THE CALIFORNIA BAR EXAM
Teddy Hook
Director of Legal Education
teddy.hook@barbri.com
HOW DO I GET ADMITTED TO THE CA BAR?
REQUIREMENTS
FOR AN APPLICANT WHO WANTS TO
BECOME A LICENSED ATTORNEY IN CA

1. Complete application for the Bar Exam in CA
2. Pass the Multistate Professional Responsibility Exam (MPRE)
3. Pass the CA Bar Exam
4. Complete Moral Character Application
FILING DEADLINES
CALIFORNIA APPLICATION PROCESS

Deadlines

• Feb 27 & 28, 2018 Bar Exam
  • OCT 1st – Application becomes available
  • NOV. 1ST - Regular deadline
  • JAN 16TH - Late filing deadline (late fee applies)

• July 24 & 25, 2018 Bar Exam
  • MARCH 1st – Application becomes available
  • APRIL 2ND - Regular deadline
  • JUNE 15 - Late filing deadline (late fee applies)

Application Fees

• General applicants - $677
• Attorney applicants - $983
• Late fee: $50 - $250
LAPTOP INFORMATION

• You **must** opt in when applying for exam
• Laptop fee: $153
• Late fee: $15
• Download and install “SofTest”
• Must be downloaded onto the laptop you will be using for the exam
• Download the bar exam files
• Download and upload the Mock Examination exam answer - makes sure program is working
• Become familiar with the format
WHERE WILL I SIT FOR THE CA BAR EXAM?

- Los Angeles Area
- San Diego
- Oakland/San Francisco Bay Area
- Sacramento
MULTISTATE PROFESSIONAL RESPONSIBILITY EXAM (MPRE)
Register for the MPRE

- Administered 3 times a year (Mar, Aug & Nov)
- CA requires score of 86 (100 is average)
  - Approximately 32-34/50 converts to a scaled score of 86
- 60 questions: 50 graded & 10 experimental
- Need photo ID to sit for MPRE
- Next test date is Nov 4th
  - Exams in 2018: March 24, August 11, November 10
MPRE

**Pass with Free BARBRI MPRE Course**

- **4 hour online, on demand** lecture organized in modules based on topic
- MPRE Multiple Choice Questions
- MPRE Review Book
  - In-depth & condensed outline
  - 4 MPRE exams with explanatory answers
  - Lecture handout

[Image of laptop screen with text: "You may not know where you're going, but so long as you spread your wings, the winds will carry you."]
THE CA BAR EXAM

• Two Day CA Bar Exam first administered July 2017
• Exam is 0 – 2,000 scaled points
• 1440 is a passing score
• Students scoring between 1390 and <1440 are entitled to a re-grade for the written portion
THE CA BAR EXAM

- **Length:** 2-day exam
- **Dates:** February 27th & 28th; July 24th & July 25th
- **Structure:**

<table>
<thead>
<tr>
<th>Day</th>
<th>AM Session</th>
<th>PM Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday</td>
<td>Essays 1, 2, 3</td>
<td>Essays 4, 5, Performance Test</td>
</tr>
<tr>
<td>- Essays</td>
<td>36%</td>
<td></td>
</tr>
<tr>
<td>- PT</td>
<td>14%</td>
<td></td>
</tr>
<tr>
<td>Wednesday</td>
<td>MBE (100 questions)</td>
<td>MBE (100 questions)</td>
</tr>
<tr>
<td>- MBE</td>
<td>50%</td>
<td></td>
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</table>
DAY 1: TUESDAY
Written Portion

- Five hour long essays, each graded on a 40-100 point scale
- One 90 min. performance test, also graded on a 40-100 point scale
- Performance test counts TWICE, meaning it is worth 200 points
- The entire written portion is therefore graded on a 700 point scale:
  - Essay #1 – counts for 100 points
  - Essay #2 – counts for 100 points
  - Essay #3 – counts for 100 points
  - Essay #4 – counts for 100 points
  - Essay #5 – counts for 100 points
  - Perf. Test – counts for 200 points
DAY 1: TUESDAY
Written Portion

Morning Session – 3 hours
- 3 Hour Long Essay Questions
  - Each essay tests 1 - 2 subjects with multiple issues
  - Likely to test an MBE subject
  - We provide Essay Topic Frequency Chart

Afternoon Session – 3.5 hours
- 2 Hour Long Essay Questions
- 90 Minute Performance Test

