GENERAL INSTRUCTIONS

Read only this sheet before the examination begins. Do not turn the page until the exam begins.

It is the responsibility of law students to be familiar with the Student Grievance Procedure. The following acts are violations over which the Grievance Committee has jurisdiction:

A. Acquiring or divulging unauthorized information concerning the content of an examination or other graded course material.
B. Violating the time limits provided for an examination, either by beginning before the stipulated time or by answering after the time set for completion.
C. Falsely representing another's words or ideas as one's own, in any academic work.
D. Collaborating upon a course-required project without the authorization of the instructor.

Put exam numbers on the exam envelope before the exam begins. Put exam numbers on the blue books as you use them. Page numbers are not necessary in the blue books.

An announcement will be given in each test center to start and stop the exam, including a 5-minute warning before the end of allocated exam time. All writing and marking on exams must cease when the announcement is made that the allocated time for the exam has expired. No exceptions will be allowed. This includes writing page and/or exam numbers on your completed exam.

All used scratch paper is to be returned inside the exam envelope. All unused blue books and scratch paper are to be returned to the collection box in the lobby. All exam questions must be returned at the end of the exam unless instructions clearly state that you may keep the questions.

If you have software problems that you cannot remedy by re-booting and re-launching the Exam4 software, you must hand-write the remainder of your exam.

SPECIFIC INSTRUCTIONS

1) For this exam, you may consult class handouts (the Erie and FQ flowcharts, & “necessary to judgment” chart), as well as the green book with FRCP & statutes (tabs with three or fewer words OK), annotated in the blank spaces only with information that you have drafted or had a substantial role in drafting.

2) In addition to three short answer questions, there are two essay questions in which your score will depend on your ability to spot issues and analyze problems. Your performance depends on: (a) identifying and describing the legal issues presented in a manner consistent with the call of the question; (b) presenting the relevant legal analyses regarding those issues, and (c) the application of the relevant analysis to the facts presented in the problem, with an eye to identifying arguments on both sides, as well as what you believe is the most likely outcome, although many of the issues will not have obvious answers. Though not penalized for discussing irrelevant matters, the more time you spend on irrelevant matters, the less time you will spend discussing the issues that are really presented, and your performance may suffer as a result.

3) This is a three-hour exam. Points are allocated to each question as indicated, 180 points total. I strongly recommend that you spend 25-30% of your time available under each essay reading and outlining your responses before you begin writing. NOTE: If your answer includes a fact-specific outline of relevant topics that you were unable to reach in the narrative, you may nevertheless pick up a few points.

4) You should not rely on your independent knowledge of any state law governing issues addressed in the exam; all knowledge relevant to the specific areas of state law that are necessary to the exam are set forth in the questions presented; otherwise, assume state law is the same as federal. If you are missing information that you believe you need to answer a question adequately, give the type of facts you need in your answer.

End of Instructions