



Lee Burgess: Welcome back to the Law School Toolbox podcast. Today, we are talking about note-taking, as part of our "Quick Tips" series. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify the law school and early legal career experience, so you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website [CareerDicta](#). Alison also runs [The Girl's Guide to Law School](#). If you enjoy the show, please leave a review or rating on your favorite listening app. And if you have any questions, don't hesitate to reach out to us. You can reach us via the [contact form](#) on LawSchoolToolBox.com, and we'd love to hear from you. And with that, let's get started.

Lee Burgess: Welcome back! We've talked a lot about note-taking on the Law School Toolbox podcast, and there is a good reason for that – effective note-taking is key to doing well in law school. Ideally, you should take notes as you prepare for class, and then add to or amend those notes during class based on what the professor emphasizes.

Lee Burgess: As with everything in law school, note-taking is not a one-size-fits-all process. There are different ways to organize your notes, a variety of note-taking apps, and different note-taking techniques. You may see classmates who use several different colors of pens to make sure that different types of ideas stand out from each other. As we often say, the most important thing is finding a note-taking process that works for you. We are here to offer suggestions for different techniques you may want to try.

Lee Burgess: In particular, today, we are going to talk about a seemingly radical approach to note-taking: drawing your notes. This style of note-taking may especially appeal to you if you are a [visual learner](#) or like to draw or sketch concepts. And there is research to support using this method. For example, a study in Canada gave test subjects a list of random words to remember. The subjects were permitted to either write the words or draw them. After completing an unrelated task, the test subjects who had drawn the words remembered, on average, twice as many words as the subjects who had written the words. Here's an important part of this study: artistic ability was irrelevant. What mattered was engaging the brain in a way that helped people more effectively remember what was said. In other words, drawing a quick series of sketches to represent the words helped the subjects with memorization.

Lee Burgess: And the Internet is full of resources and suggestions for visual note-taking. For example, in her [TEDx talk](#), graphic facilitator Rachel Smith makes a strong argument that some people get more out of lectures and out of their notes if they use drawings and a more visual organization to put concepts onto the



page. Her talk offers suggestions for developing a few basic icons that you can use to quickly put ideas down in your notes. The most important thing she tells students to do is listen for and capture key points. In [another TEDx talk](#), Graham Shaw talks about how to develop a "visual toolkit" using basic shapes to draw simple, recognizable images that can be adapted for a variety of situations. Another visual artist, [Mike Rohde](#), has written books teaching people how to develop what he calls "Sketchnotes".

Lee Burgess: Now, obviously none of these resources are designed for law school, but the ideas translate to law school. For example, Rachel Smith's advice to listen for and capture key points in your notes is just as applicable in law school as anywhere else. And the act of drawing helps you focus your attention on the key points by forcing you to synthesize and summarize information. It also engages different parts of your brain than writing, which can help cement ideas in your mind.

Lee Burgess: Additionally, the techniques discussed in non-law school resources are easily adaptable to the law school setting. In particular, developing a visual toolkit for law school classes can be a helpful addition to your note-taking process. In fact, you may already be using this technique without even realizing it. For example, many law students innately develop a shorthand symbol for the word "plaintiff" and a shorthand symbol for the word "defendant". Some students use the Greek alphabet symbol Pi to represent the word "plaintiff", and the Delta symbol for "defendant". Others may use the paragraph symbol for the word "plaintiff" and the Delta symbol for the word "defendant". If you haven't already developed a shorthand way to write "plaintiff" and "defendant", give it a try – as you undoubtedly know by now, law school professors use these words a lot, so it is worth having a quick way to write them in your notes.

Lee Burgess: Now let's talk about how we can expand this "visual toolkit" for other common words in law school. In law school, you'll be talking a lot about how people interact, so you may want a basic "person" image. This can be a quick cartoony figure, a stick figure, or even a smiley face.

