



**WILLAMETTE  
UNIVERSITY**

College of Law

## **COURSE DESCRIPTION - Legal Analysis for the Bar Examination**

LAB is designed to help students develop and practice skills and strategies for use on all three components of the bar examination (multiple choice, essay, and performance test questions). While we will use sample problems from the NCBE and doctrinal knowledge taught by BARBRI on some highly-tested topics (contracts, evidence, and torts), this course is **not** intended to replace a full commercial bar preparation course. Instead, it is the first step in extended bar review. The intention is that students will follow LAB with the BARBRI Early Start programming and the full preparation, supplemented by WUCL's BEAST program as desired. As the focus of the course is on skill-building, not teaching the entirety of bar-tested law, students will **not** be bar-ready at the end of the semester in terms of legal knowledge. However, students will have gained practice with all skills and strategies necessary to pass the bar exam.

Your work will not be perfect. Nor is it expected to be. Mistakes and revisions are essential to the learning process. After reviewing modules taught on BARBRI's MATRIX platform and engaging in practice quizzes, we will discuss individual problems in class in perhaps more detail than you would prefer in order to prepare you for how to approach them effectively in timed and stressed exam conditions. (It's an eat your veggies you'll thank me later kind of thing.) You will also be writing essays and performance tests both in and out of the classroom and receiving feedback from an actual Oregon bar grader. This course is a collaborative venture – you must be willing to work hard and engage in honest self-assessment in order to ultimately succeed in this class and beyond. A good faith effort and positive attitude will be helpful, as will be your ability to remain focused on your ultimate goal – earning your license to practice law. The amount of time and engagement you devote to the course will correspond to the benefit you yield from it. My goal for each of you is to fully participate in order to achieve my objective: **ONE AND DONE.**

## **INSTRUCTOR INFORMATION**



**Prof. Amy Meyers**

**Office:** 432

**Email:** [abmeyers@willamette.edu](mailto:abmeyers@willamette.edu)

**Office hours:** Sign up via the

Calendly link in my email.

Generally, I'm available before and after class, by appointment, or by Zoom. It's easiest to reach me via email.



## **COURSE READINGS/MATERIALS**

**Required text:** BARBRI will provide you with a bound book containing outlines and practice problems, assuming we resume in-person classes. You should bring it to class daily. The first unit will be posted to WISE. Supplemental readings/exercises will be posted to WISE and/or distributed in class.



**Recommended:** I suggest you purchase *Emanuel's Strategies & Tactics for the MBE 7th ed.* We won't use it in class, but it'll be helpful for bar prep.

## **CLASS MEETINGS**



**This class will meet in Room 121 on Tuesdays and Thursdays from 10:50 am - 12:20 pm.**

However, the first two weeks will be remote, using the Zoom link on the course WISE page.

## **COURSE STRUCTURE**

We will have two platforms, which gets confusing, but there is no way to integrate them, unfortunately. Please watch the course calendar closely to avoid confusion about what is due where and when.

**MATRIX** is BARBRI's system where you will watch lectures on the substantive law, take knowledge quizzes, submit some of the course essays, and complete other exercises as assigned.

**WISE** is where I will post lecture slides, supplements, explanatory answers, non-BARBRI assignments, etc. I send emails via WISE, so check your filters!

## STUDENT LEARNING OUTCOMES

At the end of the semester, students will be expected to be able to have:

1. *Developed an understanding of the nature, content, coverage, and challenges of each component of the bar examination as reflected in self-diagnostic exercises and practice of each skill;*

2. *Developed and practiced effective strategies to approach:*

*a. The critical analysis of legal opinions, including: extracting legally relevant facts, disregarding distracting (not outcome-determinative) facts, legal rules, court holdings and rationale, and relation to prior and related legal opinions, synthesis of rule provisions into an articulate and workable rule statement, and the deconstruction of a legal rule into component elements in the performance test and essay context;*

*b. Focusing on key issues (issue spotting);*

*c. The application of legal rules to new factual situations, including the deconstruction of a legal rule into component elements or factors and examination of policy-based reasons for potential deviations from precedent; and*

