#### Answering Law School Exam Questions

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

#### 1. 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. One 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 procise issue(s) saked. 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.

#### III. Supply and Organize the Law

Dump off of the relevant law out of your head onto a page of soratch pager. 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.

- 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 take imprisonment in this case. You could separate out the issues as FI and Consent.
- Second, under each major issue, seporate out the subissue elements. List the elements vertically under the major issues on the left side of the page of scratch pager. 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

- betaent

-Continement

Awarenness frauty

a Third, add any substance elements or measuring tests to each of the substance elements that you listed. While elements are separately analyzed under their own standards, measuring tests are the standards that are composed to facts to recoive each element. List the subelements or measuring tests vertically on the fall side of the page too. In the F1 question, and example might be:

#### Fallse Imprisonment

- 31) Impaint
  - .
  - Intended
  - Knew with substantial certainty
- 21 Confinement
  - .
  - write pertain limits.
  - O no time minimum
  - means
  - physical
  - Or threat
  - asserted legal authority

#### .

20 Awareness

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**Chester Howard Smith** 

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