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FREE RESOURCE

The Complete Beginner's Guide to LLB Success

Everything a first-year law student needs to know before their first lecture

KNOW THE LAW. OWN THE ROOM.

NOTE TO STUDENTS

These notes are a study aid produced by The Legal Vault. They supplement but do **not** replace your lecture notes, prescribed texts, relevant statutes and legislation, and reading the cases in full. Always verify citations and section numbers against the primary sources before relying on them in assessment.

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1. What LLB Actually Is -- and What It Demands of You

The Bachelor of Laws (LLB) is one of the most demanding undergraduate degrees you can pursue. It is not a memorisation exercise. It is a training in how to think, reason, argue, and write like a lawyer. Students who approach law school expecting to memorise rules and repeat them in examinations consistently underperform. Students who learn to reason legally -- to identify issues, apply rules to facts, and argue conclusions -- consistently succeed.

Law school demands four things of you:

1**Independent Reading**

You will be assigned cases, statutes, and academic articles to read before every lecture. The lecture builds on that reading -- it does not replace it. Students who do not read before lectures fall behind quickly and never fully catch up.

2**Critical Thinking**

You will be asked not just to state the law but to evaluate it. Does this rule make sense? Is this decision correct? What are its implications? You must develop the habit of questioning what you read.

3**Precise Writing**

Legal writing is not casual writing. Every sentence must be precise, every argument must be supported by authority, and every conclusion must follow from the analysis. Vague, imprecise writing loses marks.

4**Consistent Effort**

Law cannot be crammed. The volume of material is too large and the skills too complex to develop in the week before an examination. Consistent, daily engagement with the material is the only approach that works.

KEY INSIGHT

A good lawyer is not one who knows all the law. A good lawyer is one who knows how to find the law and how to apply it. Your degree is training you to think and reason -- not to memorise.

2. How Legal Reasoning Works

Legal reasoning is the process of applying legal rules to facts to reach a conclusion. It is the core intellectual activity of lawyering and the core skill tested in every law examination. Understanding how legal reasoning works before you begin your degree gives you an enormous advantage.

Legal reasoning has three components:

2.1 Identifying the Legal Issue

The first step is to identify the precise legal question raised by the facts. Not every fact is legally relevant -- you must learn to distinguish the legally significant facts from the background noise. The legal issue is always framed as a question: "Is there a valid contract?" "Did the defendant act negligently?" "Is this provision constitutional?"

2.2 Identifying and Stating the Applicable Rule

Once the issue is identified, you must identify the legal rule that governs it. The rule may come from a statute (an Act of Parliament), from a court decision (case law), or from both. You must state the rule precisely and support it with the appropriate authority (citation of the case or statute).

2.3 Applying the Rule to the Facts

This is the most important and most difficult step. You must explain, systematically and thoroughly, how the rule applies to the specific facts of the problem. Do not simply state the rule and then jump to a conclusion -- the application is where the analytical work is done and where most marks are won or lost.

COMMON MISTAKE

The most common error in student legal writing is jumping from the rule directly to the conclusion without doing the application. Always ask yourself: have I explained WHY the rule leads to this conclusion on THESE specific facts?

3. How to Read a Court Judgment

Reading court judgments is a core skill in law school. You will be assigned dozens of cases to read during your degree. Many students find case reading difficult at first -- judgments are long, the language is formal, and it is not always clear what matters. Here is a systematic approach.

Step 1 -- Read the headnote first

The headnote is the summary at the beginning of a reported judgment. It tells you the key facts, the legal issue, and the court's decision. Read it to orient yourself before reading the full judgment.

Step 2 -- Identify the facts

What happened? Who are the parties? What did each party do or fail to do? What dispute arose between them? You need a clear picture of the facts before you can understand the legal analysis.

Step 3 -- Identify the legal issue

What legal question did the court have to decide? This is usually stated explicitly by the judge, but sometimes you have to identify it yourself from the context.

Step 4 -- Find the ratio decidendi

The ratio decidendi is the legal principle based on the material facts of the case that was essential to the court's decision. It is the binding part of the judgment -- the rule of law established by the case. The ratio is what you will cite as authority in your written work. Everything else the judge says is obiter dictum -- relevant but not binding.

Step 5 -- Understand the significance

Why does this case matter? Does it establish a new rule? Does it modify an existing rule? Does it resolve a conflict between earlier cases? Understanding the significance of a case in the broader legal context is what separates a good student from an average one.

PRACTICAL TIP

Always read the judgment itself -- not just the headnote or a summary. The headnote is a starting point, not a substitute. Examiners ask about the reasoning of the court, not just the outcome, and that reasoning is in the full judgment.

