

TAKING LAW SCHOOL EXAMINATIONS

The outline that follows is to be consulted, along with the separate handout of Example Examination Questions, while watching the video presentation.

- I. Introduction
 - II. Preparing for Law School Examinations
 - III. Types of Law School Examinations
 - IV. Classic Mistakes in Answering Law School Examinations
 - V. A Suggested Approach for In-Class Examinations
 - VI. Take Home Examinations
 - VII. Common Questions about Law School Examinations
 - VIII. After the Examination
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I. Introduction

II. Preparing for Law School Examinations

- A. Professors are different
- B. Examinations are different
- C. Prepare for the particular professor and exam in question
 - 1. Old examinations
 - 2. Instructions
 - 3. Discussing the material with classmates

III. Types of Exams

- A. Undergraduate
- B. Public Policy
- C. Kitchen Sink
- D. Role Play
- E. Multiple Choice/Short Answers
- F. Weird

IV. Classic Mistakes in Answering Law Examinations

- A. Not Knowing the Material
 - 1. Not having done the work
 - 2. Not thinking about the exam when reviewing the work
- B. Missing Major Issues
 - 1. Not answering the question that is asked
 - 2. Answering questions that you are not asked
 - 3. Failing to allocate time wisely
 - 4. Failing to break a long question down into shorter pieces
- C. Regurgitating Facts and Law: G.T.T.A.
- D. Failing to Make the Analysis Explicit
 - 1. The Problem Described

2. Reason #1 for the failure: "It is so obvious that this conclusion follows from these facts and rules; I would look stupid if I said why."
3. Reason #2 for the failure: "It is not obvious at all which conclusion follows from these facts and rules; I must nevertheless sound authoritative and make it look like the answer is clear."

- E. Failing to Acknowledge Counterarguments
- F. Not employing common Sense At The Last Stage

V. A Suggested Approach for In-Class Examinations

- A. Step #1: Focus on the question asked.
- B. Step #2: Identify the major issues that must be addressed.
- C. Step #3: Allocate time among the issues.
- D. Step #4: For each issue, state applicable law briefly; identify what is most problematic about applying that law to these facts and why.
- E. Step #5: Analyze how you would resolve the most problematic part. Identify counterarguments.

VI. Take Home Examinations

- A. Word limits are equivalent to time limits.
- B. Thinking and Analysis are even more vital.
- C. Style is more important than on an in-class examination.

VII. Common Questions about Law School Examinations

- A. What do I do when time is short?
- B. What do I do if I am totally panicked by the question?
- C. What do I do if I realize the last four paragraphs I have written are wrong?
- D. The question asks me to be a judge (or lawyer or legislator). Can I be the kind of judge (or lawyer or legislator) I want to be, or do I have to be the kind of judge (or lawyer or legislator) the professor wants me to be?
- E. What if the professor has no previous examinations available for review?
- F. What if the professor emphasizes a mode of analysis (e.g. economics or literary theory) that I find totally alien?
- G. What if the question is entirely open-ended? What approach shall I take?
- H. I see many issues in this question. How do I know which ones the professor cares about most, and will give the most credit for in grading?

VIII. After The Examination

- A. Discussing the Exam with Classmates
- B. Receiving Your Grade
- C. Reviewing Your Own Exam
- D. Visiting Your Professor

IX. Conclusion