

Answering Law School Exam Questions

The following is a suggested template or approach to use when answering law school essay exam questions. Consider using four steps to answer an essay test question.

I. First Reading

Read the facts through to see which legal issues they seem to raise.

Read the question asked very carefully until you understand it. The question controls and restricts the scope of your answer. When the scope of the question is broad [like Describe the legal issues arising from these facts or Please state whether a court is likely to find liability] then your answer can cover a number of issues. On the other hand, if the question is narrow [like what kind of damages are available for breach of the contract in this problem or did the court have personal jurisdiction over party X] your answer must narrowly answer only the precise issue(s) asked. You will not receive any points for discussing issues that the question did not ask for and will likely receive a negative halo that may affect the rest of your answer.

II. Supply and Organize the Law

Dump all of the relevant law out of your head onto a page of scratch paper. It does not have to be in any particular order and can just be key phrases, etc.

Organize the law on a piece of scratch paper.

a. First, separate out the major issues. For example, the False Imprisonment (FI) Exam Example contains two major issues: (1) are the requirements for false imprisonment liability met? And (2) does the intentional tort defense of Consent apply to avoid liability for false imprisonment in this case. You could separate out the issues as FI and Consent.

a. Second, under each major issue, separate out the subissue elements. List the elements vertically under the major issues on the left side of the page of scratch paper. Thus, in the FI example, you see that the FI issue breaks out into possibly three functional subissues (issues that are separately analyzed using their own standards):

False Imprisonment Elements

-Intent

-Confinement

-Awareness/Injury

a. Third, add any subissue elements or measuring tests to each of the subissue elements that you listed. While elements are separately analyzed under their own standards, measuring tests are the standards that are compared to facts to resolve each element. List the subelements or measuring tests vertically on the left side of the page too. In the FI question, an example might be:

False Imprisonment

1) Intent

-
- Intended
- Knew with substantial certainty

2) Confinement

-
- w/in certain limits
- no time minimum
- means
 - physical
 - threat
 - asserted legal authority

3) Awareness

or

Answering Law School Exam Questions

David H. Barber, Ronald W. Eades



Answering Law School Exam Questions:

Law School Exams Charles R. Calleros, 2007 Well written and highly accessible this concise paperback guides law students step by step through procedures that will help them take exams successfully the author's style is accessible and reassuring recognizing that law students operate under severe time constraints he makes his points clearly and concisely starting with creative examples and illustrations in familiar nonlegal contexts the author introduces students to new concepts by analogy and then advances to more complex legal examples exercises and practice exams with a focus on essay questions and model answers help students identify their strengths and weaknesses plan strategies and organize their efforts the author addresses techniques for maximizing scores on several types of essay questions as well as on multiple choice and other objective questions the author helps students understand why the typical law school essay question requires a balanced analysis with arguments for both sides rather than identification of a clear answer assignments and exercises facilitate active learning In addition to teaching students analysis and exam taking skills *Law School Exams Preparing and Writing to Win* addresses exam anxiety with a helpful positive perspective The author helps students understand that a small degree of anxiety can serve as a productive motivator helps students learn how to reduce anxiety to a productive level by placing exams into proper perspective by preparing thoroughly and by adopting stress management techniques such as stretching meditation or motivational music

Write the "A" Law Exam Answer, 1980 *Problems in Law for Law School and Bar Examination Review* Henry Winthrop Ballantine, 1937 **Question and Answers** David H. Barber, Ronald W. Eades, 1986

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Table of Contents Answering Law School Exam Questions

1. Understanding the eBook Answering Law School Exam Questions
 - The Rise of Digital Reading Answering Law School Exam Questions
 - Advantages of eBooks Over Traditional Books
2. Identifying Answering Law School Exam Questions
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Answering Law School Exam Questions
 - User-Friendly Interface
4. Exploring eBook Recommendations from Answering Law School Exam Questions
 - Personalized Recommendations
 - Answering Law School Exam Questions User Reviews and Ratings
 - Answering Law School Exam Questions and Bestseller Lists
5. Accessing Answering Law School Exam Questions Free and Paid eBooks
 - Answering Law School Exam Questions Public Domain eBooks
 - Answering Law School Exam Questions eBook Subscription Services
 - Answering Law School Exam Questions Budget-Friendly Options
6. Navigating Answering Law School Exam Questions eBook Formats

- ePub, PDF, MOBI, and More
- Answering Law School Exam Questions Compatibility with Devices
- Answering Law School Exam Questions Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Answering Law School Exam Questions
 - Highlighting and Note-Taking Answering Law School Exam Questions
 - Interactive Elements Answering Law School Exam Questions
- 8. Staying Engaged with Answering Law School Exam Questions
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Answering Law School Exam Questions
- 9. Balancing eBooks and Physical Books Answering Law School Exam Questions
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Answering Law School Exam Questions
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Answering Law School Exam Questions
 - Setting Reading Goals Answering Law School Exam Questions
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Answering Law School Exam Questions
 - Fact-Checking eBook Content of Answering Law School Exam Questions
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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