



Key Strategies to Score High on the MBE

Strategy #1: Remember that not all MBE topics are tested equally. The MBE is broken into seven subjects: Criminal Law and Procedure, Constitutional Law, Contracts and Sales, Civil Procedure, Evidence, Real Property, and Torts. There are 25 scored questions on each subject. Thus, the *subjects* themselves are weighted relatively equally. The *topics*, however, are not. Below is the breakdown of the multiple-choice questions from the National Conference of Bar Examiners (NCBE), which writes and administers the MBE. Below are the approximate number of questions you can expect to see on each topic. The highly tested topics are highlighted.

Torts (25 questions)

Negligence: 12–13 questions

Strict liability and products liability: 3–5 questions

Intentional torts: 3–5 questions

Other torts: 3–5 questions

Evidence (25 questions)

Relevancy and reasons for excluding relevant evidence: 8–9 questions

Hearsay and circumstances of its admissibility: 6–7 questions

Presentation of evidence: 6–7 questions

Privileges and other policy exclusions: approx. 2 questions

Writings, recordings, and photographs: approx. 2 questions

Real Property (25 questions)

Real estate contracts: approx. 5 questions

Mortgages/security devices: approx. 5 questions

Ownership of property: approx. 5 questions

Rights in land: approx. 5 questions

Title to property: approx. 5 questions

Contracts and Sales (25 questions)

Formation of contracts: 6–7 questions