
Dear First-Year:

Yes, the faculty, staff, and upperclasspersons of Lincoln Law School welcome you to Lincoln Law School, only miles from the shores of the beautiful Passaic River but so near the commercial, cultural and, above all, legal centers of Newark and Roseland, New Jersey! We're confident that your choice of Lincoln Law School is the best use we can make of your legal educational dollars, and we're not just whistling, Dixie!

As you already know, Lincoln Law proudly boasts:

- a superior, multinational faculty;
- an acclaimed clinical program in vegetable-rights law;
- a soon-to-be-proposed law library;
- a host of student living, social, extracurricular, and consciousness-oriented activities, options, and variations all vigorously funded from your mandatory student activity fees and designed to assure you there's really no need to occupy the cafeteria or padlock yourselves to the dean's condo uptown.

We've put together this handy guidebook to help acquaint you with Lincoln Law's lore and to help you make sure you're out of the starting gate running in the right direction.

The next three or more years at Lincoln Law are going to be unlike any you've ever experienced. Our goal is for you to emerge from these ivied-style halls in (or near) June 1995 and be much, much more than a severely-indebted, unemployable bore. No, we want to make sure you're an alumni contributor too! With Lincoln's educational offerings, career placement, and alumni contacts, we're sure you'll agree that the key to your happiness as a Lincoln graduate can only be your satisfaction with student life at Lincoln, and that—along with a few “top secret” helpful hints about academic life—is what this handy guidebook is all about.

We hope this handy guidebook will enhance your experience¹ as you join us for this cruise of Contracts, this tour of Torts, this passage of Property, this expedition of Evidence, this conquest of Constitutional Law, this campaign of Commercial Paper, this—you get the idea.

Legally yours,

Lincoln Law School

1. As well as apprise you of the limitations of our liability.

STUDENT HOUSING AT LINCOLN LAW

Lincoln Law School has a proud tradition of student housing, dating back to its founding early in the Carter administration. Lincoln Law has on-campus housing available in the converted, formerly elegant John Birch Society Clubhouse directly across the "street" (the famed ten-lane New Jersey Turnpike) from the Law School building. Abandoned by the Society in the wake of the nearby Newark riots of 1968, the clubhouse was purchased by Lincoln Law and converted to use in housing the student body. The old Bircher clubhouse, renamed the Hieronymus Lincoln Residential Center (named, of course, for Lincoln Law's namesake, the inventor of the popular 1960s children's toy Lincoln Logs, and chief benefactor of the law school),

is perfectly appropriate for massive renovation and has the potential to be swiftly brought up to code. Until that time, it is available for student residence on an "as is," first-come first-served basis. The Law School will also render assistance to students seeking off-campus housing, and will

of course waive half the brokerage fee for students who remain for the term of their leases.



LOCAL BUSINESSES YOU SHOULD KNOW

Attached is a map which will enable you to find the following local businesses and services which you will find to be of great use in the years ahead. All Lincoln Law students who present valid identification will receive a 5-percent discount at these businesses:²

1. *Slappy Max's Copy Center* Twenty-four-hour copying and binding. A full catalog of popular legal research subjects for research purposes only is available. Creative resume service.
2. *Donny's Donuts* Complete carbohydrate diet for the special dietary needs of late-night studying. Also 24 hours; also convenient place to locate police assistance.
3. *Acme Chiropractic* Specializing in study-carrell- and student-desk-related back ailments.



2. A service fee of 10 percent has been added to process this discount.

4. *Hubbell Lensmiths* Discount lens grinding while you study; all thicknesses of lenses in stock.

5. *McDonald's* Employment during and after law school.

STUDENT ACTIVITIES AT LINCOLN LAW

Student activities are a proud tradition at Lincoln Law. Many students, upon registration at Lincoln Law, may be somewhat surprised to find the comprehensive fee at Lincoln Law to be 45 percent higher than the sum of the tuition, and room and board fees they read about in the admissions materials.

They shouldn't be! Lincoln Law follows the tradition of the vast majority of U.S. (and of course all offshore) law schools by encouraging the flourishing of student activities, most of which a given student would find either uninteresting, objectionable—or downright offensive!—through the mandatory collection of voluntary-style student activity fees.

Once collected, these fees are then funnelled through the exacting, scrutinizing process of allocation by the leaders of the student activities themselves, to make sure that student activities such as trips to conventions in Aruba, printing of libelous broadsheets, and splashing with infected blood of unpopular on-campus recruiters are adequately funded. Through this process, students at Lincoln Law get a first-hand look at government in action.

