Kaplan Bar Review
You Can Have it ALL.

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1-800-523-0777 | KaplanBarReview.com
WHERE TO START?

http://admissions.calbar.ca.gov/Examinations/CaliforniaBarExam.aspx
July Exam Dates

Tuesday, Wednesday & Thursday
July 26, 27 and 28, 2016

**TIME:** Applicants using laptop computers must be seated no later than 8:20 a.m.
- All applicants must be seated no later than 8:30 a.m.
- There are two three-hour sessions each day of testing.
- Additional information concerning the timing and other administrative rules and policies are contained in the admittance ticket bulletin that will be available for printing with your admittance ticket for the examination.
- The admittance ticket bulletin is also available online at http://admissions.calbar.ca.gov, under the California Bar Examination.
IMPORTANT DEADLINES

APPLICATION FILING
TIMELY FILING DEADLINE
APRIL 1, 2016
$50 LATE FILING FEE
APRIL 2 – 29, 2016
$250 LATE FILING FEE
APRIL 30– JUNE 15, 2016
FINAL FILING DEADLINE
JUNE 15, 2016

TEST CENTER CHANGE REQUEST
JUNE 15, 2016
TESTING ACCOMODATIONS
JUNE 15, 2016
LAPTOP CERTIFICATION DEADLINE
JULY 22, 2016
LAPTOP ANSWER UPLOAD
JULY 29 @ 12P
TESTING CENTERS

LOS ANGELES AREA
SAN DIEGO
SAN FRANCISCO/OAKLAND
SACRAMENTO
FEES

ALL APPLICANTS MUST PAY THE REQUIRED FEES

CALIFORNIA BAR EXAMINATION FEES:

GENERAL APPLICANTS $677
ATTORNEY APPLICANTS $983

LAPTOP COMPUTER FEES $153
LATE LAPTOP FEE +$15
Moral Character Application

If applicable to you, the following is a list of some of the information that will be required:

- Former names, associated dates, and reasons for name change;
- Residences for the past 8 years with associated dates, including college residences;
- All colleges and postgraduate schools attended with associated dates, Student ID number, degrees earned;
- License issuing authorities and addresses, license numbers, associated dates, and current status;
- Current and previous employment since age 18 that were law related and current and previous employment, not law related, that lasted longer than 6 months with name of business, position, associated dates, supervisor, telephone number, and reason for leaving;
- Personal references to include 5 reputable and responsible people, who know you well with their address and telephone information (at least one member of the bar);
- Original and certified copy of out-of-state driving record with a minimum 5 years driving record;
- Details of any professional discipline such as disbarment, suspension, censure, reprimand, disqualification, or license revocation;
- Details of prior applications for admission including dates of application and exams taken, dates of admission, if applicable, current status, and if not admitted, the reasons why;
- Details of any arrests, convictions, administrative proceedings, complaints, scholastic discipline, bondedness, indebtedness, and bankruptcies with associated dates and final disposition or current status. Copies of any complaints or claims against you and the subsequent rulings and copies of any pleadings/allegations against you and the judgments must be provided;
- Military service with associated dates, serial numbers, separation status and copy of DD Form 214.
Registration
Applicants submitting an Application for Determination of Moral Character must have registered as a law student or as an attorney applicant with the Committee of Bar Examiners (Committee) prior to submitting the application. Applicants must have a Social Security number to register with the Office of Admissions of the State Bar of California. If an applicant has not done so, registration may be done online at admissions.calbar.ca.gov.

Fees and Filing Information

| Application for Determination of Moral Character | $551.00 |
| Application for Extension of Determination of Moral Character | $265.00 |
Moral Character Application (cont.)

Fingerprints
State law mandates that the State Bar of California "... require that an applicant for admission or reinstatement to the practice of law in California... be fingerprinted in order to establish the identity of the applicant and in order to determine whether the applicant or member has a record of criminal conviction...."
An Application for Determination of Moral Character or Application for Extension of Determination of Moral Character will not be considered complete without the appropriately processed fingerprints.

Live Scan Processing:
Applicants who reside in California must submit fingerprints via Live Scan technology. Only California livescan services may be used. Applicants can have their fingerprints processed while visiting California, but they must contact the Los Angeles Office of Admissions to request the livescan form and both DOJ and FBI services will be required.

