

**University of Washington School of Law
Winter 2021
Foundations in American Law Tested on the Bar Exam, E578
2 credits
Class meets Tuesdays, 5:30-7:30 via Zoom**

Instructor: Carrie Sanford
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Office Hours by appointment

SYLLABUS

Welcome to E578!

Why take this class?

Starting early for your bar review preparation is critically important to your success. This class will help you learn the substantive law in Criminal Law, Criminal Procedure, and Property. (These are “double-tested” subjects, found on both the multiple choice and essay portions of the bar exam.) While learning the law in these areas, you will practice key bar exam strategies and techniques. This class was designed to complement – not replace – a traditional commercial bar review course.

What work is required?

Every week, you will listen to actual bar review lectures on topics within the subject area. You will also be assigned supplemental materials to help you understand the principles of learning. Your primary homework will be to create a study aid (also known as an outline) of the law. This early preparation will allow you to skip the bar review lecture during the bar review period and instead begin practicing questions. Oftentimes, you will also have a short question set of MBE questions or an essay assigned as well. During class, we will practice answering multiple choice questions (MBE), writing bar essays, and creating a study aid. All three of these areas are critical to your success on the bar exam.

Should I take both quarters of this class?

Yes. If you can make it work, you will receive a much greater benefit if you take both quarters. In the winter quarter, we will focus on the substantive law of Crimes and Property. While learning the law, you will also learn how to answer bar essays and MBE questions. During the spring quarter, we will cover the substantive law of Evidence and the Multistate Performance Test (MPT).

Learning Objectives

- Learn the substantive law tested on the bar exam for Criminal Law, Criminal Procedure, and Property
- Understand bar exam components (essay and MBE) and the most successful study strategies for the bar exam
- Learn heavily-tested topic areas within core bar exam subjects and effectively apply them on a bar exam answer
- Successfully write a passing bar exam essay answer
- Improve MBE test taking scores
- Understand time management and successful learning strategies

Textbook

Themis LLM Early Bar Prep online program created for the UW LLM Students. Payment must be made through online portal. This portal will open approximately the third week of December. Please note that you have an assignment due the first day of class, so you must enroll and pay the \$125.00 course fee before that time. The majority of your coursework will be done through the Themis portal. However, you will be shipped the MBE Outline book from Themis after you register on their website. Please note that the \$125.00 fee includes materials for both the Winter and Spring quarters of this class.

Classroom Community

My goal is to create an inclusive classroom where all students feel welcomed and invited to learn. It is important to me that all members of the class feel supported and respected. I believe that mutual respect is the foundation of collaboration. To that end, please complete this brief, anonymous survey here which will help me learn what makes a classroom feel inclusive for you:

https://docs.google.com/forms/d/e/1FAIpQLSdYF0UJmNpoP6y5cHasBOCv4EYT0unZEKXOT22kIW4LASN_Yw/viewform?usp=sf_link

Campus Resources and Support

UW has a variety of resources dedicated to student well-being. Please visit this page to learn more: <https://wellbeing.uw.edu/>. UW also has a program called Safe Campus that you can learn more about here: <https://www.washington.edu/safecampus/>. Finally, please know that you can always contact our Dean of Students Anna Endter at aendter@uw.edu for assistance in finding resources or support.

Class Attendance and Participation

Under changes to ABA Accreditation Standard 304, adopted in August 2004, a law school shall require regular and punctual class attendance. At any time after the fifth week of a course (halfway through a summer session course), a student who has been determined by the instructor to have attended fewer than 80 percent of the class sessions in any course will be required to drop the course from his or her registration upon the instructor's so indicating to the Academic Services Office.

Regular class attendance is essential since class time is a workshop. Attendance is required and students should bring completed homework to class to discuss. If you miss more than 20% of class sessions (2 classes), you will receive no credit for the course.

Protocol for Class Meetings via Zoom

Students are expected to "attend" class via Zoom to the same degree that they would normally be expected to attend an in-person class (at least 80 percent of the class sessions). Absent specific technological or personal circumstances, students are expected to join the class using video as well as audio. Other expectations include:

- Muting your microphone upon entering the Zoom classroom;
- Keeping your video feed on as much as possible during class; please contact me with any questions or concerns regarding video feed.
- Using the "raise hand" feature and/or raising your actual hand when you wish to speak;
- Unmuting your microphone when called upon and muting it again once you are done speaking.

