EARLY BAR PREP
Quick facts

- Commercial bar prep course is essential
- Bar formats
  - Texas - 2.5 days
  - California
    - Two days – Five 1 hour essays, one MPT, MBE
  - Uniform Bar Exam
    - NY, NJ, MA, CO, WA, OR and 22 more
    - Two days; Day 1 is MBE, Day 2 is 2 MPTs, MEE (6 30-minute mixed subject essays)
Texas Bar Exam

- **Day One**
  - 90 minute TX Civil and Criminal Procedure and Evidence (short answer)
  - 90 minute Multistate Performance Test

- **Day Two**
  - Multistate Bar Exam – two sessions, three hours each. All multiple choice
    - All 1L subjects + Evidence

- **Day Three**
  - Texas Essays – two sessions, three hours each.
    - Each essay takes approximate 30 minutes.
    - Wills, BA, Family Law, UCC (Secured Credit, Comm Paper), Real Property (including Oil & Gas), Consumer Protection, Trusts/Guardianship
And what, exactly, are we doing?
Why bar essays are different

- **Purpose**
- **There is** a right answer (but you can get points even with the wrong conclusion).
- More specific, concrete and concise than the typical law school exam.
- On UBE, multiple subjects in one essay.

*Pass the Bar! by Michael Hunter-Schwartz*
What do bar graders want to see you do?

1. Analyze the facts of the question.
2. Spot the issue – find the legal problem.
4. Apply relevant legal principles to the facts provided.
5. Organize your answer and make it easy to read.

http://libguides.law.ucla.edu/content.php?pid=99088&sid=772503
Answering a bar essay question

1. Read the call of the question
2. Read the question – circling important items
3. Re-read the call
4. Outline your answer
5. Write your answer
6. Re-read the call. Did you answer it?
Use the same legal analysis methods you learned in law school

Determinative facts should take center stage
- The graders know the facts. They don’t need a recitation.

Grammar, complete sentences and paragraphs matter
- Be precise and concise

Use headings
- If given multiple prompts, label your answers and answer in the order asked.

Acknowledge counterarguments where appropriate.

Follow the same process for each answer. Develop a template.
Content of a bar essay

- **CRAC**
  - Conclusion – Be explicit. Begin with, “Yes, ...” or No, ...
  - Rule – State the applicable rule. Give the appropriate statute if you know it. “As a general rule...” or “Under the Texas ______ code, ...”
  - Analysis – Apply rules to relevant fact. “Here, ...” or “In this case, ...” or “Because.”.
  - Conclusion – Repeat your explicit conclusion. “In sum, ...” or “Therefore...”.

- **CIRAC**
  - You’ll often be encouraged to include an issue statement. Some students find that it helps them focus their answer. Make sure you use facts from the question.
    - Bad: The issue is whether a life estate was created.
    - Good: The issue is whether the phrase “until she dies” created a life estate for Donna.
What to NOT put in your answer

- Avoid lengthy discussions of law
  - No brain dumps
  - Tell the graders what they want to hear
    - They spend an average of two minutes (TX) to three-five minutes (CA) reading your answer.
- Do not assume any facts (unless the call directs you to do so).
- Citations
What I grade based on:

- Practically: Neat/legible. Paragraphs clearly identified.
- Is the writing style clear and concise?
- Writer answers the call of the question.
- Overall structure makes sense.
- Use of headings and appropriate transitional phrases to guide the reader through the answer.
- Begins with an explicit conclusion.
- Correctly identifies the issues raised.
- Explicit and accurate explanation of the applicable law.
- CRAC (CIRAC) format.
- Law properly applied to the specific factual scenario in the question asked, dealing specifically with the determinative facts in the question.
- The essay and any subparts end with an express conclusion.