



Zero-L[®] Course Syllabus

Zero-L is an online course specifically designed by Harvard Law School to introduce incoming law students to the American legal system, the vocabulary of law school, and what it means to be a law student in the U.S.

Self-paced, with engaging video lessons, vocabulary flashcards, and optional knowledge checks, the course is designed to ensure that all incoming students, whatever their backgrounds and previous areas of study, start with foundational knowledge that enables them to thrive at law school.

Course modules cover a range of topics, including the history of the U.S. Constitution, the separation of powers, state vs. federal law and their associated court systems, the stages of litigation, and much more.

Zero-L also demystifies concepts like common law, rules and standards, slippery slope arguments, and legal interpretation.

This course is divided into seven modules, each exploring a different facet of law and the law school experience.

While HLS strives to keep the Zero-L Course Syllabus up to date, course content may be updated ahead of this document.

A brief introduction to Zero-L's structure and goals.

Introduction to Law and the Court Systems

In the Introduction to Law and the Court Systems module, students will hear about some different views about what law is – what, if anything, distinguishes legal rules from other kinds of rules concerning how we are permitted or required to act? Students will also learn the basics of how the law is organized in the United States. Students will consider questions like: What is the relationship between law and morality? What are the major sources of law, and what is the “order” or “hierarchy” of authority between those sources? How, in the U.S., do the federal and state court systems interact? How are the courts in each system organized? The module also introduces students to some of the basic skills used in “thinking like a lawyer.”

Module Lessons

Thinking Like a Lawyer

Time: About 5 minutes

This lesson very briefly introduces students to what lawyers do and how what is taught in this course will help prepare students for legal education and understanding the law. It focuses on what it means to “Think Like a Lawyer,” and introduces the five primary skills that every successful lawyer must bring to the table (skills that are developed in later segments).

Kinds of Law: Some Major Categories and Sources of Law

Time: About 30 minutes

This lesson introduces students to some key distinctions students will encounter in the law, in particular distinctions between the main sources of law in the U.S. system: constitutions, statutes, regulations, and judicial decisions.

What is Law?: Distinguishing Legal from Other Kinds of Rules

Time: About 15 minutes

This lesson highlights the difficulties of determining what marks a rule as a legal rule, as opposed to a rule of a game or of morality, and delves briefly into the relationship of law to morality.

How to Listen like a Lawyer

Time: About 20 minutes

This lesson will introduce students to the importance of active and skillful listening in the classroom, the courtroom, and beyond in order to engage in productive and persuasive exchanges in law school and law practice.

Federal vs. State Law and Order of Authorities

Time: About 20 minutes

This lesson will help students understand the “order of authorities” (sometimes also called “hierarchy of authorities”) in the U.S. legal system – what sources of laws prevail over other sources. By the lesson’s end, students will be able to understand the relative authority within both the federal and state systems of:

1. Constitutions
2. Statutes
3. Regulations
4. Judicial Decisions

Students will then learn how federal and state laws interact and, when the two conflict, which law prevails over the other. Finally, students will learn the roles played by federal versus state law in the basic law school courses.

The Federal Court System

Time: About 30 minutes

This lesson will introduce students to the three tiers of the federal court system: district courts, circuit courts, and the U.S. Supreme Court. Students will learn which categories of cases each of these types of courts can hear as well as how each of the courts fit into the “judicial hierarchy” and thus how each court’s decisions bind other courts and affect future cases.

The State Court Systems

Time: About 15 minutes

This lesson will help students understand how state court systems are similar to and different from the federal court system. By the lesson’s end, students will appreciate the choices individual states make in how they structure their court systems. One of the most important ones, discussed in this segment, is whether their judges are appointed or elected.

In the How to Read a Case and Understand Precedent module, students will learn some of the most basic and important skills for law school and law practice, including how to read and analyze a judicial opinion, and what it means for judicial decisions to serve as “precedents” – that is, as decisions that can bind judges in subsequent cases. American law schools are built around the “case method,” especially in first-year classes, where the vast majority of the materials students will read are judicial opinions issued by courts on the occasion of deciding a particular case or lawsuit. The lessons in this module will guide students step-by-step through the reading of judicial opinions – discerning the most important facts; mastering the procedural history and posture in which the decision is being made; understanding the substance or “holding” of the decision; distilling, debating, and critiquing the key reasoning behind the decision; and much more. Students are taught these lessons using a real case that they may encounter in law school.

The lessons in this module will also help students identify common types of arguments that lawyers make within a precedent-based system of law, educate them on the role of *stare decisis*, and teach them about the binding effect or “weight” attached to different kinds of decisions by different courts.

