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LETTER TO A YOUNG LAW STUDENT*

Corinne Cooper[†]

I sit down today to write you a letter to read before you start law school. I know that you are filled with grand anticipation and a little dread. It's a natural reaction. I hope that I will be able to assuage some of your concern, and to help you get a good night's sleep. Please know, however, that after eighteen years (twenty-one if you count my years as a student) in law school, I still cannot sleep the night before fall classes start. When that edge of anticipation is gone, I suppose I'll know that it's time to retire.

I am hard pressed to know where to begin in my advice to you. My perspective on the process of legal education is skewed by the years I've spent immersed in it. Perhaps an outsider could explain the process better.¹ Perhaps I no longer remember what it is like to be a first-year student. I may have very little of value to offer you.²

But I cannot resist the temptation to pass along the insights that I have developed over the years, however out of touch with your experience they may prove to be. Think of me as an anthropologist, reciting my findings on a tribe I've observed for many years, of which I was once a member, but whom I no longer fully live among.³

© * Cf. R.M. Rillke, *LETTERS TO A YOUNG POET*, M.D. Horton trans. (Norton 1934).

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† Professor of Law, University of Missouri—Kansas City School of Law. This article was inspired by my niece, Jennifer Anne Ramo, Tulane Law School Class of 1999. Watching her go through the first year of law school made me a better and more compassionate teacher of first-year students. She made me watch my profession with a more analytical eye, and this article is the result. It was written with the support of the UMKC Law Foundation. I am grateful for the guidance provided by Professors Barbara Glesner Fines, Nancy Levit, Laura G. Dooley, Mark Loewenstein, Lynn LoPucki, and for the indefatigable research of Lawrence MacLachlan, Senior Research Librarian, UMKC School of Law.

1. See, e.g., Alex de Tocqueville, *CORRESPONDENCE AND CONVERSATIONS OF ALEX DE TOCQUEVILLE WITH NASSAU WILLIAM SENIOR 1834-1859* (1968); Alex de Tocqueville, *TOCQUEVILLE'S AMERICA: THE GREAT QUOTATIONS* (1983).

2. I recall a dinner at my sister's house where my niece, about to start law school, sought counsel from two guests—one who had just finished the first year, and one who had just graduated—but never asked me at all. I assume she trusted more the advice of those who had more recently shared her perspective. This is consistent with my experience of students generally. If asked, I will tell a student exactly what is expected in my class, or on my exam. Yet many students persist in believing that professors intentionally "hide the ball." It is not uncommon to have the a student treat peer advice as more reliable. It is possible, and even likely, that students observe things in class to which the teacher is oblivious. But it is unlikely that a student has greater insight into that teacher's goals and intentions than the teacher can provide. If this were true, law school would be a terrible waste of money and time.

3. Cf. Margaret Mead, *COMING OF AGE IN SAMOA* at iii (1973). In the 1928 introduction to this work, Franz Boaz describes anthropology in a manner peculiarly appropriate for our discussion of law school:

[A] systematic description of human activities gives us very little insight into the mental attitudes of the individual. His thought and actions appear merely as expressions of rigidly defined cultural forms. We learn little about his rational thinking, about his friendships and conflicts with his fellowmen. The personal side of the life of the individual is almost eliminated in the systematic presentation of the cultural life of the people. The picture is

What I know is what it is like to be a first-year law professor. After watching the process for many years, in many different places, I've observed that law school involves three circles:⁴ the education that takes place within you, the education you share with your peers, and the education you experience with the faculty. I present them here in reverse order of importance.

I. THE FACULTY

You will come to law school expecting the faculty to be the most important part of the education experience. We are not. At most, the law faculty will help you to create a useful structure within which self-teaching takes place. At worst, the faculty will get in the way of your learning. Your job is to keep your eye on the ball: you are in law school to learn to teach yourself the skills that you will need for the rest of your professional career. Do not assume that the faculty will teach you how to practice law. It is not our job, and we could not possibly anticipate the substantive knowledge or skills you will need during the next forty years (much of that law doesn't even exist yet). What the faculty will do is teach you a language and a structure for your thinking, and some skills that you will apply, both in law school and after, largely on your own.

Given the intensity of the law school educational process, you may be tempted to spend inordinate energy focusing on your professors: what they wear, how they act, how much you hate them, whatever. But this is largely a waste of your time. Each of these people has something to offer you and you are there to figure out what that is.

I am not talking only about the obvious substantive subject matter that they convey; I am talking about their communication skills (or absence thereof), their logic (ditto), their linear or non-linear thinking. They are members of the tribe you seek to join, its High Priests in Charge of Initiation Rites. You are there to observe and absorb these rites. By definition, their quirks and rituals cannot be wholly irrelevant to your quest. But unless you become a professor, these relationships will not inform your future career. Observe them, learn from them, and do not let them get to you.

At most, one-third of what you learn in law school will be learned from your professors. (I go up and down on this number; it bottoms out at twenty percent). So don't spend a lot of time getting into the cult of personality. You are there to learn what these people have to offer. Some will pass along the secrets of the Temple, and

standardized, like a collection of laws that tell us how we should behave, and not how we behave; like rules set down defining the style of art, but not in the way in which the artist elaborates his ideas of beauty like a list of inventions, and not the way in which the individual overcomes technical difficulties that present themselves.

Id. at 9. I'm not trying to predict how you will experience law school. I can only hope to capture for you the "rigidly defined cultural forms" that will govern your professional life for the next three years, and beyond.

4. There is a fourth dimension, the real world of law. As law school proceeds, and perhaps even worse, after you graduate, the distance between what you learn in law school and what you are expected to do in the real world of law practice will become another powerful factor in your education. That doesn't make law school irrelevant, but it distinguishes law school from an apprenticeship, what the study of law used to be. See, e.g., Frances Kahn Zemans & Victor G. Rosenblum, *THE MAKING OF A PUBLIC PROFESSION* 135-50 (1981).

you will not even know it until years later. The law professor who influenced me most taught Securities Law,⁵ which I have never practiced. My least effective professor taught Contracts (which I teach), yet he has had a profound impact on my teaching, as I learned a great deal about bad technique from him.⁶ Subject matter does not count for all that much in this part of the learning process. I am best known as a teacher and scholar of the Uniform Commercial Code; I took that class pass-fail. I learned an enormous amount from a professor I fought with constantly. He is now a colleague and friend, and was instrumental in beginning my teaching career.⁷

Although the introduction that you get to substantive law in your classes is essential in the short run, what is really important is the introduction and indoctrination that you get in legal thinking. This critical analysis process will remain with you long after your grasp of the Rule Against Perpetuities has faded. You are learning to be a legal thinker, one who, in the long span of a career, will be largely self-taught.

