

**UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018**

LAW-6930 - 21422

Fridays at 1:00 – 2:50 PM in Room HH 285C

STEVE MAXWELL

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Office: LIC 247

I am normally in my office during the business day when I am not in class. Appointments are not required.

REQUIRED MATERIALS:

Reading materials as posted in Canvas

Topics in Florida Practice

A BARBRI publication. You must purchase this text in the bookstore. This book not included in your postgraduate BARBRI program.

Florida Bar Points Subject Memorization & Review

A Kaplan publication. It is not available for purchase. I will distribute these books at the beginning of the semester at no cost to you.

COURSE DESCRIPTION:

Florida Bar Topics is a skills-development course that focuses on improving analytical skills to approach Florida bar exam questions successfully. The course is designed to help you pass. Additional emphasis will be on enhancing memorization skills and learning how to assess your own understanding and work product. The course will include a substantive review of selected subjects routinely tested on the bar exam. I use problems and exercises in a bar exam format to familiarize you with techniques for analyzing, organizing, and writing essays. We will also cover Florida Multiple choice topics if time allows.

COURSE LEARNING OBJECTIVES:

Let's be honest. You probably crammed your 1L year and didn't know what anyone was talking about in class. You learned what little law you knew and studied all night during the reading period. You showed up tired and BS'd your way through an essay with whatever came to mind. You got through. This cannot be done successfully on the bar.

This course will teach critical reading, analysis, issue spotting, and their various sub-skills. The course also aims to review and build your knowledge of bar-tested areas. The course presents tools

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

that build long-term memory in place of the short-term memory tools most law students (and students generally) use.

By the end of the course, you should be able to:

- Spot issues in legal fact patterns through critical, active reading;
- Effectively plan/outline an essay response;
- State concise and accurate rule statements from memory which apply to the fact patterns;
- Apply the relevant law to the relevant facts for the issues raised in those facts;
- Memorize information for long-term (beyond the semester) retention;
- Understand the basics of the Florida Bar Exam and how to prepare; and
- Walk into the Tampa Convention Center confident of the exam grader’s expectations.

GRADING SCALE:

The Levin College of Law’s mean and mandatory distributions are posted on the College’s website.

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9> FL Bar Topics conforms to mandatory faculty policies.

But, if you are taking FL Bar Topics, your grade isn’t what you should care about—you should care whether you master the material and methodology expected for the bar. There is a high correlation between your cumulative law school GPA and bar passage both at UF and in various national studies. This class is designed to make your GPA irrelevant to passing the bar exam. I do not care whether your GPA is 2.0 or 4.0 – YOU CAN PASS.

ASSIGNMENTS AND ATTENDANCE:

Issue Outlines

The issue outlines are barebones, must-know law. Access the blank issue outlines for each subject on Canvas prior to class. Your task is to use these as the skeletons where you take down the law.

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

Using the class lectures and your *Topics in Florida Practice* book, fill-in the legal rules you learn during your study of each topic. Remember, there are good rule statements in the released essays too. Steal these, but recognize that these were written at the bar exam by graduates so you still need to check them for accuracy.

Review every Issue Outline at least weekly between now and the bar exam. On the final exam and on the bar, you must be able to recite rules from memory. Begin this practice now. If you do not make a good faith effort, you will receive less than full credit. I reserve the right not to estimate what percentage of good faith effort you expended and award a 0.

Essays

It is critical that you start writing for the bar exam. No one feels ready at this point, and that's normal. You're not ready. You may never *feel* ready. The goal with essays is to help force you overcome your obstacles to writing. The aim is greater awareness of how you learn. If you do not make a good faith effort, you will receive less than full credit. I reserve the right not to estimate what percentage of good faith effort you expended and award a 0.

*** Please note that I use student-submitted essays to provide feedback to the class as a whole. I may select yours to display in class. I do this to provide positive constructive feedback. If I select your essay, I will not disclose your identity unless you grant me permission to do so.

Final Exam

There will be a closed-book timed exam. You will be graded on your knowledge of the law and your ability to apply the law to the facts presented. You will also be graded on your essay writing, including your use of IRAC, overall organization, and following the formatting requirements of the essay.

As of the publication of this syllabus, the exam is scheduled for 1:00PM on Friday, May 3rd, 2019. This is subject to change by the office of Student Affairs. It is your responsibility to keep informed regarding the exam.

If you miss a class, obtain notes from another student.

Late Assignments

All assignments must be completed and turned in by the deadline listed on Canvas. An assignment that is one or more minutes late and up to one day late will automatically lose **20%** of its points. If it is over one day late, it may lose up to **100%** of its total points, at my discretion.

Canvas Submission of Assignments

Unless otherwise noted, all assignments should be submitted via Canvas. If Canvas is down, you must email me the assignment before the deadline, but still submit your assignment to Canvas as soon as Canvas becomes available. Canvas difficulties are not a basis for an extension on any assignment. The time of day each essay is due to Canvas will be posted in Canvas.

I strongly recommend you download the Canvas student app and enable alerts. The app will help you stay apprised of any assignment updates, including changes to due dates.

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

Some essays will be submitted twice - once to Canvas, as well as to the Kaplan portal.