Module Lessons

How to Read a Case

Time: Highly variable, plan for at least 2 hours

This series of activities will introduce students to the “case method” – a standard model of legal education that involves an instructor leading students through a careful dissection of a judicial opinion. This module demonstrates the case method by working through the judicial opinion in an actual case (*Moore v. Regents of the University of California*). After a brief description of the case method, students are taught, through a combination of instructional video and exercises, how to identify the distinct elements of a judicial opinion (listed below) and why doing so is critical to an understanding of the law:

- ✓ Introduction
- ✓ Caption and Citation
- ✓ Author and Number of Opinions
- ✓ Facts
- ✓ Procedural History and Posture
- ✓ Relief Sought
- ✓ Disposition
- ✓ Holding
- ✓ Reasoning Behind the Holding
- ✓ Debating and Critiquing the Reasoning
- ✓ Other Things to Consider and Recap

Kinds of Common Law Arguments

Time: About 35 minutes

This lesson will help students understand the basic varieties of legal arguments that lawyers offer to courts. One basic distinction the lesson develops is that between arguments based on precedent and arguments based on consequences.

This lesson develops the idea of *stare decisis*, that courts should stick to prior precedent, absent some compelling reason to the contrary. Using examples from tort law (the law of civil wrongs), the lesson discusses different strategies a lawyer might use when faced with *stare decisis*, explaining, among other things, the difference between overruling and distinguishing a precedent.

The lesson will also help students understand three other very commonly used types of legal arguments: public policy arguments, rights arguments, and arguments about administrability (sometimes also called “institutional competence”). The lesson also discusses slippery slope arguments.

Precedent: What does the Decision Mean for Future Cases?

Time: About 20 minutes

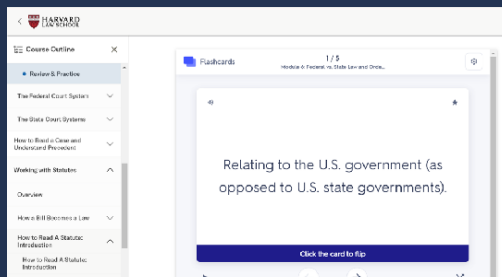
This lesson will help students understand the precedential effect of prior cases. Students will learn about the horizontal and vertical force of precedent, and how courts apply or distinguish past precedent in making decisions.

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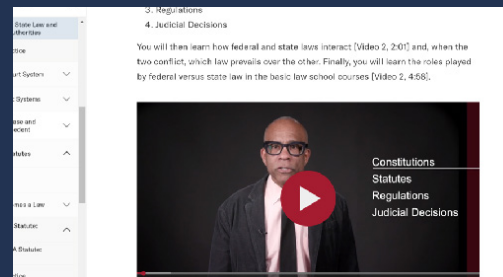
“Every pre-law student will benefit from a much more gentle on-ramp to law school.”

— I. Glenn Cohen, James A. Attwood and Leslie Williams Professor of Law and Faculty Director for the Petrie-Flom Center for Health Law Policy, Biotechnology & Bioethics, Harvard Law School

Vocabulary flashcards for quick review



Videos featuring renowned faculty



By the end of the Working with Statutes module, students will know how to locate and read statutes. They will also be introduced to some of the techniques of interpretation used by courts in trying to determine what a statute means, and to debates among two broad interpretive approaches known, respectively, as “textualism” and “purposivism.” Using the national lawmaking bodies of the U.S. – Congress and the President – as a model, students will also review the steps involved in how a bill becomes law.

Module Lessons

How a Bill Becomes a Law

Time: About 20 minutes

This lesson will help students understand the process by which a bill becomes law. We will discuss the ten steps involved, including the introduction of the bill, committee action, referral to the other chamber, and the possibility of Presidential veto. Students will learn some of the ways in which congressional procedures, checks and balances, and political realities by design make the passage of laws difficult.

How to Read a Statute: Introduction

Time: About 30 minutes

This lesson introduces students to how lawyers read statutes, and will teach students how to find enacted statutes. Using an extended example from a real statute, students will also be introduced to the common numbering pattern for statutes, the use of definitions and cross-references, and some key terms they will commonly encounter in statutes.

How to Read a Statute: Tools of Interpretation

Time: About 30 minutes

This lesson introduces students to problems created by the ambiguity of legislative language and the challenge for judges in trying to find “legislative intent.” It uses a classic example of a law – “no vehicles in the park” – to examine the difference between core (or easy) cases and hard ones. It explains how in harder cases, judges will need to rely on tools of interpretation. There are many such tools, but basic ones introduced in this lesson include:

- ✓ Ordinary meaning
- ✓ Purpose or policy of the statute
- ✓ Linguistic canons of construction
- ✓ Substantive canons (including the “rule of lenity”)
- ✓ Legislative history

The lesson explains the challenges in using each of these tools. Finally, it introduces students to two main schools of thought for interpreting statutes: Textualism and Purposivism.

