

Contents

Preface and Acknowledgments xvii

CHAPTER 1

Putting the Pieces Together 1

I. First Things First 1

II. Developing Your Game Plan 1

III. Building Confidence with Knowledge 3

A. Licensing Requirements 3

B. Character and Fitness 5

C. The Bar Examination 5

1. Multistate Bar Examination 6

2. Essay Questions 6

a. Multistate Essay Exam 7

b. State-Drafted Essays 8

3. Performance Tests 8

a. Multistate Performance Test 8

b. State Performance Tests 9

D. Uniform Bar Examination 9

E. NextGen Bar Examination 10

IV. Maintaining Your Sanity 11

V. The Next Step 11

CHAPTER 2

Understanding Memory and Mind Maps 13

I. Memory: What Is It and How Does It Work? 13

II. Importance of Encoding 15

III. Forgetting 17

IV. Concentration 18

V. Does Writing Impact Our Ability to Remember? 18

VI. Improving Your Memory 19

VII. Mind Maps as a Memory Tool 19

VIII. Creating a Mind Map 21

CHAPTER 3

Developing Your Game Plan 25

I. The Starting Gate 25

A. First-Time Takers 25

1. For-Credit Courses 25

2. Early Self-Study 25

3. Taking a Commercial Bar Preparation Course	27
4. Self-Study Approach	28
B. Repeat Takers	28
C. Set a Study Schedule	29
II. The Game Plan	29
A. Phase One—Learn the Law	29
1. Building Your Library	30
2. Using Practice Questions to Learn the Law	32
3. Finding the Answer	32
B. Phase Two—Memorize the Law	33
1. Memory Techniques	33
2. Seek Support	35
3. Using Practice Questions to Assess Your Memorization	35
C. Phase Three—Keep It Fresh	35
D. The Exam Days	37
E. Getting Your Results	39
CHAPTER 4	
Building Essay-Writing Skills	41
I. Type or Handwrite?	41
II. Scoring	41
III. Think First!	42
IV. Proper Format	46
V. Autopsy Your Practice Answers	50
VI. Common Ways to Lose Points	56
A. Mismanaging Time	56
B. Wasting Time Answering a Question Different from the Question Asked	56
C. Not “Showing Your Work”	56
D. Assuming the Grader Knows the Law and Not Referencing Specific Tests/Elements	57
E. Writing Lengthy Sentences and Paragraphs with Grammar Issues	57
F. And, the Biggest Point Loser—Skimming All of the Questions First	58
VII. Avoid Panic	58
CHAPTER 5	
Building Multistate Performance Test Skills	61
I. Skills Tested	61
II. Game Plan for the MPT	63
III. Proper Format	65
IV. Bottom Line Is Analysis	68
V. Practice MPT Question	69
VI. Point Sheet	81
VII. Score Sheet	87

CHAPTER 6	
Building Multistate Bar Examination Skills	91
I. Preparation	92
II. Go Backwards	94
III. Autopsy MBE Questions	97
CHAPTER 7	
Building Confidence with Strategies	101
I. Low-Hanging Fruit	102
II. 75/15/10 Strategy	103
III. Avoid Duping Yourself	105
IV. Growing Your Mindset	106
V. Keeping Cool—Maintaining Your Sanity	109
CHAPTER 8	
Not the First Time	113
I. Insufficient Preparation	114
A. Time Spent	114
B. Detail in Memorization Materials	114
II. Anxiety and Mindset	115
III. Personal Issues	117
CHAPTER 9	
Mapping MBE Topics—Civil Procedure	119
I. Mind Map	119
II. MBE Strategies	129
III. Essay Practice Question	131
IV. MBE Practice Questions	132
CHAPTER 10	
Mapping MBE Topics—Constitutional Law	139
I. Mind Map	139
II. MBE Strategies	149
III. Essay Practice Question	152
IV. MBE Practice Questions	153
CHAPTER 11	
Mapping MBE Topics—Contracts	159
I. Mind Map	159
II. MBE Strategies	168
III. Essay Practice Question	170
IV. MBE Practice Questions	171

CHAPTER 12	
Mapping MBE Topics—Criminal Law and Procedure	179
I. Criminal Law	179
II. Criminal Procedure	184
III. MBE Strategies	189
IV. Essay Practice Question	190
V. MBE Practice Questions	191
CHAPTER 13	
Mapping MBE Topics—Evidence	197
I. Mind Map	197
II. MBE Strategies	207
III. Essay Practice Question	209
IV. MBE Practice Questions	210
CHAPTER 14	
Mapping MBE Topics—Real Property	217
I. Mind Map	217
II. MBE Strategies	230
III. Essay Practice Question	231
IV. MBE Practice Questions	232
CHAPTER 15	
Mapping MBE Topics—Torts	239
I. Mind Map	239
II. MBE Strategies	253
III. Essay Practice Question	254
IV. MBE Practice Questions	254
CHAPTER 16	
Mapping Business Topics	261
I. Agency/Partnership	261
A. Agency	261
1. Mind Map	261
2. Essay Practice Question	267
B. Partnership	268
1. Mind Map	268
2. Essay Practice Question	273
II. Corporations	274
A. Mind Map	274
B. Essay Practice Question	280
CHAPTER 17	
Mapping Decedents' Estates and Trusts	283
I. Decedents' Estates	283
A. Mind Map	283
B. Essay Practice Question	290

II. Trusts	291
A. Mind Map	291
B. Essay Practice Question	297
CHAPTER 18	
Mapping Family Law	299
I. Mind Map	299
II. Essay Practice Question	310
CHAPTER 19	
Mapping Secured Transactions	313
I. Mind Map	313
II. Essay Practice Question	324
CHAPTER 20	
Mapping Conflict of Laws	327
I. Mind Map	327
A. Recognition of Another State's Judgment	327
B. Choice of Law	329
1. Torts	330
2. Contracts	330
3. Property	330
4. Corporations	331
5. Family Law	331
II. Essay Practice Question	332
APPENDIX	
Essay Score Sheets and MBE Practice Analyses	333
I. Civil Procedure	333
II. Constitutional Law	344
III. Contracts	353
IV. Criminal Law and Procedure	364
V. Evidence	375
VI. Real Property	386
VII. Torts	397
VIII. Mapping Business Topics	409
IX. Mapping Decedents' Estates and Trusts	419
X. Mapping Family Law	425
XI. Mapping Secured Transactions	427
XII. Mapping Conflict of Laws	430