



**Passing the Bar:  
A Quick Reference  
Guide For Today's  
Law Student**

Allie Robbins



# Passing the Bar: A Quick Reference Guide For Today's Law Student

Allie Robbins  
Associate Professor of Law  
CUNY School of Law

CALI eLangdell Press 2020

## About the Author

Allie Robbins is an Associate Professor of Law and Director of Academic Skills at CUNY School of Law. Professor Robbins teaches primarily in the areas of academic skills and bar exam support. Her scholarship focuses on the areas of workers' rights in global supply chains, legal education, and the bar exam. She is also the editor and writer of Passing the Bar (<https://passingthebar.blog/>), a blog about studying for the bar exam.

## Notices

This is the first edition of this Guide, published June 2020. Visit <http://elangdell.cali.org/> for the latest version and for revision history.

This work by Allie Robbins is licensed and published by [CALI® eLangdell® Press](#) under a [Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International \(CC BY-NC-SA 4.0\)](#). CALI and CALI eLangdell Press reserve under U.S. Copyright Law all rights not expressly granted by this Creative Commons license. CALI and CALI eLangdell Press do not assert copyright in U.S. Government works or other public domain material included herein. Permissions beyond the scope of this license may be available through [feedback@cali.org](mailto:feedback@cali.org).

In brief, the terms of that license are that you may copy, distribute, and display this work, or make derivative works, so long as  
you give CALI eLangdell Press and the author credit;  
you do not use this work for commercial purposes; and  
you distribute any works derived from this one under the same licensing terms as this.

Suggested attribution format for original work:

Allie Robbins, *Passing the Bar: A Quick Reference Guide For Today's Law Student*, Published by CALI eLangdell Press. Available under a Creative Commons BY-NC-SA 4.0 License.

CALI® and eLangdell® are United States federally registered trademarks owned by The Center for Computer-Assisted Legal Instruction. The cover art design is a copyrighted work of CALI, all rights reserved. The CALI graphical logo is a trademark and may not be used without permission.

Should you create derivative works based on the text of this book, please credit the work according to the Creative Commons license.

This material does not contain nor is intended to be legal advice. Users seeking legal advice should consult with a licensed attorney in their jurisdiction. The editors have endeavored to provide complete and accurate information in this book. However, CALI does not warrant that the information provided is complete and accurate. CALI disclaims all liability to any person for any loss caused by errors or omissions in this collection of information.

## About CALI eLangdell Press

The Center for Computer-Assisted Legal Instruction (CALI®) is: a nonprofit organization with over 200 member US law schools, an innovative force pushing legal education toward change for the better. There are benefits to CALI membership for your school, firm, or organization. ELangdell® is our electronic press with a mission to publish more open books for legal education.

How do we define "open?"

Compatibility with devices like smartphones, tablets, and e-readers; as well as print.

The right for educators to remix the materials through more lenient copyright policies.

The ability for educators and students to adopt the materials for free.

Find available and upcoming eLangdell titles at [elangdell.cali.org](http://elangdell.cali.org). If you found this book on an OER website other than CALI's, please check the CALI website for updates or revisions.

Show support for CALI by following us on Facebook and Twitter, and by telling your friends and colleagues where you received your free book.