4. Understanding the Hierarchy of Courts in Botswana

Understanding the court hierarchy is essential because it determines which decisions are binding on which courts -- the doctrine of judicial precedent (*stare decisis*). A court is bound to follow the decisions of courts above it in the hierarchy.

Court of Appeal

The highest court in Botswana. Its decisions bind all courts below it. Hears appeals from the High Court.

High Court

Has unlimited jurisdiction. Hears serious civil and criminal matters at first instance and appeals from lower courts. Its decisions bind magistrates' courts and customary courts.

Industrial Court

Specialist court for employment and labour matters.

Magistrates' Courts

Handle the majority of criminal and civil matters. Senior magistrates' courts have broader jurisdiction.

Customary Courts

Apply customary law in matters between persons subject to customary law. Presided over by the kgosi or headman.

KEY PRINCIPLE

Stare decisis means "to stand by what has been decided." Lower courts must follow the decisions of higher courts. This is what makes the law predictable and consistent.

5. The Sources of Law You Will Encounter

In your LLB at the University of Botswana you will work with several categories of legal sources. Understanding what each source is and how it relates to the others is foundational.

5.1 Primary Sources

- **The Constitution of Botswana 1966** -- the supreme law. All other law must be consistent with it.
- **Acts of Parliament (Statutes)** -- legislation passed by the National Assembly and assented to by the President.
- **Subsidiary Legislation** -- regulations, rules, and notices made under the authority of an Act of Parliament.
- **Case Law (Judicial Decisions)** -- decisions of the courts, which create binding precedent through the ratio decidendi.
- **Customary Law** -- the unwritten law of the Tswana and other communities, applicable in personal and family matters.

5.2 Secondary Sources

- **Textbooks** -- scholarly works that explain and analyse the law. Christie on Contract, Schapera on Tswana Law, Fombad on the Botswana Legal System.
- **Journal Articles** -- academic articles in law journals that analyse specific legal questions.
- **Law Reports** -- published collections of judicial decisions. The Botswana Law Reports (BLR) is the primary series for Botswana cases.

CITATION NOTE

When you cite a case in your written work, use the full citation: party names, year, volume, law report abbreviation, page, and court. Example: Attorney-General v Dow [1992] BLR 119 (CA). This format is non-negotiable in legal writing.

6. How to Structure Your Study Routine

The most common reason law students underperform is not lack of intelligence -- it is poor study organisation. Law requires consistent, structured engagement with a large volume of material. Here is a proven approach.

Weekly Routine

1	Read Before Every Lecture Identify the cases and materials assigned for each lecture and read them before you attend. Even a 20-minute pre-read transforms your ability to follow and participate.
2	Take Structured Notes During Lectures Do not try to write down everything. Write the key principles, the key cases, and the key arguments. Your notes should capture the structure of the law, not every word spoken.
3	Consolidate the Same Day Within 24 hours of each lecture, review your notes and consolidate them with the readings. Fill gaps, add case citations, and ensure you understand each principle before moving on.
4	Weekly Review At the end of each week, review the entire week's material. Test yourself: can you state the key principles? Can you identify the ratio of each case? Can you explain how the principles relate to each other?
5	Practice Writing Regularly write out answers to past exam questions or problem questions. The ability to write a well-structured legal answer is a skill that can only be developed through practice.
STUDY TRUTH	<i>Reading once is not studying. You need to read, consolidate, review, and practice writing. Students who only read -- without testing themselves or writing -- consistently underperform in examinations.</i>

7. What Examiners Are Actually Looking For

Understanding what examiners want is not about gaming the system -- it is about understanding what good legal analysis looks like. Botswana LLB examiners are looking for the following:

In Essay Questions

- **A clear, direct answer to the question asked** -- do not write around the question. Answer it directly in your introduction.
- **Accurate statement of the law** -- every legal proposition must be supported by a case citation or statutory reference.
- **Critical analysis** -- do not just describe the law. Evaluate it. Does it make sense? Is it consistent? Has it been criticised?
- **Logical structure** -- your essay must have a clear introduction, body (developing the argument), and conclusion.
- **Precision of language** -- every word must be chosen carefully. Imprecise language costs marks.

In Problem Questions

- **Issue identification** -- identify every legal issue raised by the facts. Missing an issue costs marks even if everything else is correct.
- **Accurate rule statement** -- state the applicable rule precisely, with authority.
- **Thorough application** -- apply the rule to every relevant fact. Do not assume the application is obvious.
- **Clear conclusion** -- give a direct answer to each issue identified.

EXAMINER'S VIEW

An examiner reading your answer is asking one question: does this student understand the law and can they apply it? They are not looking for a student who has memorised the most material -- they are looking for a student who reasons well.

8. The IRAC Method -- Your Most Important Tool

IRAC -- Issue, Rule, Application, Conclusion -- is the fundamental framework for answering any legal problem question. Master it and you have mastered the structure of legal analysis.