Kaptest Submission of Essays

Seven essays will be submitted to Kaplan for feedback. Timely submission to Kaplan of each essay is required and must be done on the same day as the Canvas due date. It is the student's responsibility to timely submit to Kaplan. Failure to submit each essay to Kaplan promptly for feedback is grounds for an F in the course.

Report to Professor

Individual feedback is a challenge with a large class. You will be assigned to a specific professor to meet with to discuss your progress. After you receive feedback from Kaplan on your second essay submitted to Kaplan, you must promptly schedule a meeting with your assigned professor. This meeting is mandatory. Not meeting with your professor is grounds for an F in the course. Your professor may require additional meeting(s). If so, failure to meet again is grounds for an F in the course.

Class Attendance

A single absence in this class can be problematic for your exam performance. If extraordinary circumstances prevent you from attending class, being prepared for class, completing an exam or quiz, or turning in an assignment by the deadline, you must notify me as soon as is reasonable in the situation. Out of fairness to other students in class, you must provide something evidencing the extraordinary circumstances.

ACADEMIC HONESTY:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

PROFESSIONALISM

As a future attorney, you are expected to conduct yourself in class and outside of class with professionalism and civility. All communications with members of the UF community should be professional and appropriate. This includes any conferences, group work, e-mails, and so forth. I will dismiss any student from the classroom for what I believe constitutes unprofessional conduct or a lack of civility.

TECHNOLOGY USE:

Your cellphone/smart watch/fitness wearable/etc. must be set on silent or vibrate, as applicable, during class. Your cellphone should not be visible to you or other students during class. You may not use Google Glass or the equivalent during class. Recording of class is not permitted. Laptop use is for purposes related to class. Students on websites unrelated to class will be dismissed from class for unprofessional conduct. At the professor's discretion, a grade penalty may result.

STUDENTS WITH DISABILITIES:

Students requesting accommodation for disabilities must first register with the Dean of Students

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to Dean Inman when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

CHANGES AND CONFLICTS:

This syllabus is subject to modification. I will notify you of any significant changes or additions. Canvas will reflect any due date and time changes to all assignments. If there is a conflict between a rule provided in this syllabus and a rule provided in the Student Handbook or Student Honor Code, the rule in the Handbook or Honor Code prevails. Please alert me of any such conflicts you identify.

CLASS PREPARATION WORKLOAD:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Florida Topics has 2 “classroom hours” of instruction each week, requiring at least 4 hours of preparation outside of class.

Accordingly, you will have about 20 pages of reading/review each week. Because the course includes a wide variety of legal areas and a multitude of rules, you should spend the bulk of your time outside of class on **memorization techniques** we will discuss in class. A significant portion of your time outside of class should be completing the issue outlines on the subject covered and writing essays. Each activity spent outside of class should help reinforce your memorization and application of the legal rules. The course will cover the topics most likely to be tested on your bar exam, so be liberal with your time investment.

ADDITIONAL RESOURCES:

The following resources can be found at www.floridabarexam.org:

- The Florida Board of Bar Examiner’s Released Essays and Sample Answers
- The Florida Board of Bar Examiner’s Test Specifications

PLEASE NOTE: SYLLABUS IS SUBJECT TO MODIFICATION

TENATIVE SCHEDULE

Week Date	Class Topics	Reading Due BARBRI book	Assignments Due C=Canvas K=Kaptest
Week 1 January 11	Syllabus & Intro to FL bar exam; Professional Responsibility	Syllabus i-v; 137-151	C- Complete the Survey

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

Week Date	Class Topics	Reading Due	Assignments Due C=Canvas K=Kaptest
Week 2 January 18	Property: Homestead	153-170 25-26; 167-170	C-PR Issues Outline PR Quiz
Week 3 January 25	Concurrent Estates Conveyances	156-157 160-165; Canvas Property Supplement	Homestead Quiz
Week 4 February 1	Easements, Covenants, Servitudes, Licenses	157-159	Conveyances Quiz HW Due C+K Property Essay 1
Week 5 February 8	Landlord/Tenant	153-156	Easements/Covenants Quiz
Week 6 February 15	Contracts: Contract Formation Formation Defenses	51-69 51-55	C-Property Issues Outline TIMED IN CLASS C+K Property Essay 2
Week 7 February 22	Breach Defenses	55-57	Formation Quiz
Week 8 March 1	Remedies	57-58 Canvas Contracts Supplement	Formation Quiz 2 HW Due C+K Contracts Essay 1
Week 9 March 15	Warranties 3 rd Party Rights	58-69	Remedies Quiz DUE - REPORT TO PROF.
Week 10 March 22	Torts: Intentional Torts Dignitary Harm	185-210 185-190	C- Contracts Issues Outline TIMED IN CLASS C+K Contracts Essay 2
Week 11 March 29	Negligence & Defenses	190-193	Defamation Quiz HW Due C+K Property Essay 3

UNIVERSITY OF FLORIDA SCHOOL OF LAW
FLORIDA TOPICS – SPRING 2018

Week 12 April 5	Strict Liability Torts Immunities	193-195	Negligence Quiz 1 HW Due C+K Torts Essay 1
Week 13 April 12	Torts of Others	195-198	Negligence Quiz 2
Week 14 April 19	TBD	TBD	C- Torts Issues Outline TIMED IN CLASS C+K Torts Essay 2