

## Outlining FAQs

Keep this resource handy for quick and easy answers to many of your questions about outlining and other forms of graphic organization!

### *First, the basics:*

- **What makes a “good” outline?** An outline is a synthesized document that contains all the information from a particular class that you will need to prepare you for the exam. An outline is “good” if you can rely on it as a study tool to earn the grade you want in the class. Therefore, outlines are very personal — and will look different from student to student and class to class.

Since effective outlines can look very different, it’s hard to say definitively what makes a “good” outline. But there are some common pitfalls to avoid:

- Don’t just copy/paste all your notes and briefs into one document without organizing the material into some kind of structure.
  - Avoid structuring your outline chronologically or by using cases as main headings. Instead, organize your outline around the rules.
  - Don’t skimp on the substance. If a good outline is measured by how effectively it can be relied upon to study for exams, then it should contain all the details that you’d need to include to get that “A” on the final.
  - Make sure your outline is user-friendly. You don’t want to create an unwieldy document that you can’t read through (several times) during your exam review period. Avoid repetition and make sure your outline doesn’t contradict itself — the last thing you want is for your study guide to confuse you right before exams.
- **How do I know if I have a “good” outline?** Honestly, you won’t know for certain until exam day, when you walk out of your final feeling like you were totally prepared and completely aced it! In the meantime, though, you can test your outline by completing lots of practice questions. If the answer to every multiple-choice question is somewhere in your outline and you can easily use the document to methodically discuss each step of analysis for all the practice essay questions you complete, chances are you’re working with a solid outline! (Also note that many professors and academic support professionals are happy to take a look at your outline to make sure you’re on the right track.)
  - **Can’t I just use a commercial outline or this really great outline I have from an upper-level student who got an “A” on the exam?** Sure, you can use that Emanuel’s outline or your mentor’s outline from last year, but do not rely solely on someone else’s work product. Creating your own outline is (at least) half of your exam study process — it’s when you figure out how everything you’ve learned over the course of a semester fits together and how you’d approach organizing your answer on an exam question. If you skip this step, you’re putting yourself at a huge disadvantage, and you run the risk that, while you may know the rules, you won’t necessarily understand them (which, after all, is what you’re being tested on).

## About Creating Outlines:

- **When should I start creating an outline?** The best approach is to wait until you've finished covering a substantive topic in your course. When outlining, you're synthesizing all those cases that you read on a particular legal doctrine to come up with one overarching approach to analyzing an exam question on that topic. So, if you're currently covering adverse possession in class, but have only discussed the cases on "actual possession" and "exclusive possession," and not the other elements to an adverse possession claim, it's too soon to start outlining adverse possession.

**IMPORTANT NOTE: Don't wait too long!** Outlining is a time-intensive task that requires a lot of brain power. It's best to break your effort up into manageable chunks throughout the semester to avoid burnout at the end of the term (right before you need all the mental energy you can muster to study for exams). The goal is to be done with your outlines by the last day of classes so you can use them to study for exams. If you're still creating outlines during the exam review period, there will not be enough time to master the material contained within your outline and to adequately practice before exam day.

- **What resources should I have at the ready when I am outlining?**
  - *Time:* When you sit down to outline your first topic in a course, it's going to take a couple of hours, so make sure you've planned for uninterrupted time to do your best thinking.
  - *Energy:* There are certain study tasks that you can do when you're not at 100% of your mental energy — synthesizing all your course material into one organized, usable framework is not one of them!
  - *Attention:* Outlining is one of those tasks that tends to make your brain hurt. You can't effectively do it while bingeing a show or baking cookies. Make sure that when you set aside time for outlining, it's time for only outlining.
  - *Course Materials:* You will need your casebook, syllabus, handouts, slides, supplemental reading assignments, class notes, and briefs to create your course outline.
  - *Study Aids:* Study aids can be very useful resources as you try to figure out how all the material you've learned over the course of a semester fits together. Take a look at the **Which Study Aid Should I Use?** handout for suggestions on supplements that can help with outlining.
  - *Sample Outlines:* Outlines from upper-level students can be helpful resources when you're stuck trying to figure out how to put together all the pieces of the puzzle or to check your work when you've finished a chunk of an outline to ensure you're on the right track.



### TIP: I'm stuck. What should I do?

If you begin outlining your course material and find that you are stuck or lost, visit your academic support professional! They will be able to provide loads of meaningful guidance. And if you are confused about the law, your professor should be able to help you figure things out.

- **This is overwhelming. Where do I start?** Start by making a skeletal outline and build up from there. Use the table of contents and syllabus from your course to guide you, but don't feel like you are married to the structure of these resources — the more detailed you can be when breaking down a concept, the better!

