the classroom. "Break the sound barrier" in class!
- Don't think that once you've briefed one or two cases, you are off scot-free for the rest of the semester. Some professors do go down the roster when calling on people; others take volunteers, but nothing guarantees that you won't be called on again. So, don't take your first "public" briefing as a sign that you can slack off for the rest of the semester.



- Watch your temper—being passionate about your point is okay, but being rude in class is not. Cases do inspire debates and discussion (and that is, in fact, the point of the Socratic method,) but don't get into a screaming match with a fellow student – or worse, your professor – when discussing a case.
- Know that no matter how horribly you think you performed under pressure, you will ultimately bounce back—and chances are no one but you will even remember any flops.
- If you don't perform up to your standards in class, seek help and advocate for yourself. You should also get help if your briefs continually miss the information that the professor seems to be looking for: you may be using the wrong format for your study style; missing key substantive information about what the case stands for; or not comprehending the reading. Don't hesitate to show your case briefs to your professor or the MSLAW Academic Support office for feedback and suggestions for improvement.

Excerpted from *Law School Revealed* by Ursula Furi-Perry (Jist Publishing, 2009).