Subjects Tested on Essays: Business Associations, Civil Procedure, Community Property, Constitutional Law, Contracts, Criminal Law and Criminal Procedure, Evidence, Real Property, Torts, Professional Responsibility, Remedies, Wills, Trusts
| Subject                        | S04 | W05 | S06 | W06 | S07 | W07 | S08 | W08 | S09 | W09 | S10 | W10 | S11 | W11 | S12 | W12 | S13 | W13 | S14 | W14 | S15 | W15 | S16 | W16 | S17 | W17 | Total |
|-------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| Agency & Partnership          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 4    |
| Civil Procedure ++            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 10   |
| Community Property            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 15   |
| Constitutional Law            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 16   |
| Contracts                     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 18   |
| Corporations                  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 12   |
| Criminal Law & Procedure      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 14   |
| Evidence                      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 14   |
| Professional Responsibility   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 27   |
| Real Property                 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 13   |
| Remedies+++                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 18   |
| Torts                         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 17   |
| Trusts                        |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 10   |
| Wills                         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 14   |

* Total = total number of times the subject has appeared on the exam either as a whole or partial question
  - Full question
  - Partial question
  - Became a test subject in 2007
  - The CA bar exam expanded the content of the subject matter tested in Civil Procedure, California tested state Civil Procedure rules in the Summer 2016 bar exam.
  +++ Remedies is often part of Contracts and Torts questions even when not labeled as such by the Examiners. Thus, Remedies topics may appear more frequently than indicated here.
DAY 2: WEDNESDAY
MBE DAY

Exam Breakdown
- Applicable in DC & 49 states (excluding LA)
- 50% of your score
- 200 multiple choice questions
  - Morning: 100 questions (3 hours)
  - Afternoon: 100 questions (3 hours)
- Only 175 questions graded
  - 25 are pre-test questions - not identified

Subjects Tested
- About 25 Questions Each:
  - Civil Procedure
  - Constitutional Law
  - Contracts
  - Criminal Law/Procedure
  - Evidence
  - Real Property
  - Torts
Question 1:

On which testing day(s) should I be prepared to answer questions on Civil Procedure, Evidence, Constitutional Law, Torts, Real Property, Criminal Law & Procedure, and Torts?

Answer: Both Day #1 (Written Portion) and Day #2 (MBE)
CA BAR EXAM

Question 2:

On which testing day(s) should I be able to answer questions about Business Associations, Community Property, Prof. Responsibility, Remedies, Wills, and Trusts?

Answer: Day #1 (Written Portion) Only
Question 3:
How many of the questions on the 200 question MBE are experimental?

Answer: 25 questions; these do not count towards your score
MORAL CHARACTER APPLICATION

WHAT IS IT?
The ultimate background check to make sure you are morally fit for the practice of law

WHAT INFO DO I HAVE TO PROVIDE?
• Answered questionnaire (very extensive) with supporting documents
• References
• Live Scan Fingerprinting

SUBMISSION
Must mail in a signed hard copy.
MORAL CHARACTER APPLICATION

HOW LONG DOES IT TAKE TO PROCESS?
A minimum of 180 days, but UP TO 10 months

SO WHEN SHOULD I SUBMIT IT?
• CA Bar recommends 10 months before you want to be admitted to the CA Bar.
• If you’re taking the taking the Summer 2018 CA Bar
• Results come out in November
• Passing applicants admitted as soon as late November
• Count back 10 months from November –submit your moral character application in Jan/Feb

HOW MUCH DOES IT COST?
$551
HOW DO I REMEMBER ALL OF THIS??

Free BARBRI Bar Exam Digest Covering All Jurisdictions: http://barreview.barbri.com/bar-exam-digest
REINVENTING BAR REVIEW FOR 2018 AND BEYOND

- Moving beyond memorization
- Different lecture types & styles for different learners
- Directed essay grading
Reinvention #1:

Moving beyond memorization to actually learning the law
THE LAW PROVIDES A NONVIOLENT PROCESS FOR RESOLVING DISPUTES
THE LAW PROVIDES A NONVIOLENT PROCESS FOR RESOLVING DISPUTES

THE DISPUTE

- Broken Promises
- Possessions
- Someone does or does not do something
- Citizens & Gov’t

