

WESTERN STATE COLLEGE OF LAW

COURSE SYLLABUS AND ASSIGNMENTS

COURSE:	Basic Bar Studies
SEMESTER:	Spring 2019
PROFESSORS:	Manning (email: pmanning@wsulaw.edu) Schindler (email: tschindler@wsulaw.edu) MacManus (email: mdmacmanus@gmail.com)

COURSE OBJECTIVES: The goals of Basic Bar Studies (“BBS”) are: (1) to introduce students to the skills necessary to succeed on the essay, MBE and Performance test sections of the California Bar Examination, including practice, reflection and self-assessment skills. More specifically, by the end of the course, successful students will have: (1) created an essay approach for each of the seven topics tested on the multi-state bar exam portion of the California bar exam; (2) developed the ability to use issues checklists to write well-organized and thorough essay answers within the one hour allotted by the California Bar Examiners for each essay; (3) developed the ability to identify legal issues on essay and MBE questions; (4) developed the ability to identify and analyze legally significant facts; (5) developed a strategy for organizing an answer to a performance exam in 45 minutes; (6) practiced writing answers to essay and performance exams using a student created outline; (7) practiced doing and reviewing MBE questions; (8) developed the ability to self-assess their performance on essay, multi-state and performance exam practice questions, and (9) developed the ability to use self-assessment to improve performance.

COURSE METHODOLOGY: This course has been designed as a significant departure from traditional law school instruction and course work because it teaches a set of study skills that are unique to the California Bar Exam—and because it begins your preparation for that exam. Using lectures, outlines and materials created by Kaplan/PMBR or Themis Bar Review, you will follow a rigorous weekly program and become proficient in employing the following skills: (1) viewing substantive lectures and following along in the lecture notes; (2) creating an essay approach; (3) creating an issues checklist; (4) using a 10-step method to identify key facts/issues and outline an essay answer; (5) assessing essays exams using sample answers; (6) taking and assessing multi-state bar exam (“MBE”) questions; (7) creating MBE reflection and review materials; (8) developing a strategy for organizing the file and library of a 90 minute performance exam; (9) assessing performance exams using sample answers and rubrics; (9) writing answers to performance exams; and (10) using self-assessment to improve performance on the essay, performance and MBE portions of the bar exam.

During the fourteen week semester, the BBS course will cover the seven multi-state subjects of the California Bar Exam; following the conclusion of the course, and leading up to the bar exam, you will then follow the same approach for each of the California subjects, as well as engage in additional practice and review of each testable subject, as you study on your own with your selected bar preparation company.

COURSE MATERIALS: The required BBS course materials are available from two different commercial bar preparation companies. Students are given the freedom to select the bar preparation company that best suits their needs. Students will choose between Themis Bar Review (<https://www.themisbar.com/>) and Kaplan/PMBR (<http://www.kaptest.com/bar-exam>). The fee for either program is \$1,550.00, which includes all materials for BBS and for post-graduation bar preparation. Students are eligible for reimbursement of these costs through the law school's reimbursement program.

CLASS PARTICIPATION: Legal education is a cooperative venture. Class participation therefore is a mandatory part of this course. Any student who is deemed unprepared for class will be treated as absent for that day and a student who is unprepared on two (2) occasions will automatically be withdrawn from the course.

COURSE GRADING: You will receive two separate grades for the course.

Your grade for Part 1 (3 units) is based on the following three components: (1) your score on the written portion of the midterm (40%); (2) your score on the written portion of the final examination (40%); and (3) the approaches, practice exams (both essay and performance), and reflections you submit during the semester (20%).

Your grade for Part 2 (3 units) is based on the following three components: (1) your score on the MBE portion of the midterm (40%); (2) your score on the MBE portion of the final examination (40%); and (3) completion of the multi-state quizzes and weekly assessment charts and reflections (20%). You will not be graded on the accuracy of your answers to the multi-state quizzes, but rather on your timely submission of the work, your improvement throughout the course, and the effort and accuracy of your assessment charts and reflections.

After-Class Assignments: After every class session you will be completing homework assignments. Those assignments will include preparing/completing essay approaches, issues checklists, taking multi-state quizzes, organizing and drafting performance exam answers, and other assignments directed at helping you learn the material and practice the skills on which you will be tested on your midterm, final examination and the California Bar Examination. You will be graded on the extent to which your submissions demonstrate a good faith effort to successfully complete the assignments. **For each assignment, including each multi-state quiz/assessment chart and/or essay answer or approach or performance exam assignment that you fail to submit, or that does not reflect a good faith effort,** one tenth of a point will be deducted from your final course grade (i.e.: if you earn a final grade of 2.5 in the class, your final grade will be reduced to a 2.4, if you do not submit an MBE quiz/assessment or approach, and an additional one-tenth of a point will be deducted for every missed assignment thereafter). Points may also be assigned or deducted from your final grade based on class participation (or lack thereof).

