



**Bar Writing and Analysis
Fall 2020 Course Syllabus
Section 273 & 274 -- Tuesday and Thursday**

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COVID-19 UPDATE: Bar Writing and Analysis for Fall 2020 will be in-person and on campus with limited online components. We will be following all MSL Community Agreement requirements, including but not limited to wearing face masks/face coverings/face shields at all times, practicing social distancing, following signs and directions regarding the flow of traffic in classrooms and hallways, and washing/sanitizing hands frequently. You will also be required to stay home if you have an elevated temperature or are feeling ill. If your absence is mandated by the MSL Community Agreement, we will make arrangements for you to make up any missed work.

In order to ensure the safety and well-being of our community, we will also be attempting to eliminate exposure and frequent contact through minimal exchange of paper and other documents. We will be following these steps for the entirety of the semester:

1. Other than in-class essays and exams, all graded assignments will be uploaded to TWEN and each student will be responsible for accessing, retrieving, and (if you so choose) printing the assignments from TWEN.
2. All assignments are due via email to be received prior to the start of class time on their due date. If you have been specifically instructed to handwrite an assignment, then you must do so but then scan (or take a photo) of the handwritten assignment and email to me before the start of class on the due date.
3. Unless you have received accommodations, all in-class essays, the midterm, and final exam will be submitted using Exam 4 software. You should make arrangements to download the software in the beginning of the semester rather than wait until the night before an exam. If you do not have a compatible device, you should consult with IT in order to determine how best to proceed. The schedule below indicates which days you will need to bring your device with you for in-class essays or exams.
4. I intend to hand you physical paper copies of in-class essays, the midterm, and the final so you can work with the paper and take notes, etc. I intend to handle

all paper while using gloves and maintain them in a folder until such time as it comes in your possession. Other than exams, if you prefer to receive digital handouts instead, you will need to bring your device to each class, as multiple handouts are provided in each class. If you have any concerns with this process, I urge you to contact me before the start of the semester so we can determine another manner or method of delivery.

5. I will not be meeting with students in my office this semester. If you have any concerns that you need me to address, kindly email me and we can schedule a phone or Zoom conference.
6. Regardless of your own personal opinions and/or beliefs about the measures taken due to COVID-19, I expect bar writing students to respectfully comply with all requirements of the MSL Community Agreement, MSL Student Handbook and Honor Code, CDC Guidelines, Governor Baker's Guidelines for Safe Reopening, and conduct yourselves in a manner befitting law students and future lawyers and community leaders.
7. If you have any objections to these requirements, I urge you to contact me or speak with Dean Kaldis (pota@mslaw.edu) prior to the start of the semester.

If, due to the public health emergency caused by COVID-19, MSLAW is required to shut down again during the Fall 2020 semester, Bar Writing will need to be conducted virtually through online platforms. In the event that the semester converts to virtual classes, in order to continue participating in the course, you will need to have access to the internet, an active TWEN account via MSLAW, ability to check your email regularly for course correspondence, access to a computer/laptop/smart device for in-class and home writing assignments, and a camera-enabled device in order to attend Zoom online classes. You may also need access to a printer.

Required Text:

1. Strategies & Tactics for the MBE, Emanuel, **Seventh Edition (!!!! NEW!!!!)**
2. Clearing the Last Hurdle, Wanda Temm, **Second Edition**

The two textbooks will also be required for Comparison. Older editions should not be used. Chapters, pages, and questions have been changed and updated.

3. MBE and MEE Flashcards, Kaplan Bar Review

OR

3. MBE and MEE Flashcards, Critical Pass

You are required to purchase one of the above MBE/MEE flashcard sets.

- **If you choose to order the Kaplan cards, you can contact the Kaplan representative. His email is garrett.borrosh@kaplan.com**
- **If you choose to order the Critical Pass cards, contact me so I can provide you the ordering information (and discount code)**

Recommended Text: Bar Exam Boot Camp for the MBE by Emanuel
From your 2nd Semester writing class:
Laurel C. Oates & Anne Enquist, Just Memos (Aspen 4th Ed.)
The BlueBook: A Uniform System of Citation

Course Description: This course focuses on honing and improving students' analytical and writing skills, with a special emphasis on the analytical and writing skills used for successful completion of the essay portion of the bar examination. Students will explore issue spotting techniques and methods of analysis; learn helpful tips for writing essay exams; receive personalized feedback on essays; and review the substantive law necessary to write the essay portion of the uniform bar exam, as administered in Massachusetts.

Course Overview: This is an intensive writing class, and you should expect to complete various in-class assignments, in addition to other exercises and scheduled readings. **Students must have completed all seven substantive courses tested by the Multi-State Bar Exam before taking this course: Torts, Contracts, Property, Civil Procedure, Evidence, Constitutional Law, Criminal Law/Criminal Procedure.**

It is recommended that you also have completed Business Entities, UCC, Wills & Trusts, and Family Law.

You will complete 9 graded in-class assignments during the semester, on which you will receive personal feedback. There will be 4 graded take-home assignments and weekly exercises. You will write a midterm exam and a three-hour final exam.

Course Grading: Each assignment will be graded on a seven-point scale, consistent with the grading employed by the Massachusetts Board of Bar Examiners.