## Sample Skeletal Outline

- A. ADVERSE POSSESSION**
  - 1. Definition**
  - 2. How to Use AP**
  - 3. Policy**
  - 4. Elements**
    - a. Actual Entry**
    - b. Exclusive Possession**
    - c. Open & Notorious Possession**
    - d. Hostile**
    - e. Continuous for Statutory Period**
      - i. Tacking**
      - ii. Tolling**
  - 5. Result of Application of AP**

- **What if we talked about different jurisdictional approaches to a rule?** The short answer: include them both in your outline. But make sure to highlight the majority approach and note if your professor has a preference.

- a. Actual Entry**
- b. Exclusive Possession**
- c. Open & Notorious Possession**
- d. Hostile:** Possession must be adverse to the true owner under a claim of right by the possessor.
  - 1.** Objective test (majority approach): Do the possessor's words and actions look to the outside world to be claims of ownership of the land?
  - 2.** Subjective test (Prof's preferred approach): Does the adverse possessor have a good faith belief that she has title?
- e. Continuous for Statutory Period**
  - 1. Tacking**
  - 2. Tolling**

- **How detailed should I be when adding rules to my skeletal outline?** Pretty detailed. Remember, your goal is to use this outline as a study guide for final exams, so it should include all the information that you'd need to earn an "A" on the test.

- Actual Entry**
- Exclusive Possession**
- Open & Notorious Possession**
- Hostile**
- Continuous for Statutory Period**
  - Continuous** possession doesn't have to be 24/7/365. It just requires a use of the land that the average owner would make of the particular kind of property.
    - Seasonal Use: Use of a summer home or hunting cabin for these purposes would be sufficiently continuous use even if occupancy is only for intermittent periods throughout the year.
    - Abandonment: Continuous use can be broken if the possessor intentionally relinquishes the property for any period of time.
      - \* If adverse possessor returns after abandonment, statute starts again.
  - Statutory periods** vary – Prof says statute of limitations will be provided in the question.

- **How do I incorporate cases into my outline?** Cases should be inserted into your outline as examples of how the rules are applied. That's it. You do not need to incorporate your entire brief into your outline — just enough information to jog your memory regarding the relevant facts and the court's holding.

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    - Seasonal Use: Use of a summer home or hunting cabin for these purposes would be sufficiently continuous use even if occupancy is only for intermittent periods throughout the year.
      - Visiting rural land in Alaska several times to "fish, gather berries, clean the premises and play" over the course of the 13-week warm season was sufficient to establish continuous use. *Nome 2000 v. Fagerstrom*.

- **Beyond rules and cases, what else do I need in my outline?** If you talked about a hypo in class that you found particularly illustrative of a rule, include it as an example in your outline. If your professor focuses a lot on policy, make sure to include an explanation of why the rule makes sense in our society (or doesn't). You can also insert diagrams, charts, and pictures if they help you to understand the rules and how they are applied. And don't forget handy mnemonics or other memorization tricks!
- **How long should my completed outline be?** Your large course outline for a semester's worth of material should be between 30 and 60 pages. (The length will vary based on the course and the professor teaching it.) This also depends on the number of units (or credits) assigned to the course. (The more units, the more substantive material covered in a semester.) Also take into consideration font size, font type, and margin size. This recommendation is based on Times New Roman 10-12pt font size.
- **What is an "attack outline"?** It's an outline that structurally reflects how you would attack an essay question on exam day. It shows the steps that you would take to analyze a question on a particular topic and includes all the black letter law you would need to do so. A tried-and-true method for exam preparation is to create an attack outline (usually around 10 pages, give or take) from your larger outline and then learn the material on the shorter outline backwards, forwards, and inside out.
- **Am I ever done outlining?** Not until exam day! Your outline is a living document that you should revisit, edit, and add to as your understanding of the course material deepens. You may also find when you start doing practice questions that your outline is lacking in places (add more detail) or contains superfluous information that you know won't be tested on the exam (get rid of it). Make sure to fix any mistakes and clarify any points of confusion to ensure that you have a grade A study guide at your fingertips by the close of the semester!
- **Is group outlining a good idea?** It depends. Are you creating the outline as a group? Then it's probably fine, if you understand the content in the outline and use it to conduct meaningful practice. You should not assign the members of the group to each outline a different course, with the goal of exchanging the outlines with one another (so that each member of the group only creates one outline), for all the reasons that it's important to generate your own outlines. And if you notice you are spending more time socializing than outlining, or still do not understand legal concepts and need to work through them on your own time, then do not wait for the group to start your outline. You can always use the study group to check your work.