



YLW
Yale Law Women

YLW GUIDE *to*

STUDY STRATEGIES

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Yale Law Women is pleased to bring you the YLW Guide to Study Strategies. The Guide includes tips on exam prep, study aids, and what to expect on test day. It was made possible by members of the 2012-2013 YLW Publications Committee, who created this Guide based on student input. We would also like to thank Debevoise & Plimpton for their generous support of YLW Publications.

1. Exam Prep

Studying for law school exams is not totally different than studying for other exams you've taken. At this point, you know what study methods work well for you, so stick with those! There are, however, some unique features of law school exams. Many students and professors recommend reading the book *Getting to Maybe* to get a general understanding of how law school exams work. This section of the Guide offers advice to help you understand some of the specific considerations of test-taking at YLS.

Before you dive into exam prep, make sure you understand exactly what and when your finals are. Exams can be:

Scheduled (take exam only at designated date/time/location)

Self-scheduled (take exam any time during an approved window, and often from off-campus; usually, exams that use YLS ExamWeb can be taken off-campus – but double-check with your prof)

Web-scheduled (take exam at designed date and time, but from any location through the YLS ExamWeb)

How do I begin studying?

By and large, the most common way to study for an exam is by preparing an outline. Why? For one thing, you'll find that you actually learn a lot in the course of synthesizing information. For another, the outline is a handy source to consult in open-book exams, and a key study tool for closed-book exams. Different people have different methods – and the beauty of the fall semester of your 1L year is that you'll get to experiment and figure out which works the best for you.

Typically speaking, students will cobble together an exam outline from class notes, YLW outlines, the casebook, and perhaps a hornbook (or some combination thereof). Use the syllabus as a structural framework for your outline; if the syllabus is unhelpful, try to organize your outline by topic area, casebook topic, or hornbook topic. Within each topic area, review the relevant cases, class notes, hornbook wisdom, and YLW outline (note that you may not do all of these steps for each course, which is why your prep will vary from subject to subject). Synthesize the key takeaways from all of these sources onto your outline in a way that makes sense to you. You might do this in some detail, or not, depending on the emphasis that particular subject has received in your class.

Once you've made a complete outline, be sure to review it several times. (Consider, especially for closed-book exams, making an "attack" outline that includes all the information you want to be able to recall when you're in the exam.) Take your outline for a spin by using it to take a practice exam. This way, you'll be able to fill in anything you might have originally missed.

Note that most exams will likely include some kind of a "policy question" in addition to an issue-spotter. Many professors appreciate you providing your own thoughts on these questions, rather than exclusively rehashing what they said. A good way to prep for these is to make note of themes that have reappeared throughout your class, and set aside some time to reflect on them (e.g., who do you think should bear the costs of accidents)? Policy questions are much easier if you have done some thinking that you can then adjust to the particular question posed. You might also consider consulting law review articles concerning the major "themes" in your class (e.g., formalism versus realism in Contracts) to beef up your thoughts on policy in advance of the exam.

Looking for a change in study scenery? Try:

- Beinecke Library
- Bass Library
- Book Trader Cafe
- Jojo's Coffee & Tea
- Blue State on Wall St
- Empty seminar rooms

How much detail should I know for the exam?

It is particularly important to focus on high-level themes for law school exams. After doing the bulk of your studying, spend some time thinking about the key themes of the course and understanding how they fit together.

This being said, familiarity with case names and basic rules is definitely a plus. When studying, aim to be able to provide a one-sentence summary of the holding as well as the basic fact pattern, particularly for the dozen or so most important cases covered in that course. Knowing the fact pattern will help you distinguish unlike cases or apply the same rules to similar cases. The degree of detail you should be expected to provide does depend on whether the exam is open book or closed book. For open book exams, case names should be used, although the shortened forms of cases are sufficient. In closed book exams, just describing the case is fine. However, even if not always expected, knowing the case names is beneficial because it is a time-effective way to mention something when you're racing against the clock.

Does prep vary depending on open- v. closed-book exams?