Since, however, all that is required for a student activity to be recognized is the participation of one faculty advisor and a Statement of Sincerity which is neat enough to read (a former requirement that it be typed has been eliminated as discriminatory against the touch-impaired), the number of groups qualifying for funds has fairly mushroomed in recent years, enhancing Lincoln Law's rainbow-like diversity but stretching the student activities budget. Thus, in order to avoid the worst-possible outcome—expensive and embarrassing litigation—the student

activity fee for the following year is now determined by multiplying a factor times the number of student activities on the roster the previous June, plus, of course, a small processing fee (to cover the costs of processing such large amounts). Since this fee is

ACADEMIC LIFE AT LINCOLN LAW

Four (at least) years of college and, for many of our students, important experience in the “real world” have provided you with all the crucial preparations for the study of law. Diligence, analytical ability, and the wise use of caffeine are as fundamental to success in legal scholarship as they were in your previous experience.

But some unique things about law school can only be learned by law school experience. That's why it's a good idea to strike up friendships with second-, third-, and other-year law students to gain the benefit of the time they've “put in” at Lincoln Law, and, of course, to find out where the bathrooms are and which copiers work.

To give you a head start, though, the authors of this handy guidebook wanted to make a few fundamental suggestions that will make sure you stay here long enough to make sure your tuition³ is worth every penny you borrowed!

Studying

The law is a jealous mistress, it has been said by many wise guys. Rather than trying to figure out what that means, you'd be well advised to consider these rules of thumb, which, it can be said after centuries of

³. Tuition is nonrefundable after six weeks.

mandatory, why not get in on the action and start your own student activity group? It's the American way—and the Lincoln way!

This handy guidebook is too handy-sized to contain a full listing of all the student activities you will be funding this year. See the Reserve Desk for alphabetized volumes of the names of student activity groups and their exciting plans for this year!

application, apply universally—that is, to all people, at all times, in every situation, regardless of race, creed, or national origin.

Spend at least two hours studying for every one hour of class you attend. To get your total study schedule, subtract from that 45 minutes for every class you blow off, but add 20 minutes of study time to every one hour you spend copying someone else's notes; for every one hour of study time this gives you, spend instead ten minutes of study time if you study Gilbert's instead of reading all of *Hadley v. Baxendale*, keeping in mind that every one hour spent in the first six weeks of the semester is worth four hours the night before the exam. Add 25 minutes to every one hour of study time which takes place after 11 P.M., and an additional ten minutes to each one hour spent while watching “L.A. Law,” or 30 minutes if actually paying attention to “L.A. Law.” Subtract one hour for every time you spoke up in class but add four hours of studying plus two hours of babysitting for every time you disagreed with the professor. Speedreaders may subtract fifteen minutes per one hour of necessary studying, but in any event add 40 minutes per one hour of your original total if you move your lips while you read.

BRIEFING CASES

The most important skill you will learn as a first-year student is the ability to read a published appellate decision and discern from it the following:

■ *The parties.* Who is suing whom? A simple question, but a good place to start. Don't just look at the case name. No one is really named "Ex rel" or "In re." It's mistakes like that which get you a dime and directions to the phone like in "The Paper Chase," though here at Lincoln Law your professor is more likely to ask you directions in one of many colorful foreign tongues.

■ *The facts.* This is the foundation of all legal decision-making. Ask any practitioner, and she will tell you that it is facts which decide cases. (Well, no, judges and juries really decide them. It is just a manner of speaking she will be using.) The trick, of course, is not just to master all the facts in a decision. No, you have to learn how to zero in on the important facts, the meaningful facts, the one on which the outcome of the case—the rule of law to be established—will hinge.

Facts that determine the outcome of cases are those such as: How much money does each party make? Was the expert testimony given by a kindly old man with a white mustache and a Bavarian accent, or a needle-nosed geek with a slide rule? Does the lawyer for one side wear a conservative three-piece outfit from Brooks Brothers while the other one is dressed in a "diversity suit"? Was the air conditioning in the courtroom broken on the day one side gave

their summation? What party was the judge a member of? Did he have a fight with his wife on the way to work that morning? How far from Simi Valley was the jury from? Was there a full moon that night, and does one of the lawyers have access to an almanac? And, perhaps most important, what law school did the

clerk who actually wrote the opinion attend? You may have trouble discerning these things from the opinion as it is presented in your casebook. So for purposes of your class, it'll do to know who did, or who claims who did, what, when, and where (which you can find in the summary printed at the beginning of each decision in the reporters). If you want to do it yourself, though, be warned: It requires reading the cases

over and over again, sometimes even drawing out a chart, drawing a picture, or, for many people, choreographing a chorus line.

