

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

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Aaron Siri



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Legal Writing I and II Ben L. Fernandez, 2023-06-11 Legal Writing I Legal Research and Writing Legal Research and Writing Introduction to Litigation Practice covers all the skills students need to know to work at a law firm and everything students have to learn to begin practicing in litigation department of a firm The chapters of the book are as follows 1 Sources of Law Local Ordinances and Bylaws State and Federal Law Statutes Regulations Cases Executive Orders International Treaties Compacts and Agreements 2 Legal Research Secondary Sources Researching Statutes Researching Cases Paper Research v Computer Research 3 Briefing Cases Facts Issue Rule Holding Reasoning 4 Applying Cases and Analogical Reasoning Analogizing a Case to a Fact Pattern Distinguishing a Case from a Fact Pattern 5 Analyzing Statutes and Marshaling Facts Determining a Statutory Formula Definitions Marshaling Facts to a Statutory Rule Comparing a Case Interpreting a Statutory Rule to a Fact Pattern 6 Citation How to Cite Cases How to Cite Statutes and Regulations Quotations Signals Parentheticals Reference Materials 7 IRAC Issue Rule Application Conclusion Using IREAC when it is Necessary to Explain the Rule Using Ferrari Has Really Cool Race Cars when it is Necessary to Analogize or Distinguish a Case Synthesizing a Rule from Multiple Cases Explaining and Applying a Rule with Multiple Cases 8 Objective Legal Memoranda Organization of a Research Memo Sample Memo 9 Other Examples of Legal writing Client Letters Exam Answers 10 Improving Your Writing Additional Tips and Resources 11 Credibility in Persuasive Writing the importance of writing well 12 Bias Implicit Bias Microaggressions Dealing with Bias in Others 13 Ethical Rules for Advocacy Competence Diligent Honesty and Fairness 14 Civil and Appellate Procedure Rules for the Form and Content of Briefs and Memos 15 Requirements for Civil Motions and Standards of Review for Appeals 16 Persuasive Writing Writing Persuasive Facts Writing Persuasive Arguments 17 Memoranda in Support of Motions Applying the Rules of Civil Procedure to a Sample Memo 18 Motion Session Arguing a Motion Before a Trial Court Judge 19 Appellate Briefs Applying the Rules of Appellate Procedure to a Sample Brief 20 Oral Argument Arguing an Appeal before a Panel of Appellate Court Judges In addition there are numerous examples exercises and sample documents in the appendix

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acceptable answers printed for all six questions It s the ideal study aid for visual learners *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

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