

MEMORANDUM

To: Students Taking Comparison Of Massachusetts
And National Law

From: Michael L. Coyne and Peter M. Malaguti

Re: Structure And Grading Of Course

Date: Fall 2010

Structure of the Course

The course is comprised of:

1. Six (6) substantive law sections, which will be covered in blocks of two to three weeks each;
2. Seven (7) one-class lectures on “Massachusetts” subjects;
3. One (1) thirty-six (36) minute bar exam essay test given in each substantive law section;
6. A 200 question, six hour, “multistate” final examination; and
7. A five (5) question, three hour, “Massachusetts” essay examination.

The grade you receive at the end of the course will be: “Pass,” “Pass With Honors” (for those at or near the top of the class) or “Fail.” There will be no letter grade for this course.

You are required to bring two #2 pencils to all classes and exams.

The Six Substantive Law Sessions

Each of the six Substantive Law Sections will be taught by the following professors in the following order:

Torts:	Professor Martin
Criminal Law/Procedure:	Professor Coppola
Contracts:	Professor Devlin
Property:	Professor Malaguti
Constitutional Law:	Professor Rudnick
Evidence:	Professor Coyne

Prior to the first Torts class, read the introductory sections in your course question book, “Strategies and Tactics for the MBE” (on sale in the book store). These materials give you suggestions and tips on how to prepare to take the multistate bar exam. These suggestions will also assist you in Comparison. You should also purchase the officially released questions that are on sale in the bookstore.

Prior to the start of each subject, you are required to re-familiarize yourself with the subject (bar review materials, horn books, class notes, etc.). In addition, read the “Strategies and Tactics” section before each multistate subject in your questions book. Again, this will provide suggestions and tips about how best to attack that subject. Most professors will pass out assignments and other materials during the week before his or her section is scheduled to begin. Be prepared to cover approximately ten (10) to fifteen (15) questions (from the book of questions you purchased from the bookstore) for each one and one-half hour class. Obviously, this means that twenty (20) to thirty (30) questions will be covered at the three (3) hour sessions each Saturday (excluding Saturdays devoted entirely to final subject exams and "state" subject lectures).

There will be a “multistate” quiz in every class. At the end of each Substantive Law Section, there will be a final section exam covering that particular subject. That final section exam will consist of 40 multiple choice or short answer questions and one 36 minute bar exam essay question. The multistate quizzes will be added to the exam to comprise a "section grade." You will receive six such section grades.

The Seven (7) One-Class Lectures on “Massachusetts” Subjects

As shown on your calendar, during the six multistate sections there will be a series of one-class lectures/presentations on seven “Massachusetts” subjects. You are to attend those lectures and take notes. The subjects are:

LECTURE	PROFESSOR	DATE
U.C.C. , Arts. 3, 4, & 9	Professor Sullivan	Saturday, September 4
Mass. Crim. Law & Procedure	Professor Coppola	Saturday, September 18
Legal Ethics	Professor Rudnick	Saturday, October 2
Wills & Trusts	Professor Devlin	Saturday, October 23
Domestic Relations	Professor Malaguti	Saturday, November 6
Civil Procedure	Professor Coyne	Saturday, November 20
Business Associations	Professor Devlin	Monday, November 22

The Multi-Subject Essay Workshop

This semester, Professor Foley’s multi-subject essay workshop will occur on Saturday, October 16 from 8 a.m. to 1 p.m.. Attendance is mandatory. Professor Foley will achieve the following in this class:

- Spend about an hour working on multiple choice exam tactics and the mechanics of “controlling the clock;”
- Review the bar examiners’ trends in writing essay questions;
- Discuss the five “big ticket items” students must know to succeed on the essay section of the bar exam; and

In each section you will take a multistate test that will consist of 40 multiple-choice questions (some professors mix 10 short answer questions into those 40 questions). Each multiple choice or short answer question you answer correctly will give you one point.

After your final “raw” score has been calculated, it will be converted into a “bar examination” score, which is based on a total of 200 points. The conversion is quite simple: we will multiply your final raw score by 4 (the number of times that 50 goes into 200). For example, if your final raw score is 39 out of 50, your “bar examination” score will be 156 (39 times 4 equals 156).

