

A Quick Guide to Outlining

1. Why should I outline?

- a. An outline is a *roadmap* to writing an exam answer
 - i. Your outline should point you in the right direction to “IRAC” each issue on an exam
 - ii. Your outline should be organized around topics and the cases should fit into those topics (avoid organizing your outline around cases)
 - iii. Even if your exam is closed book, an outline will be a helpful study tool
- b. Consider using another student’s outline to help you get started
 - i. The real value of an outline comes from the process of making it: putting together an outline helps a student review the material carefully and pull together the course concepts in order see the *overall big picture*
 - ii. That said, it is fine to start with another student’s outline so long as you actively work with the sample outline: compare it to your class notes and update the outline; make sure the professor didn’t change the cases or material covered; reorganize the outline so that it makes sense to you and will be useful in preparing for and taking exams; etc.

2. When should I start outlining?

- a. You should start outlining as soon as you finish a unit or subunit, likely around Week 4 or Week 5. Break down larger units into smaller sub-units.
- b. Starting early will likely decrease anxiety, give you more time to process, and help you identify questions to ask your professors in office hours
- c. Reviewing and outlining as you go is an effective learning strategy and will leave time for practice exams at the end, which is also an effective learning strategy
- d. Goal: Finish your outlines around Thanksgiving. Then use the remaining time to review and do practice exams.
- e. DON’T WAIT UNTIL NOVEMBER TO START OUTLINING.

3. How long should the outline be?

- a. Your outline needs to be user-friendly (*i.e.*, you don’t have to have to go back to your notes because you left things out, but you also don’t want an outline that is as long as your notes!)
- b. As a generally rule of thumb, 30-40 pages is a good limit (some may be much less, and some may be more – *stay flexible*)
- c. Avoid including case briefs in your outline. Case briefs are a helpful tool to learn how to read cases and to prepare for class, but the details of a case will not be helpful on an exam. Include instead very short case summaries focused on the holding and the reasons (legal, factual, policy) for the holding.

4. How do I make sure my outline is working?

- a. Do practice problems and hypos with your outline, even if it is not complete. This will help you (i) familiarize yourself with your outline so that by the exam week rolls around, you feel comfortable using it; (ii) find the relevant information quickly, and (iii) spot any gaps that you have in your outline that need to be filled before the final exam.
- b. Don't wait until after you have finished outlining to do practice hypos and practice exam questions! Use short practice hypos as a way to help you to learn the information and to decide what to put in your outline and how to organize it.

5. How should I outline?

- a. There is no "right way" to outline: different subjects may require different types of outlines and different people may organize their thoughts in different ways
 - i. Your outline may take the "traditional" form (using bullets, numbers, lists), or it may take the form of a checklist, table, or flow chart
 - ii. Ultimately your outline should have all the information you need to take a law school exam (that is, to analyze any particular issue or respond to a policy question), but nothing more
- b. Start by gathering your materials
 - i. Start with the syllabus to set up the structure of your outline
 - ii. You can also look at another student's outline (preferably someone who has taken the class with the same professor) to get ideas for organization and structure
 - iii. You'll need your class notes (including your case briefs, in-class hypos/problems), the professor's PowerPoint slides (if any), and the casebook
 - iv. If a particular area is giving you trouble, supplements may be helpful to fill in the gaps. Pick one that you like and use that; don't get bogged down in too many supplements.
- c. What should you include?
 - i. Black letter law: statutes, codes, rules from cases, etc. Remember that at the most basic level, you need to be able to spot the issues and state rules relevant to resolving those issues.
 - ii. Cases: key facts, rule, holding, and reasoning; your coverage of the case should be proportional the amount of time that the professor spends on it in class, but not a full case brief.
 - iii. Class Hypos/Problems: hypos and class problems are not authority, of course, but they can help you understand the application or limits of a particular rule.
 - iv. Your professor's emphasis and interests: keep in mind that you are writing your exam for an audience of one: the professor! If the professor has a particular emphasis (*e.g.*, economic theory), this underlying theme should be included throughout the outline.

- v. Your professor's visual representations/charts
- vi. The overarching policy arguments underlying the doctrine
- vii. Your views on the subject: do you agree with the rules, outcome of the cases, etc.? Many times, a student can anticipate various policy issues/questions that will come up on an exam – This means that an answer to a policy question can be roughly written *beforehand!*

In sum, the most important thing to realize about outlining is that there is nothing magical about it. Familiarize yourself with law school exams (attending ASP labs is a great way to do this or look at some past exams on [the Berkeley Law Library website](#)) and then work backwards to determine what you will need in your outline to help you prepare for and take those exams.