*d. Strategies for writing effective answers in an expected paradigm with effective use of headers, organization, and relevant core legal analysis.*

3. *Planned an approach to preparing for a bar examination, including understanding what will be needed over the coming months via reading, lectures, and self-reflection exercises;*

4. *Practiced core skills necessary to bar success using multiple formative assessment mechanisms, including:*

*a. Critical reading;*

*b. Extraction of relevant facts from provided hypotheticals;*

*c. Application of law to facts in various structures;*

*d. Organization and presentation of an accurate and concise legal analysis in time-limited situations (essays and PTs – see #2 above);*

*e. Systematic Problem Solving methods for multiple choice questions;*

*f. Spaced Repetition methods for retention and comprehension of highly tested rules via online interactive quizzes on MATRIX; and*

*g. Learning from feedback on MBE, MEE, and MPT practice problems.*

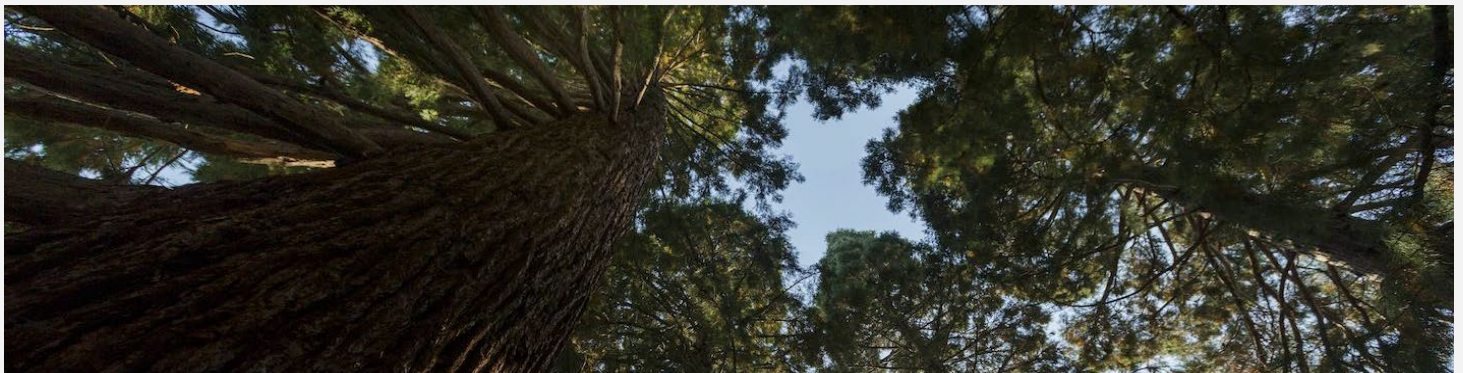
**NOTE:** *I am NOT teaching or testing your legal knowledge other than as necessary to answer the problems. The law is the context for teaching skills and strategies, not the endpoint objective for the course. The assessments based on comprehension and retention are graded for those purposes and skills, not the correctness of the law beyond what you are provided.*

5. *Gained an understanding of some of the reasons bar examinees do not pass and implemented efforts to avoid those issues;*

6. *Demonstrated learning management skills, including best practices for active learning, purposeful practice, time management, planning, self-regulated and self-directed study, and overall self-care;*

7. *Demonstrated the ability to follow instructions and be open-minded about new methods presented for your consideration; and*

8. *Demonstrated the ability to interact professionally with me and with your classmates by exhibiting the honesty, integrity, and respect expected of a lawyer in practice.*



## COURSE POLICIES

The policies that guide this class are rooted in an expectation of RESPECT. Our classroom is an experimental space: we're all learning, and this requires that we ask questions, try out new ideas, take risks, FAIL, and come to new insights individually and together. Mistakes are opportunities. Feedback is a gift. Yes, it sounds trite, but it's true. When it comes to bar study, learning from mistakes is actually the best path to success. So, in this class, you are encouraged to experiment with your ideas, with your writing, and with your citizenship as part of our classroom community. You are expected, also, to offer patience, attention, grace, and respect to your classmates as they test new ideas and offer their perspectives on situations, which might differ from your own lived experiences. Professional courtesy and sensitivity are especially important in dealing with issues of race, culture, religion, politics, sexual orientation, gender, gender identity, nationality, poverty, and other issues which impact the practice of law. I will attempt to address these issues respectfully and request that you do the same. Mastering an understanding of different perspective is a fundamental skill that is highly useful to legal practitioners. You may be asked to make arguments you may disagree with in order to further your skill development. The more you help one another, the richer your experiences will be. This is true in life and in law.

