ASSESSING FIRST SEMESTER:

REFLECTING, REFINING, AND ADAPTING

Spring 2012
Moving forward…

- Pick-up your blue books
- Meet with your professors
- Meet with academic development
- Come up with a study plan after reflection
- Don’t be discouraged
STEP 1 - REFLECTION: Big Picture

- How did I prepare?
- How well did I perform?
- How **efficient/effective** was my preparation?
- What factors best explain my results?
STEP 1 – REFLECTION: Blue Books

For each exam, ask:

What did I do well? What did I do poorly?
STEP 1 – REFLECTION: Blue Books (continued)

Looking at all exams together, ask:

Did I do better in certain subjects or certain types of exams? Why?

What was my most common comment from professors?

What were the causes of my successes and shortcomings? How will I change my approach to studying?
Common Mistakes

- No conceptual framework - lack of understanding of how concepts/rules fit together
- Discussing non-issues
- Missing issues
- Incomplete/inaccurate rule statements
- Poor organization
  - Lack of large scale organization – no road map/attack plan
  - Not prioritizing the key issues
  - Not using IRAC
STEP 1 – REFLECTION: Components of Studying

- **Pre-Class Technique**
  - Reading with a purpose

- **In-Class Technique**
  - Active Learning

- **Post-Class/Study Technique**
  - Bringing it all together
Learning Tools

- Outlines
- Tree Diagrams/Flowcharts
- Tables
- Flash Cards
- Mnemonics
- Recordings
- Teaching Others/Group Study
I. SUBJECT MATTER JURISDICTION
SMJ refers to the court’s ability to exercise power over a particular controversy. Federal courts have SMJ over claims involving: (a) a federal question; OR (b) diversity of citizenship.

A. Federal Question - § 1331
Federal questions involve claims arising under the Constitution, laws, or treaties of the U.S.

B. Diversity - § 1332
In order for there to be diversity, the action must be between citizens of different states, or between a citizen of a state and an alien [not over two aliens]; and the matter in controversy must exceed $75,000.

1. Complete Diversity
Every P must be of diverse citizenship from every D.
   (a) Citizenship
      (a)(1) Natural Person
         Domicile = (i) physical presence in the state + (ii) intent to permanently reside there
      (a)(2) Corporation
         A corporation can have two citizenships - (i) their place of incorporation; (ii) the one state in which it has its nerve center – place where corporate decisions are made.

2. Amount in Controversy - Recovery will exceed $75,000
   (a) Aggregation
      In order to meet the requisite jurisdictional amount, a single P may aggregate all her claims against a single D (even if claims are unrelated). P(s) may also aggregate claims against several Ds if the Ds are jointly liable to P.
## Sample Table

<table>
<thead>
<tr>
<th><strong>Language</strong></th>
<th><strong>Fee Simple Determinable</strong></th>
<th><strong>Fee Simple Subject to Condition Subsequent</strong></th>
<th><strong>Fee Simple Subject to an Executory Interest</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Duration</strong></td>
<td>As long as condition is met, if not it automatically reverts back to grantor</td>
<td>As long as the condition is not breached and the right of reentry of grantor is not exercised</td>
<td>As long as condition is met, if not then it goes to B. Until happening of X event, then to B.</td>
</tr>
<tr>
<td><strong>Transfer</strong></td>
<td>Devisable, Descendable, Alienable subject to condition</td>
<td>Devisable, Descendable, Alienable subject to condition</td>
<td>Devisable, Descendable, Alienable subject to condition</td>
</tr>
<tr>
<td><strong>Future Interest</strong></td>
<td>Possibility of Reverter (automatic for grantor)</td>
<td>Right of Reentry/Power of Termination (grantor must take action to get the landback)</td>
<td>Shifting Executory Interest for 3rd-Party (B) (subject to RAP)</td>
</tr>
</tbody>
</table>
Sample Flash Card

SUBJECT MATTER JURISDICTION
Sample Flash Card

A. **Federal Question** (§1331) Arising under the Constitution, laws, or treaties of the U.S.

B. **Diversity** (§1332)
   1. **Complete Diversity** - Every P must be of diverse citizenship from every D.
      (a) Citizenship
         (a)(1) Natural Person - Domicile = (i) physical presence in the state + (ii) intent to permanently reside there
         (a)(2) Corporation - (i) their place of incorporation; OR (ii) the one state in which it has its nerve center – place where corporate decisions are made.

2. **Amount in Controversy** - Recovery will exceed $75,000
Sample Mnemonic

Statute of Frauds

M - Marriage
Y - Year (cannot be performed within 1 year)
L - Land
E - Executors
G - Goods (sale of goods for $500 or more)
S - Surety
STEP 2 - REFINING & ADAPTING

- Refine approach to learning - Small adjustments can make a big difference
- Utilize learning tools – Know not only what to learn, but how to learn
- Remain flexible – Adjust learning approach and/or tools if they’re not working
- More hours ≠ better results
Academic Development Team

**Director of Academic Development**
Professor Mark Yates  
Phone: 415-442-6626  
Email: myates@ggu.edu  
Office: Faculty Center, Room 2340

**Assistant Director of Academic Development**
Professor Gail Quan  
Phone: 415-442-6644  
Email: gquan@ggu.edu  
Office: Faculty Center, Room 2348

**Assistant Director of Academic Development**
Professor Reichi Lee  
Phone: 415-442-6664  
Email: rele@ggu.edu  
Office: Faculty Center, Room 2344

**Graduate Teaching Fellow**
Catrina M. Reyes, Esq.  
Phone: 415-369-5384  
Email: creyes@ggu.edu  
Office: Faculty Center, Room 2343

To make an appointment with a member of the ADP team email: academicdevelopment@ggu.edu