HOMEWORK EXPECTATIONS and TIME COMMITMENT: Because this class begins your preparation for the bar exam, it **requires a substantial amount of work outside of class time.** You should expect to spend, on average, between twelve and fifteen hours per subject viewing lectures, and additional twelve to fifteen hours per subject creating approaches, and approximately three to four hours each week taking MBE quizzes, and completing assignments.

CLASS ATTENDANCE: If you arrive late to class, leave during class time or depart early (without prior permission), you will be marked absent for that session. If you miss more than two class sessions, you will be withdrawn from the class.

COURSE WEBSITE: Please sign-up for the Basic Bar Studies TWEN course by going to: www.lawschool.westlaw.com. There you will be able to add this course and you will be able to submit assignments in the Assignment Drop Box. There is no password necessary for the BBS TWEN course.

DISABILITY SERVICES STATEMENT: Western State College of Law provides accommodations to qualified students with disabilities. The **Disabilities** Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Students Services Suite 119. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify the Academic Dean, Susan Keller at skeller@wsulaw.edu. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

OFFICE HOURS, APPOINTMENTS AND EMAIL: Students may use office hours to address their concerns regarding any of the course material or for other guidance. You may also contact any Professor via email, and in fact we encourage you to copy all faculty on your email, and the Professor who is able to respond first will answer your question.

ASSIGNMENTS AND CLASS TIMES: Below is a list of the subject matter and skills covered during class, and the assignments for each class session. This list is not exhaustive and may be amended as needed (additional assignments will be assigned and distributed during class).

CLASS	TOPIC/SUBJECT	IN-CLASS SKILL/ASSIGNMENT	AFTER-CLASS ASSIGNMENT
		<p>BEFORE THE FIRST CLASS, please view the lecture on :</p> <p>KAPLAN: Real Property Lecture section on Adverse Possession, deeds and recording acts</p> <p>THEMIS: segments labeled Real Property, Chapters 14-21</p> <p>ALL STUDENTS must complete Lecture Notes corresponding to each of the segments.</p> <p>Other than the first class session, prior to the first class for each topic, you are responsible for viewing the substantive lecture on the Kaplan or Themis websites and completing the lecture handouts/notes, and accompanying assessments. Always bring your completed lecture notes to class.</p>	
M 1/14	INTRO TO ESSAY WRITING AND PREPARATION; PROPERTY	<ul style="list-style-type: none"> • CREATING AN ESSAY APPROACH • CREATING AN ISSUE CHECKLIST • USING THE 10 STEPS 	<ul style="list-style-type: none"> • Listen to remaining Property Lecture and Complete Lecture Notes • Draft Property Essay Approach
W 1/16	INTRO TO MBE PRACTICE AND REVIEW; INTRO TO PERFORMANCE EXAM	<ul style="list-style-type: none"> • AN APPROACH TO TAKING, ANSWERING AND REVIEWING PERFORMANCE ON MBE QUESTIONS • MBE ASSESSMENT CHARTS • ORGANIZING THE PERFORMANCE EXAM FILE AND LIBRARY (using PT-A) 	<ul style="list-style-type: none"> • WRITE PERFORMANCE TEST (PT # 1) and complete self-assessment, both due 2/4
W 1/23	PROPERTY	<ul style="list-style-type: none"> • ESSAY WRITING • ESSAY ASSESSMENT • REFLECTION AND REVISING YOUR APPROACH 	<ul style="list-style-type: none"> • Complete MBE Quiz #1 • Complete MBE Assessment chart, flashcards and reflection • Revise Property Essay Approach • Create Property Issue Checklist
Sa 1/26		Property MBE Quiz #1 DUE BY 5:00 p.m.	
M 1/28	PROPERTY MBE	<ul style="list-style-type: none"> • MBE QUIZ 1 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #2 • Complete MBE Assessment chart, flashcards and reflection

