

**NAME**

Ep 8. Understanding exams .mp3

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**DURATION**

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**2 SPEAKERS**

Carlos

Zeb

**START OF TRANSCRIPT****Carlos**

Closed captioning for this episode is available thanks to the Office of Disability Service at the Syracuse University College of Law. Hello, everyone, and thank you for joining us again, or if you're tuning in for the first time, welcome to our academic success sessions. My name is Carlos Negron. I'm a rising 2L here at the Syracuse University College of Law and a fellow with the Office of Academic Success. ASF is what you usually hear around campus and with me is my colleague, who's also a fellow with the Office of Academic Success, Zeb.

**Zeb**

Yeah, thanks. My name is Zeb. I'm also a 2L here at the College of Law. I know I speak for both Carlos and I. When I say that we're actually really excited to do this for you and get a chance to talk to you about law school exams. Obviously, this is a big part of your law school career. So having this conversation with you guys early is really going to be great. I know for us, we really wish somebody would have had this conversation with us at some point. But you know, we can rectify that here. We've all had different experiences, especially with our first year exams. Carlos, why don't you tell us a little bit about yours?

**Carlos**

Well, my first year of law school, Zeb, I had two exams in most classes. One was a midterm and the other one was a final exam. In some classes. The midterm did not go towards my final grade, and in some classes it did. It varied, depending on the professor. But personally, exams were the only thing that I worried about throughout law school. It was the first thing I thought of when I woke up, and it was the last thing I thought of when I went to sleep. My concern over exams kind of controlled my entire life. They decided if I had dinner that day, if I have time to go to sleep, it was like the fear of God shitting you if you didn't do the study and you needed to do. But I love that fear in a way because it motivates me not to slack off. It motivates me to bring it to class every day. And after my first set of midterms, I was able to relax a little tiny bit because I knew what I could expect. But I'll be lying to you is Zeb. If I said that, that fear of of God shining me wasn't my main motivator. Still, when we were talking off air and you were telling me that that wasn't your experience at all.

**Zeb**

No, no, not at all. So my first semester fall of twenty twenty peak pandemic, I actually didn't get a chance to have any midterms. So the final was the first time that I got an opportunity to see an exam, a real time exam by a law school. So the deeper the pool? Yeah, yeah. I, you know, I essentially use the same strategies that I had used in the past along with some stuff, some two hours and three hours, he told me. But I didn't get a chance to see one. That was the first time in my life that I really wished I had an exam, because then you least get a chance to see what and you get to know what to expect if you get a chance to admit some early. Then you get a chance to know the style of the kind of questions that are going to that are going to be asked. But for me, I didn't get a chance that pleasure. I had a few hypos and practice exams here and there, but none of them feel the same. When you get a chance to have a midterm, at least you're doing it in real time. You get a grade, you get a chance to talk to your professor. And there are all these different ways of going, of going, of going about it. But you know, now that we're here, we know that there are different kinds of exams. Yeah, so there are three kinds of exams generally that we see or three kinds of questions. Let me say that there's, you know, the multiple choice. The short answer and long essay and the average student up to this point has most likely seen a multiple choice and multiple choice question before.

**Carlos**

Yeah, yeah, I think so. Multiple choice

**Zeb**

For sure. Yeah. So the common theme, though, regardless of what kind it is, is that you still have to know the law in order to apply it correctly. But I will say whatever you thought exams were at any point, this definitely isn't that.

**Carlos**

Yeah, no, it's a little bit different than any exam I had ever seen before starting law school, mainly because no matter what type of question you are. All the exams will be issue spotting exams. And all of a sudden I come to law school and one exam is just two questions and you got three three questions two questions for three to four hours. Good luck. That's your whole grade. Good luck.

**Zeb**

Yeah, yeah. So I mean, look, sometimes it's a mix. Sometimes you'll have half multiple choice, half short answer. Sometimes you just have four long essay questions. Sometimes you'll have just a few short answer questions in a bunch of multiple choice. This is a different game than from undergrad or any other experience that you've had before. Hopefully, by the end of this conversation, you're able to have a better understanding of what you're going to get yourselves into. You know, don't fret as much as you probably are going to, and we probably can't even really save you from that because you're going to stress regardless. But hopefully this conversation can help out a little bit.

