



TIPS AND TECHNIQUES FOR TAKING NOTES IN CLASS¹

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Taking notes is a crucial skill for law students. In law school, your notes are your record of what was covered by your professor. They offer your professor's perspective, which is unavailable in any commercial outline, and they will be one of your primary sources for studying for your exams. Effective note taking can help you discover not only what your professor finds significant and what is likely to be on the exam, but also the larger, primary themes and issues of the course. This outline provides tips and techniques that may be useful for taking notes in your classes at the Law Center.

Keep in mind that taking notes is a personal endeavor. What works for one person may not work for another. Furthermore, different note taking techniques may work for different classes and different professors. Try not to feel constrained by prior experience; what worked for you as an undergraduate may not work for you as a law student. Also, keep in mind that your note taking strategies likely will evolve throughout the semester and throughout the year as you adjust to your professors' styles, as your understanding of the subject matter increases, and as you learn more about what you will be tested on at the end of the semester. The following are a few ideas to get you started on your own process of exploring the note taking techniques that work for you.

1. **Pay Attention to Your Professor's Goals and Signals:** Before and during note taking, consider your professor's goals and methods in teaching the course because she will be the ultimate judge of your mastery of the material. The following are tips on helping you figure out where your professor is coming from so you can decide what types of information you want your notes to capture.
 - a. **Read the Syllabus:** The syllabus for the course is a useful resource for helping you to frame your notes because it usually includes the professor's stated goals as well as a general outline of the material to be covered. It can also be useful to look at the casebook's table of contents.
 - b. **Listen for Indicators during Class Lecture and Discussion:** There are many indicators that a professor may provide during class that you should listen for and incorporate into your notes. The following are some key indicators that may signal the importance of material.

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- *Summaries.* Summaries are an important opportunity to find out what the professor considered to be the most important points from her lesson. It is also an opportunity to fill in any gaps in your notes or to elaborate on certain points. Sometimes professors begin class with a short review of the topics covered in the previous lecture. Taking down the summary and, after class, comparing that summary with your previous day's notes can be a useful exercise.
 - *Hypotheticals.* Hypotheticals are potential or past exam questions and provide valuable insight into how your professor answers questions and applies the law. Therefore, be sure to write down all of the hypotheticals and how the professor addresses the hypotheticals in class. It's not uncommon that professors will consider examples of the very legal tests that you will be asked to apply on your exam.
 - *Recurring themes.* Listen for concepts that professors repeatedly introduce. For example, in a Constitutional Law class, federalism or separation of powers doctrine may provide insight into the Supreme Court's rationale in a variety of contexts.
 - *Emphasis.* Sometimes professors will directly state that you need to understand a particular concept, definition, statute, etc. Make sure this emphasis is duly recorded in your notes.
 - *Favorite words and phrases.* These can be terms of art or phrases that the professor tends to emphasize in class. It is useful to write these down because they could be helpful when answering exam questions.
 - *Numbered lists.* A numbered list may indicate the importance of a topic or provide a useful method for organizing your notes on a particular topic.
 - *Colleagues' questions and the professor's responses.* Like hypotheticals, questions that your colleagues raise during class can become exam questions.
- c. **Do the Reading:** Any particular day's class will likely focus on the reading assigned for that class. As you prepare for the class, try to get a sense of how the larger subject matter is developed by the reading for the day. You will be in a much better position to focus on (and therefore record in your notes) the issues, the rules, and the larger themes of the course, if you're not hearing the facts of the case for the first time during lecture.
- d. **Look at Old Exams:** Old exams can provide useful insight into your professor's view of the focus of the course. Looking at old exams can help you understand how material presented in lecture turns up on the exams: it can provide insights into what sort of material the professor tests, and at what level of detail the professor tests. For example, looking at old exams can help you to determine whether the professor tends to focus more on the policy behind the law, the black letter law itself, or both. You will also want to pay attention to whether the professor asks short answer, long answer or multiple-choice questions. The type of questions used on old exams can be an indicator of the level of detail required in your note taking. Old exams can be helpful in deciding what portions of your notes should be included in your outline for the course. Be careful, however, because old exams are a precious resource in studying for finals; late in the semester, you will likely benefit from taking old exams under test-like circumstances, which means you don't want to scour all of the available old exams at the very beginning of the semester. This is especially true for 1L's who have never taken law school exams before—make sure to save some for practicing under test-like conditions.