Outlining is a great way to prep for both types of exams. You'll find that you learn quite a bit as you make your outline and that a couple of read-throughs of your finished outline might be sufficient. You'll also find that in any kind of timed exam, you won't really have much time to consult outside sources, so it's good to have your concepts down in either case. For closed-book exams, as we mentioned above, consider making a shorter "attack" outline containing everything

you'd like to have memorized, read through it several times, and then test yourself by taking a practice exam.

Make sure to clarify with your professor exactly what materials you're allowed to have with you during an open-book exam. Each invents his or her own rules (e.g., some allow only course materials – casebook, lecture notes, and notes you made yourself, while others allow you to bring in ANYTHING – including hornbooks, YLW outlines, other materials you did not make yourself). If digital materials are allowed, be especially sure to ask if you're permitted to use a search function (CTRL + F) to navigate your outline. The default rule at YLS is that use of such search functions is NOT allowed unless the faculty member says it is OK.

Mnemonic devices are a great tool for both closed- and open-book exams. Typically, there will be “issue-spotter” questions with quite a few topics to pick out in each exam, so it can be a good idea to jot down all the topic areas you covered in that class at the very start of the exam – you can use this list to make sure you didn't accidentally overlook one as you review your answers. (More on issue-spotters and other exam questions below.)

How much time should I put into each outline?

It depends. (Don't you hate it when people say that?) From personal experience, while prep time certainly varied a bit according to how much work we'd already put into the course during the semester, most outlines take at least a few days of good, solid work to complete. Bear in mind, however, that you'll probably have some mix of scheduled and self-scheduled exams; space these apart, and plan for multiple days to outline for each subject between each exam.

In the words of a wise 3L, exam prep follows gas laws – each outline will take pretty much exactly as much time as you have (or make!) available. This is why it's important to set deadlines for yourself; for example, if you have two self-scheduled exams, space them out on your calendar and follow this plan (as painful as it is). You'll thank yourself for sticking to a schedule. Bear in mind that the 1L fall exam schedule is very time-crunched, no matter how you slice it (never again will you sit for four 4-credit exams in one exam period!). So don't fear if you feel like you don't have much time – you're not alone. Many students consider prioritizing some exams over others – e.g., your small group subject, or a class in which you're trying to build a strong relationship with that faculty member and want to impress them on the exam, or a class in which you found the material particularly engaging, or a class in which your professor has promised feedback or a shadow grade. As a result, don't worry if you don't give exactly equal attention to each subject – it just depends what your goals are.

When should I start studying for each exam?

We certainly encourage you to take some time to enjoy holiday tortes before Torts (groan), and to take a break for at least the night of each exams much as you think you might need to head straight back to the books for the next subject! If you're anything like us, you'll find that even while you're studying, taking mental breaks will help make your study time much more efficient

and productive. Generally, we suggest you budget about 4 days between exams, if you're able. (And don't forget to factor in the good night's sleep you're going to want to have the night before the exam!)

Should I outline for all my courses at once?

While there are different schools of thought on this, it's our strong suggestion that you focus all your energy on the immediately upcoming exam before moving onto the next (so long as you have sufficient time to study for each). Making a schedule for yourself, and treating your self-scheduled exams as scheduled ones, will help with this.

2. Study Aids

The YLW Outline Bank

It wouldn't be a YLW guide if we didn't plug this extraordinary resource – all the more extraordinary because it showcases the generosity of legions of prior YLS students. (Once you're done with your own outlines, pay it forward and upload them to the bank!) First year course outlines, particularly for courses that professors teach year in and year out (Guido, Amar, we're looking at you!) tend to be particularly comprehensive and are updated frequently. Others might be a little more dated, or in some cases, if this is the first time a professor has taught a subject, nonexistent. (In that case, an outline from another professor who teaches the same subject can still be very useful, as the syllabi will often overlap significantly.)

