

FINAL EXAM

Torts (Fall 2022 to Spring 2023) | Professor Colin Doyle

INSTRUCTIONS

Exam Format

This exam is 21 pages including the instructions. Please make sure that you have all the pages.

This exam has four parts and two appendices.

Part I consists of four short answer questions. Part II consists of a fact pattern and an essay question. Part III consists of a fact pattern and an essay question. Part IV consists of a fact pattern and an essay question. The four parts are equally weighted at 25% of your total grade.

On the Exemplify software, enter your answers to Part I under Question 101, your answers to Part II under Question 102, your answers to Part III under Question 103, and your answers to part IV under Question 104.

The appendices included in this exam packet are identical to the appendices on our course website. Appendix A is a list of cases discussed in-depth during class. Appendix B is a list of legal rules that you are not expected to have memorized.

Given that you have four hours to complete this exam and four equally weighted parts, simple arithmetic and common sense may lead you to spend one hour on each part. But your mileage may vary. Four hours should be ample time to complete this exam. Whether and how you use the four hours is up to you.

If you are using a computer to type your answers, the character limit for each of the four parts of the exam is 5,000 characters. Let's spell this out so that no one is mistaken about the character limits. Part I (Question 101) has a character limit of 5,000 characters. Part II (Question 102) has a character limit of 5,000 characters. Part III (Question 103) has a character limit of 5,000 characters. Part IV (Question 104) has a character limit of 5,000 characters. You can track the length of your answer with Exemplify's on-screen character count tool. Make sure that you are tracking the characters with spaces count, not the word count. The character limits apply to each part of the exam individually.

If you are writing your answers by hand, limit your answers to one bluebook per part, writing on every other line, only on the front of each page. Part I, Part II, Part III, and Part IV each have a bluebook limit of one bluebook.

Do not exceed the character or bluebook limits. Failure to comply with these limits will result in a severe loss of points.

The purpose of the character limit is to encourage you to organize your answers and write clearly. You should spend a fair amount of time thinking and taking notes before starting to write your exam responses. A shorter answer that is focused and organized

is much better than a longer answer that is disorganized and unfocused. You do not need to reach the character limit to perform well on this exam.

You can use contractions but do not use abbreviations unless those abbreviations are supplied in the fact pattern. Refer to plaintiffs and defendants by their last names or as plaintiff or defendant. You may abbreviate “intentional infliction of emotional distress” and “negligent infliction of emotional distress” as IIED and NIED. If you use abbreviations that are not permitted, during grading those abbreviated words will be replaced with the full version of the word for determining the character count.

The events in the exam take place in the fictional state of Loyola. Unless otherwise specified, the cases we have read from other states are persuasive, not binding, authority. Like all other states in the union, the state of Loyola is bound by Supreme Court precedent on issues of constitutional law that apply to the states.

For every question on the exam, Loyola follows the same jurisdictional rules. Page four of the exam lists out all the jurisdictional rules that are settled law in the state of Loyola. Not every rule will be relevant to every question. If a jurisdictional rule is not included on that list, you may assume that there is no governing precedent on that issue in the state of Loyola.

If you believe that you need to know facts that the questions do not provide, please state the assumptions explicitly and proceed to answer the question. But please read the questions carefully. Do not waste your time and character count by addressing issues that are not raised by the facts specified in the question.

Reliance on materials not covered by the course — including cases, other legal authorities, law review articles, treatises, and hornbooks — will not be credited when evaluating your answers.

Confidentiality

This exam is confidential. You may not share or discuss the exam — including its contents or your answers — with anyone at any time after you receive the exam, or after the other person has received the exam, until the final grades for the course are posted. In answering the questions on this exam, you may not ask others for help or use artificial intelligence for help. Violation of these rules constitutes prohibited conduct under Section 11.1 of the JD Handbook and similar rules in Handbooks for Graduate Programs.

Exam Questions

Any questions about the exam that arise during the exam must be directed to the proctor in the exam room. After the exam, any questions about the exam must be directed to Office of the Registrar, not the professor. The Office of the Registrar may be contacted in person at the office located in Founders Hall, Room 105, by phone at 213-736-1130, by email at registrar@lls.edu, or by chat on the Office of the Registrar’s website at <https://www.lls.edu/academics/officeoftheregistrar/>.

You are not permitted to contact the professor concerning any exam-related questions on the day of the exam or for the remaining exam period until final grades are posted, because it is important to preserve anonymity during the exam administration process.

Anonymity

Use your 7-digit LLS ID Number on this exam. Do not include your name and do not make any remarks that will jeopardize your anonymity or anyone else's anonymity on the exam before the exam grades are posted.