



# MSLAW Academic Support

## Successful Strategies for Culling the Rule of Law from a Case

- Getting your case briefs done is a great start, but simply knowing what happened in a case is by no means enough for law school success. To succeed in law school and on the bar exam, you must be able to “see the forest from the trees:” you must recognize that each case is assigned in order to illustrate a legal concept, and that each legal concept (rule of law) you cull from a case is an important part of the black letter law you’ll have to know for your essay exams. Keep the “big picture” in mind: for each case, discern what rule of law the case illustrates and then figure out how that rule of law fits into your overall course outline.
- Don’t get hung up on the facts. You’ll likely have to read hundreds of pages of case law for each of your law school classes, and your professors will likely call on students to testify to the facts of each case. Your mastery of the facts may help you in class, but it likely won’t help you on an essay exam; rather, you have to know the law that you’ve culled from each case and then apply it to the fact pattern that your professor has asked you to analyze.



- Understand that not all cases are going to give you the same type of information, and that various cases may differ in terms of their significance to the course. What information should you be seeking? You could make an analogy to seeking advice and learning from the people around you.
  - Some landmark cases are very important: they contain key standards, for example, or were the first to address a key legal issue—think of these cases as “advice from your parents,” there to show you the most important points you’ll need to know for your exams. Just as your parents gave you advice on many different aspects of life, these landmark cases are in the casebook to illustrate many aspects of a topic: tests and standards, various precedents, policy

discussions, maybe even dissents and concurrences. With these important cases, you must make sure you cull all of the significant points that the court makes, and then reduce them to a concise yet comprehensive outline to study for your exams.

- Other cases are in your casebook to illustrate more narrow propositions, such as the definition of one element or part of a rule—think of these cases as “advice from your teachers,” there to teach you a very specific subject or topic that you’ll take with you and then move on. With these cases, you should ensure that you cull the narrow proposition(s) the case stands for, learn it, and learn to apply it on your exams.
  - Still other cases are there to show you the exception to the rule—think of these cases as “advice from unlikely places” that you can take with you and discuss on your exams only when necessary.
- Learn to discern the court’s holding from the court’s reasoning and the case’s disposition. Focus on the following questions as you try to discern the rule of law illustrated by the case:
    - What does the case stand for?
    - Why are you reading the case?
    - What rule of law is the case trying to impart?
    - What specific sub-part, variation, or limitation on the rule does the case address (if applicable)?
    - Why is the case in your book?
    - Why did your professor assign the case?
    - How will you fit the case’s holding into your course outline?

Excerpted from *1L BootCamp* by Michael L. Coyne, Joseph Devlin, Ursula Furi-Perry and Peter M. Malaguti (2009).