You'll notice that some outlines are "course outlines," others are "attack outlines," and still others are "exam outlines." Some course outlines go day by day: some even include professor jokes. Likely more useful to you at this point are exam outlines – these synthesize doctrine from hornbooks, briefs from the casebook, and theory/insight from the professor – and "attack outlines," which are shorter, punchier versions of exam outlines (especially useful for closed-book exams, in which it's impossible to memorize a 50-100 page outline, making it all the more important to know the key takeaways by heart).

If you've been diligently taking notes all semester, the YLW outlines are a great way to double-check and fill in gaps. Alternatively, if your Civ Pro notebook contains little more than two dinosaur drawings and a game of Hangman, the outline banks are a good, ahem, starting point. We wouldn't recommend going solely off an old outline, since lesson plans (and case law!) change with time. However, past outlines are a wonderful building block – and can be a great model – for your own versions.

Commercial Study Aids

Hornbooks

"Hornbook" is the catchall term for any sort of commercial study aid that is not your actual casebook. They are also used in the more specific sense to refer to legal texts that provide

summaries of a particular area of the law. Most hornbooks tend to be a few hundred pages, and they tend to be fairly comprehensive in terms of both breadth and depth of the topic.

Hornbooks can help clarify specific principles covered in class and how they fit together in the area of law as a whole. Many students find hornbooks very useful, particularly if the hornbook closely follows the class syllabus or casebook (be careful - they can also differ significantly!). Some students use hornbooks during the semester to clarify readings or reinforce class discussions, while others use them mostly during final periods to review and flesh out outlines.

The best way to choose a particular hornbook may just be to flip through several different brands and see what works best for you. *Examples and Explanations (E&Es)* and *Concise Hornbooks* are popular choices, but they are just two out of many possibilities. *E&Es* include thematic explanations followed by a series of questions and sample responses. Having practice questions for each topic can help test your understanding and avoid passive reading. *Concise Hornbooks* provide overviews of the law in a narrative form (without questions) that can help you more easily digest the bigger picture.

Treatises

Treatises are more formally written publications discussing all of the law in a particular area, such as Constitutional Law or Contracts. They vary widely in length, with some treatises focusing on a one-book summary and others spanning six or more volumes. Treatises are used as a starting point for legal research. For example, if you're trying to write a memo answering a First Amendment question, a treatise is a good place to begin for potential issues to research. You can usually find research terms to later type into Westlaw or Lexis. Some treatises include important cases you may want to look at. In general, treatises focus more on breadth than depth. The big advantage of treatises is that they purport to include ALL of the law, so they can help make sure you don't miss an issue. The disadvantage is that they tend not to cover material deeply and don't always include clear citations.

Outlines

Law outlines are a punchier type of study aid that covers the essentials of an area of law. They break each legal subject (e.g. Constitutional Law) down by topic (e.g. Equal Protection) and contain information summarizing the rules of law. While they offer less detail than treatises and hornbooks, outlines are shorter and easier to digest and can help you quickly gain a macro-level understanding of the subject.

Outlines usually track specific casebooks and synthesize the course materials to provide a concise overview of the law followed by more detailed case summaries. They also include sample issue spotters and responses. Gilbert and Emmanuel Law Outlines are two popular choices. (Gilbert tends to include flow charts and diagrams for you visual learners, while Emanuel provides more detailed summaries of important cases.)

While hornbooks, treatises, and outlines can be fantastic resources (and we encourage you to reach out to older students for inexpensive second-hand copies), don't rely on them to the exclusion of class notes. Equally as important as getting the "doctrine" down is ensuring that you've also got a good sense of the professor's take on the subject (and indeed, your professor might happen to vehemently disagree with the "real law" as understood by practitioners). A good rule of thumb is to use the hornbooks to fill in gaps or clarify doctrine, but to be sure to use them in addition to a source customized for your specific class – for example, class notes, or outlines from the YLW Outline Bank.

