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# Reading Like a Lawyer



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*Time-Saving Strategies for Reading Law  
Like an Expert*

Ruth Ann McKinney

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To my parents, who taught me to love reading;

To the students, faculty, and staff of the University of North Carolina  
School of Law, where I learned to love reading law;

and

To Ray, who reminds me to play.



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# Contents

Acknowledgments  
Introduction

**Part I Building a Strong Foundation**

Chapter 1	Reading in Law School	3
Chapter 2	Basic Briefing: Developing an Initial Strategy for Managing Cases	17
Chapter 3	Advanced Thinking Leads to Advanced Reading	33
Chapter 4	Expert Reading: A New Take on a Familiar Skill	51

**Part II Mastering Reading in a Law School Casebook**

Chapter 5	Engage with Energy	59
Chapter 6	Monitor Your Reading and Read for the Main Idea	71
Chapter 7	Always (Always!) Read with a Clear Purpose	97
Chapter 8	Get Oriented and “Own” Your Prior Knowledge and Experience	105
Chapter 9	There’s More to the Five Ws (Who, What, When, Where, and Why) Than Meets the Eye	133
Chapter 10	Evaluate What You’re Reading – Your Ideas Matter	153
Chapter 11	Review, Rephrase, Record	171
Chapter 12	Casebook Reading: A Summary	211

**Part III Moving Beyond the Casebook – Reading Law  
in the Real World**

Chapter 13	Reading Statutes	219
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Chapter 14	Reading Cases Outside of Casebooks	239
Chapter 15	Conclusion	263
Appendix A	Test Your Reading Speed	267
Appendix B	Getting in a Good Reading Groove	271
Appendix C	Advanced Reading Checklist (Focus & Enjoy)	279
Appendix D	Resources for Further Reading	283

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## Introduction

Exceptional law students, and exceptional lawyers, are expert readers. From the first semester of law school, fledgling lawyers commonly read hundreds of pages of dense, challenging law in a week, and thousands of pages in a semester. Later, in practice, lawyers read statutes, cases, and administrative regulations every day, decoding the words in the texts and reaching behind the words to the many possible meanings that could be attributed to the law they're reading.

Law students – and lawyers – who read law well are getting something from their reading that is not shared by those who read law less proficiently. Starting with the first days of class, what law students understand about the reading process itself has a major impact on how they read their assignments. How they read their assignments determines what they are able to get from those cases and statutes, what they are able to bring to class discussions and take from class discussions, and – ultimately – what they are able to learn for exams. How they read in law school, in turn, directs the path of their reading in the profession. Practicing lawyers who have developed sound reading practices in law school approach their analytical work with confidence, secure in the knowledge that they can read the law powerfully, passionately, and accurately. Put succinctly, these lawyers read with conviction, knowing they are reading like an expert.

The good news is that the ability to read law like an expert is not a gift that you're either born with or lack from birth. Students and practitioners have not been separated into the sheep and the goats prior to entering law school, relegated forever to green pastures or rocky cliffs. Rather, reading law like an expert is a skill that can be acquired by every-

one with the curiosity, determination, and flexibility to adapt their prior reading skills to this new setting – and these skills can be acquired *at any time*. Once acquired and whenever acquired, the skill of reading law like an expert brings cascading rewards, enriching the reader’s understanding of existing law and enhancing the reader’s ability to create new paths to the law of the future.

The purpose of this book is to teach you what the experts already know: how to read law-related material as efficiently, effectively, and powerfully as possible. There are three sections to the book:

Part I introduces you to background information you need to know about the study and practice of law to get in the reading game. If you are already familiar with the structure of law school and the fundamentals of legal logic, you may choose to go directly to Part II.

Part II focuses on casebook reading, the kind of reading that dominates the first years of law school. This second section introduces seven specific reading strategies, captured in the acronym E.M.P.O.W.E.R., that are common to all expert reading, and explores how law students can apply these strategies in the context of their casebook reading.

Part III of the book moves outside of the casebook context, exploring how students and practitioners can read statutes and unedited cases accurately, confidently, and efficiently.

There is a section of Appendices: Appendix A gives you a chance to test your baseline reading speed; Appendix B introduces a case-reading checklist that beginning students can use to develop healthy casebook reading habits; Appendix C introduces an advanced case-reading checklist to help successful students speed up their reading once they’ve developed sound habits. Appendix D offers a reading list for those who would like to explore the topic of legal reading in greater depth.

Finally, there is a website at <http://www.unc.edu/~ramckinn> that accompanies this book. You will find useful supplementary material on that website, including some of the responses I thought about as I wrote the Practice Exercises at the end of each chapter. Comparing my re-

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sponses to your own may help you gain confidence as you develop your legal reading skills.

At their core, both law study and law practice are dependent on reading. If you learn to read law efficiently and effectively, you will be well on your way to achieving excellence in the study and practice of law. It is my hope that what you learn from this book will help get you started on the right page.

