



Federation of
Law Societies
of Canada

NCA National Committee
on Accreditation

Tips for Writing NCA Torts Exam



NCA exams are designed to provide students with enough time to produce well-organized and reasonably well-written answers. In grading these answers, weight will be given to relevance, conciseness, and organization. Here are some guidelines to keep in mind as you prepare to write your exam.

DO:

- Describe governing rules **clearly and briefly** in your own words based on the leading cases, **AND** explain how those rules apply to the facts of the question to reach conclusions about the law that are supported by legal analysis.
- For essay questions, **build a legal argument to address the issue(s) identified in the question and support your argument** by correctly acknowledging authority cited in the syllabus.
- For fact-based questions, **identify relevant issues and select and identify the rule of law that applies in Canada** to each of the issues presented.
- Dedicate enough time to each fact-based question to **be able to fully analyze the issue(s) and explain how the law applies**. It is important that in addition to explaining your conclusion, you explain how you came to that conclusion. The analysis is key and will earn more marks than the conclusion alone. Use the Issues, Rules, Application, Conclusion (also referred to as IRAC) approach described in **How to Answer Fact Based Law Exam Questions**.
- Write in complete sentences.
- If you are making assumptions when you answer a question, **make it clear what assumptions you are making and why**. That is, explain relevant legal and factual ambiguities.
- Cite appropriate legal authorities correctly, ensuring you attribute any direct quotes from authors or judgments to your sources, whether online or in print.
- Be specific and **answer the question asked**. Reading the question until you understand it is key. It is also important to consider the scope of the question. If it is broad in scope, provide a full analysis. If it is narrow in scope, be specific, answering only what is asked.
- For fact-based questions, **read the question before reading the facts**. This will help you **understand from what perspective the examiner is asking you to answer the question**. You will have a different response if you are an advocate, rendering a judgment or providing legal advice.



DO NOT:

- Copy text from your study notes or responses that are obtained directly from third party sources or from template texts. These may contain inaccurate or outdated descriptions of the law and do not demonstrate that you understand the legal concepts.
- Simply list core related legal concepts or rules or describe only the issues. **You must also clearly explain how legal concepts or rules apply given the facts of the case.**
- Write in point form.
- Plagiarize or try to pass off ideas or documented concepts as your own. If you do plagiarize, you will receive a mark of 0 and this finding will be shared with licensing bodies.
- Simply list all of the facts, case law or doctrine you know on a given issue. You must directly answer the question asked.