

Students can learn to improve their results on divisions of powers exams. There are certain typical mistakes that contribute to lower marks. The most important mistakes students make are:

- missing critical issues in analyzing the examination problem;
- addressing critical issues in a superficial manner, and/or
- writing an unclear answer.

Questions that present a fact pattern and require students to analyze various legal issues are called "issue spotters". Typically, issue spotters present students with a story line and require students to "Advise X". To answer an issue spotter:

1. Read the question carefully and identify all of the issues raised in the problem
2. Make a careful outline detailing how you will deal with each issue.
3. Prioritize each of the identified issues in your outline.
4. Within your outline, for each issue, develop the arguments for helping X's case and that harm X's case,
5. Select cases that support each of the arguments.
6. Identify areas within each of the issues where the applicable case law does not fully resolve the problem. (Your professors often try to bring out issues for which the cases provide no clear or not very clear answers, in order to exercise your analytical skills).
7. In each area, identify constitutional principles, policies, theories, doctrine and academic writing to support your arguments, particularly where the cases provide no clear answer.
8. Where there are complexities, identify them. Show how to resolve the complexities.
9. Apply the cases, arguments, principles and policies identified above to resolve each of the important issues in the fact pattern.
10. Try to leave time to edit your answer to improve clarity. Reorganize your answer for a logical flow. Simplify your answer. Add headings to help guide your reader. Make the written answer easy for the reader to understand. Communicate simply, clearly, agreeably.