

NAILING



THE BAR

FREE
5-Week Study Schedule
for the California
First-Year Law Student Exam
(BABY BAR)

Using NAILING THE BAR Books

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**FREE 5-Week Study Schedule for the
California First-Year Law Student Exam (FYLSX – “Baby Bar”)
Using Nailing the Bar Books from**

www.PracticalStepPress.com

Preliminary Information: This Study Schedule is intended for evening and weekend study for a person who works 8 hours a week, Monday through Friday, with weekends off from work. It provides one day each weekend in which no study is demanded. You must modify this schedule to meet the needs of your own situation.

Both the Essay and Multiple-Choice portions of the FYLSX test your knowledge of common law contracts, UCC Articles 1 & 2, torts, and crimes. Nailing the Bar publishes everything you need to prepare for this exam.

PLUS, the Multiple-Choice book from Nailing the Bar referenced below also provides some questions on criminal procedure. This material is included to help you in your studies, but it is not tested on the FYLSX.

It is important for you to acquire a book that lists all of the sections of UCC Articles 1 & 2 for review purposes. While Nailing the Bar books explain the most commonly tested UCC sections, the California Bar frequently surprises everyone by testing some of the more obscure portions of the UCC.

HYPERLINKS TO THE WEB: Use the hyperlinks embedded in this Schedule to quickly access referenced materials on the web. To return quickly to the Schedule use -

- **Alt + Tab on a PC** or
- **Command + Tab on a Mac** (the Command key is the ⌘ key).

HYPERLINK YOUR LAW LIBRARY: This schedule has embedded hyperlinks to the five eBooks listed below.

1. [Simple Contracts & UCC Outline \(O-1e\)](#)
2. [Simple Torts Outline \(O-2e\)](#)
3. [Simple Crimes Outline \(O-3e\)](#)
4. [333 Multiple-Choice Questions for First-Year Law Students \(MQ1e\)](#)
5. [Nailing the BABY Bar \(BBe\)](#)

If you have any of these eBooks put them in the same folder with this FREE Study Schedule. Then you can immediately leap to the referenced materials by just clicking on the links. And you can annotate both this Schedule and your eBooks by using the “**sticky note**” and “**highlight**” features of Adobe Reader.

The eBook “333 Multiple-Choice Questions for First-Year Law Students (MQ1e) is also hyperlinked to the following ebooks:

6. [Simple Criminal Procedure Outline \(O-4e\)](#)
7. [Simple Real Property Outline \(O-8e\)](#)
8. [Simple Remedies Outline \(O-10e\)](#)

LAW LIBRARY FOLDER STRUCTURE. You can put any or all of these eBooks and this FREE Study Schedule in any folder with any name. That law library folder can have any name but the FREE Study Schedule and other eBook files must have the following names. **Linking only seems to work on computers at this time, not iPhones, iPads, etc.**

1. FREE-FYLSX-Study-Schedule.pdf
2. O-1e.pdf
3. O-2e.pdf
4. O-3e.pdf
5. O-4e.pdf
6. O-8e.pdf
7. O-10e.pdf
8. MQ1e.pdf
9. BBe.pdf

These eBooks have all been updated with the hyperlinks. If you are using older eBook versions with earlier publication dates (prior to 2014) the links may be misaligned by a page or two. However the hyperliuks should still get you close to the referenced materials.

If you link from this schedule to your other eBooks this FREE Study Schedule will close. But you can return to the FREE Study Schedule by using:

- **Alt + ← on a PC** (hold down Alt and hit left arrow) or
- **Command + ← on a Mac** (hold down the ⌘ key and hit left arrow).

If you move about within any linked eBook and want to return to this FREE Study Schedule you may have to enter this more than once to get back to where you started if you moved around to different outline pages.