The reason we convert the raw score to 200 is because that is how the Board of Bar Examiners does it for the real thing. **The passing grade for each section is 125. You must pass a majority of the sections (4 of the 6 sections) to qualify to take the final 200-question examination; that is, you must obtain a 125 or more on at least four (4) of the sections. If you do not pass at least four of the six subjects, you will fail the course and have to repeat it. You must also have at least 700 total points (a 116.67 average) at the end of the six (6) sections to qualify to take the final 200-question examination.** Your combined section grades will be averaged together to constitute fifty percent (50%) of your final grade (assuming, of course, that you score at least a 116.67 average on those sections, and also obtain at least a 125 in three of them). **The scores are *not* scaled.**

The Six Hour Multistate Final Exam and Your Total Numerical Score

On **December 4**, there will be a 200-question, six-hour final examination. You will be awarded 1 point for every correct answer. This exam will count for fifty percent (50%) of your total numerical score. By way of illustration, assume that your average score after the six sections is a 150, and that you get a 140 on the multistate final exam. The 150 sections average counts for 50% of the total score, and the 140 final exam score counts for 50%. To figure your final score you would add the two scores together and divide by 2. In such a case the final numerical score would be 145:

$$\begin{array}{r} 150 \\ \underline{140} \\ \text{Total} = 290 \end{array}$$

Total Numerical Score: $290 \div 2 = 145$

The Three Hour Massachusetts Essay Final Exam

The three-hour essay final exam given on **May 2** will be graded from 1 to 10. A grade of 5 will be given to a set of essays deemed to be just above that required to pass the Massachusetts essay section of the bar exam. For each point you achieve above a 5, one (1) point will be added to your total numerical score. For each point your total score is below a 5, one (1) point will be deducted from your total numerical score. For example, if your total numerical score is a 144,

and you get a 7 on the final essay examination, your overall number grade will increase to a 146. If, on the other hand, you get a 3 on the essay, your overall number grade will fall to a 142.

Passing the Course

1. Although a 125 in each section is considered passing, you *must* achieve at least 700 total points (a 116.67 average) after the six (6) multistate subjects to qualify to take the final exam. However, you *also* must obtain a score of 125 or more on at least four (4) of the sections to qualify to take the final exam. If you do not, you will not be allowed to take the final exam and will have to repeat the course.
2. The section grades will count for fifty (50%) percent of your final grade (assuming, of course, that you score at least a 116.67 average on those sections and have obtained a 125 on at least three of the six).
3. The final multistate exam will count for fifty (50%) percent of your final grade.
4. The "Massachusetts" final essay exam can add or subtract as many as 5 points to or from your total numerical score.
5. The exercise taken during the Multi-Subject Essay Workshop can add up to 3 points to your total numerical score.
6. After counting the section scores, multistate final exam score, Multi-Subject Essay Workshop exercise score and Massachusetts final essay exam score, you must have a 125 to pass the course. Students who receive an overall score lower than 125 will receive an "F," and will have to repeat the course. Students scoring a 125 or better will receive a "Pass" for the course. Students with a 157 or more average at the end of the course (including the final essay exam Multi-Subject Essay Workshop exercise scores) will receive a "Pass With Honors" for the course.

Policies on Grading and Passing the Course:

1. You may only review your section exams and quizzes if you request to do so *with the Professor who taught the applicable section* within seven (7) days after receiving your scores.
2. On multiple choice tests and quizzes, grades will be changed only if the student can show a demonstrable mistake made by the Scantron machine. Please note that students sometimes mark two answers, and sometimes fail to properly erase an answer before choosing another one. These are incorrect answers and will not be changed. The Scantron sheet must clearly show one answer

chosen – the correct answer – for your score to be changed. This means that, just like on the bar exam, you must be diligent in properly erasing incorrectly-marked answers.

3. Neither Professor Foley nor the Professor teaching the Section to which an essay exam pertains has the discretion to change essay grades after review with a student. The essay grade originally awarded will stand unless there is some demonstrable, non-subjective mathematical error.
4. Once it is clear that a student will be unable to pass 4 of the 6 sections, that student will be disqualified from taking any further quizzes and exams, including but not limited to, the section exams, final multistate exam and final essay exam. For example, a student who fails to achieve a 125 or better on each of the first three sections will be disqualified from taking any further quizzes and exams as soon as s/he receives the grades from the third section.
5. As you can see, it is important that you take this course seriously from the beginning. Failing a section early on puts you “behind the eight ball” from the start.