A. The Socratic Method

The rigor and aggressiveness of the pedagogy is intimidating to some. Many modern teachers have fallen away from the rigid, Kingsfieldian⁸ approach to the Socratic method, on the grounds that learning cannot take place in an atmosphere of abject fear. I agree with this conclusion, but only to a degree. First, I expect a great deal of my students, and I want them to expect a great deal from themselves. If I set the bar too low, how will they learn the great accomplishments of which they are capable? Some, surely, will experience failure in this environment, but everyone will achieve more than if the bar is set too low. Anyway, failure is a necessary part of the learning process for lawyers; losing is a regular part of professional life.

Second, I remember the words of Philip Levine, a poet and teacher.⁹ He was asked once why he had been described by a student as “the cruelest teacher ever.” He replied, “I am the only person in the room paid to tell the truth.”¹⁰ I feel that way too, and so I do not hold back criticism of thinking that is shallow or lazy. This is not only for the benefit of the student, but also on behalf of the profession, and the clients who will be served by that future lawyer.

This is different from disagreeing with opinions—beware of teachers who try to convince you of the correctness of their personal opinions. Respect a teacher who is willing to challenge you intellectually in order to assure that real learning takes place.¹¹

5. Here I must pay homage to Professor Junius Hoffman of the University of Arizona College of Law.

6. Sorry, this one shall remain nameless!

7. This tiny tribute is to Professor Dan Dobbs of the University of Arizona College of Law. He still remembers the day I upbraided him after class for his bad manners. I also remember students who have justifiably done this to me.

8. See *THE PAPER CHASE* (Twentieth Century Fox 1973), in which John Houseman freezes forever the image of law professors as cold, rigid, ruthlessly logical, and ultimately brutal creatures.

9. See Philip Levine, “What Work Is,” <<http://sunsite.unc.edu/ipa/levine/work.html>> for a favorite poem of mine.

10. Interview with Philip Levine, *Fresh Air*, (National Public Radio Broadcast, November 13, 1996).

11. Most students think that student evaluations have no impact on a teacher's career. My observation is otherwise. Most schools take teaching quite seriously, although good teaching alone cannot sustain a career. But it is difficult to keep a job, or move up the ladder, without solid teaching evaluations. Even when a school does not reward good teaching, no administrator likes the hassle of dealing with students who are irate, or classes that are empty because of

B. The Ugly Little Secret

There is one other thing that I hesitate to mention, but it is a fact of law school life. Your professors are not trained to be educators. We got here mostly by being good law students, not because we have any background in higher education theory. This is true of most of graduate school, but it is even worse for law professors, because very few of us go through the traditional doctoral level educational system where one apprentices under a professor who may actually know something about education.¹²

As a result, most elementary school teachers have a stronger background in educational theory than do law professors. This means that our techniques may seem counterproductive, awkward, or ineffective at times.¹³ Nevertheless, this system is oddly effective at producing the product that the legal profession demands. If you will, this initiation process is quite effective at delivering appropriate members into the tribe. It rewards people who are good at teaching themselves, since that is what most lawyers spend their careers doing. It develops a thick-skinned debating style, which makes lawyers both successful and disparaged in their professional lives. It makes being a lawyer seem hard and magical, and this helps to inflate the value of the professional knowledge, both inside and outside the system.

II. THE STUDENTS

Your most important educational experience in law school will be with other students. You will learn more from them than from your teachers. Relationships forged in law school are like those forged in war: what you share with these people is unlike any experience any of you have had before.

Members of your profession—your professors, but, more importantly, your classmates—are your colleagues, and will be with you for the rest of your career. This is the beginning of your entire professional life, and it will not end until the day that you retire. It is worth your while to spend some time thinking about your professional life and how you wish to be perceived.

This is the beginning of a life-long game, played throughout the profession, of “What Goes Around, Comes Around.” If you dislike or distrust someone in law school, it will be hard to forget that impression in later years. I do not think that students fully understand this.¹⁴ Start off behaving in a manner that is consistent with

poor teaching.

12. This is changing, but not so rapidly as you might suppose. Several law schools have LL.M. programs in legal education, and professors who come out of these programs have a much better grounding in educational theory.

13. I cannot tell you the number of times that I have seen faculties at different law schools make decisions about pedagogy in the absence of, and even in spite of, research on the relevant issue. We aren't stupid. It's just that most of us have not studied, and thus do not rely upon scientific method. We are trained as lawyers, and we rely upon the “relevant evidence.” Our own experience is considered the best evidence, and scientific research be damned!

14. I had a research assistant early in my career who cheated on his hours. He is a lawyer now. I still do not trust him, and I would not send a client to him.

the kind of lawyer you hope to be.

A. Learning

It is important to respect your colleagues for another reason: you will learn an enormous amount from them. I learned more from my peers in law school than I did from my professors, and that is not unusual.¹⁵

You learn from your classmates by listening to them in class, by observing their mistakes, by arguing points with them. This is not just in law school. The practice of law involves an enormous amount of this kind of give and take among lawyers, those on the same team and those across the table.

Students come to law school from different backgrounds and experiences and some have a better intuitive understanding of legal education. These different perspectives will help to broaden yours, and to sharpen your understanding of the analytic process that is taking place not only in your mind, but in the minds of your colleagues and professors. Eventually, this will give you insight into the thinking of your clients, your adversaries, the judge and jury. Effective persuasion requires that you have insight into and respect for other opinions and perspectives.¹⁶

In addition to providing insight, your classmates are a ready-made educational think tank. Gather people with whom you feel comfortable and begin to study and review your classes together. How much of this you can tolerate is a function of your stress level and your learning style, but I always encourage my students to spend some time working in groups.¹⁷ Someone should be challenging your thinking besides your professors.

B. Competition

One of the hardest things to accept about law school is that everyone has been a good student, or a success of some kind, before arriving. If law school were pass-fail, or if there were no exams at all,¹⁸ then a new ranking of those students would not

15. I must pay obeisance here to the people who helped me get through law school, especially my first year: John C. Richardson, Marilyn Skender, Michael Mandig, all University of Arizona College of Law Class of 1978, and the Hon. Colin F. Campbell and the Hon. Nikki A. Chayet, University of Arizona College of Law Class of 1977.

