Welcome to our podcast on learning tips and retention. In this podcast we will discuss tips to help you remember more information and perform better on law school exams.

My name is Steven Foster, and I'm the Director of Academic Achievement at Oklahoma City University School of Law.

My goal is to give you practical advice for day to day learning to help you improve performance on final exams. Law school final exams are difficult because they don't look exactly like your classes. Your classes tend to go through cases. You talk about the facts from the case and what the rules are. Then the final exam doesn't ask you about the case or the individual rules, the law school final exam is a hypothetical. It’s a new person, a new client, or a new situation, and your job is to take what you've learned to determine whether or not someone has committed a tort, formed a contract, or whatever else you learned in class.

To be able to address a hypothetical, you have to remember the underlying legal principles. It's not sufficient to just know the underlying principles, but it is necessary. As an example, you must know the elements of battery to then determine whether or not someone committed a battery.

To reach your goals, I'm going to talk to you about improving retention to be able to recall it later.  I have 3 major strategies for retaining information:

Spaced Repetition;

Testing Effect; and

Cognitive Schema

We begin with spaced repetition. Numerous studies show that we immediately start forgetting information right after we learn it. If you have a significant other or someone that you're around that says you always forget what they say, they’re probably correct because as soon as we hear information we start forgetting it. If individuals don't engage in any repetitions within 24 to 48 hours, they will forget nearly everything that they've heard or learned. The best antidote to forgetting, is spaced repetition.

The problem in law school is that you go through an entire semester with little to no assessments. Some classes have a midterm but many classes consist only of a final exam. What you learned on the first day of law school is tested on the midterm, the final, and the bar exam.

Many times, students don't remember that information which makes studying for the final exam extremely difficult.

Spaced repetition incorporates periodic studying throughout the semester. The repetitions improve retention, and ultimately, improve results because you work through the material numerous times similar to working out multiple times a week instead of just once.

While the practice will help you retain information, it tends to not be the most comfortable study method. Spaced repetition includes shorter repetitions throughout the semester.  Students are uncomfortable because they don’t feel they master the information in one sitting.

For spaced repetition, you do the first repetition within 24 hours, then each subsequent repetition can be in varying lengths getting farther and farther away from each other.

For example, the first one is at the end of the day, the next one can be a couple days later, the next repetition after that can be a week later then it can be a couple of weeks, and then further and further along.

I will give the disclaimer here, the difficulty with spaced repetition is in law school you're learning new material on a daily basis. So, having the continued repetitions of everything becomes time-consuming. That being said, doing space repetition is going to make a huge impact on your knowledge walking into final exams and the bar exam.

Here's how to use it in law school. First, I highly encourage you to review your notes and reading notes immediately after class. It can be later that night but you should review those notes within 24 hours of class.

After the first repetition, you should update your outlines weekly for as many subjects as possible. If you're able to update your outlines weekly after you've done your repetition immediately after class, by the end of the week you've done the initial  couple repetitions.

The last tip is to include reviewing your outline before you update them. For me, reviewing what I did before adding more material helped me put the material together in my head. It is also another repetition. The continuous studying throughout the semester will lead to improved retention for final exams and the bar exam.

The second learning tip is to use the testing effect. The testing effect is exactly what it sounds like. It is testing yourself to see whether or not you know the material. I will warn you now, it is not the most comfortable form of studying. Most law students are type “A” and don't like getting questions wrong, and unfortunately, the testing effect is based on missing questions to learn what you don’t know. The testing effect is engaged when we try to force ourselves to retrieve information. After we try to force the retrieval, make sure to get feedback on the correct answer. As long as we receive feedback, forced retrieval will help us remember the information. Testing is harder work than just rereading an outline, but it also makes stronger neuro pathways to retain the information longer.

Here are a few ways to engage the testing effect in law school.

The most obvious method is exam-like practice questions. You can use any supplement that has multiple choice questions, you can look at your professor's old essays, you can also use the substantive CALI Lessons, or you can look at other professors’ essays. Any of those is going to work.

You can engage in testing in a number of other ways as well.

Flashcards engage forced retrieval.

Write battery on one side of the Flashcard and try to come up with the elements of battery. Write contract on one side and you have to come up with the steps to form a contract. Write the answers on the other side. Always check your work.

One method I used in law school is to stand up and walk around the house trying to say my outline out loud. Try to force yourself to retrieve it and then look to see whether or not you were correct.

You can also write your outline on a whiteboard without looking at it.

All the studies indicate that, while students feel more comfortable rereading, forced retrieval enhances long term retention. The key ingredient to forced retrieval is the immediate feedback. Make sure to check your answers.

My last tip is to create your own cognitive schema.

This one sounds a little different, but you use this technique in life all the time. A cognitive schema is just an organizational structure that you use to retain information.

For example, you learn that battery includes 3 elements. When you learn about one of the elements, you attach the information in the correct place within your internal organization. It's just like organizing your garage. If you have a garage that's in disarray, you won’t know where to put a new tool. You’ll throw it into a random drawer and never find it again. However, if you are the person that has the peg board on the garage wall that has the tools outlined, then you know exactly where to put something every time. Nothing is lost. Organization for information works the same way.

For law school, the organization is the course outline. I highly encourage you to make one on your own. You can obviously review supplements for help, but making your own will help with retention, as long as they're mostly correct. You obviously can't create a battery cognitive schema that has the wrong information in it, but if the information is correct then you will remember it longer. People remember information they create their own organizational pattern for. Trying to learn someone else’s schema is more difficult. That is why buying someone else’s outline doesn’t normally work as well as creating your own.

An outline is merely an organizational tool to determine whether hitting someone in the face is a battery. You can create flowcharts, outlines, mindmaps, or any other tool that will help you reach a legal conclusion based on a new set of facts.

When we have a cognitive schema, I encourage reviewing it throughout the semester to engage in spaced repetition. Use the testing effect to see whether or not you remember the schema and all of the information in it.

If you use these three tips when you are studying information throughout the semester, you should retain more of the information for the final exam and the bar exam in a few years.  Knowing the law is the first step to succeeding on law school final exams. Good luck on your finals.

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