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## THE USE OF THE REVIEW METHOD WHEN TEACHING CRIMINAL LAW

As many lecturers point out, review is critical to student learning. Given the amount of material to be covered and the challenging skills to teach and have students practice, review can easily be seen as too time-consuming for class, relegated to each student's own, independent, unguided efforts. Such an attitude is a mistake, considers Andrew E. Taslitz, Professor of Law Howard University School of Law. He provides several arguments. First, each class session tends to focus on one doctrine or skill. These isolated matters make little sense disconnected from the bigger

picture. Review allows students to see the forest for the trees. They can come to understand the broader analytical structure to which each doctrinal brick contributes. They can also see how different aspects of the law interrelate. For example, studying early in the course how to identify a «result» element in a statute means little absent later, fuller discussion of causation. Results require proof of causation, whereas attendant circumstances, mental states, and voluntary acts do not. Yet students cannot fully understand many other aspects of the course without early on identifying results elements. Thus, the MPC defines mental states as to results differently than those relating to acts or attendant circumstances. Result identification must thus be taught before students are ready for the more complex discussion of causation [1].

The author highlights that students first learn how the prosecution must prove its case in chief. But they will not truly understand the moral structure of the criminal law until they also study affirmative defences - those that result in an acquittal even though the state has proven every element of the crime beyond a reasonable doubt. Yet by the time teachers cover affirmative defences, students might have forgotten details about proving the case-in-chief. They will not really appreciate the connection between the case-in-chief and affirmative defences without reviewing both in a single context.

Review aids memory, as the author thinks. Students do not retain all they have learned from a single exposure. Review also occurs at a time when students are better able to see interconnections. As just noted, highlighting interrelationships itself improves memory.

As review covers multiple topics at once, it necessarily requires using more complex fact patterns. The added complexities stretch students' analytical skills beyond their previous comfort zone.

The author dwells on the fact that review can be done in many ways. It can be helpful to schedule one class mid-semester to use a complex problem solely for review. This reminds students of the essential building blocks studied before moving on to constructing the higher floors of the course's analytical architecture. Review at this stage also allows students early on to identify gaps in their

understanding at a point where there is plenty of time to fill them. However, the author thinks that doing such a full-class review more than once per semester starts to create conflict with coverage concerns[1].

He also mentions that a series of briefer reviews can occur throughout the course by building some earlier issues into problems focusing on new material. Thus, a rape problem might include an unusual statute silent on mental state but giving students the legislative debates and other background needed to explore what mental state the legislature intended. That same problem can also ask students what the mental state should be under common law mistake- of-fact principles. Additionally, the problem might ask them what the mental state should be under the MPC mental state default provisions. A problem on distinguishing between first-degree and second-degree murder might likewise incorporate duty-to-act issues from the course's first few weeks.

According to Mr.Taslitz,assigning one long or two short practice midterms can further promote review. Review can be enhanced further by handing out sample answers, perhaps combined with optional review sessions[1].

The author offers to use multiple-choice questions for review as well. One class on a new topic might require briefly reviewing two or three multiple-choice questions covering a topic from the immediately preceding class or from several classes earlier. This review can be done occasionally. Alternatively, multiple-choice and essay or brief answer questions can be posted online - alongwith the answers and explanations - toencourage students' review on their own.

Therefore, the key point of the author is review and repetition must be woven into a course repeatedly throughout the semester and need not necessarily be a time sink.

#### List of references

1. TaslitzA. E. Strategies and techniques for teaching criminal law [Electronic Resource] : - Mode of access:  
URL:[https://www.wklegaledu.com/File%20Library/Faculty-Resources/Criminal%20Law/Taslitz\\_CriminalLaw.pdf](https://www.wklegaledu.com/File%20Library/Faculty-Resources/Criminal%20Law/Taslitz_CriminalLaw.pdf). - Title from the screen.