

Pre-Law Seminar
Class #1: The Basic Basics
Pre-Reading

Nobody told me the basic basics before I started on the path to law school. You may know some of this stuff – but I’ll guarantee you don’t know all of it, so we’re going to cover it. This pre-reading is meant to be very straightforward, and then we’re going to take it apart in Class #1.

Before Law School

American law schools require a college degree or something like it, but don’t require any particular major. While it’s common to major in something that feels law-related like Political Science, law schools value science majors (patent and tech-literate lawyers are in demand) and those who have done unusual things like music or classics or art. Taking hard classes is far better than taking easy ones – law school admissions officers know the difference. Law school is hard so they’re looking for people who can get A’s in hard classes, not just the easy stuff.

Law schools generally require a college transcript and an [LSAT](#) score for admission, though a few law schools are starting to accept the [GRE](#). Prepping for the LSAT has become a cottage industry, and students do tend to do quite a bit better on the LSAT if they prepare for it. There are [free LSAT prep options](#), ones that are cheap, and ones that are expensive. Put some real thought and research into how to approach this and work with your pre-law advisor on it. Doing well on the LSAT is essential to getting into a competitive law school, and often influences financial aid awards.

In some (perhaps most) other countries, law is something you can major in *in college*, then you have an apprenticeship and some sort of bar exam and you’re a lawyer. (In those countries law can usually be studied as a graduate degree too, so there are both options.) The system doesn’t generally look like it does in the USA, though Canada’s system is actually very similar to ours. (In fact, Canada’s system takes even longer.)

In Law School

Law schools in the USA are pretty similar to one another because they are all approved by the ABA and so have to meet its standards. Law school is three years long (or, with a year-round program, could be two years and change – [Northwestern offers this](#) but it’s not that popular for various reasons).

The first year of classes are generally prescribed in a set core curriculum (see below) and the second and third years are largely or entirely elective courses. Those electives are chosen from a reasonably constrained set of options so that by the end of law school most folks have taken a somewhat similar curriculum.

Here's what the first year looks like at UChicago, for example – and this would be reasonably typical for most American law schools:

First Year Courses

Students in the first year take five core courses: [contracts](#), [torts](#), [property](#), [criminal law](#), and [civil procedure](#). This curriculum provides a general foundation of legal knowledge, promotes an understanding of the process of development of the law through judicial decisions and statutory interpretation, and cultivates the skill of legal reasoning. In addition to the traditional offerings, Chicago has a unique first-year course called [Elements of the Law](#). Elements introduces students to the law as an interdisciplinary field through interactions with fields such as philosophy, economics, psychology, and political theory, and gives students the tools to continue the interdisciplinary inquiry throughout their legal education. Students are grouped into sections of approximately 30 students. Two or three of these sections combine for the substantive courses, and sections are rotated throughout the year so students take classes with as many of their classmates as possible.

All first-year students participate in the [legal writing](#) program under the supervision of one of the six Bigelow Teaching Fellows. “Bigelow” (as the course is known) introduces students to the standard tools and techniques of [legal research](#) and requires students to write a series of legal memoranda and briefs. In the Spring Quarter, each student prepares an appellate brief and argues the case before a panel of judges composed of members of the faculty and practicing alumni. The Bigelow course is taught in small sections of approximately 30 students. [Learn more about the Bigelow program.](#)

The second and third years of law school include classes like Environmental Law, Administrative Law, Constitutional Law (many different classes in this category), Admiralty Law, Corporations (several different classes in this category), Securities, American Indian Law, Legal History, Antitrust, Family Law, Intellectual Property (several different classes in this category), Secured Transactions, Corporate Finance, Tax, Insurance, Bankruptcy, Energy Law, Jurisprudence, Evidence, Remedies, Federal Jurisdiction, Criminal Procedure, Immigration, Trial Practice and several more. It's not possible to take them all; whether to specialize or spread yourself out across the topics is an important decision – there isn't a right answer for everyone here, but my personal view based on watching lawyers' subsequent careers is that students who are confident of their interest areas should go as deep and wide in those areas as they can. Don't take Indian Law if you're going to be a Securities lawyer.

Some common things that happen in law school:

- **Student legal clinics** in which students get to do real legal work for real clients under the supervision of a professor. Different law school clinics have different areas of work they tend to focus on.
- **Moot court**, in which students argue cases (usually appellate cases, usually ones that are currently pending before some Circuit Court or the Supreme Court) in a competition; someone wins.
- **Law review**, wherein student editors turn out a quarterly law journal consisting largely of articles by faculty from various law schools. It's generally regarded as an honorific to "be on law review", and making it onto law review often has to do with having high grades – but not always. There are also sometimes other student-edited journals at the school.
- **Summers** are for getting internships, clerkships or some sort of law-related work that will help you decide what law to practice - and perhaps pay you something.

After Law School

Once you graduate from law school, you are not a lawyer – [except in Wisconsin](#), where you might be.