The Preview of 1L Courses module will give students a sneak peek at some of the courses they will take in their first year of law school. By the end of the module, students will be equipped with a big-picture overview that will provide information about some of the topics they are likely to be reading about, and how the courses both differ from and relate to one another.

Module Lessons

The Stages of Civil Litigation

Time: About 20 minutes

Jury trials make for great drama. That is why depictions of law on TV and in the movies often revolve around trials. However, as students will learn in law school, the vast majority of civil litigation – legal disputes involving “civil” rather than “criminal” law – are resolved without a jury trial. This lesson introduces students in abbreviated form to the basic steps in civil litigation:

1. Complaint
2. Service of Process
3. Motion to Dismiss / Answer
4. Discovery
5. Summary Judgment
6. Trial
7. Motion for Judgment as a Matter of Law
8. Verdict
9. Post-Trial Motions
10. Judgment and Its Execution
11. Appeal

Introduction to Criminal Law

Time: About 30 minutes

This lesson introduces students in abbreviated form to criminal law. It covers, among other things:

1. The difference between substantive and procedural criminal law
2. The major theories of punishment
3. The division between state and federal criminal law
4. The basic elements of a crime
5. The steps of the criminal process
6. A description of the rates and demographics of American incarceration

Introduction to the Separation of Powers

Time: About 30 minutes

This lesson will help students understand the “separation of powers” (sometimes also called “checks and balances”) – how the different branches of the federal government interact – sometimes harmoniously, sometimes in tension. By the lesson’s end, students will have a basic understanding of the relative authority within the federal system of the executive, legislative, and judicial branches.

Students will learn a bit about Constitutional history, and the important role of the courts as referee between the branches. This lesson ends by giving students a brief overview of the U.S. Constitution – its main Articles and major Amendments.

Introduction to the Administrative State

Time: About 25 minutes

This lesson introduces students to the administrative state – the activities of the large number of federal agencies (like the FDA, EPA, SEC) that carry on the day-to-day work of the federal government. It discusses the Administrative Procedure Act, the most important statute in administrative law. Students will also learn some key distinctions in administrative law:

- ✓ The difference between independent agencies and executive agencies
- ✓ The main functions of administrative agencies: making binding regulations, enforcing the law, and adjudicating disputes
- ✓ The difference between informal (“notice and comment”) rulemaking and formal rulemaking

Using an extended example from a real rulemaking, students will also be introduced to some of the pros and cons of congressional delegation to agencies as well as the six basic steps of informal rulemaking:

1. Provide Notice of a Proposed Rule
2. Allow the Public to Participate by Filing Comments
3. Engage in Consideration of Comments
4. Provide a ‘Concise Statement’ that Responds to the Rule (Usually in Preamble)
5. Significant Rules Sent to White House for Review
6. Published in the Federal Register

An Historical Overview of the Constitution

Time: About 30 minutes

This lesson introduces students to the U.S. Constitution – its history, some of its key amendments, and changes in judicial interpretation. Among other things, students will learn about the Articles of Confederation, the Constitutional Convention of 1787, the Bill of Rights, the Reconstruction Amendments, the “Lochner era” and the Supreme Court’s decision in *Brown v. Board of Education* (1954). By the lesson’s end, students will understand some of the major moments in U.S. constitutional history.

Introduction to Tort Law

Time: About 20 minutes

This lesson introduces students to some of the basic features of tort law – the law of civil wrongs. It does so in part by contrasting tort law with two other subjects covered in basic law school courses (and in Zero-L): criminal law and contract law. Students will learn a bit about particular torts, such as negligence and battery, and about the distinctive way in which tort law links wrongdoing, injuries, and remedies. Finally, the lesson briefly flags some of the many interesting questions students might explore in a Torts course.

Introduction to Contract Law

Time: About 20 minutes

This lesson introduces students to some of the basic features of contract law. Students will learn about the distinction between contracts and agreements that are not legally enforceable. The lesson also briefly addresses three main topics covered in contract law courses: (1) What steps are required to form a contract? (2) Under what circumstances will courts decline to enforce agreements? (3) How do courts resolve interpretive disputes over the meaning of a contract? Along the way, students will also learn about some of the big normative debates in Anglo-American contract law.

Introduction to Property Law

Time: About 20 minutes

This lesson introduces students to property, an area of law behind many major developments in Anglo-American history. The topics students will learn a little about include: (1) the creation of property rights, and what sorts of considerations might affect when and whether something becomes property; (2) some of the major rights and powers that come with owning property (such as rights to exclude others, use property, and transfer property); and (3) the relationship between property rights and the socially beneficial use of resources.

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“Zero-L helps students build their understanding of American law and history—critical knowledge ahead of starting law school.”