With that said, I don't use honorifics in my support or skills courses. This is not intended as a sign of disrespect. Instead, it is my experience that these courses require more personal interactions and that we work best in trust-based collaboration. Treating students as individual people with real names and life stories can help form that bond, remove some depersonalization inherent in the formalities of legal studies and practice, and help students unlock their potential.

If you would prefer not to use your first name as it appears on the roster, please let me know how you would prefer to be addressed. You do not need to explain your choice of name – you may simply change it on the attendance roster or in WISE. You may prefer the honorific or a nickname and I will make every effort to respect that. If I forget, please correct me. If I accidentally use an incorrect gender pronoun when addressing you, please feel free to let me know, in whatever manner makes you comfortable, what personal pronouns you use so that I can make every effort to correct that error. My pronouns are she/her.

Despite my philosophies about the benefits of informalities, I do still expect to be referred to as “Professor” in our class-related communications until you graduate.

### Feedback

I will generally reply to email questions within 24 hours (unless over a weekend). Otherwise, timing depends on the type of feedback you are seeking

Self-assessment is a key skill to success in law school, bar study, and the practice of law, so you will be practicing that, too. In bar prep, you are given your own self-grading tools, so we will practice that skill. In that sense, you may be responsible for your own feedback at times, but I am always willing to discuss any exercise with you in more detail.

You will be given comments on written work from BARBRI graders and from an Oregon bar grader on the 0-6 scale used on the UBE. You will

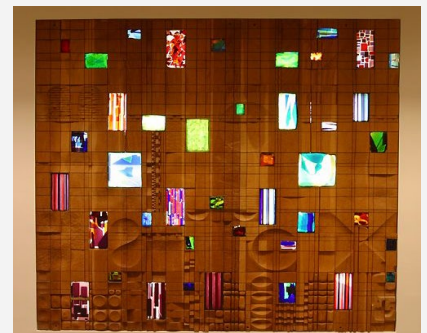
receive raw scores on some multiple-choice exercises that will be converted to percentages. Finally, some exercises are scored on completion or not. See the grading section, below, for more details about how this all works out in the end.

### Late Work & Revision

Extensions may be granted for verifiable emergencies, in my discretion, if requested **in advance of the deadline only**. Otherwise, a late penalty (10% of the available points, minimum) or no credit may apply.

Revision is possible only as part of an assignment – there are no re-writes.

If you have questions, ask. We might be able to find a solution



## SUPPORT SERVICES

### Office of Student Affairs

The Office of Student Affairs (OSA) at WUCL provides comprehensive support for law students, as you should know by now - OSA helps with registration, course schedules, exams, etc. But OSA can also help students access the [Student Emergency Fund](#), which is available for students in emergency financial situations or times of crisis.

Additionally, OSA can help students where there is a need to fill out a [Report of Concerning Behaviour Form](#) where direct conversations with the person of concern have not remedied the situation. There is more information in the [student handbook](#).

### WUCL Library

The WUCL Library reference help desk is available to assist students with library research and other questions. Did you know we even have free study aids available for checkout and online, including those for the MPRE and bar review?

### Disabilities Services


WUCL will make reasonable accommodations based on the impact of a documented disability, in accordance with the policy and procedures set

out in the Student Handbook. WUCL is committed to making sure that everyone is able to participate fully in our courses. If you have particular needs for access to this course that you need in order to do that, please contact Dean Mac Alpine or Sue Minder, Director of Accessible Education Services, at [sminder@willamette.edu](mailto:sminder@willamette.edu) or 503-370-6737.

