MID-TERM EXAMINATION
Instruction Pages

Time: Total 1 hour and 50 minutes:
20 minutes to review and organize the answer to the essay only.
1 hour and 30 minutes for completing Part I (Essay) and Part II (Multiple Choice).

Do not remove the staple or otherwise disassemble the test or remove it from the testing area. The test must be returned in its entirety at the conclusion of the examination.

THIS IS A CLOSED BOOK EXAMINATION

1. You will be graded anonymously. The mid-term will count 25% of your grade.

Please: (1) Insert your student exam number issued to you for exams in the space provided at the top of this page. (2) Print your student exam number (not your name), Property, and Fall 2007 on the front of your bluebook or typed response. (3) Put your exam number in the space provided on page 5 of the Explanation Page. If you do not put your exam number on the explanation page, I will not consider any explanation as part of your answer to the Multiple Choice questions.

2. The exam must be completed in 1 hour and 50 minutes. During the first 20 minutes of the exam, you are not permitted to begin writing or typing your answer. You are to use this time for thinking about your answer to the essay question only. You may not use this time to read or work on the Multiple Choice questions.

During the first 20 minutes, you may make notes on the scrap paper that will be given to you by the proctor. During this time, you should read the essay question carefully. You should analyze the facts, identify the issues and applicable legal theories, and organize your approach to the question on scrap paper.

The essay must be written in one bluebook or its equivalent (a maximum of 26,400 characters) if you are typing. Those who handwrite the exam have the option of writing on the back of each bluebook page, and the option of writing on every other line.

3. After the first 20 minutes, you may begin with the essay or the multiple choice questions. I would recommend you begin with the essay because your thinking about the essay will be fresher in your mind. In addition, if you are pressed for time at the end of the exam,
you can go through the multiple choice questions more quickly.

4. There is one essay that will count 75% of the mid-term grade. The multiple choice part will count 25%, with each multiple choice question being of equal value. There are 20 multiple choice questions. When you are told to begin writing the exam after the first 20 minutes, not before, you should make sure that you have all the multiple choice questions. If for some reason you do not have a complete exam, tell the proctor.

5. **You must indicate your answer to the multiple choice questions by circling your choice or otherwise marking through the answer on the exam itself.** Only one answer is correct. Thus, only one choice should be selected for each multiple choice question.

You have the option of explaining your answer to any multiple choice question. In my opinion, each question may be answered without writing an explanation, so take this into account before launching into an explanation. You may have difficulty in finishing the exam in the allotted time if you attempt to explain too many of your answers.

If you think that an explanation to a multiple choice question is required, you must do all of the following before I will consider an explanation.

1. All explanations must be written in the space provided on the front or back of the "Explanation Page."
2. In writing your explanation, you must first identify the number of the question to which your explanation corresponds.
3. You must then indicate the choice you selected [(A)(B)(C) or (D)].
4. Finally, you must explain why the choice you selected is better than each of the other choices. This means you must explain why the other choices are wrong based on the facts you are given. You should be careful not to assume additional facts not given in the question. If you think there is some critical ambiguity or other problem with a question, you should state what it is. A correct explanation of an answer that I consider “incorrect” may receive credit only if your explanation is complete and you have explained why the other choices are incorrect.

**Important:** An incorrect or incomplete explanation to a correctly marked answer will result in no credit for the answer. If your explanation reveals that you do not understand why the correct answer is correct, you also will receive no credit for the answer.

6. Your essay answer should demonstrate your ability to analyze the facts in the question, to tell the difference between material facts and immaterial facts, and to discern the points of law and fact upon which the problem turns. Your answer should show that you know and understand the pertinent principles and theories of law, their qualifications and limitations, and their relationship to each other.
Your answer should evidence your ability to apply the law to the provided facts and to reason in a logical, lawyer-like manner from the premises you adopt to a sound conclusion. Do not merely demonstrate that you have memorized certain legal principles. Instead, try to demonstrate your proficiency in using and applying them. If your answer contains only a statement of your assertions or conclusions, you will receive little credit. State fully the reasons that support your conclusions, and discuss all points thoroughly. Your answers should be complete, but you should not create new facts or discuss legal doctrines or issues which are not pertinent to the “call of the question.”

Be precise in your use of language, references to the various parties, and to any cases you cite by name. Your answer should be neatly written and well organized. Unfortunately, a student's performance is often adversely affected by the illegibility of his or her handwriting and poor organization.

7. If for any reason you find it necessary to leave the exam room during the progress of the exam, insert the test and any scrap paper in your bluebook, and close it so that your answers cannot be seen. When you have completed the exam, insert the examination test questions in your bluebook, and then hand in all materials, including your scrap paper.

8. I will not be available during the exam to answer questions. If you have a question, identify the problem or ambiguity in your answer and proceed with analyzing the question and writing your answer to the best of your ability.

Good luck on the mid-exam!