Summary Sheet for Pre-Reading and Reading Strategies

PRE-READING STRATEGIES:

✓ Set a mastery comprehension goal.
✓ Recognize and keep in mind that courts are creating meaning by their opinions and lawyers are creating meaning when they read opinions.
✓ Develop some knowledge about the subject of the case by:
   o Gaining insight about the relationships among the concepts addressed in the cases from the organization of the syllabus and of the tables of contents of the casebook and a supplemental text;
   o Getting background information by reading an introduction to the topic if the casebook has one;
   o Developing some insight into the important points by reading the questions and comments following the case before reading the case; and
   o Learning about the subject by reading about it in a supplemental text.
✓ Preview the opinion before reading it by reading the headings and the first sentence of each paragraph of the opinion.
✓ Be conscious of background details that might explain the decision: the court, the author of the opinion, the historical contest and the parties’ statuses.
✓ Generate questions expected to be answered by the opinion.

READING STRATEGIES:

✓ Read the entire opinion once all the way through without making a mark on it and then read it in depth.
✓ Monitor learning at all times to make sure goals are being achieved.
✓ Search the opinion for answers to pre-reading questions.
✓ Develop graphic depictions of key facts.
✓ Dialogue with the opinion, arguing with the court’s reasoning and assertions.
✓ Continue to generate questions and search for answers to those questions.
✓ Attend to the details of the opinion on a word-by-word basis (using dictionaries).

Excerpt from Expert Learning for Law Students, Michael Hunter Schwartz, c. 2005