

Outlining and Flowcharting In Casebook Courses

Many study aids explain how to outline and flowchart in courses where you use a casebook. This article offers some additional thoughts.

Some students do better with outlining. Others do better flowcharting. Some students outline some parts of a course and flowchart others. Use the method that works best for you.

Start outlining or flowcharting no later than the third week of classes.

A casebook course is broken down into units. For example, you can tell one unit is ending and another is beginning when you hear a Contracts teacher say, “We’ve just finished offer and acceptance, and next week we’ll start consideration.” Offer and acceptance is a unit, and consideration is another unit.

Do the offer and acceptance part of your Contracts outline or flowcharts *as soon as that unit ends*. Don’t wait until later. Do it *immediately*, while the subject is fresh in your mind. If you wait, your class notes won’t mean as much to you as they do at the moment that unit is over. And when the teacher has finished consideration, do *that* part of your outline *immediately*.

Don’t make one big outline. Make several smaller outlines — one for each unit. Stitch them together to make an outline for the course.

Making outlines and flowcharts is more valuable than *having* them. If you use someone else’s outline or flowcharts, you are getting less than half the value. When you make them, you teach yourself how to use what you are learning.

When you outline or flowchart, the casebook’s table of contents is your best friend. The table of contents collects the casebook’s chapter and section headings in one place. There you see the big picture — an overview of the entire course. Those section headings are the beginning of an outline.

A flow chart poses a series of questions to ask yourself where the facts suggest a particular type of issue. For example, if you need to figure out whether a state has personal jurisdiction over a particular defendant, start by asking questions like these:

Ways of Getting Jurisdiction over a Defendant

1. Does the defendant reside in the forum state?
 - ➡ If yes, that state has general jurisdiction over her — jurisdiction to adjudicate any claim against her.
2. If the defendant does not — or might not — reside in the forum state, does she have jurisdiction-creating contacts with the forum state?
 - ➡ If the answers to the three of the questions below are all yes, the forum state has long-arm jurisdiction over the defendant.
 - a. Does the forum state's long-arm statute cover both her and the claim?
 - b. Does she have minimum contacts with the foreign state in at least one of the following ways?

(List here the types of minimum contacts that courts have upheld in the cases in your Civ Pro casebook.)
 - c. Does the claim arise out of those contacts?
3. Alternatively, was the defendant served with the summons and complaint while she was in the forum state?
 - ➡ If yes, the forum state has tag jurisdiction over her.
4. Alternatively has the defendant contractually agreed to jurisdiction in the forum state?
 - ➡ If yes,

If a lawyer were confronted with a personal jurisdiction problem, the lawyer would find the solution through questions like these. During an exam, you'll solve problems in similar ways.

Be careful. The questions and answers above oversimplify personal jurisdiction. If you make a personal jurisdiction flow chart, *it will have to be much more complicated than this example.*