These same Simple Outlines are available in paper form at the following links:

1. [Simple Contracts & UCC Outline \(O-1\), ISBN 978-1-936160-06-8](#)
2. [Simple Torts Outline \(O-2\), ISBN 978-1-936160-07-5](#)
3. [Simple Crimes Outline \(O-3\), ISBN 978-1-936160-08-2](#)
4. [Simple Criminal Procedure Outline \(O-4\) ISBN 978-1-936160-24-2](#)
5. [Simple Real Property Outline \(O-8\) ISBN 978-1-936160-28-0](#)
6. [Simple Remedies Outline \(O-10\) ISBN 978-1-936160-30-3](#)
7. [333 Multiple-Choice Questions for First-Year Law Students \(MQ1\), ISBN 978-1-936160-34-1](#)
8. [Nailing the BABY Bar \(BB\), ISBN 978-1-936160-04-4](#)

Week 1 (of 5)

Your 5-week preparation for the FYLSX (Baby Bar) should begin no later than 5 weeks before you will take the exam. The exam is always scheduled for the 4th Tuesday of either June or October. So your preparation should begin on or before the week of the “next-to-last Tuesday” in either May or September, depending on the exam for which you are preparing.¹

Monday:

- Read “[Contract Formation](#)” and “[Contract Enforceability](#)” (Chapters 1 and 2, pp. 1 – 38, approx.) in Nailing the Bar’s **Simple Contracts & UCC Outline (O-1e)**. (3 hours)

Tuesday:

- Read “[Contract Interpretation](#)”, “[Contract Modification](#)”, “[Third Party Beneficiaries](#)” and “[Assignment and Delegation](#)” (Chapters 3, 4, 5 and 6; pp. 39 – 70, approx) in the **Simple Contracts & UCC Outline**. (3 hours)

Wednesday:

- Test yourself on the materials you have covered using [Test #1](#) (Contracts - Terms and Formation) from Nailing the Bar’s **333 Multiple-Choice Questions for First-Year Law Students (MQ1e)** (pp. 21-30, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #1 in **333 Multiple-Choice Questions for First-Year Law Students (pp. 32-39, approx.)**. AND Review the applicable, related sections in the **Simple Contracts & UCC Outline**. (3 hours)
 - This is **Very Important** that you study the areas of law where you are weak, and your failure to answer the multiple-choice questions correctly helps highlight those areas. DO NOT simply shrug off your own failure to answer these questions well.

¹ Week 1 starts with the Tuesday that is 6 weeks prior to the Tuesday the FYLSX is given. The FYLSX is a one-day exam given on the 4th Tuesday in June and October of each year. More information may be obtained from the Bar at this address - <http://admissions.calbar.ca.gov/LinkClick.aspx?fileticket=6wG-dLiu8Hk%3d&tabid=2254&mid=3131>

Thursday:

- Test yourself on the materials you have covered using [Test #2](#) (Contracts – Interpretation and Enforceability) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 40-49, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #2 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 51-58, approx.](#)). AND Review the applicable, related sections in the **Simple Contracts & UCC Outline**. (3 hours)

Friday:

- Read “[Breach of Contract](#)”, “[Contract Remedies](#)”, and “[Equitable Remedies](#)” (Chapters 7, 8 and 9; pp. 71 – 100, approx) in the **Simple Contracts & UCC Outline**. (3 hours)

Saturday:

Morning:

- Test yourself on the materials you have covered using [Test #3](#) (Contracts – Third Parties and Remedies) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 59-68, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #3 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 70-78](#), approx.). AND Review the applicable, related sections in the **Simple Contracts & UCC Outline**. (3 hours)

Afternoon:

- Read “[UCC Modifications](#)” (Chapter 10, pp. 101 – 115, approx.) in the **Simple Contracts & UCC Outline**. (1 ½ hours)
- Read (or else scan) through ALL sections of Article 2 of the UCC (a.k.a. “Sales”) in another reference work.. (2 hours)
 - If you do not have a book that presents this material you should get one (You should have gotten one at the beginning of your contracts class!). But if you refuse to get one, or can’t get one quickly, use this on-line resource –
 - <http://www.law.cornell.edu/ucc/>

- At this time the California Bar says that it also tests students on “all of Article 1” but there isn’t much in that Article that is any different from common law rules.
- The California Bar requirements are subject to change, and are currently posted at this website where you might be wise to review them –
 - <http://admissions.calbar.ca.gov/LinkClick.aspx?fileticket=6wG-dLiu8Hk%3d&tabid=2254&mid=3131>

Sunday:

- Take the day off.