16. This is a hard lesson for students to learn. I encourage my students to persuade me with legal reasoning and evidence. Nagging and self-righteousness don't get you what you want from a good parent. They won't get you what you want from a good judge or adversary, regardless of what you see on television dramas.

17. Don't waste time on people who are only interested in showing off, or are taking your energy and information and offering nothing in return.

18. If I had my druthers, there would not be any grades in law school. The ranking that occurs after the first semester changes the dynamic of the classroom significantly, and not for the better. Students who have been graded and ranked feel differently about themselves and others. That innocent first semester when no one really knows how anyone will do is the most open and sincere time in law school. Grades serve two purposes that are important to students: they give you an idea how well you are learning the material, and they help you to get jobs by distinguishing you from your peers. Grades only serve one purpose that is important to me: they motivate students to study. Some students need that motivation, and I wouldn't want to teach those people without that stick, but I'd be delighted to teach a classroom full of students who are motivated by the desire to learn without grades. Also, most professors do not care if the students we are teaching have gotten good grades. We care if the students are sincerely trying to learn. My most rewarding teaching experiences have been with students whose work improved dramatically with great effort on both our parts.

have to take place, and everyone could leave law school with the same sense of accomplishment that they have when they get the acceptance letter.

The job market will not allow this, and so a hierarchy is created in law school. People who graduated near the top of their undergraduate classes may find themselves planted firmly in the middle, and that can be a painful experience. Everyone cannot be at the top of the class, but you can take advantage of the opportunities available to improve your chances in the job market.¹⁹

How you react to this competition is an important factor in how you will behave as a lawyer. Let it motivate you, and spur you on, as good athletic competition can. Do not let it scare or anger you. Each class develops its own sense of competition; some become very supportive communities and others are schools of sharks. It only takes one or two people to set the tone for the entire group.²⁰

Cutthroat competition is not good for anyone, and it leads to behavior that degrades the profession and makes practice a nightmare. A cooperative attitude toward your peers can create a positive pattern for the future. It is easy to say, "I need this now, and later will be different." But everything you are doing now is a part of your socialization process. Even if you don't get caught up in the competition, you will need to address it when you observe it in others.

C. Cheating

In law school, there is a good deal of abstract talk about your professional responsibilities, but there are some real issues to be dealt with as well:

- Are you going to appear in court on time and well prepared? Certainly you will aspire to do so. Does this also apply to your classes now?
- You will never misrepresent facts before a judge. Should you fudge them with your professors now?
- You would never steal a client's funds. Would you slip a book out of the library? Cheat on an exam?

These issues are the most painful ones that your professors confront. It is excruciatingly difficult to watch students grapple with the demands of a professional career, under great stress, and often at a young age. Sometimes students fail to grasp the importance of their actions. A career can be cut short because a student does not realize that law schools are serious about expectations of professional conduct. I am not speaking only about violations of the honor code that result in expulsion; I am also talking about the breach of trust that follows a student beyond the classroom,

After all, even a mediocre professor can teach smart people.

19. It is too early to think about law journals or reviews, but do take advantage of different opportunities to learn, and to show your stuff. For some people this is law review, or appellate advocacy. For others it is student government, or work within the Law Student Division of the ABA. Some students do public service work, and organize projects for other students. Remember that all of these activities, even law review, are adjuncts to the main game, which is class.

20. I once taught a first-year class that included a very charming woman who did work for the poor. She was great fun, and everyone loved her, but she also had a strong communitarian value system that she communicated to the entire group. Although she left law school after the first year to return to her work with the poor, her attitude continued to affect the members of that class, who were unusually supportive of one other.

limiting later professional opportunities. Your teachers will sign off on your integrity as you go to take the bar; they will be asked by employers for recommendations. Your classmates will be watching you and evaluating not only your intelligence, but your honesty and professionalism. If they see you operating at lower standards, they are not likely to forget this about you when you are a practicing attorney. If you cannot live by the rules now, when you are being scrutinized at every turn, what will prevent similar conduct when no one is watching?

I am not just worried you will feel pressure to cheat. The more difficult issue will be if you observe others violating the rules. The peer pressure to ignore these problems is enormous. You may worry that by turning in a member of your class, you will separate yourself from the group, appear self-righteous, or even self-interested.

But law is a self-regulating profession: this means that lawyers regulate and govern their own conduct, largely free of the intervention of others. If this system is going to work, lawyers have to police the profession, beginning in law school. The Model Rules of Professional Conduct, which govern the practice of law in most states, require an attorney to report the misconduct of others.²¹ Failure to do so is a violation of the rules.²²

Your law school has an honor code.²³ You need to read it and understand exactly what it requires of you, both in terms of your own conduct and your obligation to report conduct of others. If you violate this code, you may be dismissed from school, given a failing grade, or placed on probation. This will be a part of your permanent record, and may follow you into practice.

One issue that is becoming more problematic in law school is plagiarism.²⁴ Because fewer students are writing significant research papers in undergraduate school, you may have missed the opportunity to learn the correct rules for citation and use of other works. If so, you have missed a chance to make a mistake about this when it will have no repercussions. In law school, if you are caught by a professor plagiarizing the work of another, you certainly will be disciplined in some way and you may be dismissed from school.

Computers have made plagiarism easier, since you can now cut and paste at the click of a mouse button. But computers have also made plagiarism easier to catch, since almost any string of words can be searched in enormous databases. Most plagiarism, however, is caught by experienced teachers who know the body of work their students are citing so well that they easily recognize it when passed off by dishonest students. I'm amazed at how foolish and naive students can be about this.

Learn the appropriate rules of citation. Familiarize yourself with the rules for

21. See MODEL RULES OF PROFESSIONAL CONDUCT Rule 8.3(a)(1993); see also, MODEL RULES OF PROFESSIONAL CONDUCT Preamble [10] (1993).

22. See MODEL RULES OF PROFESSIONAL CONDUCT Rule 8.4(a)(1993).

23. See, e.g., UMKC School of Law, *Honor Code*, <<http://www.law.umkc.edu/academic/honor.htm>>.

24. Although my experience is personal and narrow, I have in addition noted an alarming increase in the number of apologies being written in law reviews. See, e.g., Scott K. Friedrich, *Form of Apology*, 58 UMKC L. REV. 3rd unnumbered page (1990).

using quotations, but also the limits on using another person's ideas and structure.²⁵

III. TEACHING YOURSELF LAW

You may have spent most of your undergraduate career listening to lectures, taking notes, and reading assignments. Your job was to absorb the material and pass it back to the teacher in a recognizable form. Although you were probably required to write papers that involved your own creative thinking, I suspect that this was the exception and not the rule. If you participated in class discussions, it may have been by offering your opinion about a text or issue.

