

PT Timing Breakdown

Note: YOU MUST FINISH THE PERFORMANCE TEST IN ORDER TO PASS.

Here is exactly how to break the PT into two controlled phases:

Part One: Reading/Outlining – 45ish minutes

1. Task Memo (3-5 minutes)
 - a. Heading.
 - b. Facts.
 - c. Type and Tone.
 - d. Issues/Tasks/Outline Structure.
2. Case File (skim for 2 minutes)
 - a. BRIEFLY skim the File for an idea of what documents you were given.
 - b. Not reading for substance at this point.
3. Library (20-25 minutes)
 - a. Rules – List these out IN ORDER in paragraph format with a full citation for the first rule, followed by *Id.* for every rule thereafter coming from the same case.
 - b. Reasoning – Locate the reasoning so you understand HOW the rules are being applied to the facts in the case. This reasoning will help you write the mini case brief in your Argument section.
4. Case File (20-25 minutes)
 - a. Facts – You have written out your rule paragraphs and will use these rule paragraphs as a continual reference when you read through each document in the File. Look for and note any facts that match up to the rules you pulled from the Library.

Part Two: Drafting Response – 45 minutes**Heading****I. Intro** (2-3 minutes, write your Intro AFTER your Argument section)

A. *With 10 minutes left*, begin wrapping up your Arguments section and write your Intro, then Issue headings, then Conclusion. If you don't do this, you won't finish.

B. In the Intro, tell your supervising attorney the issues/tasks given to you in the Task Memo, and that you have researched the law and will analyze the issues below.

II. Statement of Facts (2-3 minutes MAX...Note: Some Task Memos specifically state DO NOT write a Statement of Facts)

III. Argument (35 minutes, write your Argument section FIRST)

ISSUE HEADING (1 minute. Write after completing your Intro and include a pertinent fact and brief summation of your reasoning. You will have written your basic Issue heading earlier when reading the Task Memo.)

A. Rule paragraph

1. You wrote your rule paragraph while briefing each case during Part One: Reading/Outlining.

B. Case Brief

1. Go back to the case, specifically the Reasoning paragraph you identified during Part One. This reasoning paragraph, combined with similar facts you pulled from the Case File, will form the basis of your case brief. The objectives of the PT are to write a completed document that compares/contrasts the facts from the Library cases with the facts from your case File, using the rules from the Library. This case briefs lays out the first set of facts, and you will distinguish your facts in the subsequent paragraph.

C. Analysis

1. Compare your case to the case you briefed. Include all relevant facts, whether they support your argument or not. Conclude accordingly based on if memo is objective or persuasive.

IV. Conclusion (2-3 minutes, write your Conclusion AFTER completing your Issue headings)

A. Your conclusion will essentially be a combination of your Issue headings. Your Issue headings, written previously, should be 1-2 sentences containing a pertinent fact and brief reasoning leading to your Conclusion. Re-word and combine these Issue headings to form your conclusion.

**Note – After writing your Conclusion, spell-check the document and then you are finished!*

Things to Remember:

1. FINISH THE PERFORMANCE TEST. No one actually ‘finishes’ the test in terms of gets everything they want to say on paper. Stick to your timing marks. When there is roughly 10 minutes left, start wrapping up your Argument section and quickly knock out your Intro, Issue headings, and Conclusion. Understanding your own timing comes from a lot of PRACTICE.

2. Take note of the tone. For objective memos, state pertinent facts and arguments from both sides and conclude according to which argument you feel is stronger. For persuasive, state pertinent facts and arguments from both sides but *actively* argue *why* the other side's argument is not legally sound.

3. PRACTICE YOUR TIMING. This exam is computer-based. Practice, incessantly, taking portions of the PT's on the computer. Do NOT be one of those that comes out of the exam flustered because they did not practice enough.

4. FINISH THE PERFORMANCE TEST.