Week 2 (of 5)

This is the second week and conclusion of contract law review.

Monday:

- Test yourself on the materials you have covered using [Test #4](#) (UCC) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 79-87, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #4 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 89-95, approx.](#)). AND Review the applicable, related sections in the **Simple Contracts & UCC Outline**. (3 hours)

Tuesday:

- Read [Chapters 1 – 16](#) in Nailing the Bar's **Nailing the BABY Bar (BBe)** (pp. 1-44 approx.) (3 hours)

Wednesday:

- Read "[Answering Contract and UCC Questions](#)" (Chapter 17, pp. 45-66 approx.) in **Nailing the Baby Bar**. (3 hours)

Thursday:

- Write an answer to [Practice Question 17-1](#) in **Nailing the Baby Bar** (p. 67 approx.). This question concerns contract formation. (1 hour)
- Read and study the [Sample Answer for this same Question 17-1](#) (in Appendix B) and compare it carefully to your own answer. It is very important for you to focus on whether you missed issues, used the "ELEMENT because FACT" approach, and used the key introduction words "Under...", "Here...because..." and "Therefore..." (1/2 hour)
- Write an answer to [Practice Question 17-2](#) in **Nailing the Baby Bar** (p. 68 approx.). This question concerns the UCC. (1 hour)
- Read and study the [Sample Answer for this same Question 17-2](#) and compare it carefully to your own answer. (1/2 hour)

Friday:

- Write an answer to [Practice Question 17-3](#) in **Nailing the Baby Bar** (p. 69 approx.). This question concerns third parties. (1 hour)
- Read and study the [Sample Answer for this same Question 17-3](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 17-4](#) in **Nailing the Baby Bar** (p. 70 approx.). This question concerns contract defenses. (1 hour)
- Read and study the Sample [Answer for this same Question 17-4](#) and compare it carefully to your own answer. (1/2 hour)

Saturday:

Morning:

- Write an answer to [Practice Question 17-5](#) in **Nailing the Baby Bar** (p. 71 approx.). This question concerns contract modification, breach and remedies. (1 hour)
- Read and study the [Sample Answer for this same Question 17-5](#) and compare it carefully to your own answer. (1/2 hour)

Afternoon:

- Write an answer to [Practice Question 17-6](#) in **Nailing the Baby Bar** (p. 72 approx.). This question concerns common law remedies. (1 hour)
- Read and study the [Sample Answer for this same Question 17-6](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 17-7](#) in **Nailing the Baby Bar** (p. 73 approx.). This question concerns UCC formation, breach and remedy. (1 hour)
- Read and study the Sample [Answer for this same Question 17-7](#) and compare it carefully to your own answer. (1/2 hour)

Sunday:

- Take the day off.

Week 3 (of 5)

This week begins review of tort law.

Monday:

- Read “[Tort Law Overview](#)”, “[Causation in Tort](#)”, “[Remedies in Tort](#)”, “[Liability in Tort](#)”, “[Strict Liability Causes of Action](#)” and “[Intentional Tort Causes of Action](#)” (Chapters 1, 2, 3, 4, 5 and 6, pp. 1 – 43, approx) in Nailing the Bar’s **Simple Torts Outline (O-2e)**. (3 hours)
 - The introductory explanations of tort law are very important, but only tested within the context of other “causes of action”. Law professors and modern law often view “**strict liability**” as a form of **negligence**. But the core requirement of negligence is a “breach of duty” and strict liability does not require that.