PROCEDURE
### The Law Provides a Nonviolent Process for Resolving Disputes

<table>
<thead>
<tr>
<th>Subject</th>
<th>The Dispute</th>
<th>Procedure</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contracts</strong></td>
<td>Has a contract been formed?</td>
<td>CIVIL PROCEDURE</td>
<td>EVIDENCE</td>
</tr>
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<td></td>
<td>What do you have?</td>
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<td>What are the terms?</td>
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<td></td>
<td>Performance or breach?</td>
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<tr>
<td><strong>Real Property</strong></td>
<td>What limits it?</td>
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<td></td>
<td>How you transfer ownership of it?</td>
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<tr>
<td><strong>Torts</strong></td>
<td>Someone acts against someone</td>
<td>CRIMINAL PROCEDURE</td>
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<td></td>
<td>Someone fails to act or acts carelessly</td>
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<tr>
<td></td>
<td>Something harms someone</td>
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<tr>
<td><strong>Criminal Law</strong></td>
<td>Is there a crime against person or property?</td>
<td>CONSTITUTIONAL LAW</td>
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<td>Is the defendant culpable?</td>
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<tr>
<td><strong>Civil Procedure</strong></td>
<td>State and Federal Relations</td>
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<td>Learning about the case</td>
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<td></td>
<td>Arrest and detention</td>
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<tr>
<td><strong>Criminal Procedure</strong></td>
<td>Search and seizure</td>
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<td></td>
<td>Relevance and policy exclusions</td>
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<tr>
<td><strong>Evidence</strong></td>
<td>Character evidence</td>
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<td></td>
<td>Impeachment</td>
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<td>Hearsay</td>
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<td>Authentication and proof</td>
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**CIVIL PROCEDURE**

**GETTING THE RIGHT PARTIES IN THE RIGHT COURT**

**RULE**

Personal Jurisdiction

The exercise of jurisdiction must be authorized by a state statute and constitutional (i.e., the defendant must have purposeful minimum contacts with the forum such that the exercise of jurisdiction over the defendant in the forum state is fair and reasonable)

**ELEMENTS**

- [ ]

**STORY**

Al is driving through Wisconsin on his way to his vacation house in Minnesota. Because Al is in a hurry to start his vacation, he is speeding through Wisconsin and driving somewhat recklessly. While doing so, he accidentally sideswipes Bob, who is badly injured in the accident. Bob does not have good health insurance, and wishes to sue Al in Wisconsin.
REAL PROPERTY

WHAT LIMITS IT?

RULE

Properties Affected by an Easement Appurtenant

ELEMENTS

A dominant tenement is a parcel of land benefited at the expense of a servient tenement

STORY

Pathway

Servient Tenement

Dominant Tenement
RULE

Commerce Clause
Powers
Reinvention #2: Different lecture types and styles for different learners
More than traditional bar review lectures
More than traditional bar review lectures
More than traditional bar review lectures
Reinvention #3
Online essay training combined with directed essay grading
First Amendment Rights

The First Amendment is huge: it limits the government’s power to interfere with the freedoms of speech, association, and religion. These topics are so large that entire law school classes may be devoted to the study of each one. First Amendment rights are heavily tested on bar exams, and it is not uncommon in practice to see a First Amendment case. For example, a student may be expelled from school for saying something inappropriate, a billboard company may be prohibited from displaying a certain ad near a church, a person who supports an unpopular cause might be denied a parade permit, a school might require a student to recite the pledge of allegiance even though it is against his religious principles, or a school board might decide to give microscopes to a local religious school. If a client walks through your door and describes any of these problems (and many more) to you, you must recognize that you are in the realm of the First Amendment.

After recognizing that a First Amendment issue is before you, your next order of business is to figure out which First Amendment Clause is at issue (e.g., Free Speech Clause, Establishment Clause, Free Exercise Clause), because different tests apply to the different clauses. Indeed, different tests apply to different situations under the
Based on the First Amendment passage that you just read, complete the notes below by filling in the blanks.

**First Amendment Rights**

**A. Introduction**
The First Amendment limits the government's power to interfere with the freedoms of speech, association, and religion.

**B. The Freedom of Speech**

1. **Scope**
   
   Speech can encompass not only talking, typing, skyping, and holding up protest signs, but also refusing to speak. Anything related to conveying a message or refusing to convey a message can come within the ambit of speech.

2. **Content Regulation**
   
   a. **Key Question**: Does the law or government action treat speech differently based on the content being conveyed (e.g., henceforth, it shall be unlawful to claim that the world is flat)?

   b. **Strict Scrutiny**: A law prohibiting speech based on content generally must pass strict scrutiny. The government must prove that its action is tailored to achieve a compelling government interest.