**Carlos**

Yeah, a little bit is just kind of learning as you go, and it's all just part of the experience and the fact that there's a lot of multiple types of questions. It's also a good practice for what you will eventually be taken, which is the bar exam, because that will also be including a variety of different questions. But generally in law school, it'll be like that will be those types of questions. Throughout a variety of tests, and I really don't think I've ever had any tests that didn't incorporate some sort of exam essay answering, I remember I had a couple of exams that were multiple choice, but it was like a different multiple choice where one answer had to be selected. And then you had to make two selections for one question, or there was sometimes based on the facts of question six. How would you answer question nine? And then other times the professors might change one fact one little detail, one question to kind of make sure that you're paying attention to the details, even though two questions might be very, very similar. Just so sometimes it can be a little bit tricky. Some examples of how they're like that. Have you had any weird exam step?

**Zeb**

Yes, some of the tricky ones for me personally, and obviously this is completely subjective, right? Everybody is different would be when there's one big fact pattern. So a fact pattern is essentially a set of information, and it might be based on a real case scenario might be fictional, but the professor is giving you a fact pattern. So an example of that would be Zeb and Carlos are walking down the street. Carlos was intoxicated and hit and hit by a car. What claims can be filed by Carlos against the driver or by the driver against Carlos?

**Carlos**

That sounds like my tort exam, minus the Carlos.

**Zeb**

Exactly something as simple as that. So that fact pattern, right? Every time we say fact pattern, just think of a scenario in your in your in your mind fact pattern could mean literally anything you and your parents went somewhere. You're at a party or you're studying, right? So for me, the trickier exams would be where it's a super long fact pattern. A lot of moving pieces, a lot of moving details, and the professors essentially asking what claims can be filed by each side name all of the defenses. If this happens and blank happens and you have to go to that process. But either way, for me, it's hard because you're hoping that at the end of the exam you've hit all the points your professor wants you to hit. At the very least, you're hoping you hit more than the next student, right? And that's a whole different conversation as far as grading can go right because grading is a whole other thing and you're going to and you'll definitely get to that. But I would. But, you know, I think that that's something we should focus on. But what's the difference right between an undergrad examiner and a law school exam?

**Carlos**

I think for me, the one difference that I had was I had never had to use the software that we use in law school before, and I've never used exemplify before law school. And for our listeners, exemplify is a software that the law school will ask you to download on your laptop or on your computer. And it's sort of like this word processing software very similar to Microsoft Word, and you'll be able to see the exam questions on that software only there. And you'll also have a little text box in the bottom or you can put your answer down. I never used that before, and it wasn't very difficult. It wasn't very hard. It's just something that I kind of had to get used to. The first time we had used Proctor Track, I also had never used that before. How about use them? Have you ever used the Proctor Track software before?

**Zeb**

So I hadn't, and I was definitely nervous, mostly because Proctor Track, when people tell you about it, it feels like they're going to be watching one of your every moves this artificial intelligence and blah blah blah. It's all this big conversation. So you're nervous that the computer, at any point a bunch of red lights start blinking and now you failed and you can't get a chance to appeal or explain yourself. And you know, I was nervous. Do I get in trouble for looking away from the screen? What if I have to get up? Use the bathroom? If my professor tells me I can have scratch paper and I need the scratch paper for to put down contracts, information towards information, complex family trees, then I hope that the computer isn't going to, you know, ring me or fail me for looking down. And overall, I would say it was a solid experience because you've studied and you've gotten everything right. And the truth is, getting into law school is probably a lot harder than figuring out how to use Proctor Track. So that was big for me, and it was it was pretty straight for the point, and normally that was what I told myself. I said, honestly, I figured out more complex things in how to use Proctor Track like, you know, people less smarter than me have figured out how to use pocket tracking. So I'll be OK. And honestly, anybody listening to this is probably going to be OK as well.

**Carlos**

Yeah. And I think there was this stigma before, because prior to Kobe, I don't think it was a common, commonly used thing, and a lot of my colleagues felt it was sort of like you said, some Big Brother I. And that's not what Proctor tracked is Proctor Track is just a camera watching you. It's not somebody at the other end of the camera unless you do something to raise a flag. And the purpose of it is to ensure that the person who is sitting there taking the exam is the person that is sitting there supposed to be taking the exam. And it's not that person and somebody else, that person and their uncle, who's a lawyer trying to help him get a good grade in law school or something like that. Another big change for me that was that I never before worried about how to answer questions. In undergrad, if I had to answer a question, I would just go right into answering the question. In law school, that's not really a good strategy. Why don't you tell us why is that great?

