MEE Subject Difficult Points

Business Associations

Most Frequent: Formation of Corporations, Corporate Finance, Shareholders, Directors, Officers, Fundamental Corporate Changes

Difficult: Piercing the Corporate Veil, Fiduciary Duties of Directors, Derivative Actions

Civil Procedure

Most Frequent: Federal Subject Matter Jurisdiction, Personal Jurisdiction, Venue, Motions, Appeals

Difficult: Subject Matter Jurisdiction: Supplemental Jurisdiction, Personal Jurisdiction, Venue (Proper Venue & Transfer of Venue), Law Applied by Federal Courts: Erie Doctrine, Motion for Summary Judgment, Claim Preclusion (Res Judicata)

Conflict of Laws

Most Frequent: Choice of Law Theories, Choice of Law Rules: Torts, Contracts, Real Property, Full Faith and Credit

Difficult: Choice of Law Theories, Choice of Law Rules: Contracts, Law Applied by Federal Courts: Erie Doctrine, Full Faith and Credit

Constitutional Law

Most Frequent: State Sovereign Immunity, Commerce Clause, Negative Commerce Clause, Government Action, Due Process, Equal Protection, Takings, Freedom of Speech

Difficult: Justiciability, Commerce Clause, Government Action, Freedom of Speech

Contracts

Most Frequent: Formation of Contracts, Performance, Breach, & Discharge, Remedies

Difficult: UCC Article 2 Governs Contracts for the Sale of Goods, Mutual Assent: Offer & Acceptance, Consideration: Bargained for Exchange & Substitutes, Modification of Contracts: Pre-Existing Duty Rule & Exceptions, Parol Evidence Rule, UCC Perfect Tender Rule & Exceptions, Common Law Expectation Damages

Criminal Law and Procedure

Most Frequent: General Principles, Homicide, Other Crimes, Inchoate Offenses, Arrest, Search, and Seizure, Confessions, Privilege Against Self-Incrimination, and Right to Counsel

Difficult: Elements of a Crime, Homicide, Fourth Amendment Right - Government Action & Standing, Confessions: 14th Amendment Due Process Clause, Exclusionary Rule & the Fruit of the Poisonous Tree Doctrine

Evidence

Most Frequent: Probative Value, Character Evidence & Related Concepts, Impeachment, Hearsay, Privileges

Difficult: Character Evidence, Impeachment, Hearsay, Privileges

Family Law

Most Frequent: Marriage Requirements, Premarital Agreements, Jurisdiction, Divorce, Division of Property, Child Custody, Adoption

Difficult: Common Law Marriage, Premarital Agreements, Jurisdiction, Child Support, Child Custody, Agreements Between Unmarried Cohabitants

Real Property

Most Frequent: Present Estates and Future Estates, Landlord & Tenant Issues, Easements & Licenses, Adverse Possession, Land Conveyances, Mortgages/Security Devices

Difficult: Present Estates: Defeasible Fees, Landlord Duties, Easements by Grant, Prescription, Implication, & Necessity, Adverse Possession, Requirements for a Valid Land Sale Contract, Mortgages & Requirements for a Valid Mortgage

Secured Transactions

Most Frequent: Applicability & Scope of Article 9 of the UCC, Attachment and Perfection, Priorities, Secured Party's Rights & Remedies Upon Default

Difficult: Scope of Article 9 of the UCC, Attachment and Perfection, Priority for Perfected Interests & Unperfected Interests, Secured Party's Right to Dispose of Collateral

Torts

Most Frequent: Negligence, Common Law Strict Liability, Products Liability

Difficult: Intentional Torts, Prima Facie Case of Negligence, Standard of Care, Strict Liability, Strict Products Liability

Trusts & Future Interests

Most Frequent: Trust Creation, Types of Trusts, Powers & Duties of Trustees, Future Interests

Difficult: Trust Formation Elements, Types of Trusts, Trustee Duty to Administer the Trust, Future Interests

Wills & Estates

Most Frequent: Intestate Succession, Will Execution Requirements, Distribution of Property, Construction Problems, Class Gifts, Gifts to Children, Will Contests, Non-Probate Transfers

Difficult: Intestate Succession, Will Execution Formalities, Distribution of Property, Class Gifts, Gifts to Children, Testamentary Capacity

---

Revision #2
Created 2025-01-17 17:22:10 UTC by Ekospirit
Updated 2025-01-17 17:27:44 UTC by Ekospirit