— Annette Gordon-Reed, Charles Warren Professor of American Legal History,
Harvard Law School, and Professor of History, Harvard Faculty of Arts and Sciences

Downloadable vocabulary

Review & Practice

Vocabulary

What is Law?

Distinguishing legal from other kinds of rules

This vocabulary list provides students with key terms and definitions used in the course. It is designed to help students understand the basic concepts of law and legal reasoning. The list includes terms such as contract, property, tort, and criminal law. It is intended to be used as a reference tool for students throughout the course.

Comprehension checks in every module

Comprehension Check: What is Law?

These questions are designed to introduce you to some of the basic features and vocabulary of the law and legal system of the United States. In your classes, you will study, debate, and critically reflect on these topics in much greater depth.

Question 1 of 2

Which of the following are regarded as a sovereign in the American legal system?

Select all that apply:

A The government of the Seminole Tribe

In the Introduction to the Legal Profession module, students will get a sense of the opportunities and options that will be available to them after (and in some cases while) earning their law degree, as well as the skills they will use in day-to-day work as a lawyer. Consider this module a preview of some of the pathways that will be open to students, and an introduction to some of the animating values behind our profession.

Module Lessons

The Skills Involved in Giving Legal Advice

Time: About 30 minutes

This lesson introduces students to what it means to be a lawyer, with a focus on the skills involved in giving legal advice. Using an extended example from a real case, students will be introduced to the five basic steps in giving legal advice.

1. Digest the Facts
2. Spot the Relevant Issue(s)
3. Determine the Governing Law
4. Apply the Governing Law to the Facts to Generate Arguments and Probabilistic Assessments
5. Work with the Client to Understand How the Legal Analysis Fits in with the Client's Overall Interests and Goals

Lawyers: Who Are They and What Do They Do?

Time: About 35 minutes

This lesson will introduce students to the American legal profession. How can lawyers make an important difference in the world? Among other things, it introduces the following topics:

- ✓ The gap in access to legal services (“access to justice”)
- ✓ In what kinds of settings do lawyers work and what do they do? What about lawyers who do not practice law: how do they use their law degrees?
- ✓ How is the legal profession changing and likely to change further during your career?
- ✓ The importance of legal ethics and professional responsibility in the practice of law
- ✓ The demographics of the legal profession

Kinds of Lawyering

Time: About 20 minutes

This lesson introduces students to the differences between different kinds of attorneys (especially transactional and litigation attorneys) – what they do and how they do it. By the lesson's end, students will be able to understand the relative functions, skills, and priorities of various kinds of attorneys.

The Introduction to Legal Theory and Interdisciplinary Scholarship module introduces students to some of the larger theoretical questions raised by law, questions which will often be lurking in the background – and sometimes will be at the center – of readings and classroom discussions. This introduction focuses on two distinctions that students are sure to encounter early on in the semester: the difference between “rules” and “standards” and the difference between ex ante and ex post perspectives in the law. It also introduces students to how ideas from economics frequently make their way into legal reasoning.

The rest of the lessons in this module, presented as “bonus” content, give students a peek inside the scholarly side of studying law. They focus on how legal scholarship connects the study of law to the methods of other disciplines – the world of “law and...” scholarship. These lessons are not essential content for the first few weeks of law school, but they will help round out students’ understanding of different ways of tackling legal questions and problems, and give them a sense of what some of their professors might be working on beyond the classroom.

Module Lessons

Rules vs. Standards

Time: About 25 minutes

We often talk about legal “rules,” but in fact lawyers find it useful to distinguish “rules” and “standards.” This lesson will help students understand the difference between rules and standards, and their respective advantages and disadvantages in legal system design.

Ex Ante vs. Ex Post

Time: About 20 minutes

This lesson will help students differentiate between the ex ante and ex post perspectives on legal rules. Students will learn how to use both perspectives to analyze, defend, and critique legal rules.

Using Economics to Analyze Legal Questions

Time: About 20 minutes

This lesson introduces students to the way ideas from economics can be useful in thinking about law, in particular in thinking about the consequences of particular laws and proposed legal reforms. It introduces the concept of economic incentives and then provides examples of economic analysis in three areas of law students will study in their first year: contracts, torts, and civil procedure.

Bonus: “Law and...” Interviews

Time: About 30 minutes

In these videos, faculty members introduce students to the way law is often combined with other scholarly disciplines. These videos introduce students to three so-called “law and...” approaches: history, behavioral sciences, and economics.

- ✓ Law and History
- ✓ Law and Behavioral Sciences
- ✓ Law and Economics
- ✓ Economic Approaches to Law

Test Drive: Applying What You’ve Learned

Week 6

This capstone opportunity enables students to apply what they have learned in Zero-L in a final exercise that provides a perfect bridge to day one of class.

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