I	ISSUE Identify the precise legal question raised by the facts. Frame it as a specific, answerable question. Example: "The issue is whether a valid contract was concluded between the parties."
R	RULE State the legal rule that governs the issue. Cite your authority (the case or statute). Example: "A valid contract requires consensus, capacity, legality, and possibility of performance. SA Railways v National Bank 1924 AD 704."
A	APPLICATION Apply the rule to the specific facts. This is the most important part. Engage with every relevant fact and explain how the rule applies to it. Do not jump to a conclusion.
C	CONCLUSION State a clear, direct answer to the issue. Example: "Accordingly, a valid contract was concluded between the parties when the acceptance was communicated on 3 March."
THE APPLICATION PROBLEM	<i>90% of students who struggle with IRAC fail at the Application. They state the rule, then immediately state the conclusion. The Application requires you to connect the dots -- to explain WHY the rule leads to your conclusion on THESE facts.</i>

9. How to Manage Assessments and Examinations

9.1 Continuous Assessment

Most courses at UB Law are assessed 40% continuous assessment (tests and assignments) and 60% final examination. Your continuous assessment marks are your safety net -- they can make the difference between passing and failing. Treat every test and assignment as seriously as the final examination.

9.2 Time Management in Examinations

- Read the entire paper before writing a single word. Understand what is being asked.
- Allocate your time by marks. If a question is worth 30 marks in a 3-hour paper, spend no more than 54 minutes on it.
- Answer every question. A partial answer always earns more marks than no answer.
- Start with the question you know best -- it builds confidence and momentum.
- Leave time to review. Even 5 minutes of review catches errors that cost marks.

9.3 Examination Technique

- For essay questions: write a clear introduction that states your thesis, develop your argument systematically, and conclude directly.
- For problem questions: use IRAC for every issue. Identify every issue -- missing one costs marks even if everything else is correct.
- Never pad your answer. Examiners are not impressed by volume -- they are impressed by precision and accuracy.
- Cite your authority. Every legal proposition must be supported by a case or statute.

EXAM TRUTH

Students who fail law examinations almost always do so for one of three reasons: insufficient preparation, poor time management in the exam, or failure to answer the question actually asked. Avoid all three.

10. The Habits That Separate Top Students from Struggling Ones

After years of observing law students, certain habits consistently separate those who excel from those who struggle. These habits have nothing to do with natural intelligence -- they are choices.

- **They read before lectures**
Top students treat pre-reading as non-negotiable. They arrive at each lecture already familiar with the material, which means they can engage critically rather than just trying to keep up.
- **They brief every case**
Top students write a brief case summary for every case they read: facts, issue, ratio decidendi, significance. This process forces active engagement with the material.
- **They write regularly**
Top students practice writing legal arguments regularly -- not just before examinations. Writing is a skill developed through practice, not a talent you either have or do not.
- **They form study groups**
Top students discuss the law with their peers. Explaining a concept to someone else is one of the most effective ways to test and consolidate your own understanding.
- **They use office hours**
Top students visit lecturers during consultation hours to clarify difficult concepts. This is a free resource that most students never use.
- **They manage their time ruthlessly**
Top students do not leave work to the last minute. They have a weekly schedule and they stick to it.
- **They take care of themselves**
Top students sleep, exercise, and eat properly. Academic performance is directly linked to physical and mental wellbeing.

11. Your First Week Checklist

Use this checklist to make sure you are set up for success before your first week of lectures begins.

Before Your First Lecture

- Obtain the course outline for every module you are registered for
- Identify the prescribed textbook for each course and obtain a copy
- Create a weekly timetable showing all lectures, tutorials, and self-study time
 - Register for access to the UB Law Library and familiarise yourself with SAFLII (www.saflii.org)
- Create a folder (physical or digital) for each course
- Read the first assigned reading for your first lecture

During Your First Week

- Attend every lecture and take structured notes
- Read all assigned cases and materials before each lecture
- Begin a case brief book -- brief every case you read
- Introduce yourself to at least one lecturer during office hours
- Form or join a study group with classmates
- Complete all assigned readings by the end of the week
- Review and consolidate your notes from each lecture the same day

You are now ready.

The LLB is demanding. It will require more of you than most other degrees. But it is also one of the most rewarding intellectual experiences available. The students who succeed are not necessarily the most naturally gifted -- they are the most consistently prepared.

The Legal Vault exists to make sure you have everything you need to succeed. Free resources, full course notes, case summaries, and exam guides -- all built specifically for UB Law students.

NEXT STEP

Visit thelegalvault.online for full course notes, IRAC worked examples, case summaries, and more resources designed specifically for University of Botswana LLB students.

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