

California Bar Exam Checklist

INTENTIONAL TORTS		
BATTERY: P must show 1) a harmful or offensive contact, 2) to P's person, 3) D's intent, and 4) causation.	<u>Re-entry on land:</u> wrongdoer → reasonable time and manner; innocent party → reasonable time and peaceful manner with notice; on land through owner's fault → no privilege.	
ASSAULT: P must show 1) an act by the D which causes reasonable apprehension in P, 2) of immediate harmful or offensive contact to P's person, 3) D's intent, and 4) causation.	<u>Re-capture of chattel:</u> force only if in hot pursuit. May only recapture from tortfeasor or third party with knowledge of wrongful taking.	
FALSE IMPRISONMENT: P must show 1) an act or omission by D that confines or restrains P, 2) to a bounded area, 3) D's intent, and 4) causation. NOTE: P must be aware or harmed by confinement.	<u>Shopkeepers privilege:</u> shopkeeper may detain for reasonable time and manner if reasonably believes person committed theft in order to conduct an investigation.	
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS: P must show 1) extreme and outrageous conduct by D, 2) intent or recklessness; 3) causation; and 4) damages in the form of severe emotional distress.	<u>Public necessity:</u> protect community as a whole, absolute defense for trespass and damages;	
BYSTANDER INJURY: P must show 1) P present when injury occurred; 2) P is a close relative to V, and 3) D knew P was present and a close relative.	<u>Private Necessity:</u> protect own interest only if emergency is not of his own making, only defense for trespass, e.g. D still liable for actual harm.	
TRESPASS TO LAND: P must show 1) a physical invasion of P's real property, 2) intent, and 3) causation. NOTE: Negligent or reckless entries are only subject to liability if D causes harm to land.	DEFAMATION	
TRESPASS TO CHATTEL: P must show 1) an act by D that interferes with P's right of possession in chattel, 2) intent; 3) causation; and 4) damages.	DEFAMATION: To prove a prima facie case for common law defamation, the P must show:	
CONVERSION: P must show 1) an act by D that interferes with P's right of possession of chattel, 2) which is so serious that D must pay for chattel's full value; 3) intent, and 4) causation. NOTE: even a BFP of chattel may be guilty when chattel has been stolen from its true owner.	1) defamatory language,	
DEFENSES TO INTENTIONAL TORTS		
CONSENT: Req's legal capacity. Express or implied (Apparent - common understanding, custom and usage or D's reasonable interpretation of P's objective conduct; Implied by law where necessary to save life).	2) of or concerning P;	
SELF DEFENSE AND DEFENSE OF OTHERS: invasion is imminent or in progress; reasonable mistake does not negate; may use only proportionate force.	3) publication by D to a third person; and	
FALSE ARRESTS:	4) damages, possibly. If libel or slander per se, then damages are presumed. If any other slander, damages must be proven with some showing of economic harm.	
<u>Felony Arrest w/o Warrant</u> - Police → reasonable grounds to believe felony was committed and arrested person committed it; Private → felony was actually committed and private person had reasonable grounds to believe person committed it.	In addition, if this is a matter of public concern (constitutional defamation), P must also prove 1) falsity of the statement, and 2) fault on D's part.	
<u>Misdemeanors Arrest w/o Warrant</u> - Police and Private → breach of the peace and committed in presence of arrest;	If the P is a public figure , she must prove malice (e.g. D knowing of the falsity or acting in reckless disregard), in which case damages are presumed.	
<u>Crime Prevention w/o Warrant</u> - Police and Private → if felony or breach of the peace is in progress, or reasonably appears to be. Deadly force only allowable if felony and suspect poses serious harm	If P is a private figure , she must only prove negligence, in which case she must prove damages, or demonstrate malice, in which case damages are presumed.	
DEFENSE OF PROPERTY: Must ask to desist; no deadly force allowed.	DEFENSES TO DEFAMATION	
	CONSENT (<i>supra</i>). TRUTH. PRIVILEGE: <u>Absolute</u> - spouses (no publication); officer of gov't in course of official duties.	
	<u>Qualified privilege</u> - public interest in promoting candor. Speaker must have a reasonable belief that info is true and speech confined to matter at hand.	
	INVASION OF RIGHT TO PRIVACY	
	APPROPRIATION OF P'S PICTURE OR NAME: P must establish an unauthorized use of P's picture or name for D's commercial advantage, unless news worthy publication. Remedies → injunction, damages.	
	INTRUSION: P must show that D's act of prying or intruding into a private affair, in which P has a reasonable expectation of privacy, would be objectionable to a reasonable person.	
	FALSE LIGHT: P must show that D attributed to P certain views that he does not hold or actions that he did not take which would be objectionable to a reasonable person under the circumstances. In addition, there must be publication (must be widespread	

