OUTLINING WORKSHOP

Berkeley Law Academic Skills Program
MOTIVATION/FOCUS IN DIFFICULT TIMES

Health and safety come first

Self-care comes first

Your loved ones come first

Feed your soul

Focus on long-term goals
Focus on the things you can control (how much work you put into your classes), not the thing you cannot control (grades)

You came to law school to learn how to be a lawyer, not to get good grades

Focus on learning the skill of legal analysis

Practice is the best way to improve, and you get more out of it when you put more into it

Remind yourself why you are here -- what do you hope to do with your law degree?
WHAT IS “OUTLINING”?  

Outlining is a roadmap to an exam answer. Your outline provides an outline for your answer.
- Outlining is a summary of the class.
- Outlining is a collection of case briefs.
- A substitute for practice exams.
FIRST ASK: “WHAT WILL I BE ASKED TO DO ON THE EXAM?”

In an issue-spotter (essay) exam, you will be asked to:

1. Identify legal **issues** in a fact pattern
2. For each legal issue, state the **rule(s)** relevant to resolving that issue
3. For each legal issue, **apply** the rules to the facts (perform legal analysis)
4. For each legal issue, state your **conclusion**

[IRAC or CRAC]
THEN ASK: “WHAT DO I NEED TO DO THOSE THINGS?”

1. Identify legal **issues** in a fact pattern ➔ create a one-page checklist of issues

2. For each legal issue, state the **rule(s)** relevant to resolving that issue ➔ put the rules in your outline exactly the way you will write them in your exam and in the order that you will use them (e.g., basic rule first, then sub-rules)

3. For each legal issue, **apply** the rules to the facts (perform legal analysis) ➔ include case names with key facts (2-3 sentences max) and policy considerations

4. For each legal issue, state your **conclusion**
MAP OUT YOUR EXAM ANSWER IN YOUR OUTLINE

ISSUE
Basic Rule: X and Y
Sub-issue X
Sub-rule for X
Key cases/examples (briefly)
Key policy considerations
Sub-issue Y
Sub-rule for Y
Key cases/examples (briefly)
Key policy considerations
ISSUE

The issue is ___. The rule is X, Y.

Sub-issue X

The rule for sub-issue X is ___. Here, [discuss the facts relevant to sub-issue X]. The facts here are similar to [case], where the court held __, because __________. [More discussion of the facts and more case comparisons.] A court would likely conclude [conclusion on sub-issue X]. This outcome would be consistent with the policy considerations underlying rule because ____ _________________.

Sub-issue Y

The rule for sub-issue Y is ___. Here, [discuss the facts relevant to sub-issue Y]. The facts here are similar to [case], where the court held __, because __________. [More discussion of the facts and more case comparisons.] A court would likely conclude [conclusion on sub-issue Y]. This outcome would be consistent with the policy considerations underlying the rule because __ _________________.

Conclusion
HOW TO GET STARTED

1. Remind yourself outlining is not Mt. Everest. Find a chunk of time and just start doing it. Set a timer and see what you can do in two hours.

2. Use another student’s outline or the course syllabus as a template. Make the outline specific to your professor.

3. Choose a format that makes sense to you. Then start filling in the details.

4. Review your class notes and pull out the important stuff ➔ what will you need on the exam? Outline your exam answer in your outline.

5. Include cases, but not case briefs.

6. Don’t get lost in too many resources. It might be helpful to consult a commercial study aid, but you probably don’t need more than one. Same thing with sample outlines from other students.

7. Remember that an outline is a very personal tool; its value lies solely in how useful it is to you on the exam.
I CAN BARELY GET THROUGH THE READING! HOW DO I FIND TIME TO OUTLINE??

1. Now is the time to transition to spending less time preparing before class and more time reviewing, outlining, and practicing after class.

2. Ask your ASP Fellow, Prof. Hernandez, or me for tips on how to read for class more efficiently.

3. Create a schedule. Block out time on your calendar for reviewing and outlining and, later, for doing practice questions.

4. Use larger chunks of time (two hours) for outlining. Use smaller chunks of time or times when you tend to be less productive for reading.

5. Ask friends, family and/or your study group to hold you accountable.

WHEN SHOULD I START OUTLINING?

1. This weekend!
2. Don’t wait until late October or early November.
3. Goal: finish your outlines by the end of classes so that you can spend the reading period practicing and reviewing.
WHEN IN DOUBT, PRACTICE!

Practice and testing are highly effective learning methods. Passively reviewing/reading information is not.

Practice way more than you think! If you are wondering whether you should review your notes or do a hypo, do the hypo.

First work through practice questions slowly to help you learn the material and develop a systematic approach.

Later do timed practices to simulate the pressure/adrenaline.

Compare your answer to a friend’s or a sample answer – look for IRAC structure and a detailed analysis of the facts. Or schedule a meeting with Prof. Hernandez.
THE BIG PICTURE

- Read cases
- Class discussion
- Outline & do practice exams
- Take exams
RESOURCES

• Where can you find more tips and advice?
  ➔ Academic Skills Program website

• Where can you find hypos and practice exam questions?
  ➔ Academic Skills Program website

• Who can help?
  ➔ Academic Skills Program, Student Services, Berkeley Law Staff Psychologists, Tang Center