Your final letter grade will be based on the following assignments and allocation of points:

8 Multi-State Essay Examinations, worth 7 points each (56 points total)
1 Multi-State Performance Test, worth 7 points (7 points total)
4 Take-Home Assignments, worth 7 points each (28 points total)
11 Weekly Exercises, worth 1 point each (11 points total)
Midterm (21 points total)
Final exam (77 points total)

MSLAW POLICY: All students are required to achieve 40% or higher on their qualifying Assessment Test prior to enrolling in Bar Writing and Analysis. If you have not achieved 40% or higher on your Assessments Tests or you have not taken an Assessment Test, you should contact me immediately. Ineligible students will be withdrawn from Bar Writing and Analysis.

ALL students are required to take and satisfactorily complete Bar Writing and Analysis prior to enrolling in the Comparison course. Satisfactory completion of Bar Writing and Analysis requires that the student receive no less than a "C" in the course. If a student does not receive a "C" or better, they must retake the course.

There will be ONE designated day for make-up work on which you MUST make up any work you missed during the course in order to pass.

Attendance: Attendance is mandatory for each and every class*. Students may make up one in-class essay during the semester. Students must receive special permission for any additional make-up assignments. Students who accumulate more than three (3) unexcused absences will have their grade reduced by one-third for each unexcused absence thereafter.

***Attendance Update:** If your absence is mandated by the MSL Community Agreement because you or a healthcare professional have determined that you have potentially been exposed to COVID-19, have an elevated temperature, and/or are displaying symptoms, such absence from class **WILL NOT** be penalized so long as you inform me that your absence is mandated under the Agreement. You must also make up any missed work before the end of the semester.

OVERVIEW OF WEEKLY TOPICS AND ASSIGNMENTS:

An asterisk * next to the dates below indicates a day that you MUST bring a compatible laptop or device with you for typing the in-class essays or assignments.

DATE	READING AND ASSIGNMENTS To be completed before class	TOPICS
Tuesday 8/25	Temm, Chapters 1-8 (skip Chapter 5 for now)	Introduction to the UBE Anatomy of a Bar Essay Question
Thursday 8/27	Temm, Chapters 1-8 (skip Chapter 5 for now)	Anatomy of a Bar Essay Question ***Assignment due via email***
Tuesday 9/01	Temm, Chapters 1-8 (skip Chapter 5 for now)	Structure of a Bar Essay Answer and Bar Essay Writing
Thursday 9/03	Temm, Chapter 15 Emanuel, pg. 569-578 MBE Torts Flashcards	***Take Home #1 Distributed***
Tuesday 9/08	Temm, Chapter 9 Emanuel, pg. 1-30 MBE Civil Procedure Flashcards	
Thursday 9/10	***Take Home #1 DUE*** submit via email ONLY	Torts Sample Essay Civil Procedure Sample Essay

Tuesday 9/15*		In-Class Essays
Thursday 9/17	Temm, Chapter 13 Emanuel, pg. 395-404 MBE Evidence Flashcards	***Take Home #2 Distributed***
Tuesday 9/22	Temm, Chapter 11 Emanuel, pg. 225-236 MBE Contracts Flashcards	
Thursday 9/24	***Take Home #2 DUE*** submit via email ONLY	Evidence Sample Essay Contracts Sample Essay
Tuesday 9/29*		In-Class Essays
Thursday 10/01	Temm, Chapter 14 Emanuel, pg. 485-492 MBE Property Flashcards	
Tuesday 10/06	Temm, Chapter 16 MEE Corporations Flashcards MEE Agency Flashcards MEE Partnership Flashcards	
Thursday 10/08*		In-Class Essays
Tuesday 10/13	Compare Graded Bar Essay Samples	
Thursday 10/15*		MIDTERM
Tuesday 10/20		Conferences via Zoom
Thursday 10/22	Temm, Chapter 12 Emanuel, pg. 317-326 MBE Criminal Law & Procedure Flashcards	
Tuesday 10/27	Temm, Chapter 10 Emanuel, pg. 131-148 MBE Con Law Flashcards	

Thursday 10/29		Criminal Law & Procedure Sample Essay Constitutional Law Sample Essay
Tuesday 11/03*		In-Class Essays
Thursday 11/05	Temm, Chapter 5 and Handouts Recommended Chapters from: Just Memos	MPT Overview: (Persuasive Brief, Objective Memo, Opinion Letter, Demand Letter)
Tuesday 11/10	Temm, Chapter 5 and Handouts Recommended Chapters from: Just Memos	Persuasive Brief, Objective Memo, Opinion Letter, Demand Letter ***Take Home #3 Distributed***
Thursday 11/12	Temm, Chapter 5 and Handouts Recommended Chapters from: Just Memos	Persuasive Brief, Objective Memo, Opinion Letter, Demand Letter
Tuesday 11/17	***Take Home #3 DUE*** submit via email ONLY	MPT Sample ***Take Home #4 Distributed***
Thursday 11/19		MPT Sample
Tuesday 11/24* This class will begin early or end late, as will be discussed in class	In-Class MPT ***Take Home #4 DUE*** submit via email ONLY
Thursday 11/26	NO CLASS – THANKSGIVING BREAK	
Tuesday 12/01		Conferences via Zoom
Thursday 12/03		Taking and Passing the Bar Final Exam Review
TBA*		FINAL 3-HOUR EXAM