**Zeb**

I mean, absolutely not, right? That's it's not a great strategy at all. Because let's say an undergrad, a lot of the exams are multiple choice. So essentially what you're doing is process of elimination. If you studied hard, you see the questions at least one of them. You could immediately knock out at least another one you can really knock out. Then you're picking through in this situation, since you're going to see a lot of short answer in essays, you're going to have to learn how to speak like the language of what your professors want to know, and every defense professor likes things done differently. But generally speaking, there are three big ones. The first one, I would say, would be in. One of the most common ones would be Iraq. Now Iraq is an acronym that stands for issue rule, application and conclusion. So after you get your set of facts about me and Carlos walking to school in a car speeding and hits Carlos right, let's say that's the set of facts. Me and Carlos walk in Syracuse law a car speeding hits Carlos. Ouch. Obviously, we don't want that to happen, but this is the nature of the podcast, so just sit down and enjoy. There has to be a relevant legal issue that you should spot, right? So you're in law school. So any set of facts, the point of it is for you to find, identify and determine what law is relevant here and then apply it. So you should think about the issue, and there's sometimes could be more in more than one issue. But let's just handle it. Let's say this is a battery issue because battery is simple. So the issue would be is a driver liable for the intentional tort of battery? Now. Then you have to think about the rule. Right, so let's say that for the rule is, you know, intentional infliction of bodily harm with the vehicle makes you liable for battery. Now you're liable

**Carlos**

For hitting me with your

**Zeb**

Life. I'm liable for hitting them with the car. Any professor listening to this is going to destroy me because I'm definitely butchering some part of this. But let's just say that that's the rule. And really, you can use this to apply to anything, right? If that's the rule and you've done all of those things, then you're liable for it. Now, now we have to look about what does it mean to be intentional? Was there a bodily contact? And then you have to apply that rule to the current situation here. The person was in control of the vehicle he or she accelerated. They saw Carlos. They hit Carlos, and that's contact to his body. So we apply it to the situation. And after you're done applying it, you have to actually conclude this is actually where we say no matter what kind of exam it is, you actually have to see the issue and know the rules that apply to that issue. Why don't you tell them about crack?

**Carlos**

Well, crack is very, very similar, but it actually means conclusion, rule, explanation, application and then conclusion again at the end and the difference between Korea and Iraq is that you lead the answer with your conclusion. If I was going to conclude that the driver did not commit a battery against Carlos, then my answer would start there. The driver would not be found liable for battery because and then I will go into the rule and I would explain that rule. I would provide an analysis or an application. Then I would conclude again at the end to remind my reader of where I went the whole time. And I know you mentioned one that was actually a little bit different. Another way that I had never heard before, I hadn't used it. What do you mean when you talk about ra ra ra?

**Zeb**

Right. So the first one we spoke about was Iraq. And at this point, you guys have picked up that R means rule, a means application. So Ra ra ra would mean rule application rule application. So some professors actually want to see the rule and then immediately after the rule, they want to see how you apply it, as it was explained to me. No professor wants to read pages of rules and then pages of applications and then have to be going back and searching for what rule is actually being applied. Right. But. That's usually how it actually has to be. Now this sounds easy, but remember that you're being timed and you're also in law school, right? So now the big thing is if each of us had a week to do exams, that would be we'd all get A's and the world would be, you know, the most perfect place in the world because you have a bunch of lawyers running around who took weeks, years, apparently 10, 15 years, to finish law school because the exams are taking a week at a time. Now, timing is everything, though, because timing really is what changes how we're approaching exams. How do you approach time? And Carlos, I remember you telling me that you have a bit of an old fashioned approach.

**Carlos**

Yeah, I'm actually very rigid in my approach that I kind of take it one question at a time. And I go in order. But at the onset of the tests, I look at the value of each question so that I make sure that throughout the exam, as I'm answering, I'm spending the most amount of time on the questions that are worth the most amount of points. I think the way you do, it can actually sometimes be a little bit smarter, though.

**Zeb**

Yeah. So on most exams, the professor's going to give you a timing suggestion, so they'll say question one should be worth 30, 40 minutes at this point, I'm sure, because the professor has done this before. I'm actually going to take 30 or 40 minutes or however long that the professor is giving me. So I take a mental note of that. I know that I have a limited amount of time. But then what I personally like to do is I tackle the questions that I know first, so I'll read every question on an exam. I'm going to do the questions that I know first. So I'm not going to spend minutes and minutes on a question that I don't know when there are other questions that I do know. So as I'm reading through them and anyone who studied has had this experience before, you can read through the first few sentences and know if you know what's going on right. And for me, I don't really want to waste my time, and I'm focused on picking up as we've clarified as many points as possible. So I do the ones I know first and I leave the ones I don't know or maybe unsure about last. I do this for a couple of reasons.

