

## CHAPTER NINE

### • • Preparing for Exams

After classes end and before exam week begins, you will get some time off as a study period, which most schools call “reading week.” Reading week can last anywhere from a few days to a week or more. Reading week is a time when you have no classes to go to and no assignments to complete. During reading week, all you have to do is study.

On the days leading up to reading week, however, you will have a whole list of things to do. You’ll go to your last classes and do your last (and sometimes incredibly long) reading assignments. You’ll outline that reading and add it to your outlines. You’ll hand in your last legal research and writing assignment. You’ll go to the library and photocopy all the old exam questions and answers that your professors put on reserve for you to practice on.

When reading week finally comes, all that activity comes to a grinding halt. After running around for days trying to tie up all the loose ends of the semester, you will find yourself with only one thing to do—study. Sounds simple, doesn’t it? You’ll just get up on the first day of reading week and start studying, right?

Ideally, the answer is yes. You should get up on the first day of reading week and start studying. For various reasons, however, many students don’t do that. The transition from running around doing errands to sitting down at the desk and studying can be a difficult one. Many students are tired at the end of the semester and are not able to resist taking a little time off. Even the most industrious students can be tempted to procrastinate when they have days and days with nothing to do but study. Procrastination may take the form of lengthy and repeated phone calls to classmates to discuss “strategy” or a “Planet of the Apes” marathon on cable. Finally, even if you are in an industrious mood on the first day of reading week, you may find yourself skipping around between your subjects, putting in a lot of hours but never really feeling like you’ve learned anything.

How can you avoid these pitfalls? By having a plan worked out by the time reading week arrives. If you have a plan, you can jump right in and be productive from the very first day of reading week. To make your plan, you

need to map out how you will spend the days you have to study, both during reading week and on days between exams. This chapter will show you how.

## I. The Plan

Your plan is simple: You need a schedule. You need to schedule how you will spend your reading week days, your exam days and the days you have off between exams. When exams are about a month away, take half an hour to make your schedule. You'll need a calendar, some scratch paper and a thumbtack.

### A. Step #1: Make Your Calendar

Find a blank calendar and tear out the month when your exams are given (usually, December or May). Next, on the calendar write the name of the exam on the day it is scheduled. Those days are Exam Days. All you do on exam days is take exams. You do not study. Once your Exam Days are marked on the calendar, notice how many days you have in between exams. These are your Study Days. All you do on Study Days is study. You may have one day in between exams, you may have as many as three. Next, count up how many days you have for reading week. These too are Study Days. Finally, write down your total number of Study Days on your scratch paper.

### B. Step #2: Determine How Many Study Days Each Subject Requires

Not all your classes require the same amount of study time. You understand some subjects better than others. Some of your classes are worth more credits than others. For one reason or another, you may have studied less for one class during the semester than you did for the others. Keep these factors in mind as you divvy up your Study Days between your subjects. On the scratch paper, designate the number of Study Days you think each class requires.

### C. Step #3: Fill in the Calendar

Now you need to assign what subjects you will study on each particular day. It's easier to start at the end and work backwards, because during exam week

the rule is that on the day or days before any exam, you may study that subject and that subject only. You need to think about that subject and nothing else on the days before the exam. So fill in the days before and between exams first.

Now fill in your reading week days. How you spend these days is up to you. The only guideline is that you want to limit the number of subjects you study on any given day to not more than two. The reason is that you need time to really immerse yourself in a subject. If you flit back and forth between all your subjects in a single day, you never give yourself the chance to see how much you can learn when you really spend time with a subject.

Also, if your professor offers a review session, by all means put it on your calendar and plan to attend. Sometimes these sessions can be incredibly helpful, and sometimes they can be a complete waste of time. You will know which it is within a few minutes of sitting down. If you learn something, great. If you don't find the session helpful, leave.

#### **D. Step #4: Put Your Calendar on the Wall Where You Can See It**

Take your thumbtack and pin your schedule to the wall. Don't worry too much about whether this is your end-all be-all schedule. If you decide that one subject needs more or less attention, you can modify your plan when exams get closer. What matters most is that your plan is ready for you when reading week arrives, and you can jump right in and start studying. Each day that you accomplish what you set out to do that particular day, cross the day off on your calendar. You're one step closer to vacation.

## **II. How to Spend Your Study Days**

You're in law school—you already know how to study. But no matter how well you study, there are traps that students can fall into in their first semester, and you want to avoid them. The way to avoid them is to think about how you will spend your study time, so you can spend it as wisely as possible.

### **A. Study Days**

Absolutely unstructured, your Study Days allow you to study however and whenever you want. To make the best use of your time, it's a good idea to think about four questions: where, when, how and what you will study.