2. **Techniques:** Once you have figured out the types of information you want your notes to capture, you need to figure out the most effective techniques for capturing them. The list provided below is by no means exhaustive. Rather, it is offered to give you a place to start thinking about effective ways to take notes.
- a. **Begin the Note Taking Process While You Complete the Reading Assignment:** Briefing cases you read for class is an effective way to begin learning the law. You can brief cases before class so that you are prepared for discussion and revise your briefs after class so that your briefs emphasize points your professor made during class. Some people who write briefs before class leave room in their briefs for class notes; others prefer to revise their original briefs after class as a way to review and consolidate the material they have learned. If you add class notes to a brief you prepared before class, make sure you are able to distinguish between what you wrote for your briefs and the notes you took during class.
 - b. **Don't End the Note Taking Process Once the Lecture Ends:** Effective note taking is not a "once and done" proposition. It can be extremely valuable to review your notes while your memory of the class is still fresh in your mind in order to correct typos, fill in gaps, clarify things that came up during lecture, and formulate questions about your understanding of the material. If possible, it's best to do this the day of the lecture. It may also be helpful to create a running outline or set of condensed notes that records what you found most important from the lectures, or the rules you went over in class, or just a list of cases and their holdings. This isn't for use during the exam, but serves the purpose of helping you review your notes from the lecture and provides a manageable record of the subjects covered during the course. Also, you could check your notes against questions posed in your textbook to determine if you have enough information to answer those questions. Another easy way to review your notes for accuracy and understanding is to compare them against your professor's summary of previously covered material. Finally, exchanging notes with a classmate can be an excellent way to get a new perspective on the material and new ideas on note taking techniques.
 - c. **Typing vs. Handwriting:** In deciding whether to take your notes on paper or on the computer, there are several things to consider. First, in order to enhance your educational experience, you should take notes in the medium in which you are most comfortable. Second, the pace of the class may influence the choice between typing and handwriting. For example, a slow typist may benefit from handwriting notes in a class that moves very quickly. Third, the nature of the material may influence the choice between typing and handwriting. If the material contains important graphs or diagrams, it might make sense to handwrite at least part of your notes for that class; be careful, though, because two sets of notes has the makings of an organizational disaster by the time the end of the semester rolls around. Finally, consider how well you can concentrate if you use a laptop for note taking. Handwriting your notes is one way to mitigate the distractions of email, chatting, web browsing, etc. Short of switching to handwriting, it may well be worthwhile to disable the internet while taking notes on your laptop, or turning off email, or setting your chat status to invisible.

- d. **Software for Taking Notes on a Laptop:** There are numerous software options available for taking notes on a laptop. A blank Word document is not a bad place to start. You can use the numbering or bullet point features to organize your points and get the effect of outlining. The “Notebook Layout” setting in Word provides a nice way to divide up your notes by lecture while keeping all your notes for a class in a single file. Another software option is Google Documents, which provides a basic, but perfectly adequate, online word processor for free. An advantage of using Google Documents is that the files are available over the web from any computer with internet access. Also, Google handles backing up your files for you, which can be helpful on the off chance of a computer crash just before finals. Even fancier software options exist, OmniOutliner, for example, which offer nice ways to organize and present information in your notes and outlines. The trade off here is that other software options can get expensive and you want to be sure to preserve your flexibility to experiment with different note taking techniques, at least as you start out in law school. A little web research will provide more information and opinions on the latest note taking software for law students.
- e. **Level of Detail:** In taking notes, you want to strive to capture the right amount of information. At the end of the semester, when you are preparing to outline, you do not want to be left with significant gaps in your notes that require further research or re-reading of class material. On the other hand, if you write down *everything* the professor said, you will be left with a significant amount of information to wade through in preparing your outline. Moreover, taking down everything verbatim can sometimes distract you from keeping up with and understanding the discussion in class. Refer to your professor’s expectations to determine the level of detail in your notes. However, you will also want to consider your learning style. Remember, you are the audience for these notes. Thus, they must contain a level of detail that allows you to understand the material without getting bogged down. For example, if you learn best by listening, you may take fewer notes and spend more time after the lecture recording the points covered during lecture. This process is largely a matter of trial and error, and so you will have to continually reevaluate to see that you’re capturing the important information as your understanding of the course material increases and as the professor reviews course material.
- f. **Formatting:** Just as legal briefs are more effective when the information is presented in a clear and organized format, your notes will be more effective if they are organized. The techniques below are suggested to enhance the efficacy of your notes. The goal is not to have “pretty” notes, but rather notes that are useful and easy to understand. Again, you are your own audience, so pick those techniques that work best for you.
- *Color or Highlighting.* You could use color or highlighting to set off rules of law, to differentiate between the facts, reasoning, and holding of a case, to emphasize in class hypotheticals, or to distinguish in class discussion or student questions from professor lecture.
 - *Numbering & Bulleting.* Use the numbering and bulleting functions of your word processor to help keep information organized as you go.
 - *Charts.* You could consider using charts in your notes to summarize key information in a very succinct way. For example, you could make a reference chart of various

- *Margins & Columns.* You can also use margins or columns to separate information. For example, you could put case and statutory provisions in one column and class discussion notes in the other. Similarly, you could take notes in one column and record questions as they arise in your mind in a different column. Be creative, find the technique that works best for you.
- 3. The Connection to Outlining:** If you think of your outline as a piece of legal writing, then your notes represent your legal research. Just as you would want to thoroughly research a brief to be filed with the court, you would want your outlines, which you rely on for your final exams, to be well prepared. This requires effective note taking. For guidance on outlining, refer to the Writing Center handout, “Outlining Tips and Techniques.”