Passing the Bar: A Quick Reference Guide For Today’s Law Student
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Making Memorization Materials

Commercial bar review companies will generally tell you that you can memorize from their outlines alone, and therefore making your own study materials is a waste of time. Most people, however, find that relying solely on the bar review outlines as they are written is not enough – they have to make the materials their own in some way. Active engagement is critical to real learning. (Remember that reading alone is not sufficient, as discussed in the *Unlearn What You Learned About Learning* chapter.) It is important to engage in a process of making/working with your study materials every day. Think ahead to the last two-to-three weeks when you will be memorizing. What do you want to have ready for that process?

You will not have time to both create and use study materials at the end of the bar study period, so you have to make them as you are going through the study process. You will learn a tremendous amount of material with each new lecture, and you should be finished with your study materials before you leave each subject (which means every one to three days, depending on the subject). Therefore, you need to work quickly and efficiently.

The method you followed in law school to make the perfect outline, (or the best flashcards), may not work now. Your goal is not perfection. Your goal is usable. Do not get lost in outlining all day every day. **If you are spending more than three or four hours per day during bar study on creating study materials, you need to change your approach.** It is imperative that you leave time for practice questions every day.

Use the bar review lectures as a guide for what you should focus on. Only use the bigger outlines from your bar review company for reference. The lecture handouts/notes will include the most heavily tested material, and that should be your foundation. As you practice essays and MBEs, you should add rules that you learn from those practice questions to your outline/flashcards/charts. If you have questions, get them answered now, as you are learning the material. You can look up the answer in your bar prep materials, read an answer explanation closely, ask your commercial bar review company, or ask your school’s bar support personnel. Don’t wait until the very end.

Make the study materials that work for you and your method of learning. That might mean that you have more than one kind of study material – an outline and a large flow chart, for example. It is best for the learning process if you make it yourself. But, if that takes too much time, or if you did not make your own study materials during law school, find a way to make the bar review company's materials your own in some way. Write on them. Draw out diagrams and examples. Record yourself reading an outline, and listen to yourself during your commute, in your downtime, or even while you are sleeping. The process of working through the lecture material after the lecture will help you synthesize and solidify the material. This process of learning, understanding, and beginning to internalize the material is the first step towards memorizing.

The key is to find a balance – don't skip the study materials, but don't spend all of your time trying to make them perfect.

The good news is that the bar examiners don’t know what is in your outline. Unlike in law school where your professor was expecting to see the rule exactly as they taught it, the bar examiners are grading essays by bar takers who took a variety of commercial bar review courses and used a wide range of study materials. Your wording on an essay does not need to be the exact phrasing of the rule that was in your outline. You need to understand the concepts, and remember key legal words. If you can do that, even if you don’t remember the exact wording of a rule from your outline or flashcard, you will earn enough points to pass. The bar examiners want to know that you know how to spot issues and analyze facts like a lawyer. Thus, you need to actually understand the concepts, not just memorize them. Memorizing the law is just one step, but it is a crucial one.

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