**Zeb**

The first is because I actually want to spend time on what I know to maximize the amount of points. If there are four questions, it's beneficial for me to get to perfectly right and then figure out the last two. Then for me to spend equal amount of time on all of them. And now maybe I don't give as much effort into the ones that I do know as much as I should. Now also, there's another reason, which is the bigger reason, because sometimes after you answer a question that you do know, you might realize that you needed to get a quick, warm up before you drove right into the other ones that you don't know so you might be answering. You realize something goes off in your mind. You realize, Oh, questions such and such that I didn't recognize before. It's about x y z. And now you've actually you're actually in a better position to answer the questions you didn't know because you got a chance to at least remove some of the law that you've probably been studying for the X amount of weeks out of out of your brain and you warmed up. Yeah. Yeah.

**Carlos**

And after that is when you move on to the planning part, correct?

**Zeb**

Oh, for sure. For sure.

**Carlos**

Yeah, because there is exams that can be as short as one hour, and there's also exams that can be as long as four hours. But let's say that it was an hour long exam. Does that mean, Zeb, that you're going to be spending one hour writing?

**Zeb**

No, no. Personally, I look at the question, as I said before I read the prompt, because even if the facts are a page long, normally professors ask you a pretty direct question. And when they ask you something specific, you should answer what they're actually asking you. Because the professors are reading through hundreds of papers, they're just going to be annoyed if you're just answering a bunch of stuff that they didn't, they didn't actually ask. Yeah. So once they ask me, I write down on a piece of scrap paper and I outline what I'd like to say because I know I have a limited amount of time, so I can't actually ramble, and it's probably best to be focused. That's normally how I do it. I like to do an outline on the on my questions on a piece of paper before writing anything down to the computer, especially if there's a character limit or if there's a word limit. You don't want to write aimlessly because you might find yourself writing too much and approaching the limit and you haven't said anything yet. You also don't want to answer that so hard to find, because once again, the point of the exam is for you to be it to be graded. So if you're writing and overwriting and the people can't find the answer, it doesn't really matter now. Organization exam also matters because lots of times organization could be the difference between an A and a B, right?

**Carlos**

Yeah, organization is really important, and I like to think of my answer outline kind of as a compass, because when you're reading the fact pattern and then you're reading the question prompt, you have so much material in your head. You have so many facts, so much law that you have to explain that you feel like if you get right into it, you're going to miss some valuable points or your argument might be really disorganized in law school. The argument part of your answer that the application, the A and Iraq, that's what's worth the most points. So you need to be organized and you need to be clear, like Zeb said, the professor's reading 50 to 60 exams. You can't hide the ball from the grader. You avoid that by like, like Zeb just told us, planning your your answer and outlining what you're going to say. It's a great way to stay on your compass, Zeb. You mentioned before that you have to pay attention to the call of the question why are details so important?

**Zeb**

So look, we're in law school and we're here trading. We're here training for the profession of being a lawyer, and there's a lot of details in that and you have to pay attention to them. And the issue is, as far as exams are concerned, if you read the question the first three few lines and you begin to answer it and you have never read the prompt and the prompt tells you you're in a different jurisdiction. You're finished, especially if they're rules right now, let's say. We spoke about the prompt before, right, and let's say that that prompt tells us

**Carlos**

Don't address negligence. Perfect, that's perfect for such and such person.

**Zeb**

Yeah, let's say it says, don't address negligence. Don't address assault. They might tell you this in a comparative negligence jurisdiction or, you know, something along those

**Carlos**

Lines, we could be in that jurisdiction.

**Zeb**

Yeah, this actually might save you from answering something the professor didn't ask, because if you now answer the question and all you talk about is negligence and the professor clearly told you not to talk about it, you've not put yourself in a rough position as far as when you get graded and you won't really do well on the exam. There's nothing on the exam that the professor writing by accident, so it's in your best interest to read every single piece. And honestly, this a skill that's going to be helpful for the real world. Because when you're actually in practice, you knowing all the details about the civil procedure of a certain jurisdiction or paperwork and contracts is really going to be the difference between you being a successful attorney and not a successful attorney.

**Carlos**

Yeah, you want to be detailed. You don't want to miss points and you definitely don't want to waste time. And speaking of time, at the end of writing your exam answers, what do you do, Zeb? Do you go back? Because I try to go back if I can, but I know that you have a strict rule with yourself about going back.