This is a *passive* form of learning. You take in the information, you memorize (or "learn") it, and offer it back. This did not prepare you for law school.

In law school, we expect students to do *active* learning. You are required to read the text, attend the lecture, take notes, and reread them. But none of this passive activity prepares you for the examination, nor even for class.

More importantly, it will not prepare you for the practice of law. Ultimately, law is a self-teaching discipline. You are not primarily here to learn the substance of the law for future use; you are learning the skills of analysis and self-instruction for future use.²⁶ Someone will come to you with a question and you won't know the answer. The law on this subject may not exist. So you learn in law school how to figure out the answers on your own (and with your colleagues) for the rest of your career.²⁷ It is an honorable and highly rewarding exercise; I can assure you that it is never fully mastered, and therefore, never boring.²⁸

A. Active Learning

In law school, we expect you to teach yourself the meaning of information, and

25. Julie M. Cheslik, *Plagiarism Policy and Guidelines: Writing to Avoid Plagiarism* (1990) (unpublished plagiarism policy, University of Missouri-Kansas City Law School) (on file with author) citing *In Search of Plagiarism Policy*, 16 N. KY. L. REV. 501 (1989); Louis Sirico, Jr., *PRIMER ON PLAGIARISM* (1988); and Ralph D. Mawdsley, *LEGAL ASPECTS OF PLAGIARISM* (National Organization on Legal Problems of Education 1985). This is one area where the rules in law school differs substantially from those in practice. Some practitioners feel perfectly free to steal liberally from other lawyers' pleadings, documents, briefs, or discovery. Indeed, some people practice law primarily through the use of the form document and the copy machine. They would never think to cite the document from which they have cribbed. I don't condone these practices, and I believe that there are legal limits to them, but I know that they exist. Law school is different. The writing done in law school is scholarship, meant to preserve and publicize original thinking about law. In academia, plagiarism is a career-ending error. So in law school, this practice will be viewed as a very serious transgression.

26. There are two reasons why the substantive law you learn in law school isn't all that important. First, you'll forget most of it, or wind up practicing in a completely different field. Second, the law changes all the time, so by the time you graduate, much of what you've learned won't be quite the same. Of course, the basic outlines of the subject matter, and critical characteristics will remain. But most of what you are learning in law school is to bring about and react to changes in the law.

27. Expertise just means that the questions you can't answer get harder. Even as a consultant, I don't make very much money giving people the answers that I already know. I earn my fee when I work through a difficult problem, using the things I know and the problem-solving skills I've developed. We wouldn't need so many lawyers if the solutions to most problems could be looked up. (This is even truer as lay people gain access to computer databases.)

28. The cockiness of most lawyers may be one result of their daring to face the law's relentless newness, rather than any possession of the delivered wisdom.

more importantly, its function, for use in situations you haven't yet experienced. We will ask you questions that are not in the text, and questions that not answered there. We expect you to be able to discuss the case, or the statute, or the article, and extract its meaning for application in as-yet untested circumstances. We want you to distill the relevant legal rule from the reading and be prepared to apply it to new facts. We ask you to do this because this is exactly what you will do as a lawyer.

This requires a different kind of learning. Instead of just reading and memorizing, you need to start digging for these rules of law and extracting them from the text. But you can't stop there: you need to take the next step of applying the rules to new circumstances. It's one thing to figure out what the holding of the case is; it is quite another to apply that holding to a different set of facts, and to determine how the case might come out. This distillation/application process is a more vibrant form of learning that goes beyond reading and understanding what you have read and heard in class.

Active learning takes considerably more effort than reading and reiteration. But since it is the act that will be expected of you—in class, on the exam, on the bar, and in practice—start now. You cannot read about this process and expect to learn it without practice, any more than you can read a book about marathon running and then go run one.²⁹

The new kind of studying that you learn in law school is this active kind. This is why I encourage you to study with friends: in a group, a discussion of the applicable law and its impact on new situations is a more active (and interesting) learning experience. The people with whom you study will help you to come up with new fact situations, and to test the rules that you have learned against them. They will catch you when you skip a necessary step, or misinterpret the impact of a fact, and you will do the same for them.

This active application of the learned material is not unique to law; it appears in some form in all graduate education. But it has, regretfully, all but disappeared from undergraduate education, in part because it is so labor-intensive. It is expensive for colleges to teach like this, and so, over time, many of them have given it up in favor of large lectures and computer-graded examinations. If you were lucky enough to have a more classical undergraduate education, then the transition to law school may not be so hard for you.

29. You know, I tell my students this OVER and OVER and they have the hardest time believing it! I rail against study aids, those crutches that built a million dollar industry on student insecurity. If someone is doing the distillation process for you, it seems easy. It's only when you have to do it on your own that it gets hard. But how can you expect to learn analysis if the first time you try it is on the exam? Until they come up with study aids for the exam, and study aids for the future, study aids can't help you learn what you need to know. Yes, they will give you a perfectly acceptable case brief that you can use in class. They may give you an outline to study for the exam. But it's all passive learning that won't do anything but lure you into a false sense of security from which you will have a rude and unhappy awakening. While I'm on the topic, some learning aids can be useful. If you are completely lost on the topic, or have missed a nuance in class, a good hornbook will help you get an overview, teach you the basic concepts, and even help you focus on the details. I use them all the time. A book of problems and answers can be helpful IF you actually answer the problems yourself before you read the answers. If you just read the answers, it's more passive learning and ultimately destructive of good learning habits. The sports analogy is a good one. You have to put in the practice.

B. What is Legal Thinking?

We do not do a very good job of explicitly teaching legal thinking. What we do is immerse students in an environment where the iconography, language, religion, history, and sociology are all "legal" and let them learn by exposure and correction. The smart students adapt to this culture in the way that a canny anthropologist can "become" Yucatecan or Balinese. In the beginning, you do not "learn" so much as you "absorb." Some students will begin parroting the language quite early in the process, and that may intimidate you initially. Other students take longer to get these linguistic messages, and yet they too become fluent. Some people never do much more than an adequate job mouthing the words and imitating the rituals. They never truly internalize the thinking process.³⁰ They will be mediocre lawyers, but participants in the ritual nonetheless, because the system will attribute the appropriate meaning to their gesture even if they do not themselves comprehend its full import.

