

CRUSH

THE PREPARED
LAW STUDENT'S GUIDE *to*
TACKLING FINAL EXAM PREPARATION

VINCO

HEY!

I am SO glad you decided to pick up *Crush: The Prepared Law Student's Guide to Tackling Final Exam Preparation*. Just the sheer fact that you've downloaded this guide tells me you want to CRUSH your final exams and I am super excited to give you the tools you need to make that happen. I have used the steps that I am about to share with you to help hundreds of law students navigate final exams at every level. Whether you are a 1L trying to figure out what the heck is going on or a 2L or 3L looking to amp things up, this guide can help.

Crush is meant to fundamentally change the way you study for final exams (or to give you a system to start off with). With that being said, it is completely understandable if you have some questions as you work through the steps. If that is the case, I welcome you to [join our Facebook group](#), and ask away. I am there every single day answering questions about law school and the bar exam.

Before we get into it, I just want to take a few moments to explain the difference between exams in law school and every other kind of exam you have ever taken. So, if you've already taken a law school exam feel free to skip over

this paragraph! But, for those of you who have NEVER taken a law school final, it may surprise you to know that it will more likely than not be the only grade you receive in your class the entire semester (which explains why people get a little nutty about them? #amiright?). To heighten the stress, this exam is usually graded anonymously. While law school finals can be given in many different formats, essay exams are the most popular among 1L professors. Most law school students prepare for these exams through a process called outlining; however, many students do not know how to outline effectively. This guide teaches you how to get organized and tackle that process.

Got it? Good!

So let's get moving. Here is an overview of the 5-step process that will transform the chaos you call "studying" into a perfectly polished final exam preparation system.

Step 1: It all starts and ends with the syllabus

Learn why using your syllabus to help you prepare for final exams can be a huge game changer.

Step 2: Stop! TAKE OUT YOUR CALENDAR

Find out how to avoid the “OMG THERE IS NEVER ENOUGH TIME” finals meltdown.

Step 3: Break. It. Down.

Learn how to take all that information that is swirling around in your head and turn it into easily digestible pieces of law. I like to call this the “magic making” step.

Step 4: Write it before you get there

Learn my secret weapon for acing an open book exam.

Step 5: Practice. And then Practice again.

Practice questions: where to find ‘em, when to take ‘em and why you MUST, MUST, MUST do them.

It all starts and ends with the syllabus.

Materials: *The syllabi for each of your courses, fancy colored pens (if you would rather do this on the computer that is fine too! You can use different colored text)*

Using the syllabus as your guide for final exam scheduling is SUCH an insider tip that most people do not know about. Your syllabus is one of the most crucial resources you have for final exam prep! It provides an excellent road map for your outlining process and it also helps you to determine how many sub-topics you need to break down for each class. The very first step that I always took when beginning to outline was to sit down with my syllabus and figure out exactly what things I needed to include. Let's imagine a mock Constitutional Law syllabus by way of example. Now, this syllabus is several pages long and consists of headings, subheadings, and lists of cases. We will use the headings as a guide to start (note: if your syllabus is just a random list of cases with page numbers, you can use titles of the chapters in your book for guidance instead). Say the first heading listed is "Federalism" and

under Federalism you see the subheadings "Commerce Clause, Taxing and Spending and the Tenth Amendment." I want you to draw a line at the end of the cases for each of the subheadings, because each one is a distinct sub-topic that you must break down. They are all a part of Federalism. We will get to why that is important next. Now, pretend that you also have identified Due Process, Equal Protection and the First Amendment topics of Freedom of Speech, Freedom of Religion and the Establishment Clause as the remaining sub-topics. This means you've identified 8 distinct areas of law, or sub-topics, that you need to know thoroughly for your final.

Great! Now repeat this for your remaining classes before you move on to Step #2.

Stop! TAKE OUT YOUR CALENDAR

Materials: *The syllabi for each of your courses, a few sheets of paper (or a word document) and your calendar (print or digital)*

If you are an organization and planning nerd like I am, you're going to love this step! This is where you plan out all of your outlining sessions for the entire semester. So exciting, right? I know! A lot of people get lost in what I like to call "outlining overwhelm." They wait too far into the semester to start thinking about outlining and then feel like they don't have enough time. This can all be avoided by sitting down and starting the process about one month into the semester.

