

BAR REVIEW MATERIALS

May 2020

INTRODUCTION

Purpose of materials

These materials have been created to assist you in preparing for the Bar Examination. The materials are a tool only and are not intended to be used exclusively as the basis of your preparation. If you find there are areas of law that are unfamiliar to you, go to the texts, statutes and cases that define the law in those areas.

Your objectives in taking the Bar Examination are to:

- analyze the facts presented;
- select the material from the immaterial facts;
- articulate and classify the problem presented;
- state and apply the relevant doctrines of law, their relationship and their qualifications and limitations;
- apply the law to the facts and problems presented; and
- reason logically to a sound conclusion from the premises adopted.

You will not be expected to cite the cases and statutes set out in the materials; however, you must understand and be able to apply the rules and principles they espouse. You should be familiar with the content of the statutes set out in the materials, in particular: the [*Sale of Goods Act*](#), [*Consumer Protection Act*](#), [*Personal Property Security Act*](#) and [*Residential Tenancies Act*](#).

The exam will also test ethical and professional conduct deemed appropriate for lawyers in Nova Scotia. You are expected to read and understand the Nova Scotia Barristers' Society [*Code of Professional Conduct*](#), which came into force January 1, 2012, and is included in these materials.

As an enhancement to the materials, we have created, where possible, external web links to those cases and legislation that were available on the CanLII website. Please note, however, that not all links are reliable. The incorrect links appear to be especially problematic for the statutes, especially if the complete citation for the statute is not present at that exact spot in the materials. If you use the web links, please always double-check to ensure that you are being directed to the correct place.

Editor's note

To assist the reader, we have chosen to alternate the use of gender terms in the different sections. We have also tried to ensure consistency; however, differences in the styles of the individual sections reflect the styles of the authors. You may also encounter inconsistency in punctuation and citation style. We invite you to share your thoughts with us so we may continue to improve

these materials to accommodate the users' needs. Comments, additions or corrections should be sent to:

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The Nova Scotia Barristers' Society has prepared these Bar Review Materials for the sole purpose of assisting applicants to prepare for the Nova Scotia Bar Examination. These materials are reviewed and updated annually, and published May 1 each year as study materials for the upcoming July and January exams. These current materials are the study outlines for the July 2020 and January 2021 Bar Examinations and may be relied upon for that sole purpose. The materials are not intended to provide legal advice, and should not be relied upon by articulated clerks, transfer applicants, lawyers or members of the public as a current statement of the law. Members of the public who access these materials are urged to seek legal advice and are specifically warned against reliance on them in any legal matter or for pursuit of any legal remedy. The Society will not be liable for any use you made of these materials, beyond their intended purpose.