The linguistic issue is a significant one. You are entering a language immersion program. From the first day people will speak to you in words you thought you knew, but which in this context may have different meanings. Your teachers will constantly test your understanding of this new language.³¹ That is one huge justification for class participation. Listen to the way your teachers speak, the way the cases "speak", the way the statutes "speak." Listen to your colleagues as they practice their new tongue and see if they are using the language precisely. This is critical. A true expert never uses a legal term of art casually, and that is one of her attributes. This distinguishes "expert" from "novice" in our tribe.³²

This is not to suggest that the ritual of legal linguistics has left us with a perfect language. Quite the opposite is true. Like many languages, it has become weighted by a convention that admires mystery more than clarity.³³ I had a friend in my first-year class, an English major, who dropped out after a few weeks, declaring that his love of English would not permit him to stand by passively and observe the treatment it received in law school.

We have specialized meanings that are an important part of the learning

30. Do you remember when you were learning Spanish and you suddenly stopped translating everything? That is the moment of ownership, of fluency.. The same thing will happen in law school, but probably not until the second year.

31. *ANIMAL FARM* and *Alice in Wonderland* are familiar examples of the frustration caused by using apparently familiar words to mean something new. "All animals are equal but some animals are more equal than others." George Orwell, *ANIMAL FARM* 118 (1946). "'When I use a word,' Humpty Dumpty said in rather a scornful tone, 'it means just what I choose it to mean— neither more nor less.' 'The question is,' said Alice, 'whether you can make words mean so many different things.' 'The question I,' said Humpty Dumpty, 'which is to be master— that's all.'" Lewis Carroll, *THROUGH THE LOOKING GLASS* 94 (1946).

32. See, e.g., John B. Mitchell, *Current Theories on Expert & Novice Thinking: A Full Faculty Considers the Implications for Legal Education*, 39 J. LEGAL EDUC. 275 (1989).

33. Cloaking simple acts in the aura magic is another indication of expertise. The expert wishes to clothe her actions in mystery, lest they be devalued for their simplicity. See generally William R. Bishin & Christopher D. Stone, *LAW, LANGUAGE AND ETHICS: AN INTRODUCTION TO LAW AND LEGAL METHOD* 404-11 (1972). What lawyers and experts should be doing is unmasking illusion in the search for clarity. This doesn't always happen. Lawyers may try intentionally to obscure meaning to make their task seem more difficult. Although this isn't necessary, and can be dangerous, more than one client has looked at a brilliantly written, clear, and spare legal document and exclaimed, "Why was this so expensive? I could have written it!"

process. I hope that you can learn them without becoming mired in that ugly language, "legalese." Some lawyers write and speak in meaningless platitudes, and endlessly disguise the true import of their speech. You can be both an expert legal speaker and a plain speaker. George Orwell described it this way:

Orthodoxy, of whatever color, seems to demand a lifeless, imitative style. . . . [O]ne often has the curious feeling that one is not watching a live human being but some kind of dummy: a feeling which suddenly becomes stronger at moments when the light catches the speaker's spectacles and turns them into blank discs which seem to have no eyes behind them. And this is not altogether fanciful. A speaker who uses that kind of phraseology has gone some distance towards turning himself into a machine. The appropriate noises are coming out of his larynx, but his brain is not involved as it would be if he were choosing his words for himself.³⁴

Your job is finding a balance: learn the meaning of each new word or term and use it with precision,³⁵ but do not memorize endless phrases and parrot them back.³⁶

C. *What is Legal Analysis?*

Don't be discouraged by the rote nature of the initial learning. What you are learning at first is more like mathematics than humanities. It is like the catechism. You have to get the basic framework correct before you can begin to understand nuance. You will spend most of the first semester, indeed the first year, learning the catechism.

What are we trying to accomplish? Like archeologists, we approach a case like a dig, looking for clues about what happened there. We expect to see certain things, and must see certain things in order to make assumptions about the meaning of the text. The theory is something like this:

FACTS:	yet what will be im-	irrelevant.
We recover an undiffer-	portant and what un-	
entiated pile of	important. So we start	
bones, tools, flora, and	our detective work. At	
fauna. We do not know	this point, nothing is	

34. George Orwell, "Shooting an Elephant; Politics and the English Language" in ORWELL READER: FICTION, ESSAYS, AND REPORTAGE BY GEORGE ORWELL 362-63 (1962). He was speaking of politics, but the impact in law is the same.

35. Of course, this assumes a single, fixed meaning for words. In contract law, you will learn that this is a myth, perpetrated in part by lawyers desperate to make the uncertain certain. See *Frigalment Importing Co. v. B.N.S. Int'l. Sales Corp.*, 190 F. Supp. 116 (S.D.N.Y. 1960). Holmes said, "A word is not a crystal, transparent and unchanged, it is the skin of a living thought." *Towne v. Eisner*, 245 U.S. 418, 425 (1918). This is true; it argues against the possibility of perfect precision. It does not deny the possibility of utter confusion. Your job is to seek the former and avoid the latter. Too many lawyers assume the opposite!

36. I have observed a strange phenomenon in examinations, where a student clearly does not understand the concepts underlying the terminology. They read like English translations of electronic equipment manuals originally written in Japanese. The words are there (they might even be the relevant words) but the context clearly reveals a confusion that a person fluent in their usage would never have.

RULES:

We have learned over time that certain artifacts or evidence lead to a specific conclusion: pottery means a certain level of cultural sophistication. Writing tells us something else.

CONCLUSION:

Once we have the elements that we have come to associate with a particular level or type of cultural development, we search for those elements. When all are present we can reach a conclusion.

The same process applies in law. A client will come in and tell the attorney a story, with facts that are relevant to the attorney jumbled with those that are only relevant to the client, or relevant to a doctor or an accountant. The attorney will then plow through the facts to determine if they satisfy any of the applicable legal rules. If all the elements of the rule are satisfied, then the standard has been met, and the client is entitled to relief, or subject to action under that rule. If one of the elements is not met, then we cannot reach that conclusion. We may debate at length what the elements of the rule are, or whether the elements of the rule have been met. This is the process of legal analysis.

