



MPT Skills Tested

The Multistate Performance Test examines six fundamental lawyering skills that are required for the performance of many lawyering tasks. The following description of these skills is based in part on the “Statement of Fundamental Lawyering Skills” from *Legal Education and Professional Development: An Educational Continuum, Report of the Task Force on Law Schools and the Profession: Narrowing the Gap*, known as the MacCrate Report (ABA 1992).

1. **Problem solving.** The examinee should demonstrate the ability to develop and evaluate strategies for solving a problem or accomplishing an objective. Problem solving includes the ability to
 - A. identify and diagnose the problem;
 - B. generate alternative solutions and strategies;
 - C. develop a plan of action;
 - D. implement a plan of action; and
 - E. keep the planning process open to new information and new ideas.
2. **Legal analysis and reasoning.** The examinee should demonstrate the ability to analyze and apply legal rules and principles. Legal analysis and reasoning includes the ability to
 - A. identify and formulate legal issues;
 - B. identify relevant legal rules within a given set of legal materials;
 - C. formulate relevant legal theories;
 - D. elaborate on legal theories;
 - E. evaluate legal theories; and
 - F. criticize and synthesize legal arguments.
3. **Factual analysis.** The examinee should demonstrate the ability to analyze and use facts and to plan and direct factual investigation. Factual analysis includes the ability to
 - A. identify relevant facts within a given set of factual materials;
 - B. determine the need for factual investigation;
 - C. plan a factual investigation;
 - D. memorialize and organize information in an accessible form;
 - E. decide whether to conclude the process of fact gathering; and
 - F. evaluate the information that has been gathered.
4. **Communication.** The examinee should demonstrate the ability to communicate effectively in writing. Communication includes the ability to
 - A. assess the perspective of the recipient of the communication; and
 - B. organize and express ideas with precision, clarity, logic, and economy.
5. **Organization and management of a legal task.** The examinee should demonstrate the ability to organize and manage a legal task. Organization and management includes the ability to
 - A. allocate time, effort, and resources efficiently; and
 - B. perform and complete tasks within time constraints.
6. **Recognizing and resolving ethical dilemmas.** The examinee should demonstrate the ability to represent a client consistently with applicable ethical standards. Ethical representation includes
 - A. knowledge of the nature and sources of ethical standards;
 - B. knowledge of the means by which ethical standards are enforced; and
 - C. ability to recognize and resolve ethical dilemmas.