### *1. Where*

Different people study well in different places. Some people need the solitude of home to get anything done, while others would spend a day at home on the telephone or watching television. Some people like the structure of the library, with the hard chair and fuzzy ambient noise of fellow studiers. Other people like real noise, need to be around activity and do their best work in a busy café. You know who you are. Study where you will know you will get the most work done. If that's a café, fine—don't switch to library-studying now just because you think that's where you "should" be studying. Keep in mind, however, the distractions and stress involved in being near other law students who are preparing for finals.

### *2. When*

Again, people are different. Some people are morning people, others are night people. Study when you are most alert, energized and ready to learn. The only thing to think about is what time your exam starts. Don't get used to sleeping until noon every day if your exam is scheduled to begin at 8:00 a.m.—you'll be groggy. At least four days before your first exam, start getting up at the time you'll need to get up for your first exam.

### *3. How*

Because you're not used to the solitude of reading week, it's a natural reaction to want to congregate with other people to study, but watch out. Unless you have been studying with a study group all semester, this is not the time to start studying with other people. By the time reading week comes, it's too late in the day to meld into a workable group. You all have different ways of studying. You all have somewhat different levels of proficiency in the subject. You should neither waste your time teaching the rest of the group things they should already know nor scare yourself to death by talking to people who act like they know a lot more than you do. Studying is rare at these last-minute study groups. Commiseration is much more likely, because the truth is, students band together for comfort, not to learn anything. For all these reasons, you're better off being strong and going it alone. If you feel the need to ask someone questions, just call a friend and ask.

### *4. What*

You'll no doubt be happy to know that the answer to the question "what should you study?" is not "everything." You've been studying "everything" all semester. You went to class. You took notes. You consulted study aids, read your casebooks and briefed your cases. Congratulations—you're done with all that now. You don't have to look at your casebooks or class notes

ever again. Why? Because now is the time to limit your focus to your outline. Your outline contains every important thing that you learned over the entire semester, so that's all you need now. Learn the outline and you'll learn everything you need to know.

The first thing you should do as you start to study for each class is read your outline from beginning to end. Think hard about it as you go. Make sure that you understand the meaning and application of each word in your outline. A good way to test your comprehension is to assess whether you could explain each entry to a non-law student. When you're finished, read it again. As you continue going through your outline over and over, you will become more and more familiar with it. You'll be able to say the elements of a crime without looking at the page. You'll remember the test for personal jurisdiction. You'll know the format of your outline so well that you'll be able to turn to a specific section effortlessly. By the time you are finished studying for your exam, you will have put your outline to memory.

Only consult outside sources if you have a question that your outline doesn't answer. If you have a question, find the answer in a study aid or your notes, your casebook or a friend, make a note of it in your outline and move on. Don't spend any more time with the outside source than it takes to answer the question. Limit your focus to your outline.

## **B. Days Before Exams**

Days before exams are the last chance you have to study. It seems like these days would be your most grueling study days, but the opposite is actually true. You already know what you need to know. You've been studying all semester. You condensed and organized an entire semester of information into an outline and you put that outline to memory. You're already prepared to take your exam.

Therefore, days before exams are more about getting your mind ready for the exam than they are about studying for ten hours. You should go through your outline once on the day before the exam, just to get familiar with it, but the bulk of your time should be spent doing two things: (1) taking practice exams and (2) getting ready for anything.

### *1. Taking Practice Exams*

Taking practice exams and evaluating your answer is the best way to get ready to take your exam. If you haven't read the following chapter on exam-writing skills, now is the time to do it. You need to be familiar with the exam-writing rules and conventions at least a month before exams begin. The rules

will be fresh in your mind, and you can practice applying them when you take your practice exams.

To get the most out of taking practice exams, you need to take them seriously. Set aside a few hours to devote solely to the practice exams. Turn off your telephone ringer and get a clock to time yourself. Treat the questions as if they really were your exam questions and try to write the best answers you can. Don't do so many questions that you exhaust yourself, but do as many as you need to get comfortable with the subject matter, say two or three. If your exam is open-book, use your outline to answer the practice exam question. It will help you familiarize yourself with the outline and help you locate what you need quickly and efficiently.

When you're finished, read over your answers. Notice all the positive aspects of your answer, and congratulate yourself for the good arguments you made. Also take note of the things you forgot to include. Think about how you approached the question, how readable your answer is and whether you repeated yourself. Look to see whether you followed the exam-writing lessons of Chapter Ten.

Now look at the model answer. A word of caution, however: In comparing your answer to the model answer, do not be too hard on yourself. The model answer is just what it sounds like—it is either the one the professor wrote himself as a recommended answer or the very best answer in the class. Your answer does not have to be "model"; it just has to be better than most of your classmates'.

Use the model answer constructively by looking at it objectively to see how the writer approached the problem, how many issues he discussed and how thoughtful the discussion was. Think about what your professor liked about this answer. Use the model answer as a guide rather than a standard to which you compare your answer. The model answer may discuss some issues that you did not. Your discussion of some issues may be more in-depth than the model answer's. It doesn't matter. As you will see in Chapter Ten, everybody answers exams differently, and two answers that are completely different can nonetheless receive exactly the same grade. More importantly, exams are graded on a curve. To score well, you do not need to write a perfect or model answer. You just need to write a better answer than a good percentage of your classmates.