Sticking with our Con Law example, you identified 8 unique sub-topics that you need to master before final exams. Now we need to group like things together into a manageable number of outlining sessions. This is another reason why the headings are so helpful as we are able to see which subtopics go together. So as we determined in Step 1, Commerce Clause, Taxing and Spending and the Tenth Amendment

all fall under Federalism. You might consider trying to outline them all during one session. Whether this is possible will depend on how many cases your professor assigned for each subject. It is important that you spend a lot of time focusing on the things that your professor emphasized in class. So if the professor gave you, say, 6 cases on a topic – chances are you will want to delve deeper into that subject than a topic where she only assigned 1 case. Also, you want to make sure you are breaking your outlining sessions up into manageable amounts of time. I would suggest scheduling about 6 hours of outlining per session. It seems like a lot of time in the beginning, but you will be surprised how long it takes to create a thorough outline. Look at how in depth you need to go on all the subheadings of one topic in order to determine whether you can outline everything under one heading in one session. Next, you should complete this step for the remainder of the Con Law syllabus until you have broken it down into approximately 5-7 sessions. Repeat this for each of your syllabi. This should give you an idea of just how many hours you should expect to spend preparing for each final. The more credits a course is the more time you will likely spend preparing for it.

STEP 2

Once you have determined how many sessions you need for each class, it is time to calendar! This step is pretty self-explanatory. However, I'm going to give you a few tips. A good time to start outlining is once you've finished all the material under one of the headings you identified earlier. For example, if you have just completed going over all of the topics in Federalism, now would be a good time to start outlining Federalism. Try to space out your outlining sessions evenly for all your classes. This means don't plan on entirely finishing your Con Law outline before moving on to your other courses. Plan to work on them in pieces so that you don't run out of time!

This system is a great way to get yourself organized for your outlining sessions; however, this method will only work if you do. You need to stick to the schedule that you set for yourself and be productive during these sessions. We will get into MUCH more detail on how to be productive when outlining in Step 3.

Break. It. Down.

Materials: *Syllabus, Case Briefs, Class Notes, Textbook, Commercial Study Aids, Other Outlines, Mindset Activity*

As I mentioned earlier, step 3 is the step where ALL the magic happens. You are about to find out how to effectively use your time during each study session that you planned for yourself in step 2. The idea here is that you will repeat steps 3, 4 and 5 many, MANY, times over the course of the semester. It is, hopefully, during this stage of final exam prep that things start to come together for you. This is the place where most students feel stressed and overwhelmed because they REALLY want to be prepared but they are just not sure how.

The first component to a productive outlining session is having the right materials. First up, you guessed it, you need your syllabus! You need the syllabus so that you can identify which cases go together. Next, you will need the case briefs that you have prepared for class over the course of the semester. You will also need any notes you took during class or any summaries you made after class. I also always like to have the textbook out during these sessions in case I need to go back and

look something up. If you have purchased any commercial study aids, you will want to have them available for this process. Additionally, if you've obtained outlines from upper level students have those out as well.

Now, a word on those last two resources: commercial study aids and other student's outlines. Most law school professors tell you to NEVER use these things, so why have I included them here? Well, I like to think of myself as a realist. I know you are going to buy study aids and I know, FOR SURE, that you aren't going to turn down an outline from a friend. I don't think these things are bad. But many students make the mistake of using them as a replacement for breaking down the material themselves. I want to be very clear on this point: commercial study aids and other student's outlines are NOT a replacement for doing the work yourself. They can, however, be helpful resources if used as part of a well-balanced outlining approach. They are the dark chocolate of a law student's well-balanced diet. You can have a small square, but not the entire bar.

I would also strongly suggest starting each of your study sessions with a mindfulness activity or meditation. Law students are REALLY

stressed. Your mind is being pulled in a million different directions which can make it so hard to focus, and outlining properly requires a lot of focus. Starting off your study session by clearing your mind and relieving some stress can allow you to make the most of your limited time. If you are looking for some tips on this, follow us on Instagram: @vinco_prep, where our Mindset Guru, Sara Roth, Psy. D., posts about mindfulness every Monday. Additionally, Vinco's Achieve program for law students includes a great 4-minute meditation to clear your mind.

Now that you've gathered all your materials and completed your mindfulness activity, what next? You start to make sense of all the law that you have in your brain. We are going to cover three specific and effective ways to break down the information. Let me be completely clear, there are definitely more than three ways to break down information. These three examples are common ways but that doesn't necessarily mean that one of these is your soul mate outlining method. As long as you are figuring out how all the cases you have read come to together to make up the law that you will need to apply on your final, you are effectively outlining.