Past exams

Past exams can be accessed through the library website (go to library.law.yale.edu > click on "Catalogs and Legal Databases" under "Resources" > go to "Previous Exams" under "Quick Links" on the left-hand side of the webpage). Again, not all professors will have exams on file here, and some of the exams might be quite outdated. However, past exams are the absolute best way to get a sense of what a professor's testing "style" is. If your professor has not previously taught the course, a good model exam might be from a professor who uses the same casebook. Alternatively, if your professor has previously taught at another school, it is absolutely appropriate to ask him or her to e-mail out a sample of one or two previous exams. If you don't feel comfortable asking on your own, raise the question as a group (small group to the rescue!). As ever, bear in mind that exams can change from year to year, and anything your professor says about your exams should trump past examples; don't go in expecting the format to look exactly the same. Some professors may provide sample exemplars from students who have done well on their exams in the past, but this practice is not standardized.

One way to use practice exams is to review an exam before you start studying to get an idea of what you're going to be asked as you prepare for the exam. Practice exams can provide a good idea of what types of questions the professor will ask, but they are not a good predictor of the content of the exam. Once you've reviewed your notes and course materials, go back to practice exams to test your understanding. Some students get together during finals period to discuss answers to these exams. As you work exams, you can update your outline to reflect content you missed.

Coker Fellows and 2L/3L Students

Your Coker Fellows are an awesome resource; don't hesitate to reach out to them. Previous students are also a great resource – even if they haven't had your same professors, chances are they may be able to point you to someone who has. If you're completely unsure about exam study strategies – in general, or in a specific course – talking to 2Ls and 3Ls students is one of the best ways to start. (As always, please feel free to reach out to members of the YLW Board with any questions!)

Review Sessions

Most professors, particularly for black-letter first-semester 1L classes, will hold review sessions at the end of fall semester (mid-November) or during finals period (December). They will often ask students to submit questions ahead of time and use the time to clarify specific concepts or answer questions.

3. Exam Day

Look up your Exam ID

During exam period, each student is assigned a random ID number, which you use in place of your name. Please note that the ID number changes for each exam period. You can find your Exam ID by logging into the CISS website. There is a link under "exam info":

<http://ylsinfo.law.yale.edu/wsw/default.asp>.

Using YLS ExamWeb

For both scheduled and self-scheduled exams, you will follow a similar procedure. Before you start the exam, create a Word document on your laptop with your Exam ID, the date, and the subject in the header, and label it something like “[EXAM ID] TORTS EXAM FALL 2012.” Make sure you have saved it in a very easy-to-identify spot. If the exam is closed-book, you should have no materials other than your Word document and the Inside page open during the exam. If the exam is open book, have your outline open and ready on your computer (or printed and sticky-tabbed at your side). Remember: the "default rule" is that that you may not use the search function (CTRL + F) on an exam.

When you're ready to start the exam, log in to the Inside page (using Firefox or Internet Explorer). You will notice when you scroll down on your Inside homepage that each of your four courses has a button next to it labeled “Start Exam.” Click on the relevant button and follow the instructions (there are two verify screens at the end – people sometimes forget to verify on the second one, so watch out for that!). At the end of your time, or whenever you are finished, upload your Word document to the website and click “Review Exam.” Save an extra copy of the exam you just uploaded to your desktop, and do not open it after the exam is over; you will need this time-stamped copy in case anything happens in the uploading process (thankfully, this rarely happens, but just in case!).

Scheduled v. self-scheduled exams

Scheduled exams will take place at a certain time and place (although there is a mysterious and rare creature called “scheduled web,” for which you can take the exam from anywhere through

Yale VPN, but only at a specific time – e.g., 9am-12pm EST on January 7, 2013). In the first semester, if your exam is scheduled, assume you have to be at YLS to take it! Be sure to get to your exam room early – for big sections like Guido's Torts, the Registrar might have reserved a couple of rooms, so you can spread out. Bring plenty of snacks, water, earplugs (if you tend to get easily distracted), and a power cord for your laptop.

Self-scheduled exams, as their name implies, can be taken anytime, anywhere – as long as you do so before the end of exam period. You do not need to schedule them in advance. Just log-in whenever you are ready!