Fingerprint Card Processing:
Applicants residing outside of the State of California must submit prints on fingerprint cards (FD-258) w/a Request for Exemption From Mandatory Electronic Fingerprint Submission Requirement form. An applicant's fingerprints will be used solely to determine whether or not the applicant has a prior criminal record. Pursuant to Business and Professions Code Section 6054, the fingerprint cards of applicants who are admitted to practice law in California are retained for the limited purpose of criminal arrest notification.
Another hurdle before the day of the exam…
Multistate Professional Responsibility Exam

- Required in California
- Model Rules of Prof Conduct and Model Rules of Judicial Conduct
- Scaled scores range from 50-150 with 100 as average

California requires a scaled score of 86
To be admitted to practice law in California, an applicant must:

• Complete the necessary [pre-legal education](#);
• File a registration application and be permitted to [register as a law student or attorney applicant](#);
• Complete the required [legal education](#);
• File an application, establish [eligibility, take and pass the First-Year Law Students’ Examination, or establish exemption from the examination](#);
• File an application, establish [eligibility, take and pass the California Bar Examination](#);
• File an application for [moral character determination and receive a positive moral character determination from the Committee of Bar Examiners](#);
• File an application, take the [Multistate Professional Responsibility Examination, and achieve a scaled score of 86.00 or greater, which examination is administered and graded by the National Conference of Bar Examiners](#);
• Comply with California [court-ordered child or family support obligations](#).
CHANGES ARE IN THE FUTURE

JULY 2016 & FEBRUARY 2017
• 3 DAY BAR EXAM

STARTING JULY 2017
• 2 DAY BAR EXAM
CA BAR EXAM AT A GLANCE

**DAY ONE:**
- Essay Exam and California Performance Test (CPT)
- AM session (3 hours): 3 Essay Questions
- PM session (3 hours): CPT

32.5%
OF TOTAL SCORE

**DAY TWO:**
- Multistate Bar Exam (MBE)
- AM session (3 hours): 100 Multiple-choice Questions
- PM session (3 hours): 100 Multiple-choice Questions

35%
OF TOTAL SCORE

**DAY THREE:**
- Essay Exam and California Performance Test (CPT)
- AM session (3 hours): 3 Essay Questions
- PM session (3 hours): CPT

32.5%
OF TOTAL SCORE

*Together, Days One and Three make up 65% of your total score!*
MBE TESTABLE TOPICS

DAY 2: MBE

35% OF TOTAL SCORE

- Contracts
- Constitutional Law
- Criminal Law & Procedure
- Evidence
- Federal Civil Procedure
- Property
- Torts
POSSIBLE ESSAY TOPICS:
- Contracts
- Constitutional Law
- Criminal Law & Procedure
- Evidence
- Real Property
- Torts
- Business Associations
- Civil Procedure
- Community Property
- Professional Responsibility
- Remedies
- Trusts
- Wills & Succession

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## CA BAR EXAM SCORING

<table>
<thead>
<tr>
<th></th>
<th>NUMBER OF ITEMS</th>
<th>POINTS PER ITEM</th>
<th>POINTS POSSIBLE</th>
<th>SCALED SCORE</th>
<th>WEIGHT ADJUST.</th>
<th>TOTAL WEIGHT</th>
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<tbody>
<tr>
<td>MBE</td>
<td>200</td>
<td>10</td>
<td>2000</td>
<td>2000</td>
<td>35%</td>
<td>700</td>
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<tr>
<td>ESSAY</td>
<td>6</td>
<td>100</td>
<td>600</td>
<td>2000</td>
<td>65%</td>
<td>1300</td>
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<tr>
<td>CPT</td>
<td>2</td>
<td>200</td>
<td>400</td>
<td>2000</td>
<td></td>
<td>1300</td>
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<tr>
<td><strong>TOTAL SCORE</strong></td>
<td></td>
<td></td>
<td></td>
<td>2000</td>
<td></td>
<td><strong>2000</strong></td>
</tr>
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A PASSING TOTAL SCORE IS AT LEAST **1440**

- MBE scores are scaled from 0 to 2000 points
- The written portion is graded on a basis of 1000 possible points, then translated to a 2000-point scale.
- The scale scores are then weighted.
NOW, LET’S TAKE A LOOK AT THE TWO DAY EXAM....
NEW CA BAR EXAM AT A GLANCE

DAY ONE:

Essay Exam and California Performance Test (CPT)
AM session (3 hours): 3 Essay Questions
PM session (1.5 hours): CPT
PM session (2 hours): 2 Essay Questions

50% OF TOTAL SCORE

DAY TWO:

Multistate Bar Exam (MBE)
AM session (3 hours): 100 Multiple-choice Questions
PM session (3 hours): 100 Multiple-choice Questions