Examples of breaking it down:

1. Traditional Outlines

- a. What: A somewhat long document organized by topic and sub-topic that usually includes a high level of detail. In my opinion, traditional outlines are most effective when they are less than 30 pages.
- b. How to Create it
 - i. Open a document on your computer.
 - ii. Put the title of the course you are outlining at the top: “Constitutional Law.”
 - iii. Start with the first broad topic: “Federalism.”
 - iv. List the sub-topics under the broad topic.: “Commerce Clause, Taxing & Spending, The Tenth Amendment.”
 - v. Under each sub-topic list all the relevant cases. “Commerce Clause: *United States v. Lopez*, *United States v. Morrison*, *Wickard v. Fillburn*, *Gonzales v. Raich*”
 - vi. Figure out how those cases work together to make up the law as it relates to the Commerce Clause. How do they build on one another? How are they similar? How are they different? This is where you will use all the materials listed above. This is the most important part of the process. Don’t skip it because it is complicated!
 - vii. Repeat for all sub-topics.
 - viii. At the end of a broad topic make a summary of how all the sub-topics come together.
 - ix. Repeat for every broad topic.
 - x. Repeat for every class.

2. Charts

- a. What: A group of one-page charts for every identified sub-topic. This is for the visual learner. Combines nicely with Step 4.
- b. How to Create it: I am sure there is some fancy pants way to create one of these on the computer, but I have always done them with good old pen to paper.
 - i. Start with a sheet of computer paper held horizontally.
 - ii. Write the sub-topic at the top of the page: “Commerce Clause.”

- iii. Break the sub-topic down into as many categories as you can and draw drop down lines. “Economic and Non-Economic activities.” You will use all your resources to figure out what these categories are.
- iv. Break your first set of categories down again and draw drop down lines. “Economic channels, instrumentalities, and things substantially affecting interstate commerce. Non-Economic larger regulatory scheme.”
- v. Repeat this process until you don’t have any more questions left to ask or categories to make.
- vi. You can put case names near the categories they represent.
- vii. At the end, group all sub-topic charts for one broad topic together.
- viii. Repeat this for every sub-topic.
- ix. Repeat for every class.

3. Road Maps

- a. What: A group of one-page break-downs for every identified sub-topic. This is the sentence version of charting. Combines nicely with Step 4.
- b. How to Create it:
 - i. Open a document on your computer.
 - ii. Write the sub-topic name on top: “Commerce Clause.”
 - iii. Break the sub-topic down into as many categories as you can: “A. Economic and B. Non-economic activities.”
 - iv. Break your first set of categories down again: “A. Economic: 1. Channels, 2. Instrumentalities 3. Things substantially affecting interstate commerce. B. Non-Economic: 1. Larger regulatory scheme.”
 - v. Repeat this process until you don’t have any more questions left to ask or categories to make.
 - vi. You can put case names and details within the categories they represent.
 - vii. At the end, group all sub-topic charts for one broad topic together.
 - viii. Repeat this for every sub-topic.
 - ix. Repeat for every class.

Want to see visual examples of each of these? Join our free Facebook group to get the examples that are exclusive for members!

**JOIN THE
FACEBOOK GROUP**

Examples of NOT breaking it down:

1. Copying your case briefs into one document and titling it “outline.”
2. Summarizing all the cases you’ve read individually.
3. Verbatim copying from a commercial outline.
4. Reading through someone else’s outline.
5. Anything that doesn’t involve figuring out how the case law works together and applies in a new situation.

At this point you are probably like “breaking it down is a lot of freaking work” and you are right! That is why it is so important to have a system and start early. There is no substitute for hard work and putting in the time. When you have the right tools and a plan, you can and will crush your finals and maybe, JUST MAYBE, keep your sanity.

Write it before you get there.

Materials: *The breakdowns you did in Step 3 and case briefs (if you did charts or road maps).*

Are you ready to learn my secret weapon for crushing open book exams? Are you sure? Okay, I'll tell you! It is called "prewriting." Prewriting is the act of writing out as much of an essay response as you can BEFORE you ever get to the exam. Sound crazy? It is actually a relatively simple step that takes a ton of pressure off on exam day. Now, don't get me wrong, prewriting can be helpful for a closed book exam as well. However, it really takes things to the next level on open book exams.

In order to successfully prewrite you need to know the components to essay writing. Most professors want to see the IRAC format (you always want to confirm with your professor how they want you to write). The letters in IRAC stand for Issue, Rule, Analysis, & Conclusion. This is the order in which you will write your response. Would it surprise you to know that you can write ALL of your issue and rule statements and half of your analysis section before you even step into your final? (Note:

this is not a comprehensive IRAC guide – if you have questions about this hop onto www.facebook.com/groups/vincoprep and we can point you in the direction of some free resources on IRACing.)