### Technical Support

If you are having any difficulties with anything related to Willamette or general technology, [WITS](#) should be your first choice for help!

If you are struggling with something to do with MATRIX, first try a laptop rather than a mobile device and Chrome or Firefox with cookies enabled and ad blockers disabled. If that doesn't help, there's a "contact" button at the top of

any Matrix page – just let BARBRI know what happened (this \_\_ isn't being counted as complete, please reset this \_\_, I submitted the wrong \_\_). If that fails, email me and I'll email someone who can help. 

### Health and Wellness

Willamette provides physical, mental, and spiritual health care on campus. [Bishop Wellness Center](#) is the first stop for most of your needs. You can click from there to the Mind Spa or to Counseling Services, including 24-hour crisis lines. The [Office of Spiritual and Religious Life](#) is actually another source for mindfulness and non-denominational well being, including everything from grief counseling to meditation to happy lamps.

## COURSE GRADING

*Your course grade will be based on your work product and efforts as follows:*

Activity/Assignment	% grade	Due Date
<b>Participation and Professionalism</b> (attendance, class discussion, group work, reflection exercises, Airtable, etc.)	5%	ongoing
<b>MBE Skill-Building Assignments</b> (pre-test, initial learning question sets (WISE <u>and</u> MATRIX submissions), lectures with knowledge checks, skill building exercises, retention building quizzes, AMP modules, Baseline MBE)	30%	ongoing
<b>Essay Skill-Building Assignments</b> (drafts, outlines, BARBRI submissions, WISE submissions, and self-grades)	25%	ongoing
<b>Performance Test Skill-Building Assignments</b> (drafts, outlines, BARBRI submissions, WISE submissions, and self-grades)	15%	ongoing
<b>Midterm and Culminating Activity “Mini-Bars”</b> (usually an online MBE and a take-home written component for both, but TBD)	25%	TBD - before final exams. Midterm is usually after contracts and evidence modules.

## EVALUATION POLICIES

In general, your grade on **written assignments** will be scored on the **0-6 scale** based on the following criteria:

- proper format (structure, presentation, compliance with directions),
- clear and logical organization,
- accurate and complete statement of the rule of law, with citation, as needed (PT only),
- clear and thorough application of the law to the client's facts for each issue and any necessary anticipatory rebuttal or counter analysis,
- use of plain English and professional tone, clear writing style, proper grammar and punctuation, and absence of typographical errors and misspellings.

Objective standards do play a role, but **those scores are viewed relative to the performance of your peers**. In that sense, it is just like the bar exam. However, while a 3/6 is, mathematically, a 50%, that does not translate to a predetermined letter grade. Instead, points will be scaled to the total available points (yet TBD) in that category.

Generally speaking, the translation from 0-6 to percentage is as follows:

6 = 95
5.5 = 90
5 = 85
4.5 = 80
4 = 75
3.5 = 70
3 = 65
2.5 = 60
2 = 55
1.5 = 50
0.5 = 45

On the bar, you want to aim for above 3 for passing. Again, **it's all a bell curve of relative performance**, so remember that this class is different!

As far as the **MBE portion**, many exercises are intended simply to be completed, as you are intended to get more wrong than right as you learn. There is an element of good-faith effort at purposeful practice that is calculated into the raw scores when the grades are weighted. Progress is valued, even if at a different rate from a peer, so don't compare grades. The ultimate goal, by bar exam day, is to score 70% raw correctly.

This class is not subject to the WUCL grade curve. **However, if you do not pass or complete this class, you may not graduate.** I will not negotiate or change grades except where there is a substantiated mathematical error.

## EFFORT AND PROFESSIONALISM

Every student begins the semester with the expectation of receiving full credit for **professionalism**. There must be an active mis-step to "ding" that grade lower. What might cause a "ding," you might ask? If it's something you know is sneaky, mean, disruptive, derogatory, or otherwise just not a good idea, you'll get a ding. For example, don't sneak a peek at your phone when you know my policy is no devices. Not only have you violated a policy, but you've breached my trust AND earned a ding. If there is something emergent going on, tell me in advance that you need your phone on your desk and be honest about it. If you're just texting or checking social media, that's a ding. One contribution per week suffices for **participation** for the semester, though more is always appreciated, if not to the exclusion of others. This might be in the chat on Zoom or out loud. I keep a sheet with me to tally both professionalism and participation.

