



William Howard Taft
— U n i v e r s i t y —

*A Suggested Approach
to
Online Law Study*

*Juris Doctor
Executive TrackSM Program*

Directed & Independent Study

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William Howard Taft University

“A Suggested Approach to Online Law Study”

Juris Doctor Executive TrackSM Program

Directed & Independent Study

The study of law through distance learning has been a viable alternative for many individuals for over three decades. Set forth below are a few suggestions that will assist you in your law studies.

1. Establish a Study Schedule

For students in the *Directed Study* modality, the program follows a weekly schedule throughout the academic year. However, within a particular week, students are free to follow a study schedule to fit their specific circumstance.

For students in the *Independent Study* modality, the program is designed to allow the student greater flexibility in arranging their study schedule to fit their specific circumstance.

The flexibility of our programs is particularly attractive to individuals who have non-traditional work hours and/or family commitments that might prevent them from attending class or logging on at a particular time of the day.

Most successful students report that they establish a pattern of study that they generally adhere to throughout the academic year. Establishing a realistic study schedule is key in distance learning. For example, if you're a big football fan, planning to study for three hours on Monday nights might not be the best idea.

However, regardless of when you study, most successful students will not permit themselves to fall behind. While most students find the majority of legal concepts not particularly difficult, there is a great deal of material which can be tested on the final examination.

2. Study Environment

It is important to study in a quiet environment with a limited number of distractions. It is very difficult to study law in a house with small children or with a television set on in the background. Many successful students' study in a library or office.

3. Make Effective Use of Your Time

Most distance learning law students are employed on a full-time basis. Accordingly, the allocation of time is critical. If possible, it is preferable to study in relatively short periods of time (2-3 hours per day) as opposed to spending 8 hours a day on Saturday and Sunday. Do not study for more than an hour without taking a break of 5-10 minutes. Fatigue will drastically affect the comprehension ability of an individual.

"A Suggested Approach to Online Law Study"

4. Lesson Assignments

Each law course will contain a specific number of Lesson Assignments. The number of lessons will vary depending upon the number of semester units assigned to a particular course. Each Lesson Assignment is designed to be completed in one week.

Casebooks are a very inefficient way to learn the law for the purposes of meeting the learning objectives of the *Juris Doctor-Executive TrackSM Program*. Casebooks will often cover in detail the history of a rule of law and students must be cautioned that a given case in the casebook may not represent the current majority view. Nevertheless, casebooks can occasionally be very helpful if a student is unclear on a given subject after reading the other course related materials. Casebooks are also important in courses such as Constitutional Law where the majority of the law is through case law.

For purposes of final examinations, the rules of law set forth in the outlines are sufficiently comprehensive when combined with the writing and analytical skills discussed below.

5. Midterm Examination

Midterm examinations are required for first year courses and for most advanced courses. They can be a valuable tool to assess the progress of the student at the midyear point and identify problems which can be addressed prior to the final examination period.

6. Final Examinations

Final examinations will generally consist of essay questions and multiple-choice questions. Be sure to review each course syllabus for final examination requirements.

7. Know the Characteristics of Final Exam Essay Questions

No Clear-Cut Answers - Most final examination essay questions will have no clear-cut answer. Many questions will test comparatively unsettled areas of the law, or areas where two conflicting doctrines are arguably applicable. The question will be designed to test your analysis and reasoning powers, not merely your knowledge. The graders are less interested in your conclusion but more interested in how you got there. Papers reaching totally opposite conclusions can be equally outstanding. A good answer will discuss each reasonable approach to the problem before reaching a plausible conclusion.

Multiple Issues - Every final examination question will contain multiple issues. Each element of a major issue must be fully discussed. In point of fact, the major issue will often not require a lengthy independent discussion, it being nothing more than a conclusion dictated by resolution of the subordinate issues.

"A Suggested Approach to Online Law Study"

8. Approach to Answering Final Examination Essay Questions

Most students are under the misconception that you need to know all of the law before you write an essay exam. Why do students not pass their exams? Most students do not practice writing any exams before taking their final. The key to success in writing essay exams is mastering the fundamentals of essay writing. First you need to master how to read the exam, then how to outline the exam, and lastly how to transform your outline into a superior written answer.

How to read an essay exam:

Most students read an exam as if they were reading a newspaper article. You need to read the exam sentence by sentence and focus on the words that are being used. Look at the punctuation and how it is being used. Break apart the and's and or's in the sentence and look to see if you can bifurcate the sentence to find two or more issues. Look for adjectives, adverbs, and action words. You need to comprehend the exam and what the author is trying to communicate to you with the use of punctuation and grammar.

How to outline:

Most of you have heard of the IRAC method in outlining and writing an essay exam. First, identify the issue and write the issue down on your scratch paper under the "I" column. Next, you break apart the elements of the rule and list them vertically down in the "R" column. Then, you pull out the facts from the exam and match them to the elements in the "A" column. The idea is to pull out the facts that support or negate the elements you have placed in your outline. Lastly in the "C" column you conclude with a "Y" for yes, or a "N" for no. It is that easy.

How to transform your outline into a superior written answer:

Now for the easy part You take the outline that you have created and transform the outline into a written exam. You place the issue from the "I" column in your exam to identify to the reader the issue that is going to be discussed. Next, from the "R" column take the elements and make a rule of law and place that in the answer. Then from the "A" column on your outline you take the facts you have listed and tie them to the element to support your argument. That is what is called the analysis. Then from the "C" column you give the conclusion. Then the process starts all over. You then tackle the next issue that you have listed on your scrap paper and repeat.

9. Know the Characteristics of Multiple-Choice (Multi-State) Questions

Multi-state examinations are timed and proctored. Final examinations which include multiple choice questions will generally allow 120 minutes for 33 questions. Allocate your time accordingly. If time appears to be a problem, answer questions with short factual situations first. Since there is generally no penalty for guessing, always answer all questions. Students should consider the following approaches to multiple-choice questions:

"A Suggested Approach to Online Law Study"

- i. For a basic reading approach, it is recommended that students:
 - a) quickly skim over the fact situation first;
 - b) proceed to read the question carefully;
 - c) read the facts carefully again; and
 - d) select the **best** answer from the options provided.
- ii. In analyzing each question, first eliminate the clearly incorrect choices (often two alternatives are clearly wrong).
- iii. As a general rule, if two alternatives can be correct, select the narrower or narrowest correct alternative.
- iv. As a general rule, an answer that reflects a correct statement of law is preferable to an answer that states a correct statement of fact.
- v. In *Criminal Law* questions, you should be aware that certain crimes may be committed without any bad intention, knowledge, recklessness, or negligence. Examples would be "general intent" crimes such as rape, battery, and arson. Defenses such as insanity, intoxication, ignorance, or mistake are not defenses to "general intent" crimes. (The crime is the act itself).

10. Work Hard!

The key to success in the study of law is hard work, and there is just no way around this fact. You must learn how to do the reading, analyzing, and organizing that are second nature to legal professionals. Accordingly, don't allow yourself to fall into the habit of skimming on your studies throughout the year and then attempting to "cram" a course just before exams. This is a very risky approach. You must wrestle with the issues throughout the course in order to obtain the perspective essential to a real understanding of the problems involved, and to do well on your exams.

It is our hope that the suggestions contained in this approach will assist you in your study efforts, and in developing the abilities which will spell success for you in law school.

Good luck!