3. **Unprotected Speech**
   Some categories of speech are unprotected—speech that the Supreme Court has decided adds nothing of value to our society, including:
Directed Essay Grading: Starting with Essay Architect

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Directed Essay Grading: Starting with Essay Architect

Identify the Issue and Key Facts

The Free Speech Clause is the main issue here. The question that has the most relevant facts is a time, place, and manner question: Can a state limit protests near the legislative building when in session?

During a controversial debate on a proposed bill to reinstate the state's death penalty, supporters of the bill gathered for a rally and speeches. One of the leaders of the group was giving a speech when he was informed that the legislature had decided to send the bill back to the committee and that there would be no vote on the bill until the next legislative session. He told the crowd that they should all go across the street and let the legislators hear the voices of the people. When he led the chanting crowd to the front of the building, the state police dispersed them and arrested the leader, charging him with violating the statute.

Does the Constitution, as applied to state and local governments through the Fourteenth Amendment, preclude the state from enforcing its anti-picketing ordinance against the leader? Explain.

Click on the choice that best answers the question below.

What is the key issue in the passage that you highlighted?

A. The Free Speech Clause
B. The Fourteenth Amendment Due Process Clause
C. The Speech And Debate Clause
Directed Essay Grading: Starting with Essay Architect

We encourage you to use issue Ts when you are writing answers on the bar exam. An issue T is an essay writing aid. When you recognize something that is in issue in an exam question, draw a large T on scratch paper or beneath the text of the question. On the top of the T, write a shorthand name for the issue. On the left side of the T, note the requirements, elements, or prima facie case related to the issue (you should recall the law from studying). On the right side of the T, write in facts that support or refute each requirement, element, etc.

**Study hint:** If you are shaky on the law, “spare” facts (i.e., facts that are not related to the elements you do remember) can help jar your memory of any missing elements. On the other hand, missing facts are a good hint that an argument will not succeed or is not really in issue.

### Time, Manner, Place Regulation

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Fact 1</th>
<th>Fact 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Content neutral</td>
<td>ordinance banning political advertisements</td>
<td>exposure to such material is deleterious to the development of primary school children and offensive to many church members</td>
</tr>
<tr>
<td>Narrowly tailored</td>
<td>within 1,000 feet of a school or church</td>
<td>store is directly across the street from a grade school</td>
</tr>
<tr>
<td>Important government interest</td>
<td>exposure to such material is deleterious to the prevention of the development of primary school children and offensive to many church members</td>
<td>Able placed a large poster in his store window urging voters to vote in favor of members of Able’s political party in an upcoming election</td>
</tr>
<tr>
<td>Sufficient alternative channels of communication</td>
<td>Only prohibits billboards and ads in store windows within 1000 feet of church or school</td>
<td>Able refused to remove the poster and was arrested for violating the ordinance</td>
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Directed Essay Grading: Starting with Essay Architect

COMPLETE THE ISSUE T

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Directed Essay Grading: Starting with Essay Architect

**QUESTION**

City passed an ordinance requiring security cameras in the common areas of all apartment buildings with more than 100 units. The ordinance was passed in response to a rash of burglaries in large apartment complexes in City.

Several members of the religious group Astra rent apartments in buildings affected by the ordinance. The Astras use one of the apartments to conduct religious services. It is a central tenet of Astra that its members may not be photographed. The Astras are politically active and threaten to challenge the security camera requirement in court.

Applying only the Free Exercise Clause of the United States Constitution, discuss whether the members of Astra can successfully challenge the camera ordinance.

- [A] The camera ordinance is facially neutral toward religion and is a law of general applicability that does not in any way target religion. It also appears to be rationally related to preventing burglaries. It may have the effect of burdening the Astras' religion because members would need to pass cameras to reach the apartment in which their services are held, and their religion prohibits them from being photographed.

- [B] The members of Astra cannot successfully challenge the camera ordinance under the Free Exercise Clause.

- [C] The Free Exercise Clause of the First Amendment applies to the states and their political subdivisions through the Due Process Clause of the Fourteenth Amendment. The Clause...
Directed Essay Grading: Starting with Essay Architect

Good. We recommend that you end your answer with a conclusion as a way of wrapping up and double checking your initial conclusion. This sentence does just that.

[B] The members of Astra cannot successfully challenge the camera ordinance u...