For example, suppose that the law provides that a person may file a bankruptcy only if his debts exceed the value of his assets.³⁷ Suppose further that your clients, the Stanleys, have assets that, at fair market value, exceed their debts. But if the assets are valued at liquidation prices, their debts exceed their assets. The issue is: Do the Stanleys qualify for bankruptcy?³⁸ The legal analysis might look like this:

FACTS:			
The Stanleys	but the ap-	\$100,000.	their bills.
owe \$70,000.	praised value	They do not	They do not
They do not	of their prop-	have any in-	want to sell
own much,	erty may be	come, and	their assets.
	as much as	cannot pay	They're upset.

37. A colleague who teaches bankruptcy law objected to this example, arguing strenuously that it did not accurately represent the law. I know. I'm using it as a simple example. This isn't an article on bankruptcy law. This is another thing that you will learn about professors: we so adore precision that we can almost never make simple statements. We can't relax until all the appropriate qualifiers have been added.

38. Interestingly, another of the professors who read this article decided that I had stated the issue wrongly, and that the issue was, "What definition of value applies?" That is just as true a statement of the issue as the one in the text. It is also one of the great frustrations of law students. There is never just one issue, or one way of describing it. Our analysis is deeply affected by the way in which we pose the initial questions. For practicing lawyers, that is what makes legal analysis interesting. Suppose I call something a tort that has never been considered a tort before (say, the sale of cigarettes.) My analysis is circumscribed by my framing of the issue in this way. I could be wrong (that is, I could lose) or I might just be framing the issue in a new way, and the analysis that follows may be persuasive or not. *See, e.g., Sullivan v. O'Connor*, 296 N.E.2d 1833 (Mass. 1973), where an unusual set of facts led a lawyer to include and win a contract claim against a doctor, while losing the negligence claim. *See also* the discussion of this case in Richard Danzig, *THE CAPABILITY PROBLEM* 15-43 (1978).

RULES:

A debtor may file for bankruptcy only if its debts exceed the value of its assets.

ANALYSIS:

If a court finds that the "value" of the Stanleys' assets exceeds their debts, the Stanleys can't file bankruptcy. If a court defines "value" as liquidation value, rather than appraised value, they satisfy the rule. Most courts apply this meaning.

CONCLUSION:

The facts of this case suggest that the Stanleys have satisfied the rule and are entitled to file bankruptcy.

Note that many of the facts turned out to be irrelevant. In this hypothetical, the fact that the Stanleys have no income is not relevant, because this particular rule doesn't require us to look at income. Similarly, the fact that they are upset does not affect the legal outcome, although it might help the lawyer decide which alternative to recommend. Finally, although the Stanleys' reluctance to sell their assets might be relevant in determining whether bankruptcy is a good option for them, it is not relevant to the application of the rule. The rule has specific elements: if they are satisfied, it applies and the case is decided under it. If not, it doesn't. This is the mathematics of legal reasoning.

I call it "mathematics" because, in its simplest form, legal reasoning is entirely formulaic and not particularly discretionary. If a statute requires four elements, you must convince the decision maker that all four elements are represented in the facts of this case to get relief under the rule. Three won't do, two won't do, one won't do. Identifying the elements is the first job that you have as a law student. It's not particularly easy, but you can figure it out by reading the statute or the case.

D. The IRAC Method

Everyone is going to talk to you about IRAC, and that is another way of describing the process we just went through:

Issue: Can the Stanleys file for bankruptcy under the law?

- Rule:** You can file bankruptcy if your debts exceed the value of your assets.
- Analysis:** Because of the facts of this case, the result depends upon the meaning that the court applies to value. Most courts will consider liquidation value in making this determination.
- Conclusion:** The court is likely to permit them to file bankruptcy.

Legal analysis is simply the application of this rule to these facts. This is most of what first-year law students do. Lawyers do this, but they also have another job, and that is convincing the decision maker that the facts of this case fit the rule.³⁹ That job is entirely fact-specific. In other words, the answer depends on what happened in this case.⁴⁰ This also frustrates first-year law students. If cases are completely fact-specific, why are your teachers expecting you to extract something fixed and knowable from reading them? Why don't we all just roll the dice and go home?

E. Legal Analysis and Precedent

The difference between rolling the dice and legal analysis is the difference between prediction and detection, or the difference between what might happen in the future based upon things we cannot know, and what is likely to happen in the future based upon what we know about the past.

When you ask your teachers, "What would happen in this case if . . ." and change the facts in some way, you are asking the teacher to predict what a decision maker might think about these new facts. Teachers can't guess that much better than you can, and so we may answer, "It depends!" and make you furious. You are asking the teacher to predict what an unidentified future decision maker, subject to influences and whims that we know nothing about, is going to decide based upon an imagined

39. Or, in the business context, predicting what a future decision maker might do with these facts, and structuring the transaction to fit within the known legal parameters.

40. Although you are likely to learn most of your first-year subjects using the case method (that is, learning substantive law by reading specific cases that focus on that topic), it is not the only, or even the most effective way to learn law. One author criticized it this way: "The casebook method of teaching is, in fact, an exercise in futility. It is the students themselves who are expected to build up a picture of law from the few generally disconnected scraps available to them and with virtually no tools. Students are left to guess what the *editors'* view of the law is rather than getting to what the law is all about. Instead of looking at the reasoning of a case in the light of the developed conceptual thought that preceded it, and of its place in a structured web of reasoned principle they are provided in the first place with a single instance that justifies itself only by reference to particular features, leaving much to be understood.... The students study, as it were, the status of a grain of sand by walking around inside the grain and without reference to the rest of the beach, the surf, and the sky." Alan Watson, *Introduction to Law for Second-Year Law Students* 46 J. Legal Educ. 430, 436 (1996) (emphasis in the original.) Some authors have begun to develop teaching materials and books that emphasize sources in addition to cases for presenting substantive information. See, e.g., Stewart Macaulay, et. al., *CONTRACTS: LAW IN ACTION* (1st ed. 1992). I think that the case method is useful in its place, but it grossly overstates the actual impact of the appellate process in the full scope of the legal system. After all, not every legal issue involves a dispute (as when a lawyer gives a client advice about what a statute means), not every dispute reaches litigation, only a tiny percentage of cases that are filed actually go to trial, and an even smaller percentage are appealed. So reading cases to find out about the legal system is indeed looking through a microscope when we might better consult a map. But this letter is about what is, and not what ought to be

set of facts.⁴¹ We may respond that your guess is as good as ours.

