

TAKING THE EXAM

November 6, 2012

Preparation

- Know the material
- Open or closed book
- Your professors: what they're "looking for" and how they grade/score
 - The mandatory curve and grade distribution
- Old and sample exams: practice under time constraints

Issue Spotters

- Finding the issues
- Identify and accurately describe the applicable rule, standard, etc.
- Apply the law to the pertinent facts
 - Analysis, reasoning, counterarguments: “show your work”
- Conclusion
- Case names?

Issue Spotters

- Organization matters
 - Structured answers
 - Orderly and logical sequences
 - Headings and subheadings
 - Organize your answer by person or action
- Answer the questions asked: no “data dumping”
- Write clearly and concisely
- Allocating your time

Other Formats

- Multiple choice questions
- Thematic questions
- Policy questions
 - Contestable issue(s)
 - Arguments, counterarguments
 - Come to a conclusion

Consider

- (1) A to B: “If I see you again, I’m going to kill you.”
 - “Discuss.”
 - “Has A committed an intentional tort?”
- (2) Two days later, B strikes A in the back of the head with a beer bottle; A never saw it coming.
- Practice essay question