Tuesday:

- Test yourself on the materials you have covered using [Test #5](#) (Torts – Intentional Torts and Defenses) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 96-102, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #5 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 104-110, approx.](#)). AND Review the applicable, related sections in the **Simple Torts Outline**. (2 hours)

Wednesday:

- Read “[Negligence](#)” and “[Negligent Infliction of Emotional Distress](#)” (Chapters 7 and 8, pp. 44 – 70 approx) in the **Simple Torts Outline**. (3hours)

Thursday:

- Test yourself on the materials you have covered using [Test #6](#) (Torts – Negligence and Defenses) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 111-118, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #6 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 120-126, approx.](#)). AND Review the applicable, related sections in the **Simple Torts Outline**. (2 hours)

Friday:

- Read “[Products Liability](#)”, “[Defamation](#)”, “[Invasion of Privacy](#)”, “[Nuisance](#)”, “[Malicious Interference](#)”, “[Abuse of Process and Malicious Prosecution](#)”, and “[Deceit, Concealment, Nondisclosure, and Misrepresentation](#)” (Chapters 9, 10, 11, 12, 13, 14 and 15, pp. 71 – 100 approx) in the **Simple Torts Outline**. (3 hours)

Saturday:

Morning:

- Test yourself on the materials you have covered using [Test #7](#) (Torts – Defamation / Product Liability / Miscellaneous) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 127-133, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #7 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 135-141, approx.](#)). AND Review the applicable, related sections in the **Simple Torts Outline**. (2 hours)

Afternoon:

- Read “[Answering Tort Questions](#)” (Chapter 18, pp. 74-90 approx.) in **Nailing the Baby Bar**. (3 hours)
- Write an answer to [Practice Question 18-8](#) in **Nailing the Baby Bar** (p. 91 approx.). This question concerns intentional torts. (1 hour)
- Read and study the [Sample Answer for this same Question 18-8](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 18-9](#) in **Nailing the Baby Bar** (p. 92 approx.). This question concerns negligence. (1 hour)
- Read and study the [Sample Answer for this same Question 18-9](#) and compare it carefully to your own answer. (1/2 hour)

Sunday:

- Take the day off.

Week 4 (of 5)

This week concludes review of tort law and begins review of criminal law.

Monday:

- Write an answer to [Practice Question 18-10](#) in **Nailing the Baby Bar** (p. 93 approx.). This question concerns product liability. (1 hour)
- Read and study the [Sample Answer for this same Question 18-10](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 18-11](#) in **Nailing the Baby Bar** (p. 94 approx.). This question concerns defamation. (1 hour)
- Read and study the [Sample Answer for this same Question 18-11](#) and compare it carefully to your own answer. (1/2 hour)

Tuesday:

- Write an answer to [Practice Question 18-12](#) in **Nailing the Baby Bar** (p. 95 approx.). This question concerns invasion of privacy. (1 hour)
- Read and study the [Sample Answer for this same Question 18-12](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 18-13](#) in **Nailing the Baby Bar** (p. 96 approx.). This question concerns nuisance. (1 hour)
- Read and study the [Sample Answer for this same Question 18-13](#) and compare it carefully to your own answer. (1/2 hour)

Wednesday:

- Write an answer to [Practice Question 18-14](#) in **Nailing the Baby Bar** (p. 97 approx.). This question concerns miscellaneous torts. (1 hour)
- Read and study the [Sample Answer for this same Question 18-14](#) and compare it carefully to your own answer. (1/2 hour)
- Read “[Criminal Law Overview](#)” and “[Solicitation and Conspiracy](#)” (Chapters 1 and 2, pp. 1 – 20 approx) in **Nailing the Bar’s Simple Crimes Outline (O-3e)**. (1 1/2 hours)

- Read “[Attempted Crimes](#)” (Chapter 13, pp. 59 – 64 approx) in the **Simple Crimes Outline**. (1/2 hour)
- Read “[Affirmative Criminal Defenses](#)” (Chapter 17, pp. 86 – 93 approx) in the **Simple Crimes Outline**. (1/2 hour)

Thursday:

- Read “[Arson](#)”, “[Larceny](#)”, “[Embezzlement](#)”, “[False Pretenses](#)” and “[Receiving Stolen Property](#)” (Chapters 6, 7, 8, 9, and 10, pp. 27 – 44 approx.) in the **Simple Crimes Outline**. (2 hours)
- Read “[Burglary](#)” (Chapter 12, pp. 50-58 approx) in the **Simple Crimes Outline**. (1 hour)

Friday:

- Test yourself on the materials you have covered using [Test #8](#) (Criminal Law Fundamentals and Crimes Against Property) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 142-147, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #8 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 149-155, approx.](#)). AND Review the applicable, related sections in the **Simple Crimes Outline**. (2 hours)

Sunday:

- Take the day off.