But if you ask the teacher, "Would these new facts also arguably meet the requirements of this statute?" then you are asking about the elements of the rule, and that is a question we are prepared to answer. We may walk you back through the relevant rule of law and ask you if each of its requirements, in turn, has been satisfied. At the end of this exercise, we will have illustrated again what the rule requires and the necessity of identifying facts to fulfill each requirement.⁴²

What we want you to understand is that you cannot win application of the rule if you do not identify facts that satisfy all its elements. But you may not win even if you do. Another way to say this is that you can easily make a bad argument (for example, when you make an incomplete one, or inaccurately identify the elements of the rule) but it's not so easy to make a winning one.

All we want you to do at this juncture is to identify clearly and accurately the elements of the rule, and go through the process of applying them to the facts. Until you get into practice, you won't know whether your argument is a winning one. You will only learn in law school if it is a plausible one.

F. The Importance of the Rule of Law

Why do we care so much about the application of the rule to the facts? Because law is a relatively simplistic (and therefore relatively predictable) process. Identification of the rule isn't often very difficult⁴³ or interesting.⁴⁴ There is nothing particularly

41. I don't even want to get into what members of the school of legal thinking called Critical Legal Studies have to say about that unidentified, future, biased, deceptive, conniving decision maker. When you are older, and can handle it with maturity, I will give you Duncan Kennedy, *THE LEGAL EDUCATION AND THE REPRODUCTION OF HIERARCHY: A POLEMIC AGAINST THE SYSTEM* (1983) known in my profession (and not without justification) as *The Little Red Book*. In the meantime, see Robert L. Hayman, Jr. and Nancy Levit, *JURISPRUDENCE: CONTEMPORARY READINGS, PROBLEMS, AND NARRATIVES* 213-216 (1995) for an uncharacteristically clear explanation of Critical Legal Studies.

42. This is sort of silly, but I like to think of a legal rule like a hungry hydra. If you don't throw meat to each of the heads, the one left unsatisfied will eat you!

43. Sometimes a bad statute can make this challenging, or even hilarious, as when the Missouri Legislature accidentally outlawed consensual sex! But usually, once you have experience, reading a statute or case and figuring out the rule isn't all that difficult. Of course, I don't teach Constitutional Law.

44. The clearer the rule, the easier the decision will be. But the rule will also be inflexible, and fail to cover cases that, in retrospect, we think ought to fall within its scope. So, for example, a speed limit of 35 miles an hour is clear, and it is easy to apply. But if the driver is driving badly even at 35 miles an hour, we might want a more general rule that says, for example, the driver must drive safely and prudently. Montana recently confronted this issue, having done away with its daytime speed limit in favor of a rule that required drivers to drive a "reasonable and proper" speed. MONT. CODE ANN. § 61-8-303 (1995). One would expect that such a rule would result either in fewer tickets or more contested cases. One author suggested that such a rule is self-enforcing, since there aren't enough highway patrol cars to police such a big state: "Montana is a huge state with a sparse population and a tiny tax base. We have a lot more road than we do citizens and we can't afford many highway patrol officers. The 'reasonable and prudent' rule is more a reflection of actual conditions than an invitation to excess. Statistically, no matter how you drive, there's not going to be a state employee around to keep an eye on you. If you don't drive in a reasonable and prudent manner, you end up in a ditch." Otto Halgren, *Big Sky, Big Flap, Big Deal*, THE SAN FRANCISCO CHRONICLE Dec. 18, 1995 at A23. Officers enforcing the law disagreed: "The problem with 'reasonable and prudent,' troopers argue, is that there aren't three fuzzier words in U.S. lawbooks." Steve Lopez, *America's Fast Lane*, TIME October 12, 1997 at 44. This change in the law resulted in an increase in highway deaths in Montana, although raising the speed limit to 75 has actually resulted in fewer deaths in some neighboring states. *Morning Edition* (National Public Radio broadcast, Sept. 15, 1997). See also Jim Robbins, *Montana's Speed Limit of ??? M.P.H. Overturned as Too Vague*, THE NEW YORK TIMES Dec. 25, 1998 at A16. Although no statistics are available on the increase in legal challenges to tickets, officers reported spending more time arguing with drivers and in court. *Id.* In 1998, the Montana Supreme Court threw out

compelling about this part of legal reasoning. What is interesting is the analysis, where you debate the applicability of the rule, and its meaning, in specific cases. If your facts meet the standards set forth in the rule, it applies. If they don't, it doesn't.

So, although you might by background or sympathy want to discuss why the Stanleys are upset, or how they got into this situation, or whether they are being reasonable under the circumstances when refusing to sell assets, your professors may discourage (and even disparage) this kind of discussion. None of this discussion is relevant to the issue at hand. The questions may have social, or even moral, importance. But they don't help us to solve the problem at hand: Does the rule apply in this case?

Sometimes, we get into discussions about the applicability of the rule that squarely involve these kinds of social and moral issues. In contracts class, for example, we talk about the right of a woman to contract for the sale of her unborn child. The rule in that case is that the courts won't enforce contracts that are antithetical to "public policy." In analyzing what "public policy" means, many very personal, moral issues are relevant to the discussion. But often they are not.

Why is this relentless cleaving to the rule so important? Because, as I mentioned, we want predictability in law. As a democratic society, we have come to believe that the rule of law must be applied in the same way for everyone, and rigid application of legal rules is one of the ways that we pretend that this occurs in the legal system. Of course, the rules are never applied "in the same way" for everyone; in particular, people with better lawyers tend to get better results.⁴⁵

We also prize consistent application of the rules because it makes future results predictable. We can plan transactions and behavior because we know what the rules are. It is very disruptive and expensive to operate in a society where the rules are

the law as unconstitutionally vague. *State of Montana v. Stanko*, 974 P.2d 1132 (Mt. S.Ct 1998). "Vague laws offend several important values. First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application." *Id.* at 1136. In 1999, Montana enacted a 75 m.p.h. speed limit. MONT. CODE ANN. § 61-8-303 (1999). Interestingly enough, despite *Stanko*, the new statute retains the "reasonable and prudent speed" standard for cases below the stated limit! *Id.* at (4).