Longer v. shorter exams

Some professors will give 8-hour or 24-hour exams, while others (we believe most) will give 3-4 hour exams. Typically, the longer the exam, the more polished your final product should be. For example, some professors might give an eight-hour exam with the idea that you will write for four, then spend the other four refining, highlighting key concepts, and taking out the extraneous material to get down to their word limit (much to their benefit!). No professor who has given a 24-hour exam will expect you to write for the entire time period; even professors who give 4-hour exams typically do not expect this. However, between the reading, planning, writing, and proofreading, you will probably find yourself hitting the time limit for shorter exams.

Attack strategies

For both long and short exams, you will begin, of course, by reading the prompt. Take a minute to skim the entire exam first if that will help you get your bearings and decide where to start – but do not do so if it will distract you and have you thinking about the questions to come instead of the one at hand. If your professor includes short answer questions, you might answer these first before hitting the bigger essay question. This typically takes the form of a hypothetical “issue-spotter,” in which your analysis of the potential claims at issue is much more important than the answer at which you arrive (these prompts are often specifically written so that there is not one clear answer). Before answering the question, outline the issues you want to address so that your response will be organized and coherent. And then: write! Try to reserve at least ten to fifteen minutes at the end for editing (although you should rest assured that professors will hardly expect your final product to be perfect).

“What to do if...”

While chances are you will have a totally smooth, issue-free time taking your exams, if anything does happen – the computer dies, the Internet cuts out as you are trying to upload your exam, etc. – either walk straight to the Registrar’s Office (if you are in the law school), or contact the Registrar immediately at registrar.law@yale.edu (they will be monitoring this account constantly

during exam time) and by phone. If you have any kind of a family emergency (e.g., illness, your back-up childcare falls through on a snow day, etc.), be sure to contact the Registrar as well as Dean Calvert (judith.calvert@yale.edu). They are here to help you!

4. After the Exam

Following up

After exams are over, try to block off some time to reflect about what went well and what you should do differently in future semesters. 1L Fall is a great opportunity to experiment with various study aids and strategies and to learn how to take exams, without the pressure of grades. Although exams are blind-graded, you should make it a point to follow up with the professor and ask about your exam. This can be a useful way of getting to know the professor better and of learning what you did well and what you might be able to improve upon in the future.

Next semester

The best students prepare for the exam throughout the semester. Here are a few tips on keeping up with work so you can feel more prepared the next time exams roll around!

Prioritizing

Focusing on one or two classes will help you put your time where it will have the biggest impact. Decide at the beginning of the semester if you really want to build a relationship with a particular faculty member or get an H in a particular class. Devote more time to that class throughout the semester and come exams.

Reading

There are a variety of approaches to reading: just reading, briefing cases on a separate sheet of paper, writing notes in the margin, and more. Which approach is best depends on the class. Book notes, for example, are great for cold-calling but less useful for exam preparation. Some students use a YLW outline concurrently with the reading to get an idea of how the cases fit into the big picture. One student recommends doing the reading after class and using lecture notes to guide your thoughts. (However, this approach will not prepare you to participate in class.)

Outlining

Some students like to outline during the semester (particularly for classes that have closed book exams). In that case, you can use the days before the exam to memorize your outline (rather than building it from scratch). Outlining as you go can also be helpful for open book exams. Having a shorter version of the outline memorized can help with time management during the exam. However, other students say that outlining at the end of the semester is more beneficial. It gives

you an opportunity to review the material closer to the exam, and it helps you tie together themes from the full course.

Group Study

Many students recommend studying with peers. Some students form study groups at the beginning of the semester to share note-taking responsibilities for both reading assignments and class discussion. Students also found group study during finals period to be particularly helpful. You can compare answers to practice exams, and informal discussion can help solidify your understanding of difficult concepts.

There is much more to law school than doing well on exams. Even so, we recognize that test-taking can be stressful, so we hope this Guide will help clear up some questions and concerns. Good luck!