**Zeb**

So on exams, if a professor says you have 30 minutes to do a question, so I look at the exam, I have 30 minutes to do a question. My strategy, generally speaking, is I will take our shave 10 minutes off of whatever time frame is giving me that ten minutes is usually used for review and full transparency. I always go over and I normally don't exactly have ten minutes, but at least I know that I'm giving myself a little bit of time. I go back and I'm not looking for big, for big things I'm looking at. Did I right? Answer the prompt? Am I well organized and is there any part of the law that I missed? This is generally the time. This is generally not the time that I'm looking for typos because

**Carlos**

You've got to live with the typo sometimes. For sure.

**Zeb**

I actually I don't care. Like, if I have a couple of typos, but the above, my law and application is perfect, I'll be OK. But if my law and application are lacking and it's perfectly written, then I've actually lost because someone else actually may be applying the law the right way. And the professor is looking for how we apply the law. The professor knows that we're at a crunch for time, right? And so sometimes I really can't go back, and sometimes I've actually used up a lot of time and I and I don't really get that opportunity, but I always make a plan to try. How do you approach it at the end of exams?

**Carlos**

Well, at the end of exams, I always try to save a little bit of time, if I can, to go back. But when I do go back, I don't go back and restructure things. I go back and I strictly check a small things like checking my grammar, making sure that if I have any typos, I can fix quickly. If I need to reorganize something quickly to make it flow a little bit better and clear it or understand. I do, but I try to stay away from touching any content, like you said earlier. There's a point where you just can't go back and you can't waste any more time. You can't. You don't have any more time to spend. You're almost out and it's time to submit your test. I think when you're going back to review things, you can't work on content, it's too late for that. You just have to live with it. There's never going to be enough time to write the perfect answer, but you can write an answer that you can be sort of happy with. Sometimes that's a win. Other than that, I think that pretty much covers everything we wanted to talk about with future law students about exams. Is there anything else that that you want to add before we go?

**Zeb**

Yeah, I would say this, and this is probably a big one. I didn't get a chance to talk about it earlier. Some of you are going to have there's a trap the professors do. That's the open book trap. The open book trap. The Trap is that you may think that because it's open book, I don't have to learn anything. I just have to have the book in front of me and I'll be OK. Be OK. This is false. You should always approach exams as if they were going to be closed book because if you have to look up every question on an open book exam, you're in trouble or dead because as we said before, you're being timed. So a safe approach would be that 70 percent of the information you should know cold. And the other 30, maybe you have to look up, just know that when a professor gives you an open book exam, it essentially is going to be a relatively difficult exam because a professor knows a professor knows you have all the information in front of you. If you don't understand it, then you just don't understand it. No book can save you. Just think about it like this. If open book exams were were for some reason inherently easier, we can pick up anybody off the street, give them a law a law book, give them a law, book exams, and they should be able to figure it out. But we know that that's not the case. So you try to know the information as best you can and don't walk in essentially feeling like you're going to rely on the book for the whole exam. Just know that treat it like it's a closed book. Examine that's kind of the best advice I can give. And the last piece of advice I would be to say breathe and relax. The minute you open it, the minute I open an exam, I usually take a second, take a few deep breaths.

**Carlos**

Yeah, you just focus yourself and then execute.

**Zeb**

Yeah, yeah. Because exams are high stress. So sometimes those few seconds help you get focused, get some oxygen into your brain because the exam feels like I mean. Some of us and a lot of people listening, you've worked your whole life to be here, so you feel like your whole life is dependent on this exam, so breathe, take a deep breath. Think happy thoughts. I guess you're prepared to be here, and the fact that you're all you've all been accepted means that the school knows you're prepared to be here and they're betting on you just as much as you're betting on yourself. So kind of take that and run with it. How about you? Do you have any advice for them?

**Carlos**

I think I agree with you. One hundred percent said exam time. It's not the time where you're going to be learning the law. This is game time. You're here and it's time to perform. I know I spoke earlier about the fear during exams and before exams that it's my driving force, but I also have to let you know that once I get to the exam, once I see the first question, that's it. I feel like I have made it to the Super Bowl and I can relax because I've done all the things that I need to do in order to play in the Super Bowl. And everybody that is listening to us, we'll be taking a law school exam at some point and they're going to feel I'm prepared for it. You will, and that's totally normal. But if you're here listening to us now, you're already on the right track because you're preparing and you're doing things that you need to do in order to do well. When you get to the exam, you will be ready. You can do this. Don't get too in your head. Everyone has the opportunity to do well, but that concludes our session for today. Zeb is always a pleasure talking with you. Thank you to all our listeners who join us today to learn a little bit about what to expect in law school exams. We hope to see you at our next episode, and if you have any questions, feel free to stop us on campus and ask.

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