Week 5 (of 5)

This is the last week of review, the week before the FYLSX is given. It concludes study of criminal law.

Monday:

- Read “[Criminal Battery](#)”, “[Criminal Assault](#)” and “[Rape](#)” (Chapters 3, 4 and 5, pp. 21 – 26 approx) in the **Simple Crimes Outline**. (1/2 hour)
- Read “[Robbery](#)” (Chapter 11, pp. 48 – 49 approx) in the **Simple Crimes Outline**. (15 minutes)
- Read “[Murder](#)”, “[Manslaughter](#)” and “[Miscellaneous Crimes](#)” (Chapters 14, 15 and 16, pp. 65 – 86 approx) in the **Simple Crimes Outline**. (2 1/2 hours)

Tuesday:

- Test yourself on the materials you have covered using [Test #9](#) (Crimes Against the Person / Vicarious Liability / Defenses) from **333 Multiple-Choice Questions for First-Year Law Students** (pp. 156-162, approx.) (1 hour)
- Review the explanations given for the multiple-choice questions you failed to answer right on Test #9 in **333 Multiple-Choice Questions for First-Year Law Students** ([pp. 164-170, approx.](#)). AND Review the applicable, related sections in the **Simple Crimes Outline**. (2 hours)

Wednesday:

- Write an answer to [Practice Question 19-15](#) in **Nailing the Baby Bar** (p. 115 approx.). This question concerns attempt, homicide, res gestae and depraved heart. (1 hour)
- Read and study the [Sample Answer for this same Question 19-15](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 19-16](#) in **Nailing the Baby Bar** (p. 116 approx.). This question concerns accomplice and conspiracy liability. (1 hour)

- Read and study the [Sample Answer for this same Question 19-16](#) and compare it carefully to your own answer. (1/2 hour)

Thursday:

- Write an answer to [Practice Question 19-17](#) in **Nailing the Baby Bar** (p. 117 approx.). This question concerns murder, mistake of law, self-defense and insanity defense. (1 hour)
- Read and study the [Sample Answer for this same Question 19-17](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 19-18](#) in **Nailing the Baby Bar** (p. 118 approx.). This question concerns arson, larceny, embezzlement and larceny by trick. (1 hour)
- Read and study the [Sample Answer for this same Question 19-18](#) and compare it carefully to your own answer. (1/2 hour)

Friday:

- Write an answer to [Practice Question 19-19](#) in **Nailing the Baby Bar** (p. 119 approx.). This question concerns attempted crimes, mistake of fact and mistake of law. (1 hour)
- Read and study the [Sample Answer for this same Question 19-19](#) and compare it carefully to your own answer. (1/2 hour)
- Write an answer to [Practice Question 19-20](#) in **Nailing the Baby Bar** (p. 120 approx.). This question concerns the different forms of malice for murder. (1 hour)
- Read and study the [Sample Answer for this same Question 19-20](#) and compare it carefully to your own answer. (1/2 hour)

Saturday:

- Use this day for a general review of the materials and focus on particular rules of law, issues, etc. that you find confusing.

Sunday:

- Take the day off. You might be traveling to the test site this day.

Week 6: This is the week the FYLSX is given on Tuesday:

Monday – the day before the FYLSX:

- Go to the test site and familiarize yourself with the location, the parking facilities, etc. Do a **general review** of the material, but **do not try cramming!** If you have followed the above schedule, you are as ready as you ever will be and cramming at the last minute is self-defeating.
- Relax and get a good night's sleep, confident that you have done everything that was reasonably possible.

Tuesday – The day you take the FYLSX. Be there early.