CLASS	TOPIC/SUBJECT	IN-CLASS SKILL/ASSIGNMENT	AFTER-CLASS ASSIGNMENT
W 1/30	PROPERTY; CON LAW PREVIEW	<ul style="list-style-type: none"> • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Finalize Property Essay Approach • Listen to Con Law Lecture and Complete Lecture Notes; • Draft Con Law Approach
Sa 2/2		MBE Quiz #2 DUE BY 5:00 p.m.	
M 2/4	PROPERTY MBE; OBJECTIVE TASK PERFORMANCE EXAMS	<ul style="list-style-type: none"> • MBE QUIZ 2 ASSESSMENT CHART DUE • PT 1 DUE (and self-assessment) • MBE TOPIC REVIEW • PT REVIEW AND ASSESSMENT: OBJECTIVE TASKS 	<ul style="list-style-type: none"> • ORGANIZE AND WRITE PT # 2 (and self-assessment), both due 2/19 • Complete MBE Quiz #3
W 2/6	CON LAW	<ul style="list-style-type: none"> • FINAL PROPERTY APPROACH DUE • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Revise Con Law Essay Approach • Create Con Law Issue Checklist
Sa 2/9		MBE Quiz #3 DUE BY 5:00 p.m.	
M 2/11	CON LAW MBE	<ul style="list-style-type: none"> • MBE QUIZ 3 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #4
W 2/13	CON LAW	<ul style="list-style-type: none"> • ESSAY WRITING • ESSAY ASSESSMENT • MEMORIZATION 	<ul style="list-style-type: none"> • Finalize Con Law Essay Approach • Listen to Evidence preview • Review Evidence Lecture and Complete Lecture Notes • Draft Evidence Approach
Sa 2/16		MBE Quiz #4 DUE BY 5:00 p.m.	
TUESDAY 2/19	CON LAW MBE; OBJECTIVE TASK PERFORMANCE EXAMS	<ul style="list-style-type: none"> • MBE QUIZ 4 ASSESSMENT CHART DUE • PT 2 DUE (and self-assessment) • MBE TOPIC REVIEW • PT ASSESSMENT: OBJECTIVE TASKS (Timed in class PT-B – due today) 	<ul style="list-style-type: none"> • Complete MBE Quiz #5
W 2/20	EVIDENCE	<ul style="list-style-type: none"> • FINAL CON LAW APPROACH DUE • ESSAY WRITING • ESSAY ASSESSMENT • CHOOSING THE DEPTH OF YOUR IRAC 	<ul style="list-style-type: none"> • Revise Evidence Essay Approach • Create Evidence Issues Checklist
Sa 2/23		MBE Quiz #5 DUE BY 5:00 p.m.	

CLASS	TOPIC/SUBJECT	IN-CLASS SKILL/ASSIGNMENT	AFTER-CLASS ASSIGNMENT
M 2/25	EVIDENCE MBE	<ul style="list-style-type: none"> • MBE QUIZ 5 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #6
W 2/27	EVIDENCE	<ul style="list-style-type: none"> • ALLOCATING TIME • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Finalize Evidence Essay Approach • Listen to Contracts preview • Listen to Contracts Lecture and Complete Lecture Notes • Draft Contracts Approach
Sa 3/2		MBE Quiz #6 DUE BY 5:00 p.m.	
M 3/11	EVIDENCE MBE; PERSUASIVE TASK PERFORMANCE EXAMS	<ul style="list-style-type: none"> • MBE QUIZ 6 ASSESSMENT CHART DUE • MBE TOPIC REVIEW • PT REVIEW AND ASSESSMENT: PERSUASIVE TASKS 	<ul style="list-style-type: none"> • ORGANIZE AND WRITE PT 3, DUE 3/18 • Complete MBE Quiz #7
W 3/12	CONTRACTS	<ul style="list-style-type: none"> • FINAL EVIDENCE APPROACH DUE • ESSAY WRITING • ESSAY SELF-ASSESSMENT USING BAR ANSWERS 	<ul style="list-style-type: none"> • Revise Contracts Essay Approach • Create Contracts Issues Checklist
MIDTERM: SATURDAY March 16 from 9:00AM-3:00PM			
Sa 3/16		MBE Quiz #7 DUE BY 5:00 p.m.	
M 3/18	CONTRACTS MBE; PERSUASIVE TASK PERFORMANCE EXAMS	<ul style="list-style-type: none"> • MBE QUIZ 7 ASSESSMENT CHART DUE • PT 3 DUE • MBE TOPIC REVIEW • PT ASSESSMENT: PERSUASIVE TASKS (Timed in class PT-C – due today) 	<ul style="list-style-type: none"> • ORGANIZE AND WRITE PT 4, due 3/27 • Complete MBE Quiz #8