<b>ABOUT THE AUTHOR .....</b>	<b>1</b>
<b>NOTICES .....</b>	<b>2</b>
<b>ABOUT CALI ELANGDELL PRESS.....</b>	<b>3</b>
<b>INTRODUCTION.....</b>	<b>6</b>
1. PREFACE.....	6
2. A NOTE TO SOCIAL JUSTICE ORIENTED, FIRST-GENERATION, AND OTHER LAW STUDENTS WHO DON'T FEEL LIKE LEGAL EDUCATION WAS DESIGNED WITH THEM IN MIND.....	7
<b>DURING LAW SCHOOL.....</b>	<b>10</b>
3. FOR 1LS AND 2LS: USING LAW SCHOOL TO PREPARE FOR THE BAR.....	10
<b>BAR EXAM OVERVIEW .....</b>	<b>13</b>
4. WHAT IS THE UNIFORM BAR EXAM? .....	13
5. MULTISTATE PERFORMANCE TEST (MPT).....	15
6. MULTISTATE ESSAY EXAM (MEE).....	17
7. MULTISTATE BAR EXAM (MBE) .....	20
8. REGISTERING FOR THE BAR.....	22
<b>MAINTAINING YOUR MENTAL HEALTH.....</b>	<b>24</b>
9. REMEMBER WHY YOU ARE DOING THIS.....	24
10. CRITICAL EXAM SKILLS: BUILDING CONFIDENCE AND REDUCING ANXIETY .....	25
11. TRIGGER WARNING: BAR EXAM .....	27
<b>FOR YOUR LOVED ONES.....</b>	<b>28</b>
12. PREPARE YOUR FAMILY BEFORE THE BAR STUDY PERIOD BEGINS.....	28
13. FOR LOVED ONES.....	29
<b>PREPARING TO STUDY.....</b>	<b>31</b>
14. UNLEARN WHAT YOU LEARNED ABOUT LEARNING .....	31
15. REDUCE WORK OBLIGATIONS AND PLAN YOUR FINANCES .....	34
16. DISCONNECT FROM THE MOVEMENT .....	35
17. USE YOUR ORGANIZING SKILLS TO ORGANIZE YOURSELF: CREATING A DAILY SCHEDULE.....	36
18. WHERE SHOULD YOU STUDY?.....	38
19. STUDY GROUPS: TO USE OR NOT TO USE? .....	40
20. KNOW WHAT RESOURCES ARE AVAILABLE TO YOU.....	41
21. MAKING MEMORIZATION MATERIALS .....	42
22. TAKE A COMMERCIAL BAR REVIEW COURSE .....	44
23. KNOWING YOUR TEST CENTER.....	45
<b>BAR STUDY PERIOD.....</b>	<b>46</b>
24. TIP OF THE WEEK .....	46
<b>EXAM DAY.....</b>	<b>55</b>
25. EXAM DAY STRATEGIES .....	55
<b>THE BAR IS OVER.....</b>	<b>58</b>
26. AFTER THE BAR EXAM.....	58
27. I DIDN'T PASS THIS TIME: RETAKING THE BAR.....	59

**APPENDIX A: PLANNING IN A PANDEMIC..... 61**  
STUDYING IN THE TIME OF COVID-19..... 61  
EXTENDED SUMMER/FALL BAR STUDY MOCK DRAFT PLAN ..... 63

# INTRODUCTION

## 1. Preface

This book is designed to give you some advice for passing the Uniform Bar Exam (UBE). However, it will still be very useful even if you are taking a state's bar exam that is not the UBE. The core concepts of exam preparation and exam taking are transferable across bar exams. This guidance has been compiled from several years of providing bar exam support to hundreds of students. It is based off of trends that the author has seen, as well as best practices from legal education generally, and bar exam study more specifically.

You have probably heard contradictory advice. You have probably heard from someone that the bar exam is not a big deal and you don't have to do much in your first month of bar study. You have probably met someone who told you that they barely studied, or that all you have to worry about is doing well on the MBEs (the multiple-choice questions). You may have heard someone tell you that you do not need to take a bar review course, or watch lectures. Alternatively, you have also probably heard someone tell you that bar study is all-consuming and you therefore cannot take any breaks at all for ten full weeks. All of these statements are dangerous and misleading.

This book is not based on anecdotes. While there are always exceptions, you can't count on being an exception. Most people work really hard to pass the bar exam. They pour their hearts, souls, and considerable money into the endeavor. If you want the best chance of passing the bar exam on the first try, you will too. That said, you're also a human being, and turning into a robot who is all-consumed by bar study for 2.5 months, is not a healthy study strategy.