[C] The Free Exercise Clause of the First Amendment applies to the states and their political subdivisions through the Due Process Clause of the Fourteenth Amendment. The Clause generally prevents government entities from imposing burdens on individuals on the basis of their religious beliefs. However, a religiously neutral law of general applicability will not be struck down merely because it has an incidental effect on a religious practice. Such a law, like any other law, will be upheld unless the challenger can prove it has no rational basis (i.e., it is not directly related to a legitimate government purpose). The Free Exercise Clause does not relieve individuals from their obligations to comply with valid and neutral laws of general applicability on the ground that the law prescribes (or proscribes) conduct that the religion prescribes (or proscribes).

[D] Because the ordinance here does not appear to target the Astras and is gene...

[E] The main question here is whether City’s ordinance targets the Astra’s religious practices.
Directed Essay Grading: The Best Way to Get Better Faster

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
<th>Sunday</th>
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</tbody>
</table>

*Graded Essay*
Continue delivering BARBRI’s exclusive advantages
Personal Study Plan:
Study Smarter, Not Harder

STRENGTH DOES NOT COME FROM PHYSICAL CAPACITY. IT COMES FROM INDOMITABLE WILL.

Mahatma Gandhi
# Take advantage of the curve: BARBRI Simulated MBE

## Simulated Exam Results

### Simulated Multistate Personal Analysis

The results of your BARBRI Simulated Multistate Exam are listed below. The OVERALL SCORE section has two parts: The raw score indicates how many questions you answered correctly on the exam as a whole. The national rank and graph tell how you ranked with the thousands of other students taking the exam. The SCORE BY SUBJECT section provides this same data for each Multistate subject and major topic areas within each subject. How many questions correct and how you ranked on each subject and topic area.

**Overall Score**

- **Raw Score:** You answered 109 correctly out of 200, which equals 54.5% correct.
- **National Rank:** Your score was higher than 48% of the students taking the exam.

The National Rank and Percentile Rank are updated nightly. The current rank is calculated based on the results of between 2,000 and 3,000 students.

### Score by Subject

<table>
<thead>
<tr>
<th>Subject</th>
<th>Correct</th>
<th>Out of</th>
<th>Percentile Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Torts</td>
<td>16</td>
<td>34</td>
<td>47.0% correct</td>
</tr>
<tr>
<td>Intentional Torts</td>
<td>1</td>
<td>9</td>
<td>11.0% correct</td>
</tr>
<tr>
<td>Negligence: Duty of Care</td>
<td>5</td>
<td>9</td>
<td>55.0% correct</td>
</tr>
<tr>
<td>Negligence: Causation, Parties</td>
<td>6</td>
<td>7</td>
<td>86.0% correct</td>
</tr>
<tr>
<td>Strict Liability: Products Liability</td>
<td>4</td>
<td>6</td>
<td>69.0% correct</td>
</tr>
<tr>
<td>Nuisance, Deception, Privacy</td>
<td>0</td>
<td>5</td>
<td>0.0% correct</td>
</tr>
<tr>
<td>Contracts</td>
<td>21</td>
<td>34</td>
<td>62.0% correct</td>
</tr>
<tr>
<td>Formation of Contracts</td>
<td>4</td>
<td>7</td>
<td>59.0% correct</td>
</tr>
<tr>
<td>Consideration</td>
<td>2</td>
<td>4</td>
<td>50.0% correct</td>
</tr>
<tr>
<td>Third Party Beneficiary Assignment</td>
<td>3</td>
<td>6</td>
<td>50.0% correct</td>
</tr>
<tr>
<td>Statute of Frauds/Proof Evidence</td>
<td>2</td>
<td>5</td>
<td>40.0% correct</td>
</tr>
<tr>
<td>Conditions, Discharge, Impossibility</td>
<td>2</td>
<td>5</td>
<td>43.0% correct</td>
</tr>
<tr>
<td>Remedies</td>
<td>8</td>
<td>8</td>
<td>100.0% correct</td>
</tr>
<tr>
<td>Criminal Law</td>
<td>16</td>
<td>35</td>
<td>48.0% correct</td>
</tr>
<tr>
<td>Homicide</td>
<td>1</td>
<td>4</td>
<td>25.0% correct</td>
</tr>
<tr>
<td>Other Crimes</td>
<td>1</td>
<td>5</td>
<td>20.0% correct</td>
</tr>
</tbody>
</table>
1.3 MILLION

LAWYERS, LAW PROFESSORS AND JUDGES TRUSTED BARBRI.

NOW IT’S YOUR TURN