50% OF TOTAL SCORE
| Applicant Group | First-Timers | | | Repeaters | | | | All Takers | | | |
|-----------------|--------------|-----------------|-----------------|--------------|-----------------|-----------------|--------------|-----------------|-----------------|-----------------|
| Took            | Pass         | %Pass           | Took            | Pass         | %Pass           | Took            | Pass         | %Pass           |
| General Bar Examinations | 5838 | 3486 | 59.7 | 2485 | 396 | 15.9 | 8323 | 3882 | 46.6 |
| Attorneys’ Examinations | 254 | 112 | 44.1 | 159 | 32 | 20.1 | 413 | 144 | 34.9 |
| Total           | 6092         | 3598            | 59.1            | 2644         | 428            | 16.2            | 8736         | 4026            | 46.1            |
### July 2015 Overall Statistics

<table>
<thead>
<tr>
<th>Law School Type</th>
<th>First-Timers</th>
<th></th>
<th></th>
<th></th>
<th>Repeaters</th>
<th></th>
<th></th>
<th></th>
<th>All Takers</th>
<th></th>
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<tr>
<td></td>
<td>Took</td>
<td>Pass</td>
<td>%Pass</td>
<td>Took</td>
<td>Pass</td>
<td>%Pass</td>
<td>Took</td>
<td>Pass</td>
<td>%Pass</td>
<td>Took</td>
<td>Pass</td>
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<tr>
<td>CA ABA Approved</td>
<td>3535</td>
<td>2411</td>
<td>68.2</td>
<td>823</td>
<td>194</td>
<td>23.6</td>
<td>4358</td>
<td>2605</td>
<td>59.8</td>
<td></td>
<td></td>
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<tr>
<td>Out-of-State ABA</td>
<td>1251</td>
<td>735</td>
<td>58.8</td>
<td>469</td>
<td>73</td>
<td>15.6</td>
<td>1720</td>
<td>808</td>
<td>47.0</td>
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<td></td>
</tr>
</tbody>
</table>

Harvard University School of Law:
- First Time Taker: 93
- Passed: 80
- Percent: 86%
- Repeaters: 2
- Passed: 0
- Percent: 0%
Now, let’s break down what the exam will look like…
### Inside the MBE

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>SUBTOPIC AND APPROXIMATE WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONSTITUTIONAL LAW</strong> 27 QUESTIONS</td>
<td>Individual Rights 8%</td>
</tr>
<tr>
<td></td>
<td>Other 8%</td>
</tr>
<tr>
<td><strong>CONTRACTS 28 QUESTIONS</strong></td>
<td>Consideration, 3rd Party Beneficiary, Assignment and Delegation, Statue of Frauds 7%</td>
</tr>
<tr>
<td></td>
<td>Formation, Conditions, Remedies 10%</td>
</tr>
<tr>
<td><strong>CRIMINAL LAW &amp; PROCEDURE</strong> 27 QUESTIONS</td>
<td>Crimes 8%</td>
</tr>
<tr>
<td></td>
<td>Procedure 8%</td>
</tr>
<tr>
<td><strong>EVIDENCE 27 QUESTIONS</strong></td>
<td>Relevancy, Privileges, Writings and Recordings 5%</td>
</tr>
<tr>
<td></td>
<td>Hearsay 5%</td>
</tr>
<tr>
<td></td>
<td>Presentation 5%</td>
</tr>
<tr>
<td><strong>FEDERAL CIVIL PROCEDURE</strong> 27 QUESTIONS</td>
<td>New Questions 18%</td>
</tr>
<tr>
<td><strong>REAL PROPERTY</strong> 27 QUESTIONS</td>
<td>Titles 3%</td>
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<tr>
<td></td>
<td>Ownership 3%</td>
</tr>
<tr>
<td></td>
<td>Rights in Land 3%</td>
</tr>
<tr>
<td></td>
<td>Contracts 3%</td>
</tr>
<tr>
<td></td>
<td>Mortgages 3%</td>
</tr>
<tr>
<td><strong>TORTS</strong> 27 QUESTIONS</td>
<td>Negligence 9%</td>
</tr>
<tr>
<td></td>
<td>Other 9%</td>
</tr>
</tbody>
</table>

**SCORED QUESTIONS:** 190  
**UNSCORED QUESTIONS:** 10  
**TOTAL:** 200

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A woman loved to watch her neighborhood football games. According to the neighborhood tradition, whenever a player scored a touchdown, the player would immediately rush full-speed at one of the fans on the sidelines and jokingly tackle him or her. One Saturday, as the woman and her neighbors are enjoying a game, a player scores a touchdown. He immediately looks for his little brother on the sidelines, intending to tackle him. The woman, standing directly behind the player’s brother, sees the player looking in their direction. Exhilarated by the play, she jokingly calls out, “Come on, big boy!” The player charges at her. Realizing that she has become the player’s target, the woman ducks, but the player succeeds in tackling her. The woman falls to the ground and sustains a concussion.

If the woman now brings suit against the player for her injuries, will she recover?