How do you actually go about beginning to prewrite? Remember wayyyyyyy back in Step 1 where we broke each class up into sub-topics? That is how! For every sub-topic you will have ONE prewrite (if you feel like the sub-topic requires more than one prewrite, as in it identifies more than one issue, you didn't break the sub-topics down far enough). One of the sub-topics we identified in Step 1 was the Commerce Clause. Here is an example of what a Commerce Clause Prewrite could look like:

Commerce Clause Prewrite

(Issue) The issue is whether Congress can regulate _____ (the activity you issue spot) pursuant to the Commerce Clause of the Constitution.

(Rule) The Commerce Clause of Article 1 Section 8 gives Congress the power to regulate interstate commerce among the several states. Congress has the power to regulate economic activities; however, Congress only has the power to regulate non-economic

activities when these activities are part of a larger regulatory scheme. Economic activities have been held to include channels, instrumentalities, and things substantially affecting interstate commerce. The activity can have a substantial affect either on it's own or in the aggregate. Non-economic activities cannot be taken in the aggregate. (You get this from the break down you did in step 3. The rule NEVER changes based on the facts so you can take your time and write it out nicely before the final as opposed to rushing to get it all out during the test.)

(Analysis) Here, (signal word that you are moving on to your analysis section).

Potential Cases You Can Use in Analysis Section

- *United States v. Lopez*: you would then give a 3-5 sentence summary of what happened in the case and how the court ruled for each case. (This is where you may need to refer back to your case briefs.)
- *United States v. Morrison*
- *Wickard v. Filburn*
- *Gonzales v. Raich*

(Conclusion) Therefore, Congress can/can't regulate _____ pursuant to the commerce clause. (Pick the conclusion that supports your

argument.)

When you prewrite for an open book final you only have to do 5 things during the test:

1. Issue Spot
2. Pick the relevant cases
3. Apply the facts to the law
4. Apply the facts to the case
5. Draw a conclusion

If you don't prewrite you will have to do a minimum of 8 things:

1. Issue Spot
2. Write an issue statement
3. Formulate a rule
4. Pick the relevant cases
5. Figure out what you want to write about the relevant cases
6. Apply the facts to the law
7. Apply the facts to the case
8. Draw a conclusion

I don't know about you, but the less I am required to do during a final exam the better! Use these tips for prewriting and never again walk into a final exam with the question "how am I going to write this?"

Practice. And then practice again.

Materials: *Practice questions (either from your professor or a commercial study aid), a watch, any materials that you will be allowed to bring with you to your final exam*

WOOHOO! Step 5! I've been waiting for you to get here. I hate to say that any one of these steps is more important than the others but if I'm being really honest, **THIS IS THE MOST IMPORTANT STEP!**

Whenever a student comes to me for an assessment of how they can improve their grades, the very first thing I ask them is "how many practice questions did you do last semester?" Almost always the answer is none, one per class or "a few" (whatever that means).

Practice questions are critical to success on finals. They are the way of testing yourself BEFORE you get to the test. This is how you are able to gauge if what you have been doing in Step 3 is working or if you need to make adjustments. The very best practice questions are ones that come from your professor be-

cause that is the person who will be grading you. Very often, professors hand out one or two practice questions during the semester. There may also be some old exams on file in the library. However, with very few exceptions, most professors don't hand out nearly enough practice questions. So you will have to be proactive about finding extra questions. This is where commercial study aids can be really helpful. They can provide you with access to hundreds of practice questions.

Now that you know you **MUST** do practice questions and where to find them, here are my **Do's and Don'ts** of practice questions:

Do – as many practice questions as you can get your hands on

Don't – only do one practice question per class

Do – take every single practice question your professor provides for you

Don't – merely outline the questions

Do – take practice questions under timed conditions

Don't – wait until the very end of the semester to begin practicing

Do – start practice questions as soon as you are finished with a specific sub-topic

Don't – use your materials to answer questions unless your final is open book

Do – take your practice questions the way you will on the final (i.e. handwritten or typed)

Don't – tell yourself “this doesn't apply to me” – it does!

Do – have a professor, academic support staff member, or mentor review some of your practice questions

Don't – become discouraged if you get a question (or 20) wrong. That is the point! You are practicing so that you make all the mistakes now and not on the final.

Do – practice questions in the format they will be in on your finals (i.e. practice essay questions for essay finals and multiple choice questions for multiple choice finals)

That's all folks!

Thanks so much for downloading *Crush: The Prepared Law Student's Guide to Tackling Final Exam Preparation*.

I truly hope you found it valuable and that you feel more prepared to tackle final exam preparation. If you have a friend who you think could benefit from *Crush* please have them head over to VincoPrep.com and pick up a copy of their own! Now go forth and kick ass on your finals.

Yours truly through law school & the bar exam,
Kerriann

STAY IN TOUCH



And don't forget to [join our Facebook Group!](#)

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