



As of January 5, 2021 (subject to change)

Bar Exam Writing and Analysis

Spring 2021 Course Syllabus

Section 163: Tuesday-Thursday 2:30 pm – 3:45 pm

Section 185: Tuesday-Thursday 7:30 pm – 8:45 pm

Instructor: **Amy Dimitriadis**
Phone: (978) 681-0800 ext. 130 (limited access to voicemail in Spring 2021)
amyd@mslaw.edu (Fastest way to reach me during Spring 2021)

COVID-19 UPDATE: Subject to federal, state, local, and/or MSLAW administration orders, Bar Exam Writing and Analysis for Spring 2021 will be in-person and on campus with Zoom and other online components for classes. Students who elect to attend classes remotely must attend class via Zoom and have their cameras on for the duration of class. Unless otherwise announced or mandated, tests and exams will be in-person for all students, regardless of attendance option. While on campus, 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 physical and social distancing, following signs and directions regarding the flow of traffic in classrooms and hallways, and washing/sanitizing hands frequently. No food or drinks permitted in the classrooms. You will also be required to stay home if you suspect that you have been exposed to COVID-19, if you have an elevated temperature, or you are feeling ill/displaying unusual symptoms. If your absence is mandated by the MSL Community Agreement, we will make arrangements for you to make up any missed work.
No one will be penalized for taking responsible action to protect themselves and our community.

Privacy Concerns: All remote classes will be on Zoom and classes will be recorded. You are required to keep your camera on at all times in order to receive credit for attending. For all testing, we will be using various online platforms, including Zoom, TWEN, and Examsoft with AI technology. If you have any concerns with using their features, I suggest you consider taking this class at some later time when we can all be back in the classroom safely. No exceptions will be made but for approved medical accommodations.

Limiting Exposure: 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 maintaining a safe distance at all times. We will be following these steps for the entirety of the semester:

1. You will maintain minimum 6 feet distance from each other and from the podium and remain behind the sneeze guard when approaching. If you need to

address a private matter, you may email me, we can arrange a phone call, or a one-on-one Zoom meeting.

2. All students, including in-person students, are required to bring with them a Zoom-enabled device (smartphone/tablet/laptop) in order to participate in class. You should also bring headphones or ear buds because otherwise turning up your volume will create delay and feedback from all the connected devices.
3. All assignments and handouts will be uploaded to TWEN during class and each student will be responsible for accessing, and retrieving from TWEN. Thus, if you are in-person, you must bring a device enabling you to access and view the material online.
4. 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.
Note: If you are taking a photo of the handwritten assignment, please use an app that converts photos into readable PDFs. Many smartphones/smart devices have this standard feature.
5. Unless otherwise instructed in class or via email, all tests and exams will be submitted through Examsoft so students must have a compatible device for all in-person or remote tests/exams.
If you haven't already, you should make arrangements to download and test 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 with an asterisk* which days you will need to bring/use your Examsoft-compatible device for in-class essays or exams.
6. 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. My access to voicemail will be limited; the fastest way to reach me is via email as I check my email regularly.
7. Regardless of your own personal opinions and/or beliefs about the measures taken due to the global pandemic caused by COVID-19, I expect Bar Exam 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, and conduct yourselves in a manner befitting law students, future lawyers, and community leaders.
8. If you have any objections to these requirements, I urge you to contact me or speak with Dean Kaldis (pota@msslaw.edu) prior to the start of the semester.

9. If, due to the public health emergency caused by COVID-19, MSL is required to shut down for any period of time during the Spring 2021 semester, Bar Exam Writing will be conducted virtually through online platforms, primarily Zoom. 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 classes. You may also need access to a printer.
10. Due to the nature of the measures taken to ensure the safety of our community, I will be communicating with you via TWEN regularly. I urge you to make it a habit to check your email frequently because there could be last minute changes of which you will not be aware unless you check your email. If you do not check the email attached to your TWEN account, I suggest you change your TWEN settings to add your primary email account.

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.

If you purchase the older edition, you will be forced to pay again to purchase the correct edition for Comparison next semester.

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. Be careful when purchasing used materials. They are often outdated or incomplete (missing items).