Please keep in mind that, in order to receive credit for this course, the ABA expects that you will be engaged in at least 2 hours of out-of-class work for every hour you are meeting with your instructor. For a 3-credit course, that means 6 hours of work per week outside of class meetings. **You will have NO problem meeting this requirement for this course. Plan accordingly. This class is A LOT of work.** But, if you want a license to practice law, you should be prepared to earn it.

## EXPECTATIONS OF STUDENT CONDUCT

### WUCL Policies

The general Willamette University College of Law Handbook policies apply to this class. Let me highlight a couple that may be important:

### Attendance & Tardiness

The general Willamette University College of Law Handbook **policies forbid audio, video, or other recording of a class (even taking a photograph of a board) without prior consent of the professor** or as part of reasonable ADA accommodations the school directs. I will be doing my best to record every class session in order to comply with the College of Law's policies regarding COVID-related absences (discussed below). We will work on technology and sound over the course of the semester, but please know that this recording is just a backup, and will likely be a poor substitute for actually being in class.

Pursuant to the Student Handbook, if you miss 25% or more of your class meetings, you will be administratively removed from the course. I strongly recommend that you attend as many meetings as possible, but if you need to miss an

occasional class, you have a fair amount of flexibility to do so (no need to let me know in advance), and you can certainly get notes from your colleagues. If you miss 20 minutes of a class, you may be marked absent or “dinged.” Justifications for absences do not change this attendance requirement. You may not sign the attendance roster for another student when we are in person. Students are encouraged to notify the Dean of Students of any health or personal issues which may affect their ability to comply with the attendance policy (see COVID-related absences policy discussed below). **Please note: I check attendance rosters to determine whether a student between two grades should receive the higher or lower step.**

Obviously, it is unwise to miss class unless mandated by circumstances beyond your control. Consider each class a court appearance. You would not ask a court for a continuance because you have a job interview or have to prepare for something else, but instead would rearrange your priorities because you have a court appearance. You should approach class attendance the same way. If I call on you and find you unprepared, you will receive a professionalism “ding.” If we work an in-class exercise on a day you are absent, you will not be allowed to make it up but will receive a zero unless there has been an arrangement in advance.

ALL OF THE ABOVE IS SUBJECT TO THE COVID POLICIES, BELOW.

### **Attendance: COVID-19 Policy**

**While we are remote:** I will still record classes. However, in order to be counted as present and access the recording if you are not on the class-time Zoom, you need to notify me in advance that your absence is Covid-related AND fill out the [Covid-related absence attestation form](#).

**Your camera must be on unless there’s a good reason (please explain). You may use backgrounds, but please be somewhere appropriate. Pets and kids are welcome to visit.**

**When we are in person:** I will still record classes. Everyone must comply with the [Covid-19 policies](#). Please don’t come to class with COVID symptoms! Instead, fill out the [Covid-related absence attestation form](#) and email me for a copy of the video.

Every professor has a different perspective on access to these class recordings. That said, if you specifically reach out to me to ask for access to the recording for days that you miss class that are Covid-related, I will send you a link to the recording as soon as I’m able. Then, after you watch that recording, please send me a one-paragraph summary of the critical points of the lecture as you understood it, along with any

questions you have. If you do so within one week, your absence will be excused for the relevant day (though note that any correction of your absence may not happen on SAGE unless it’s necessary this semester - i.e., we’ll only go back to adjust the record if you get close to the 25% limit of absences). Please reach out to Dean Dobbins, Dean Mac Alpine, or OSA if you have questions.

If your absence is not Covid-related, but you clear it with me in advance, depending on the circumstances, I may allow you access to the recording. (i.e., “I overslept” or “I needed a mental health day” is not going to work, just as it would count as a normal 25% absence, get the notes from a friend, in non-pandemic times – and that’s ok; the policy has inherent flexibility). Ask, we’ll talk, and go from there. You’ll still be absent – it’s a question of getting access to the video. That’s all.