Podcasting and Recording of Lectures and Class Discussions

Lectures are provided for instructional purposes only and remain the intellectual property of the instructor. All other uses are prohibited.

The majority of class sessions in this course will meet live, and you are expected to attend in person. As a courtesy to those who are unable to attend a class session in person due to illness or for other reasons—or for those who want to review something that was said in class—the class will be recorded via Zoom and available to be reviewed by students enrolled in the class. **Continued enrollment in this course is considered consent to being audio- and video-recorded for this purpose.**

Course Grading – Credit/No Credit

Your grade is Credit/No Credit and will be based on the following components:

- **30%: Listening to the lectures and creating study aids for each subject (Criminal Law, Criminal Procedure, and Property). This includes completing the assessment questions at the end of each chapter (required for credit).**
- **40%: Completion of assigned essay and MBE homework each week.**
- **20%: Completion of essay/MBE exam at the end of each substantive law subject**
- **10%: Class Participation**

In order to receive credit for the class, students must achieve a minimum score of 80%.

Final Exam

You may take the final exam in the Themis portal closed book and under timed conditions starting on March 10th. The exam must be completed by March 15th at 11:59pm. We will discuss the exam in more detail during class.

Course Evaluation

Course evaluations are open online during the last week of classes. Class time will be made available on March 9th for filling out your evaluation.

Access and Accommodation

Your experience in this class is important to me. If you have already established accommodations with Disability Resources for Students (DRS), please communicate your approved accommodations to me at your earliest convenience so we can discuss your needs in this course.

If you have not yet established services through DRS, but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 206-543-8924 or uwdrs@uw.edu or disability@uw.edu. DRS offers resources and coordinates reasonable accommodations for students with disabilities and/or temporary health conditions.

Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law.

Religious Accommodation

Washington state law requires that UW develop a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The UW's policy, including more information about how to request an accommodation, is available at [Religious Accommodations Policy \(https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/\)](https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/). Accommodations must be requested within the first two weeks of this course using the [Religious Accommodations Request form \(https://registrar.washington.edu/students/religious-accommodations-request/\)](https://registrar.washington.edu/students/religious-accommodations-request/).

Class Meetings *Please note that each class has an assignment that is due at that class. In order to get the most out of the course, and to receive credit, you must complete the assignments before coming to class.*

CLASS 1 – Tuesday, January 5

Introduction to Effective Learning Techniques; Criminal Law Module 1 General Principles, Inchoate Crimes, and Homicide; How to Approach MBE Questions Assignment (to be completed BEFORE class):

1. Watch 2-minute video, "Three Reasons Why Retrieval Practice Boosts Learning" with Dr. Pooja K. Agarwal on youtube at [Three reasons why retrieval practice boosts learning \(Links to an external site.\)](#)
2. Read *Using Science to Build Better Learners: One School's Successful Efforts to Raise Its Bar Passage Rates in an Era of Decline* by Louis N. Schulze, Jr. in Canvas Module 1 (While you are welcome to read the entire article, the required portion to read is Section III which starts on 237 and ends on page 250.)
3. Read *Bar Exam: Better Learning via Linear Studying or Recursive Studying?* by Professor Scott Johns In Canvas Module 1
4. Watch Criminal Law Chapters 1-6, fill in lecture handout, & do assessment questions in Themis Portal
5. Skim the Essay Roadmap for Criminal Law in Module 1
6. Optional: Skim the online outline in Criminal Law in the Themis Portal

CLASS 2 – Tuesday, January 12

Criminal Law Module 1 continued and Criminal Law Module 2: Other Crimes and Defenses; How to Write a Bar Essay Assignment (to be completed BEFORE class):

1. Read *Creating Super-Short Bar Exam Study Tools (in 2 hours or less per subject!)* by Professor Scott Johns in Canvas Module 2
2. Skim Criminal Law Themis Essay Roadmaps in your class workbook
3. Begin creating your Criminal Law Study Aid

4. Do Criminal Law Set 1 -15 MBE questions in the Themis Portal. Please do not spend time reviewing the answers as we will review them in class
5. Read *How Bar Graders Read Your Essay* article in Canvas Module 2
6. Review "Applying the Law: Fact-Based Analysis" in *Legal Writing: Examples & Explanations*. For students formerly in B550, it's Chapter 9 in your book. I have also uploaded it to Module 2.