Hopefully, these tips will make your study period more productive, and a bit less stressful. There is also a companion blog available at <https://passingthebar.blog/>, which you can subscribe to for more immediate updates and advice during the bar study period.

Why is this a quick reference guide? Frankly, because you already have a lot of other stuff to read. Whether you're finishing up law school or already in the midst of bar study, you have a lot coming at you. This book was designed to provide quick and simple advice to get you through this stressful period.

## 2. A Note To Social Justice Oriented, First-Generation, and Other Law Students Who Don't Feel Like Legal Education Was Designed With Them In Mind

Over the past few years, law school applications have increased significantly. Many people attribute this upswing to an increase in applications by those inspired to go to law school for political or social reasons.<sup>1</sup> These individuals want to use their law degree to affect social change. According to the American Bar Association, “The most commonly cited reasons for attending law school were as a path to careers in politics, government or public service (44%); a passion for that type of work (42%); an opportunity to be helpful (35%), and to advocate for social change (32%).”<sup>2</sup> After these students graduate, they must pass the bar exam to obtain their law licenses. Unfortunately, however, the bar exam is not written with public interest/social justice lawyers, or first-generation law students in mind.

It can be very difficult to pour your heart and soul into studying for an exam that you do not think actually serves the purpose it claims to serve, which is to test the minimal competence needed to become an attorney.<sup>3</sup> Not believing in the validity of the exam itself can make it harder to devote yourself completely to studying for it. Yet, that is exactly what you need to do.

This book provides a guide to bar exam preparation for all law students, but particularly those who aspire to be public interest or social justice attorneys, first-generation law students, those law students who do not come from families of lawyers, or who come from communities that are traditionally underrepresented in the legal profession. While much of the advice is universal, this book focuses on those students who are about to enter bar study and will not see your communities – or your future clients – represented on the bar exam. You may have found that your law school colleagues have received advice about how to study and navigate law school, when no one was there to advise you. This book aims not just to level the playing field, but to give you an edge when it comes to studying for the bar exam.

Why is this book needed? Doesn't everyone take the same test? Isn't studying for a standardized test the same for everyone, regardless of background, political beliefs, or the reason they want to become a lawyer? Sort of.

It is true that the vast majority of this book is relevant to everyone seeking to become a licensed attorney. However, people who went to law school because they want to change the world – to fight injustice – come to the bar exam with a different perspective, which most bar exam advice ignores. People who come to the legal profession from poor communities or communities of

---

<sup>1</sup> See, e.g., Kathryn Rubino, *The Number of People Applying to Law School Is Up Again This Year, Proving The 'Trump Bump' Is More Than Just a Fleeting Trend*, ABOVE THE LAW, August 5, 2019, <https://abovethelaw.com/2019/08/the-number-of-people-applying-to-law-school-is-up-again-this-year-proving-the-trump-bump-is-more-than-just-a-fleeting-trend/>; Debra Cassens Weiss, *Increase in LSAT Test Takers Is Seen As Evidence of 'Trump Bump'*, ABA JOURNAL, November 21, 2017, [http://www.abajournal.com/news/article/increase\\_in\\_lsats\\_test\\_takers\\_is\\_seen\\_as\\_evidence\\_of\\_trump\\_bump](http://www.abajournal.com/news/article/increase_in_lsats_test_takers_is_seen_as_evidence_of_trump_bump).

<sup>2</sup> ABA Profile of the Legal Profession, AMERICAN BAR ASSOCIATION, 2019, <https://www.americanbar.org/content/dam/aba/images/news/2019/08/ProfileOfProfession-total-hi.pdf>.

<sup>3</sup> “The UBE is designed to test knowledge and skills that every lawyer should be able to demonstrate prior to becoming licensed to practice law.” National Conference of Bar Examiners <http://www.ncbex.org/exams/ube/>

color also come with a worldview that is different from that of most bar examiners, regardless of future employment goals. Therefore, they need a slightly different plan for bar study.