California Bar Exam Checklist

Preparing for the California Bar Exam is one of the most significant and challenging steps in a law career. This comprehensive test assesses whether candidates possess the necessary knowledge and skills to practice law in California. With such high stakes, it's essential to approach your preparation with a structured plan. This California Bar Exam checklist will guide you through the essential steps to ensure you are thoroughly prepared for exam day and beyond.

Understanding the California Bar Exam Structure

Before diving into the preparations, it is crucial to understand the structure of the California Bar Exam. The exam consists of three main components:

1. Written Exam

- Performance Test (PT): This section tests practical skills by requiring candidates to complete a task they might encounter in real practice, such as drafting a brief or memorandum. The PT is typically allocated 90 minutes.
- Essays: Candidates must answer five essay questions based on various areas of law, including contracts, torts, criminal law, constitutional law, and more. Each essay is allocated 1 hour.

2. Multistate Bar Examination (MBE)

The MBE is a standardized test consisting of 200 multiple-choice questions covering topics such as:

- Constitutional Law
- Contracts
- Criminal Law and Procedure
- Evidence
- Real Property
- Torts

This section is usually administered over a single day and accounts for a significant portion of the overall score.

Creating Your Study Plan

A well-structured study plan is crucial for successful bar exam preparation. Here's how to create an effective study plan:

1. Choose Your Study Materials

- Bar Review Course: Enroll in a reputable bar review program that offers comprehensive coverage of all exam topics.
- Supplemental Materials: Consider additional resources like flashcards, practice questions, and outlines.
- Past Exam Questions: Review and practice with past California Bar Exam questions to familiarize yourself with the exam format and expectations.

2. Develop a Timeline

- Start Early: Ideally, begin your study plan at least 10-12 weeks before the exam.
- Daily Study Goals: Set specific daily goals for covered topics and practice questions.
- Weekly Reviews: Dedicate time each week to review what you've learned and practice writing essays.

3. Schedule Practice Exams

- Simulate Exam Conditions: Take full-length practice exams under timed conditions to build stamina and identify areas for improvement.
- Review Performance: After each practice exam, review your answers critically to understand your strengths and weaknesses.

Essential Study Strategies

To maximize your efficiency and retention during your study period, adopt the following study strategies:

1. Active Learning Techniques

- Outlining: Create outlines for each subject to condense information and reinforce understanding.
- Flashcards: Use flashcards for key concepts, rules, and definitions to aid memorization.
- Group Study: Engage in group study sessions to discuss challenging topics and quiz each other.

2. Focus on Weak Areas

- Identify Weak Points: Use practice exams and quizzes to pinpoint areas where you struggle.
- Targeted Review: Allocate extra study time to these weak areas, using varied resources to reinforce understanding.

3. Stay Organized

- Use a Planner: Keep a planner or digital calendar to track your study schedule, deadlines, and important dates.
- Checklists: Create daily and weekly checklists to monitor progress and ensure all topics are covered.

Self-Care During Preparation

Preparing for the California Bar Exam can be stressful, so it's essential to prioritize self-care. Here are some strategies to maintain your well-being:

1. Maintain a Balanced Lifestyle

- Regular Exercise: Incorporate physical activity into your routine to boost mood and reduce stress.
- Healthy Eating: Fuel your body with nutritious meals that support brain function and energy levels.