■ *The legal rule.* No, this is not the principle that you should always get a sufficient retainer up front in a divorce case. The legal rule is the fundamental principle which is established, or affirmed, in every case you read. It is these rules which are the building blocks of law, much as the facts are the mortar, the parties are the frame, the holding the drainpipe, and the procedural stance the garage.

You can ascertain the legal rule in a case by highlighting it with a yellow marker.

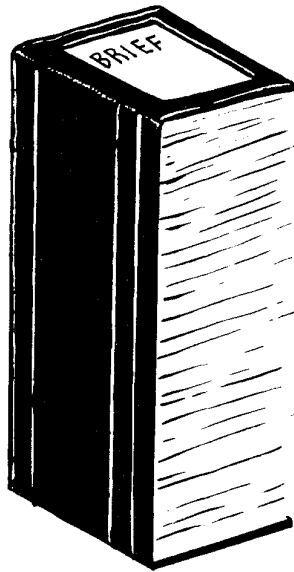
■ *The holding.* This is what is known in the real world as the

outcome, or the ending, or what happened to that guy who sued someone for transplanting skin onto his hand and then it grew hair? There are a number of possible holdings. Two you probably already know from politics are guilty and not guilty. ("Innocent" is not a holding but the name of a long-ago pope.) In the civil arena, you may get a holding that one party is liable, or not, which is simple enough, but in any court you could get a "holding withdrawing a writ of mandamus," or "remanding to the court below," or "dismissing for failure to state a claim," or "granting *certiorari*," etc. This is when you have to start paying close attention, because now you start learning phrases that impress waitresses at Denny's.

■ *The procedural stance.* How did these people get to an appellate court, anyway? Your professor will want to know, and if you are going to have any idea of why you're reading the case, it's a good idea to be able to identify the procedural situation.

Except in New York State, where the special-interest legislation promoted by certain printing and paper-milling unions requires that every piece of scratch paper that issues from a judge's chambers be published, most run-of-the-mill cases don't make it into the reporters. Starting with the lowest court below, the trial court (which is called the Supreme Court in New York, which probably goes some way toward explaining the last thing), you want to be able to ask, how did this get to an appeals court? Understanding the procedural stance will help you understand what issues were appealed—a denied motion to dismiss? A grant of summary judgment? The admission of a piece of evidence? Is Michael Jordan the best ever?—and what standards will be applied to them—Strict scrutiny? Abuse of discretion? Preponderance of the evidence? Coin toss?

This is the heady stuff of



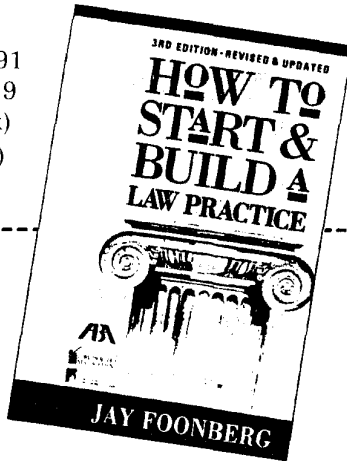
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case books and law professors, and you should enjoy it while you can. It will provide pleasant memories of intellectual stimulation to you while you are in practice and spend a whole morning standing behind the back row of a hot courtroom packed with sweaty lawyers so you can shout out "ready" when a clerk calls your docket number. Just remember that the real procedural stance—How many motions to compel discovery were granted? How many angry faxes about unilaterally-cancelled deposition were exchanged? How many times did the defendant try to evade service by dressing like Smokey the Bear?—will not be discernable from the opinion.



CONCLUSION

We at Lincoln Law hope that this handy guide has given you the basic tools to undertake your first steps towards becoming one of the pillars of American society: No, more than a debtor—a member of the bar in the state or territory of your choice, or, if need be, the choice of someone else.⁴ No matter. You come to law school, it is said, with a head full of mush, and after three years you exit thinking like a lawyer. Rather than sit around and figuring out what that means, please be certain all statements are timely paid and remember, in the home stretch, not to do anything rash until you're positive your account is current.

4. Note: Not all state bars recognize the Lincoln Law degree at this time.

Contributing Editor Ron Coleman is a 1988 graduate of Northwestern University School of Law and a former resident of that school's student housing. He practices law in New Jersey.