Additionally, while a lot of people view the bar exam as just another standardized test to get through, many social justice activists and first generation law students see the bar exam as an oppressive tool that keeps poor people and people of color out of the legal profession. While the structure of the bar exam itself as a barrier to licensing is beyond the scope of this book, it is clear that both the bar exam<sup>4</sup> and the legal profession<sup>5</sup> have a racial diversity problem. It makes sense, therefore, that social justice-oriented and first-generation law students would view the bar exam with skepticism.

I often tell our 1Ls that the most radical thing they can do is to focus on law school, graduate, and do the work they came to law school to do. The bar exam is an extension of law school. Fighting the bar exam is not the fight you came to law school to have. You will be much better equipped to change the exam after you pass it and obtain a law degree. So, the best advice I have is to put aside the fight for approximately nine weeks and focus on tackling the exam. You can get to dismantling the exam after you've mastered it.

In addition to concerns about the overall nature of the bar exam, the exam questions themselves can pose problems for social justice-oriented individuals. Often, the issues people face on the bar exam are not issues you are expecting to face in your legal work. You may be planning to go into immigration, housing, or labor law, none of which are tested on the bar exam. If you do happen to be tested on an area in which you plan to practice – for example if you hope to do criminal defense work – the limited formulaic analysis you are expected to do is a far cry from the passionate and creative advocacy you will do in practice. Not only will this be frustrating, it can cause you to overthink the questions and sometimes lead you to an incorrect answer.

Remember where you are and what your task is. Your only goal should be to give the bar examiners what they are looking for so that you can check this off the list of obstacles that you overcame on your way to your fulfilling your dream of becoming a social justice or public interest lawyer. Writing answers that challenge the status quo or argue that the law is unjust will not get you points, and, ultimately, points are what you need to pass the bar. An anonymous bar grader somewhere may learn something from your alternative answer, but your impact will not be far reaching (and a speedy grader is more likely to skim right past anything they do not deem as the correct answer than to really take it in.) Your impact will be much greater when you are licensed and fighting for clients and policy changes.

---

<sup>4</sup> See, e.g., Bar Admissions During the COVID-19 Pandemic: Evaluating Options for the Class of 2020, NATIONAL CONFERENCE OF BAR EXAMINERS, April 9, 2020, <http://www.ncbex.org/pdfviewer/?file=%2Fdocsdocument%2F239>; Report of the NYSBA Task Force on the New York Bar Examination, NEW YORK STATE BAR ASSOCIATION TASK FORCE ON THE NEW YORK BAR EXAMINATION, March 5, 2020, <https://nysba.org/app/uploads/2020/03/Report-of-the-NYSBA-Task-Force-on-the-New-York-Bar-Examination-With-Appendix-compressed.pdf>.

<sup>5</sup> See, e.g., Deborah L. Rhode, *Law is the Least Diverse Profession in the Nation. And Lawyers Aren't Doing Enough to Change That*. The Washington Post. May 27, 2015, <http://www.washingtonpost.com/posteverything/wp/2015/05/27/law-is-the-least-diverse-profession-in-the-nation-and-lawyers-arent-doing-enough-to-change-that/>

What is not on the bar exam can be equally as frustrating as what is on the bar exam. No one has a racial identity on the bar exam (with the exception of an occasional MPT). There have been no same sex couples or queer folks on the bar exam. There are rarely poor people on the bar exam. Nearly every property or decedent's estates question involves someone with considerable assets and multiple properties. These questions probably do not reflect the community you come from or the people you want to serve. Individuals living with diminished physical or mental capacity appear occasionally on an MPT or in a criminal law or torts essay, but generally only as the victim of something that exacerbates their conditions or in a question regarding the criminal law defense of insanity. It can be very troubling not to see your community positively reflected on an exam that allegedly determines who is minimally competent to practice law.