CLASS 3 – Tuesday, January 19

Criminal Law Module II: Other Crimes and Defenses continued

Assignments to be completed BEFORE class:

1. Watch Criminal Law Chapters 7-9, fill in lecture handout, & do assessment questions in Themis Portal
2. Create Criminal Law Study Aid for Chapter 7-9; **UPLOAD CRIMINAL LAW STUDY AID TO CANVAS FOR QUICK CHECK by January 19th at 5:30pm**. Please note that if you are handwriting your study aid or making flashcards or flowcharts, please upload three different sections (pictures taken with your phone are fine).
3. Write Criminal Law essay 2 using the format covered in class. *This is an open-book assignment*. Once you have written the essay and upload it to Canvas. In class, we will break into pairs for peer review of the essay. (The focus of this exercise is to get familiar with the format and structure of bar review essays.)
4. Do Criminal Law Set 2 -15 MBE questions in the Themis Portal. We will review answers in class.

CLASS 4 – Tuesday, January 26

Criminal Procedure I: Fourth, Fifth, and Sixth Amendments

Assignments to be completed BEFORE class:

1. Skim Criminal Procedure Essay Roadmap
2. Watch Criminal Procedures Chapters 1-4, fill in lecture handout, do assessment question, & begin study aid
3. Write Criminal Procedure essay 1 using IRAC or CRAC and any notes you wish. *This is an open-book assignment, but please limit yourself to no more than 30 minutes*. Once you have written the essay, upload it to Canvas.

I will provide written feedback on this essay.

CLASS 5 – Tuesday, February 2

Criminal Procedure II: Pretrial, Trial, and Post-Trial

Assignments to be completed BEFORE class

1. Watch Criminal Procedures Chapters 5-9, fill in lecture handout, do assessment questions, and work on study aid
2. Write Criminal Procedure essay 2 and upload it to Canvas, bring copy to class. *I encourage you to try writing this essay without your notes. If you do get stuck, you can pull out your notes, but remember, we need to "know what we don't know" and the only way to do that is self-testing. This is good practice for your midterm next week.*
3. Finish your Criminal Procedure Study Aid.

CLASS 6 – Tuesday, February 9

Essay Midterm in Class; Property Module 1: Ownership

Assignments to be completed BEFORE class:

1. **UPLOAD CRIMINAL PROCEDURE STUDY AID TO CANVAS**
2. Review for your Criminal Law and Procedure midterm. The midterm consists of an essay and a set of 15 MBE questions under timed conditions.
3. Skim Real Property Essay Roadmap and Terminology List in Themis Workbook
4. Watch Real Property Chapters 1-10 & do assessment questions

CLASS 7 – Tuesday, February 16

Property II: Landlord and Tenant

Assignments to be completed BEFORE class:

1. Do Property Set 1 – 15 MBE questions in the Themis Portal. We will review answers in class.
2. Write Property Essay 1. *This is an open-book assignment, but please limit yourself to no more than 30 minutes*. Once you have written the essay, upload it to Canvas.
3. Watch Real Property Chapters 11-14 & do assessment questions
4. Start working on Study Aid for Property Chapters 1-14

CLASS 8 – Tuesday, February 23

Revisiting Property I and II

Assignments to be completed BEFORE class:

1. Do Property Set 2 – 15 MBE questions in the Themis Portal. We will review answers in class.

2. Finish Study Aid for Chapters 1-14 in Property

CLASS 9 – Tuesday, March 2

Property III: Disputes about Ownership

Assignments to be completed BEFORE class:

1. Watch Real Property Chapters 15-21 & do assessment questions
2. Make Study Aid for chapters 15-21
3. Write Property Essay 3, upload it to Canvas, and bring hard copy to class.

CLASS 10 – Tuesday, March 9

Property IV: Disputes about Use

Assignments (to be completed BEFORE class:

1. Watch Real Property Chapters 22-26 & do assessment questions.
2. Do Property Set 4 - 15 MBE questions in the Themis Portal. We will review answers in class.
3. **Finish Property Study Aid and upload to Canvas by 5:00pm on March 19th.** Please note that if you are handwriting your study aid or making flashcards or flowcharts, you may upload those images to Canvas.

The final exam will be on the subject of Property only. It will be available starting on March 10th. You must take the exam by March 19th at 5:00pm.