2. Manage Stress

- Mindfulness Practices: Practice mindfulness, meditation, or yoga to help manage anxiety and improve focus.
- Take Breaks: Schedule regular breaks during study sessions to recharge and prevent burnout.

3. Seek Support

- Study Groups: Join or form a study group to share resources and motivate each other.
- Mental Health Resources: Don't hesitate to seek professional help if you're feeling overwhelmed.

Exam Day Preparation

As the exam date approaches, it's vital to prepare not just academically but logistically for exam day.

1. Review the Exam Rules and Regulations

- Understand What to Bring: Familiarize yourself with the items you are allowed to bring to the exam, such as pens, highlighters, and food or water.
- Know the Location: Confirm your exam location and whether you need to arrive early for check-in.

2. Create a Test Day Plan

- Transportation: Plan your route to the exam site and allow extra time for potential delays.
- Sleep and Nutrition: Ensure you get a good night's sleep before the exam and eat a healthy breakfast to fuel your brain.

3. Mental Preparation

- Positive Mindset: Maintain a positive attitude and confidence in your preparation.
- Practice Relaxation Techniques: Use breathing exercises or visualization techniques to calm your nerves before the exam begins.

Post-Exam Steps

Once the exam is over, your preparation doesn't stop there. Here's what to do after the exam:

1. Reflect on Your Experience

- Assess Your Performance: Take time to reflect on how you felt about your performance in each section.
- Identify Areas for Future Improvement: Consider what strategies worked well and what could be adjusted for next time.

2. Prepare for Results

- Understand the Timeline: Familiarize yourself with when and how you will receive your exam results.
- Stay Engaged: Continue networking and participating in legal community events while awaiting results.

3. Plan for the Next Steps

- If You Pass: Begin preparations for the moral character evaluation and the licensing process.
- If You Don't Pass: Reflect on your experience, seek feedback, and develop a plan for retaking the exam in the next cycle.

Conclusion

Preparing for the California Bar Exam requires careful planning, disciplined study, and self-care. By using this checklist as a guide, you can approach your study process with confidence, ensuring that you cover all necessary materials and are prepared for exam day. Remember, while the journey may be challenging, the reward of becoming a licensed attorney in California is well worth the effort. Good luck!

Frequently Asked Questions

What items should I include in my California Bar Exam checklist?

Your checklist should include identification documents, admission ticket, writing utensils, highlighters, snacks, water, a watch, and any necessary medications.

When should I start preparing my California Bar Exam checklist?

It's advisable to start preparing your checklist at least a month before the exam to ensure you have everything you need and to avoid last-minute stress.

Are there any specific rules regarding what I can bring to the California Bar Exam?

Yes, you can only bring certain items such as writing tools, a water bottle, and snacks. Electronic devices, books, and notes are not allowed.

How can I ensure I have all necessary documents on exam day?

Double-check your checklist the night before, and prepare a separate folder for important documents such as your admission ticket and identification.

What should I do if I forget an essential item on the day of the California Bar Exam?

If you forget an item, check if it's permissible to ask someone to bring it to you. Otherwise, focus on what you have and adapt your strategy accordingly.

Is it beneficial to prepare a backup checklist for the California Bar Exam?

Yes, having a backup checklist can help you remember any additional items that may be important, such as comfort items or emergency supplies.

Can I use a backpack during the California Bar Exam?

No, backpacks and bags are generally not allowed in the exam room. You should only bring items that fit within the allowed parameters.

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Dec 15, 2012 · I never deal with formulas as they are too hairy for me, but with California sales tax going up every other day, I have to ask: I have an excel file that list dollar amount sales and then the next column has the sales tax (which I do by hand calculator) How does one make it so that column always would multiply by 0.975%?

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What I put in my calendar everyone in the office can see it even though I do not invite them. I want people who I invite to see what I put in the calendar not everything. Can someone please help me

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