Once you have finished a couple of practice exams and have read over your answers, stop. Close your outline and put down your pen. It's time to stop studying.

## *2. Getting Ready for Anything*

For some, calling it a day can be difficult. If there's time left to study, first years tend to think that's what they should be doing. To make sure you stop

studying, you should fill the rest of your day keeping your hands busy doing practical things to ready yourself for your exam. You are already mentally prepared for your exam. Now it's time to play boy scout and prepare yourself physically. Your goal is to be ready for anything, and here's your checklist:

- • *Set out all the materials you need to take to the exam.* If the exam is closed-book, that means you only need to take your outline. You can't use it, but having it there in your backpack to answer any right-before-you-go-into-the-exam-room questions will be very comforting.

If the exam is open-book, bring everything. Bring your outline, your case book, your class notes and case briefs, study aids if your professor allows them, and anything else you can think of. You won't consult any of these things except your outline—you won't have time—but having tons of material around you is a security blanket. You'll have the comfort of knowing that you can't be stumped by any exam questions, because you'll be able to find the answer somewhere, no matter what it is. Also, your classmates will be intimidated by the sight of all your resources stacked up around you, and intimidated classmates are always a good thing come exam time.

- • *Gather up your essentials.* Take something to drink into the exam room (just watch out for a caffeine overload). Bring something to eat if you're someone who needs to eat often. Bring some pain reliever in case you get a blinding headache in the middle of the exam. Same goes for stomach ailments. Put a pair of earplugs in your backpack if you're sensitive to noise. Even if you're not sensitive, you might want to bring a pair of earplugs anyway, because you never know how you're going to feel in the middle of an exam. They may help your concentration, and they certainly will block out the person with the sniffles sitting behind you. Pack a sweatshirt in case the room is cold. Bring more of your favorite pens than you could go through in a month. In short, bring it all. The truth is, you probably won't use half the stuff you bring, but you want to be prepared.
- • *Wear a watch.* There's probably a clock in the room, but what if it's broken? Remember, the goal is to be prepared. It's essential that you know what time it is throughout your exam, so wear a watch.
- • *Bring any outside materials that your professor recommended.* Consult a friend in your class to confirm whether your professor suggested you bring any special items to the exam, such as a calculator or handout from class.
- • *Pack your backpack.* Once you've gathered all these items, pack your backpack. Double check that you've got everything. Then set out your

most comfortable outfit. Bring layers of clothes, so that you'll be comfortable if the heating or air-conditioning goes on the blink. Finally, set your alarm clock. Then set a backup alarm clock. One of the alarms should not be electric, in case your electricity goes out. This sounds paranoid, but knowing that your alarm is foolproof will help you get some sleep.

- • *Exercise.* On the day before an exam, you should get some exercise. If you exercise regularly, do whatever you normally do—run, swim, play basketball, whatever. If you don't normally exercise, go for a half-hour walk. The goal here is physically and mentally to get away from your outlines and clear your head.
- • *Relax.* When you're all done, sit down and relax. Do whatever it is you do to get your mind off law school, whether it's watching television or listening to music, reading a book or just having a beer (notice we say "a beer," not "a twelve pack"). Relax and rest your mind. Then go to bed and try not to think about the exam you have the next day. Remember, you are prepared, both in mind and body. You are ready for anything.

### • • Dicta Column

As with every aspect of law school, there a few things you do not need to worry about as you go into exam week:

- • *You're nervous.* Don't worry about being nervous? No. Do not worry about being nervous, because a certain amount of nervousness is not only to be expected, but healthy. If you weren't nervous, you weren't taking law school seriously. Moreover, a bit of nervousness actually helps your performance on exams by giving you that extra push you need to excel.
- • *Do not worry that everybody studied harder/knows more than you do.* As you already know, how much time your classmates spend studying has little or no correlation to how much they actually accomplished or learned. Thinking is the key to learning in law school. You have been thinking, so even if it looks like everybody has been studying twice as much as you, don't worry about it. It doesn't mean anything. Similarly, if you talk to a classmate before the exam and he talks as if he knows a lot more than you do or has a better understanding of the class, don't worry about it. As with the amount of hours a person studies, talk means nothing. Just ignore it and focus on yourself.
- • *That you'll freeze up and forget everything.* It's not going to happen. You've packed too much into your head to forget it all spontaneously;

it's simply not possible. If you do find yourself panicking during the exam, however, don't just sit there. Get up and walk down the hall for a few minutes. Take a deep breath and have a drink of water. Just getting out of the exam room will calm you down more than you can imagine. Take a minute and look out the window. Try to have a little perspective. Yes, law school is important, but it's not the end of the world. You know what you need to know to do well on your exam. So calm down, go back to your chair and start writing.