CLASS	TOPIC/SUBJECT	IN-CLASS SKILL/ASSIGNMENT	AFTER-CLASS ASSIGNMENT
W 3/20	CONTRACTS	<ul style="list-style-type: none"> • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Finalize Contracts Essay Approach • Listen to Civil Procedure preview • Listen to Civil Procedure Lecture and Complete Lecture Notes • Draft Civil Procedure Essay Approach
Sa 3/23		MBE Quiz #8 DUE BY 5:00 p.m.	
M 3/25	CONTRACTS MBE	<ul style="list-style-type: none"> • MBE QUIZ 8 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #9
W 3/27	CIV PRO	<ul style="list-style-type: none"> • FINAL CONTRACTS APPROACH DUE • PT 4 DUE • ESSAY WRITING • ESSAY ASSESSMENT • THE MENTAL GAME 	<ul style="list-style-type: none"> • Revise Civil Procedure Essay Approach • Create Civil Procedure Issues Checklist
Sa 3/30		MBE Quiz #9 DUE BY 5:00 p.m.	
M 4/1	CIV PRO MBE	<ul style="list-style-type: none"> • MBE QUIZ 9 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #10
W 4/3	CIV PRO	<ul style="list-style-type: none"> • ESSAY WRITING • ESSAY ASSESSMENT • MBE CHECK UP 	<ul style="list-style-type: none"> • Finalize Civil Procedure Essay Approach • Listen to Criminal Law preview • Listen to Criminal Law Lecture and Complete Lecture Notes • Draft Criminal Law Essay Approach
Sa 4/6		MBE Quiz #10 DUE BY 5:00 p.m.	
M 4/8	CIV PRO MBE	<ul style="list-style-type: none"> • MBE QUIZ 10 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Complete MBE Quiz #11
W 4/10	CRIM LAW	<ul style="list-style-type: none"> • MBE QUIZ 10 ASSESSMENT CHART DUE • FINAL CIV PRO APPROACH DUE • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Revise and Finalize Criminal Law Essay Approach • Create Criminal Law Issues Checklist • Listen to Criminal Procedure preview • Listen to Criminal Procedure Lecture and Complete Lecture Notes • Draft Criminal Procedure Approach
Sa 4/13		MBE Quiz #11 DUE BY 5:00 p.m.	

CLASS	TOPIC/SUBJECT	IN-CLASS SKILL/ASSIGNMENT	AFTER-CLASS ASSIGNMENT
M 4/15	CRIM LAW/PRO MBE; "OTHER" TASK PERFORMACE EXAMS	<ul style="list-style-type: none"> • MBE QUIZ 11 ASSESSMENT CHART DUE • MBE TOPIC REVIEW • PT REVIEW AND ASSESSMENT: "OTHER" TASKS 	<ul style="list-style-type: none"> • ORGANIZE AND WRITE PT 5 due 4/22 • Complete MBE Quiz #12
W 4/17	CRIM PRO	<ul style="list-style-type: none"> • FINAL CRIM LAW APPROACH DUE • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Finalize Criminal Procedure Essay Approach • Create Criminal Procedure Issues Checklist • Listen to Torts preview; listen to Defamation preview • Listen to Torts Lecture and Complete Lecture Notes • Draft Torts Essay Approach
Sa 4/20		MBE Quiz #12 DUE BY 5:00 p.m.	
M 4/22	CRIM LAW/PRO MBE; PERFORMACE EXAM REVIEW	<ul style="list-style-type: none"> • MBE QUIZ 12 ASSESSMENT CHART DUE • MBE TOPIC REVIEW • PT 5 DUE • PT REVIEW AND ASSESSMENT (Timed in class PT-D – due today) 	<ul style="list-style-type: none"> • Complete MBE Quiz #13
W 4/24	TORTS	<ul style="list-style-type: none"> • FINAL CRIM PRO APPROACH DUE • ESSAY WRITING • ESSAY ASSESSMENT 	<ul style="list-style-type: none"> • Revise and Finalize Torts Essay Approach • Create Torts Issues Checklist
Sa 4/27		MBE Quiz #13 DUE BY 5:00 p.m.	
M 4/29	TORTS MBE	<ul style="list-style-type: none"> • FINAL TORTS APPROACH DUE • MBE QUIZ 13 ASSESSMENT CHART DUE • MBE TOPIC REVIEW 	<ul style="list-style-type: none"> • Prepare for final exam

Western State College of Law – Programmatic Learning Outcomes

Western State College of Law’s curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student’s chosen outcomes within this category will be varied based on the student’s particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker’s ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author’s ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.

Argosy University

Institutional Learning Outcomes:

1. Analytical Reasoning

Analyze issues objectively, interpret and synthesize data and ideas, and develop feasible, flexible, and creative solutions to real world problems

2. Effective Communication

Identify audiences, assess information provided, interpret needs, and present relevant information using appropriate written, oral, and listening skills and media to meet the needs of the situation

3. Information Competency

Gather, evaluate, and ethically use information from a variety of relevant technological and library resources to make decisions and take action

4. Interpersonal Effectiveness

Develop individual and group interpersonal skills to improve and foster participation and interaction critical for achieving individual and group goals

5. Personal and Professional Integrity and Ethical Behavior

Demonstrate a multi dimensional awareness of individual and social responsibility to act ethically and with integrity in a diverse, global society.

6. Professional Competence

Apply skills appropriate to program objectives and employ critical reasoning to contribute to one's field and profession