

# The Basics of American Law Exams

Presentation to LL.M. Class  
October 27, 2004

**DISCLAIMER:** Today's presentation and handouts are general guidelines for exam taking. Always follow advice and instructions from your professors if they conflict with what is discussed today.

## AMERICAN LAW EXAMS

At most American law schools, comprehensive exams are given at the end of each semester. A student's entire grade for the class is based on his or her performance on this exam. The exams usually last 3-4 hours and are given in essay format. The professor presents long, complex fact patterns and students are expected to discuss relevant legal issues and how they apply to the situations raised in the fact patterns. The exact format, length, and questions vary depending on the professor's preferences.

## GETTING INFORMATION ABOUT SPECIFIC EXAMS

To best prepare for the exam, you need information about the format of the exam. Start by analyzing exams given by the professor in previous semesters. Chicago-Kent's exam database is located online at [www.exams.digitalib.kentlaw.edu](http://www.exams.digitalib.kentlaw.edu). After reviewing the format, themes, questions, and instructions of these exams, ask the professor how he or she intends on structuring the exam. Examples of questions to ask the professor, include:

- Is the exam open-book or closed-book?
- What is the makeup of the questions (i.e. multiple choice, essay, short answer)?
- How long is the exam? Are the questions evenly weighted?
- Do we need to cite to specific cases or statutes in our answers?
- Do you prefer answers that just present the strongest argument or do you want an explanation of every possible argument?
- How important are policy discussions in the answer? Will there be an essay dedicated to policy issues?

## PREPARING FOR EXAMS

While studying the law, find a way to make a study guide or "outline" of the class. The guide should summarize the materials from class into a condensed format that organizes the law and its application in a logical order. Make sure to organize by topic and not by case. Your summary for each topic should include an articulation of the rule of law, explain the rule's application, highlight exceptions and variations of the rule, and make note of various examples from cases and class discussion. Try to determine how the various topics relate to one another.



## ANSWERING EXAM QUESTIONS

In general, professors are not looking for students to recite everything that they know about an area of law on the exam. Instead, professors want to test students' analytical skills by seeing how well students can find the issues raised by the facts, articulate the rules of law, apply the rules (and their exceptions) to the facts, and then make a legal conclusion. Professors emphasize the **analysis** and **application** of the law.



A student's job on a law exam is to:

1. Identify the issues raised in the fact pattern;
2. Decide which rules are relevant and state the rule and any applicable exceptions;
3. **Discuss how the rule(s) should be applied to the facts stated in the question;**
4. Present arguments and counter arguments; and then
5. State a brief conclusion by predicting how the issue is likely to be resolved and show the reasoning you relied upon to reach this answer.

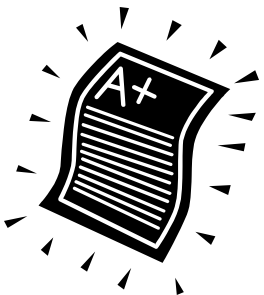
Remember it is crucial to apply the relevant law to the facts — step by step, element by element. Think about if the facts presented in the scenario are sufficient to establish each element of the rule. If not, which elements are in dispute? The disputed elements should be the central focus of your answer. Be careful to specifically state which facts support or prevent the application of the rule. If there are two rules that might apply to your fact situation, include a policy analysis and offer reasons why a court might choose one rule or approach over another.

There is no single correct answer in a law school exam. In fact, the exact conclusion you reach is not nearly as important as your ability to concisely articulate how the rule applies to the specific facts presented in the exam question.

Most students choose to organize their essays by issues and/or parties. You can use headings to distinguish the issues and then do the above analysis for each issue you find in the fact pattern.

## TAKING CARE OF YOURSELF

Law school exams and the weeks leading up to exams are stressful times for most students. Make sure to get plenty of sleep, eat well, and take frequent breaks while studying. Studies show that the average person can only concentrate for 50 minutes. After that, your ability to learn and attention span decline. Think of the exam period as running a marathon not a sprint; you need to pace yourself to reach the finish line.



Also, don't forget the study skills and techniques that you have used in the past. Remember what has worked for you while you were earning your law degree and incorporate those successful techniques into your studying here.

Good luck on your exams!

**Want more advice about law school exams?**  
Consider attending the Academic Support Program's  
*Preparing for and Taking Exams.*

Tuesday, November 9 at 11:30am in the Auditorium  
Wednesday, November 10 at 5:00pm in Room 590