(A) No, because injuries sustained during sporting events are foreseeable.
(B) No, because the woman consented to the player’s contact.
(C) Yes, because the woman did not expressly consent to the contact.
(D) Yes, because the woman suffered a harmful and offensive contact.
The California Performance Test (CPT)

The performance test portion of the California Bar Exam is designed to test practical lawyering skills. The test will consist of approximately 15-20 pages, including:

- (1) a task memo – telling you what the examiners want done;
- (2) a library – providing legal authority relevant to the task (e.g., statutes, codes, cases, etc.); and
- (3) a client file – containing factual information.
Essay Topic Frequency Over the Last 17 Exams

POSSIBLE ESSAY TOPICS:

- Professional Resp. (CA): 96%
- Contracts/Sales: 61%
- Constitutional Law: 61%
- Torts: 61%
- Crim. Law & Pro: 53%
- Community Prop (CA): 53%
- Real Property: 50%

Source: California Essay Topic Frequency and Occurrence 2001-2009
Corporations (CA): 42%
Wills (CA): 42%
Evidence: 38%
Fed. Civ. Pro: 38%
Trusts (CA): 34%
Evidence (CA): 26%
Remedies (CA): 23%
Agency (CA): 7%
Partnership (CA): 7%
- Percentages based off of exams from July 2014 – Feb. 2002
Your answer should demonstrate your ability to analyze the facts in the question, to tell the difference between material facts and immaterial facts, and to discern the points of law and fact upon which the case turns.

Your answer should show that you know and understand the pertinent principles and theories of law, their qualifications and limitations, and their relationships to each other. Your answer should evidence your ability to apply the law to the given facts and to reason in a logical, lawyer-like manner from the premises you adopt to a sound conclusion.

Do not merely show that you remember legal principles. Instead, try to demonstrate your proficiency in using and applying them. If your answer contains only a statement of your conclusions, you will receive little credit. State fully the reasons that support your conclusions, and discuss all points thoroughly.

Your answer should be complete, but you should not volunteer information or discuss legal doctrines that are not pertinent to the solution of the problem. Unless a question expressly asks you to use California law, you should answer according to legal theories and principles of general application.
Example Essay Question: QUESTION 5

Online, Inc. was duly incorporated as an Internet service provider. Its articles of incorporation authorized issuance of 1,000 shares of stock at $1,000 par value. Online initially issued only 550 shares to its shareholders as follows: Dick and Sam each received 200 shares and Jane received 150 shares. Online’s Board of Directors (composed of Jane, Sam, and Harry) named Jane as the Chief Executive Officer and named Harry as General Counsel. Online’s business grew substantially in the following months. Still, Online was short on cash; as a result, instead of paying Jane $10,000 of her salary in cash, it issued her 50 additional shares with the approval of its Board of Directors.

Looking to expand its operations, Online sought to enter a strategic partnership with LargeCo, Inc. Jane had learned about LargeCo through Harry’s wife, who she knew was the majority shareholder of LargeCo. Jane directed Harry to negotiate the terms of the transaction with LargeCo. In the course of Harry’s negotiations with LargeCo, LargeCo offered to acquire the assets of Online in exchange for a cash buy-out of $1,000,000. Harry telephoned Jane and Sam; Jane and Sam agreed with Harry that the offer was a good idea; and Harry accepted LargeCo’s offer. Two days after completion of the transaction, LargeCo announced a joint venture with TechCo, which was solely owned by Harry. The joint venture was valued at $10,000,000. In its press release, TechCo described the joint venture as a “remarkable synergy of LargeCo’s new technology with TechCo’s large consumer base.”

The following week, Dick learned of LargeCo’s acquisition of Online’s assets. An expert in technology matters, he was furious about the price and terms of the acquisition, believing that the value of Online had been seriously underestimated.

1. What are Dick’s rights and remedies, if any, against Jane, Sam and/or Harry? Discuss.

2. What ethical violations, if any, has Harry committed? Discuss. Answer according to California and ABA authorities.
City Council (City) amended its zoning ordinance to rezone a single block from “commercial” to “residential.” City acted after some parents complained about traffic hazards to children walking along the block. The amended ordinance prohibits new commercial uses and requires that existing commercial uses cease within three months. Several property owners on the block brought an action to challenge the amended ordinance.

In the action, the court ruled:

Property Owner A, who owned a large and popular restaurant, had no right to continue that use, and had time to move in an orderly fashion during the three-month grace period.

Property Owner B, who had spent $1 million on engineering and marketing studies on his undeveloped lot in good faith prior to the amendment, was not entitled to any relief.

Property Owner C, whose lot dropped in value by 65% as a result of the amended ordinance, did not suffer a regulatory taking.

Was each ruling correct? Discuss.
Have any Questions?

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Source: TBA