45. This is a relevant point for you to think about in law school even if it makes rule identification and analysis seem less important and results seem less predictable. After all, if good lawyers win, what difference does it make if they learn the rules? There are two answers: first, good lawyers know the rules and apply them well. They may have other skills in addition to this that they might or might not have learned in law school, but at a minimum they have this. Second, the more that you practice this process, and the better that you get at it in law school, the better you will be once you get into practice. This is the only skill that lawyers need that I can guarantee you will be taught in school. You may say to yourself that the people who get straight A's in law school won't necessarily become the best or most successful lawyers (and these are not necessarily the same ones) and you would be right. But the best lawyers will certainly be excellent legal thinkers, and I think that the successful ones will at least be more persuasive in all ways, including their analyses, than their opponents. For the other skills that good lawyers need that they (largely) do not learn in law school, see Zemans & Rosenblum, *supra* note 4, at Ch. 6; see generally Section of the Legal Education and Admissions to the Bar, American Bar Association, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT: REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE LAW PROFESSION: NARROWING THE GAP (1992) [known as the MACCRATE REPORT.]

uncertain.⁴⁶ Think about the application of laws in some foreign countries that do not have the rule of law. In the United States legal system, we believe that if you are going the speed limit, you will not get a ticket, and if you exceed the speed limit, you will get a ticket. This helps us plan how to behave. (We won't discuss yet the issue of enforcement and its effect on predictability!)

Because your professors are trying to hammer this process into your brain, and the importance of IRAC, and the concomitant value of predictability, it may seem that the first semester is painfully repetitive, even anti-intellectual. But you are learning lots of things at the same time: the language of law, the substantive law (legal rules) in many different areas, and how to be a good anthropologist and archaeologist. So I am sure that you will not be bored.

You may sometimes get frustrated, however. Do not be afraid to pull back and ask yourself, "What am I supposed to learn here? Analytical skills? Substantive law? Vocabulary?" This may help you to diminish, to some degree, your frustration. If you've lost sight of the purpose, go see your professor and talk about it.

IV. THE NATURE OF LAW AS A PROFESSION

It seems appropriate to point out now something about law that you may not have noticed before. Although there is something forward-looking about trying to ascertain how a matter will be decided in the future, law is essentially the study of history. Even when you are arguing a precedent-setting case, you will largely bolster your position by looking to the past. In every legal question, we are asking essentially the same question: "How do we get to this point from where we were previously?"

You may be tempted to argue for bold changes in the way that decisions are made. I encourage you to do so. But you must couch your arguments, even the most precedent-shattering, in the least revolutionary way. Your professors, and ultimately, the judges before whom you argue, will be most inclined to make the necessary leaps of faith if they see an argument that leads, like stepping stones, through the historical precedents to the next logical step. Even dramatic shifts in legal thinking—*Brown v. Board of Education*, the Brandeis brief, the doctrine of unconscionability—were clothed in the language and the argumentation of history.

Sometimes this historical perspective is frustrating. You may argue to your professors, "That is not fair!" in response to some perceived injustice. The legal argument with which to object to an arguably wrong result is not that it was not fair, but that it did not follow the applicable rules correctly. Only rarely will the court be persuaded by specific facts that the applicable rule is leading to an inappropriate

46. This is one of the reasons that businesses decry the litigation explosion. If you have to litigate every issue anyway, even if the rule is clear, then you have lost the value of predictability. Litigation can also have other economic effect, for example, by discouraging innovation. *See, e.g.,* James Gleick, *Fast Forward: Legal Eagles*, *TIMES SUNDAY MAGAZINE*, Sept. 14, 1997, at 48, 50 (arguing that litigation has discouraged the development of new technologies in the single-engine aircraft industry). The lack of a clear legal rule can have other impact as well, clogging the courts, or encouraging (or failing to discourage) costly behavior. *See, e.g.,* discussion of the Montana speed limit, *supra* note 44.

result, and as lawyers we tend to disparage these moments. In response, lawyers say, "Hard cases make bad law," meaning that cases decided on the basis of emotion are not reliable as sources of future results. Why don't we want judges deciding on their own what's "fair"? Because it leads to a very personal, and unpredictable kind of law, and one that is more subject to whim.⁴⁷ That is why justice is portrayed as blind, and thus indifferent to the personal biases that might otherwise sway her.

V. YOUR PROFESSIONAL LIFE BEGINS NOW

I usually wait until Thanksgiving to give this speech to my first-year students. But it will serve you well now. Although we, your teachers, will be pressing you to your limit, we also hope that you become healthy, well-rounded, fully functioning professionals. Part of that training is learning early on to keep a balance between your work and your life. I do not like to mention this too early in the semester, because student attention spans have only just begun to expand, and you will be amazed by the end of the first semester how much work you can do and how long a seemingly dusty inquiry can hold your attention.⁴⁸

So even as I will exhort my students to "Work! Work!" more than they ever have before, I also remind them that this is the beginning of the delicate balancing act they will perform for the rest of their professional lives. Developing good habits is a part of your professional training. So, in no particular order, please try to organize your life so that:

1. You eat regularly and healthily.
2. You sleep regular hours, including an occasional nap if necessary (not in class, if you can help it).
3. You exercise regularly.
4. You take time away from your work for brain-cleansing activities like sports and movies.
5. You do not kill all your brain cells by using alcohol as a method to relieve stress.
6. You remember that the people in your life, family and friends, are more important than law school.

VI. THE COURAGE TO FACE THE STRUGGLE AHEAD

You cannot get into law school without having proven that you have a good measure of intelligence and drive. Everyone around you will have gone through the

47. See note 44 *supra* and the discussion of *Montana v. Stanko*, 974 P.2d 1132 (Mt. S.Ct 1998).

48. I was in high school when my sister came home to live with us while studying for the bar exam. I was astonished that she could study all day long, and late into the night, with only a rare break for food and water. Her concentration seemed almost unnatural to me. Now I think about that and laugh, often after sitting at my computer working on a problem, oblivious to time and bodily function, until something serves to break my concentration and I realize that four hours have passed since I last took a break. For this reason, I try not to cook while working! Your powers of concentration will expand exponentially over the next three years, even as your improving skills shorten the time it takes to solve a problem.

same process to get there. Now the game begins again, demanding even more of your intellect, your stamina, your dedication. I have every faith that you have the capacity to succeed. What happens now is up to you.

Write if you need me!⁴⁹

49. Since I wrote this originally to my niece, I really meant this. For you, gentle reader, my e-mail address is UCC2@aol.com. I don't teach via e-mail, but I would be interested in hearing your reaction to this letter, particularly after you have been in school a little while.