### **Academic Integrity**

**Your academic honesty is assumed, which means that I expect all of your submitted work to have come from your brain and your hand alone unless I specifically told you that collaboration is permitted on the assignment.** I will reuse exercises from prior years where answers are available on the internet or from other students. You may not rely on anything passed down or published. Within the legal communities, plagiarism represents a serious breach of trust and can carry severe consequences, including disciplinary action like expulsion. If you are critically reading this syllabus, stop here. To demonstrate your reading comprehension skills, good study habits, and respect for the course (do you really think we write these syllabi for our own pleasure? No!! It’s intended to set out the expectations for you in advance!), and professionalism in written communication, send me a professionally-drafted email in an appropriate format like one would do on a MPT or in practice with the subject “perspective” and include one sentence describing what you hope to learn from this class. You should feel free to share other things, if you wish. If you send that email prior to the start of our first class period, you will earn a bonus point toward the culminating activity. The line between reasonable discussions and collaborations and plagiarism can be a fine one. If you are ever in doubt, please ask me for clarification before crossing it.

### **Classroom Conduct**

As noted earlier, basic classroom etiquette is also expected – disruptions, distractions, and other unprofessional conduct may negatively impact a student’s professionalism grade. **CELL PHONES OR OTHER SIMILAR DEVICES ARE NOT ALLOWED TO BE ACCESSED DURING CLASS UNLESS YOU HAVE RECEIVED MY PRIOR**

**APPROVAL.** If you must leave the classroom for another reason (washroom, water), please try not to slam the doors.

I have generally taught this class with a laptop ban, and I'm a little leery of going back on screen after you all have spent so much time on Zoom and it hasn't been great for bar examinees. Please at least consider trying just to bring your laptop and

use a pen/pencil and notepad to see how that works for you. **If you use your laptop, you do NOT have permission to be on websites other than those necessary for class.** Violations will be considered breaches of trust and result in a "ding" if not loss of laptop privileges. **Failure to follow this policy may result in lost professionalism points or a step drop in your grade.**

## **COURSE SCHEDULE and Reservation of Rights**

The terms of this syllabus or the schedule of exercises in the Course Calendar may be altered, amended, or deleted from time to time as I deem necessary or desirable at my discretion. Please note that the Course Calendar is tentative, approximate, and **highly** likely to change, depending on how our class flows. You should expect at least one revision, but likely more. The course builds skills progressively through a series of assignments. The course also evolves throughout the semester as we gain an understanding of baseline learning levels and specific skills or strategies that need more/less attention. Further, the schedule or exercises can change based on YOUR input. When the calendar changes, I will notify you as soon as possible in class, on WISE, and/or via e-mail.

The Course Calendar will be posted separately to WISE (likely in multiple documents). Generally speaking, the course is conducted in modules to include introductory substantive lectures, MBE practice and diagnostic work, essay practice, and then recursive MBE skill practice. There are also the occasional exercises that might appear to be one-hit-wonders or misfits but which will actually help you to build the foundational skills for your future success.

The primary goal from the course learning outcomes is to improve your legal analysis and writing skills for the bar examination, not to assess your legal knowledge of a particular bar-tested topic. Stated differently, the law is the context for the exercises, not the end goal of the course. You will be provided with the law you need to understand every exercise, we will discuss the problems in class, there are checkpoints, etc. However, I hope you will pick up some of that highly-tested knowledge to start you on your path.

This course is a safe place to ask questions related to the bar exam – even ones you think you should know, but just aren't sure about. I'm not talking about particular substantive doctrinal legal questions that are better aimed at the professor for a specific subject. As you think of questions you would like answered, please feel free to email them to me.

I usually only release one module at a time because of the circumstances stated above in the Reservation of Rights – it just gets too messy. In addition, this is not a course where you can "work ahead" of the reading list. I'm providing the entire overview, but it's not a guarantee so don't calendar it and become attached to it! A rough, tentative, overview calendar for the first module is attached.

I look forward to working with you this semester and watching you be piped into your own graduation!

Prof. M.