Lee Burgess: You may also want images or symbols for common words in specific law school classes. For example, in Contracts class, you may want visual symbols to represent "mutual assent" and "consideration". If you are artistic, you may be able to quickly draw two hands shaking to represent "mutual assent". But you could also draw two linked circles, or stick figures with linked arms. For "consideration", you could draw a rectangle with a dollar sign inside of it. If you are taking a Property class, you may want symbols for words like "land" and "deed". You could draw a hill with some grass or a quick tree to represent land and a piece of paper that is being unrolled to represent a deed. In Torts class,



you may want symbols to represent the elements of negligence – duty, breach, causation, and damages. You could draw a raised hand for "duty", an X for "breach", arrows to represent "causation", and a Band-Aid for "harm". You could use these symbols to quickly orient yourself regarding which element is at issue in any particular case or class. You could also have an image for "foreseeability", such as two eyes or a pair of glasses. In a Criminal Law class, you may want symbols to represent different crimes. For example, you could draw a stick figure crashing into a house to represent burglary, or a stick figure lying on the ground to represent a homicide. You may also want a symbol for the word "conviction", such as a stick figure with vertical lines in front of it. Whatever symbols you use, remember the goal – these should be images that you can draw quickly, so that you can focus on the meaning of the class rather than on the artistic perfection of your notes. Watch the TEDx talks referenced above for more ideas and symbols you may want to add to your visual toolkit.

Lee Burgess:

In addition to using a visual toolkit to help you quickly take notes in class, you can also use images to help you prepare for class. Instead of writing out a summary of the facts, what if you summarize the facts of a case with a quick drawing or series of images? Imagine a Contracts case that involves a land sale contract that is written on a napkin at a bar. You could draw two stick figures shaking hands to show their mutual assent to the contract and the purported buyer of the land holding a napkin. The issue in this case may be whether the writing on the napkin is sufficient to satisfy the statute of frauds. If the court concludes that it is, you could redraw the napkin with an equal sign pointing to the phrase "sufficient writing" in your notes. This example demonstrates how drawing notes forces you to summarize information and focus on the main points. Your drawn notes could also be a useful quick reference for class. Glancing at an image may jog your memory a lot quicker than reading a series of bullet points or written summary.

Lee Burgess:

Beyond using symbols to represent commonly-used words and using images to illustrate the facts and holdings of cases, you can also use pictures to illustrate legal concepts, relationships, and processes. For example, if your Crim professor is describing the ins and outs of the stand-your-ground laws, you could use stick figures to draw the majority and minority rules. Sketch a bad guy holding a weapon. Sketch two victims, one with a weapon and one running away. Label each person with "stand your ground; majority" and "duty to retreat; minority", or something like that. Or maybe the majority opinion figure would be much larger than the minority opinion figure. Whatever makes sense to you.

Lee Burgess:

Note that this scenario still has you using words. You need to have words, especially in law school, where terms of art can be paramount. But using a



combination of images and words can help you visualize rules and concepts, which may make them easier to understand and remember.

Lee Burgess:

You can also use pictures outside of class to help you understand and remember more complex rules and processes. You may even want to incorporate images and diagrams into your outlines. For example, think about how you could draw or diagram the transfer of land ownership rules from Property class. You could draw two stick figures, one with a label "S" for Seller and one with a label "B" for Buyer. Under the Seller figure, you could draw a rectangle with an "L" and a rectangle with an "E" to represent that before the land sale contract and deed, the Seller has both Legal and Equitable title to the land. Then you could use arrows and images to show how this ownership transfers during the land sale process. You could draw an arrow to the right and a rectangle with a "K" on it to represent the land sale contract. Then draw the status of ownership again, using your Seller and Buyer stick figures. After the land sale contract, you would draw the Seller stick figure with an "L" rectangle to represent that the Seller still holds Legal title, and the Buyer stick figure with an "E" rectangle to represent that the buyer now holds Equitable title. Then you could draw another arrow to the right and use your symbol for Deed. After the Deed, you would redraw the Seller and Buyer stick figures, with the buyer holding both Legal and Equitable title. Again, this kind of diagram may take a few more minutes than you would have time to sketch in class, but it could be helpful quick-reference material to have in your own Property outline.

