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# Law School Examinations: Some Helpful Hints

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# Law School Examinations: Some Helpful Hints

by Byron L. Warnken

## I. General.

**Hint #1:** There is no magic formula. The formula producing the maximum results may vary greatly from one individual to another. However, the following are suggested approaches that have been used by successful students. Keep each "hint" in mind. Make a conscious, informed decision as to each, so that you may proceed with a plan, and not by accident. Look at this list during your second and subsequent semesters, altering your plan as necessary, based upon your own experience.

**Hint #2:** Every decision must be made in terms of maximum utilization of your time and talents.

**Hint #3:** Honestly and carefully assess where you stand in each course in which you have an exam. You will be convinced that no one has as much work left to do as you have. Do not waste time in panic or in scolding yourself.

**Hint #4:** Calculate the number of productive hours that you will have between now and the last day of exams that can be devoted to exam preparation. Be realistic.

**Hint #5:** In light of #3 and #4, plan your exam preparation schedule and try not to deviate from it. If you are forced to deviate, based upon external problems or poor assessments of #3 and #4, it may be wise subsequently to make a new plan from scratch. Avoid the temptation to "think about that course tomorrow." If you do not take the time now, you may become mathematically eliminated in terms of time later.

## II. Exam Preparation.

**Hint #6: Study Groups.** Unless you have worked with a group all semester, your time will probably be more productive "going it alone." Exceptions to this rule occur when (1) you cannot be maximally productive without firm external discipline, (2) you know nothing and a group of "smarties" is willing to "take you in," or (3) you have built an absolutely solid foundation and only want to "bat things around" in an attempt to sharpen corners. This will be the rare student, and even if it is you, you must decide whether the time will be better spent on other courses.

**Hint #7: Use of Outlines.** Nothing is better than a thorough self-made outline that you have carefully developed over the course of a semester. However, if you have incomplete or yet to be started outlines, your own circumstances will influence your selection of one or more of the following options: (1) make your own outline for every course, (2) make your own outline for selected courses, (3) make outlines for selected courses or all courses with one or more other students (each student outlining one course (preferable) or all students working on all outlines), (4) borrowing outlines from current students in a given course (be Honor Code conscious; play it safe by exchanging outlines before any of you have taken any exams), (5) borrowing outlines from students who took the course in previous years (make certain that you are aware of any differences in course coverage), or (6) buy outlines, e.g., Gilbert's (poor in certain courses), Smith's Review, Emanuel.

**Hint #8: Outline construction.** Your own circumstances and the particular course will influence inclusion of the following elements: (1) briefs of your briefs, (2) class notes, (3) textual, note, and problem material from casebook, (4) hornbooks, and (5) outside citations.

**Hint #9: Studying from outlines.** Use the inverse pyramid approach.

**Hint #10: Checklist (anagram).** Where appropriate, create a checklist and commit it to memory. An anagram may be helpful.

**Hint #11: Each Professor.** Learn what each professor wants by: (1) asking the professor, (2) asking students who have taken the course with that professor, and (3) looking at the professor's old exams on file in the library. Questions have a way of repeating themselves.

## III. The Two-Week Exam Period.

**Hint #12: Master Plan.** "Plan your work and work your plan." See #5. This includes conscious decisions as to: (1) order of exams (hard to easy, easy to hard, etc.), (2) dates of exams and intervals between them, and (3) time of day of exams (day versus evening based upon certain psychological and physical factors).

**Hint #13: Write/Type.** Decide whether to write or type your exam.

**Hint #14: Problems.** Decide whether to avoid problems such as long lines on the second Saturday.

**Hint #15: Full Two Weeks.** Use the full two weeks of the exam period (unless you can maintain a 4.0 without doing so). You may wish to temper this with a one or two day safety valve for emergencies (this includes "academic" emergencies).

#### **IV. The Exam Itself.**

**Hint #16:** Synchronize your watch with the exam time clock. Otherwise, you may fail to use precious time that is yours, or you may be penalized for using time that was not yours.

**Hint #17:** Write down your anagram. See #10.

**Hint #18:** Read carefully the general and special instructions. Follow them explicitly. Avoid the temptation to "jump into" the first problem.

**Hint #19:** Determine the number of questions and approximate point values. Assume that they are all worth about the same, unless you are given: (1) point values for each question, (2) assigned times for each question, or (3) questions of great disparity in length. Assign starting times to each question. Apply the "seven minute" rule (or three minute, or five minute, or whatever). Whatever rule you impose upon yourself, stick to it to avoid getting burned by not getting to the last question.

**Hint #20:** As you write each answer, be sure to assume that your professor knows nothing.

**Hint #21: RTFQ Rule.** Approach each question by applying the RTFQ rule ("read the f\_\_\_\_\_ question") to insure that you spot the right issues, assimilate the operative facts, and answer the question that is asked. Insure a proper blend of reading time and writing time on each question. Depending upon you and the question, 25 to 50% of the time should be spent reading, rereading, analyzing, and planning your answer (including a written (preferable) or mental outline).

**Hint #22:** In writing your answer, skip every other line (and the back of each page if so instructed or requested). Write a well-organized answer from your outline. Use complete sentences and paragraphs, and make certain that you sound like a lawyer.

**Hint #23:** Write each answer applying the IRAC method (issue, rule of law, application of rule of law to operative facts, and conclusion) or the LRA method (law, reasoning, and answer).

**Hint #24: Issues.** As you spot issues, regardless of whether you are on your first, second, or third reading of the problem, immediately write down whatever is necessary to trigger that issue in your mind as you plan your answer. In addressing issues, it may be helpful to divide your answer into headings and sub-headings, if appropriate.

**Hint #25: Rule of Law.** Lay a foundation, developed in a logical manner, of all applicable rules of law. Define key terms, elements, and concepts, where appropriate. Compare against your anagram. See #10 and #17.

**Hint #26: Application.** Application of the rules of law to the operative facts is probably the most important part of your answer. Do not be conclusory. Show all of the legal reasoning that caused you to apply those facts to the law in that manner. Use a logical progression, having the second application result from the first and not despite it. Discuss all rationally arguable alternatives (unless question is asked so as to preclude one side). If you have time, explain negative conclusions, since it takes just as much knowledge to know why a relevant rule of law does not apply to the facts as it does to know which rules do apply, and why.

**Hint #27: Conclusion.** Make a conscious decision whether to put conclusion first or last. First can be dangerous because (1) your position may change in your mind during the writing of your answer and (2) a wrong conclusion may prejudice the professor against your otherwise sound reasoning leading to the conclusion.

**Hint #28:** Use the full three hours. If you finish early, review your exam, making changes and/or additions in the space between lines.

**Hint #29: Post Card.** If you want your grade as soon as possible, put a post card in your blue book addressed to occupant.

#### **V. Post-Exam.**

**Hint #30:** Do not discuss your exam with anyone (1) during the exam period (Honor Code problems) or (2) after the exam period and before grades come out (unless you want to become frustrated because someone included something that you did not).