In the other 49 states, you still need to take the bar exam. Bar exams are generally two to three days long and offered in late July and late February. This allows students graduating in May or December to have two months or so to prepare for the exam, and prepare they do. Like LSAT prep, there is a cottage industry devoted to bar exam review – e.g., [BAR/BRI](#). It's expensive but worth it, and if you study you will pass, particularly in relatively easier states like Minnesota – around 80% of people pass the Minnesota bar at each sitting. California and New York and a few others are notoriously harder and have lower bar passage rates. Bar exams vary from state to state, but they aren't ultimately *that* different. Minnesota tests the following subjects:

Multistate Essay Examination

- Business Associations (Agency and Partnerships; Corporations; and Limited Liability Companies)
- Conflict of Laws
- Constitutional Law
- Contracts (including contracts under the Uniform Commercial Code (UCC))
- Criminal Law and Procedure
- Evidence
- Family Law
- Federal Civil Procedure
- Real Property
- Secured Transactions under the UCC
- Torts
- Trusts and Estates (Decedents' Estates; Trusts and Future Interests)

Multistate Bar Examination

- Civil Procedure
- Constitutional Law
- Contracts
- Criminal Law and Procedure
- Evidence
- Real Property
- Torts

Multistate Performance Test

The MPT tests the ability to perform a lawyering task using legal and factual materials provided.

It is common and, in most lawyers' views, desirable to clerk for a judge after law school. Getting a clerkship is competitive, but former clerks all seem to agree that it's a great personal and professional experience and well worth the time and effort. Clerkships are usually one or two years and they don't pay terribly well, but loans can usually be deferred during the period of the clerkship. If your grades in law school make a clerkship possible, you should probably try to do one.

Practicing Law I

Few lawyers are generalists any more. Lawyers practice in one or another area, so while law school and the Bar Exam force you to learn across a wide swathe of legal areas, the actual practice of law is likely to keep you in a narrower space. The broadest practice is probably general litigation, which at some firms could have you working across a wide range of legal issues. More often, a lawyer is focused on one area of the law in his or her practice.

To imagine the range of what law practice could look like, see the table of contents below for a book listing out many of the major legal specialties:

Admiralty and Maritime Law	1
Antitrust Law	11
Appellate Practice	31
Banking and Commercial Finance Practice	45
Bankruptcy Law	57
Civil Litigation	71
Corporate Practice	89
Criminal Law	109
Entertainment and Sports Law	133
Environmental Law	149
Family Law	165
Government Contracts Practice	179
Government Practice	191
Health Care Law	211
Immigration Law	229
Insurance Law	245
Intellectual Property Law	265
International Law	277
Labor and Employment Law	291
Legislative Practice	307
Military Judge Advocates / JAG	319
Municipal Finance Practice	335
Public Interest Law	347
Real Estate Law	367
Securities Law	377
Solo, Small Firm, and General Practice	389
Tax Law	411
Telecommunications Law	425
Tort Law: Personal Injury and Insurance Defense Litigation	445
Trusts and Estates Law	461

Practicing Law II

When one imagines practicing law, one often thinks of a law firm – representing private parties. Here are some other things to think about. The government has a lot of lawyers – perhaps they represent the government’s interests, like in the office of the attorney general of Minnesota. Or perhaps they are regulating an industry in a particular area: like the Environmental Protection Agency, Securities & Exchange Commission, the Food and Drug Administration, or the state agencies that do the same things. There are in-house lawyers who work as employees of companies representing those companies. Most often these lawyers have worked somewhere else first (law firm or government

agency), but not always. There are other jobs in law these days, like working for Thomson Reuters who own Westlaw and employ many lawyers, or working for a legal technology company or other company that provides services to the legal sector.

How Different Are Other Countries?

Law is quite similar from one country to the next, though preparation for becoming a lawyer will differ in some particulars. For example, see below the list of courses for a law degree through Oxford University in the UK:

1st year (terms 1 and 2)

Courses

- Criminal law
- Constitutional law
- A Roman introduction to private law
- Research skills and mooting programme

For those on Course II, there are also French/German/Italian/Spanish law and language classes during the first six terms, or, for those going to the Netherlands, introductory Dutch language courses in the second year

1st year (term 3), 2nd and 3rd (4th) years

Courses

- Tort law
- Contract law
- Trusts
- Land law
- Administrative law
- European Union law
- Jurisprudence
- Two optional subjects, chosen from a very wide range of options
- Course II: year 3 is spent abroad

A full list of current options is available on the [Law website](#).

Now, England is the mother ship of the common law, so we might expect similarity of topics between UK, USA, Canada, Australia etc. – but topics tend to be similar even outside of common law jurisdictions. In fact, if you were to take a class in Roman law, it would cover a lot of the same topics. There are some timeless issues humans tend to run into that have to be dealt with through the law, so legal systems do tend to have a fair bit in common.

In practice, you can go to law school in another country and still become a lawyer in the USA if you like – usually with one year spent at an American law school before taking an American bar exam. It is commonplace for foreign lawyers to come to an American law school to get a Masters in Law, allowing them to take an American bar exam and practice law – usually international commercial law of some kind, and most often in New York, LA, Miami or a few other international-focused cities.

One can also get an American law degree and practice law outside the USA – often London or in Asia, usually commercial law of some kind. See an interesting example [here](#) (he went to the wrong college, but otherwise is a great example of a really interesting international career).