Lee Burgess:

Diagramming legal rules and concepts is also a great way to test your understanding of rules. Let's look at a couple more examples of how you could use images to help you understand and memorize legal rules. Let's start with a common rule from Contracts class – the mailbox rule. Can you draw a diagram to test your understanding of this rule? You may start with drawing a sketch of a mailbox and a stick figure mailing an envelope with the letter "A" on it. You could put a checkmark by the picture or circle the picture to indicate that acceptance by mail usually occurs when the offeree properly mails the acceptance. You could also draw a stick figure mailing an envelope with a "C" or an "R" on it, followed by an image of that same stick figure mailing an envelope with an "A" on it. You could put an "X" by the image of the figure mailing the envelope with the "A" on it to indicate that the mailbox rule does not apply if the acceptance follows a counteroffer or rejection. You could also draw a picture to indicate that a revocation of an offer by the offeror is only effective on receipt. To illustrate that rule, you may have a stick figure labeled "offeror", mailing the envelope with letters "RV" on it. You could draw an "X" by the image indicate that revocation is not effective until received by the offeree. Or you could draw a second picture with the offeree receiving the "RV" envelope and



put a checkmark by that image. The important thing is that the images make sense to you to help you remember the rules correctly.

Lee Burgess: Now let's walk through one more example of how to use images to grasp common legal concepts – this time for Torts class. What about using images to depict the majority and minority rules regarding when a tort victim may recover damages for purely emotional distress? In particular, you would want the image to represent the "zone of danger" rule – that a tort victim may recover for emotional distress damages if that individual was within the "zone of danger" and suffers a physical manifestation of emotional distress caused by the threatened injury. For this rule, you could draw a stick figure that is almost hit by a car. You could use big eyes to show that the figure is emotionally distressed about almost being hit. Then you could draw the figure again, holding their head to show that the person now suffers from headaches as a result of the emotional distress. You could label this drawing as a "majority rule". The second instance in which most jurisdictions will allow a victim to recover for emotional distress is when the victim suffers emotional distress from witnessing injury to a close relative. You could draw a stick figure seeing their child get hit by a car to represent this rule. You could also make a note that a minority of jurisdictions only permit emotional distress damages if the "zone of danger" test is satisfied.

Lee Burgess: It is worth reiterating that you do not have to be a great artist to take advantage of the "drawing-your-notes" technique. Hopefully the examples we have described show how you can use simple images to represent everything from common legal words to more complex legal rules and concepts. But if you still feel like you need some artistic assistance to take advantage of this technique, there are note-taking apps that you can use to help. [Notability](#) is a great example. This note-taking app allows you to easily draw and annotate on your notes on a tablet. Apps can also be helpful in organizing your drawn notes, and some even have useful search functions.

Lee Burgess: So, try it out! Get a tablet that you can draw on or bring blank sheets of paper to class instead of lined ones. As the professor talks, pay attention and draw the concepts that are discussed in class. If you've done your reading, you can even start this earlier with your reading notes and/or briefs. Include sketches of the case background that will help you remember what you've read, draw pictures to help you understand the rules that the court adopted. Then when you get to class, you'll have those concepts already in your mind visually, so you can adapt them as needed to fit the lecture.

Lee Burgess: If these notes work for you, consider taking it further and using the pictures for your outlines. Once again, make sure that you are including legal terms of art. If a rule that you will need to apply has three defined elements, somehow



represent that all three need to be present in order for the rule to be satisfied. If, on the other hand, a rule involves a balancing act, consider using a scale to indicate that these are factors that need to be weighed against each other. And don't forget your notes and your outlines don't need to work for anyone other than you. What you want is something that will help you remember the readings, the lectures, and the concepts. So, get creative. There is no single "right" way to do well in law school. If drawing pictures helps you understand and remember legal rules better than writing them out, take full advantage of that.

Lee Burgess: And with that, we're out of time. If you enjoyed this episode of the Law School Toolbox podcast, please take a second to leave a review and rating on your favorite listening app. We'd really appreciate it. And be sure to subscribe so you don't miss anything. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com. Or you can always contact us via our [contact form](#) at LawSchoolToolBox.com. Thanks for listening, and we'll talk soon!

RESOURCES:

[Drawing in Class: Rachel Smith at TEDx](#)

[How to Draw to Remember More: Graham Shaw at TEDx](#)

[Mike Rohde: The Sketchnote Books](#)

[Notability app](#)

[Podcast Episode 30: Visual Learning for Law Students \(Guest Kipp Mueller\)](#)

[Podcast Episode 146: Tips for Visual Learners](#)

[How Visual Learning Tools Can Help You in Law School: An Interview with SketchyLaw](#)