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

Recommended Text: Bar Exam Boot Camp for the MBE by Emanuel (available at the reserve desk)
 Your self-prepared required course outlines
From your 2nd Semester writing class (also available at the reserve desk):
 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, which is 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 & Procedure.**

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

You will complete 8 graded in-class assignments during the semester, on which you will receive personal feedback. There will be 4 graded take-home assignments and weekly written exercises. You will write a midterm exam and a three-hour final exam.

Course Grading: Each essay 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)
11 Weekly Exercises, worth 1 point each (11 points total)
Midterm (21 points total)
Final exam (105 points total)

MSL POLICY:

All students are required to have achieved 40% or higher on their qualifying Assessment Test prior to enrolling in Bar Exam 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 see me immediately. Ineligible students will be withdrawn from Bar Exam Writing and Analysis.

All students are required to take and satisfactorily complete Bar Exam Writing and Analysis prior to enrolling in the Comparison course. Satisfactory completion of Bar Exam 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.

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

OVERVIEW OF WEEKLY TOPICS AND ASSIGNMENTS:

DATE	READING AND ASSIGNMENTS To be completed before class	TOPICS
Tuesday 1/26	Temm, Chapters 1-8 (skip Chapter 5 for now)	Introduction to the UBE Anatomy of a Bar Essay Question
Thursday 1/28	Temm, Chapters 1-8 (skip Chapter 5 for now)	Anatomy of a Bar Essay Question ***Assignment due via email***
Tuesday 2/02	Temm, Chapters 1-8 (skip Chapter 5 for now)	Structure of a Bar Essay Answer and Bar Exam Essay Writing
Thursday 2/04	Temm, Chapter 13 Emanuel, pg. 305-314 MBE Evidence Flashcards	
Tuesday 2/09	Temm, Chapter 9 Emanuel, pg. 1-24 MBE Civil Procedure Flashcards	
Thursday 2/11		Evidence Sample Essay Civil Procedure Sample Essay
Tuesday 2/16*		In-Class Essays
Thursday 2/18	Temm, Chapter 14 Emanuel, pg. 375-384 MBE Property Flashcards	
Tuesday 2/23	Temm, Chapter 11 Emanuel, pg. 161-172 MBE Contracts Flashcards	
Thursday 2/25		Property Sample Essay Contracts Sample Essay

Tuesday 3/02*		In-Class Essays
Thursday 3/04	Temm, Chapter 15 Emanuel, pg. 441-450 MBE Torts Flashcards	
Tuesday 3/09	Temm, Chapter 16 MEE Corporations Flashcards MEE Agency Flashcards MEE Partnership Flashcards	
Thursday 3/11		Torts Sample Essay Corporations, Agency, Partnership Sample Essay
Tuesday 3/16*		In-Class Essays
Thursday 3/18	Compare Graded Bar Essay Samples	
Tuesday 3/23*		MIDTERM
Thursday 3/25		Conferences via Zoom
Tuesday 3/30	Temm, Chapter 12 Emanuel, pg. 233-242 MBE Criminal Law & Procedure Flashcards	
Thursday 4/01	Temm, Chapter 10 Emanuel, pg. 89-104 MBE Con Law Flashcards	
Tuesday 4/06		Criminal Law & Procedure Sample Essay Constitutional Law Sample Essay
Thursday 4/08*		In-Class Essays

Tuesday 4/13	Temm, Chapter 5 Handouts Recommended Chapters from: Just Memos	MPT Overview: Introduction to the MPT
Thursday 4/15	Temm, Chapter 5 Handouts Recommended Chapters from: Just Memos	MPT Overview: (Persuasive Brief, Objective Memo, Opinion Letter, Demand Letter)
Tuesday 4/20	Temm, Chapter 5 Handouts Recommended Chapters from: Just Memos	MPT Overview: (Persuasive Brief, Objective Memo, Opinion Letter, Demand Letter)
Thursday 4/22*	Temm, Chapter 5 Handouts Recommended Chapters from: Just Memos	MPT Sample
Tuesday 4/27		Taking and Passing the Bar Final Exam Review
Thursday 4/29* This class will begin early or end late, as will be discussed in class	In-Class MPT
Tuesday 5/04		Conferences via Zoom
Thursday 5/06		MPT Review
TBA		FINAL 3-HOUR EXAM