This book features some advice and words of encouragement for those taking the journey from social justice activists to social justice attorneys, and from student to lawyer. My best advice – simply keep going. The world needs you to do the work you came to law school to do.

## DURING LAW SCHOOL

### 3. For 1Ls and 2Ls: Using Law School To Prepare For The Bar

Both the bar exam and law practice require you to work with a large volume of material – to understand it, synthesize it, and ultimately apply it to different sets of facts. Those are the skills you learn from day one of law school. Beware of shortcuts. If you don't figure out how to do this in the manner that works best for you during law school, the transition to both bar study and practice will be more difficult later.

That means you have to struggle through making case briefs. It means you need to labor through making your own study materials – outlines, flashcards, charts. You may think that this doesn't apply to you, that you can use other people's outlines or canned briefs and still do well on the bar and as a lawyer. Maybe you can – but it will be much harder – and you won't graduate with some of the fundamental analytic skills that lawyers need to do their jobs well.

Law school is hard and hectic. There is a lot to juggle, and it can be difficult just to keep up with your daily responsibilities. However, there are a number of things you can do during law school that will help you with the bar study process. You will be much better off going into the bar prep period if you have a strong sense of who you are as a learner. Paying attention to how you learn will also make you more academically successful during law school. Bar prep (and law school) is full of advice – people telling you what to do based on what they did. But the only way to pass the bar exam is to study in a manner that is well connected to your own cognitive processes. You will have a tremendous advantage if you know what that is before you enter the bar study period.

This is where law school comes in. You have three or four years to figure out what study materials and methods work best for your brain. The time in law school is the time to figure out your best study practices. Fortunately, there are experts on most law school campuses who can help you with this. Seek out your academic skills teachers, as this is what they do best. They might also be known as academic success or academic support. If you are reading this at the end of your time in law school, or if you have already graduated, do not fear! It is not too late to figure out a learning practice that works for you. The key is to be active with your learning, and to continuously reflect upon and revise your study process.

One main task you will have to accomplish during bar prep is to understand and memorize a large amount of material. A lot of research has been done regarding how people learn best. The key is to be active with your learning, to do more practice questions than you are comfortable doing, before you are ready to do them, and to space out your memorization.<sup>6</sup> Many students

---

<sup>6</sup> See., e.g., James Gupta, *Spaced Repetition: A Hack to Make Your Brain Store More Information*, The Guardian, <https://www.theguardian.com/education/2016/jan/23/spaced-repetition-a-hack-to-make-your-brain-store-information>; Bart Schuster, *Learning Through Testing*, Association for Psychological Science, <https://www.psychologicalscience.org/observer/learning-through-testing> (September 20, 2012); Cynthia Brame and Rachel Biel, *Test-Enhanced Learning: Using Retrieval Practice To Help Students Learn*, Vanderbilt Center for

spend a lot of time reading things over and over, whether that is cases or outlines. Unfortunately, most people can't actually memorize just from reading. Repetitive reading gives you a false sense of what you actually know. As you read you will become familiar with the words on the page and think that you have understood and internalized them. But familiarity does not actually mean that you have memorized and processed what the words mean. It certainly doesn't mean you know how to apply the rules to new factual scenarios, which is the primary skill you will be assessed on during law school. Instead, you need to test yourself, write things out, talk things out, and otherwise be actively engaged with the material.

The more active you are in your own learning process during law school, the better off you will be for the bar, and in practice. Some students like to make linear outlines, some make flashcards, some make mind maps, some make charts or diagrams, some write notes on giant posters or white boards, some record themselves and repeatedly listen to themselves reciting doctrine, some write or type out rules over and over. The most successful students do a combination of these things, or find other creative ways to learn the material they need to know in law school. You should use your time in law school to experiment with different methods of memorization and see which methods work best for you. The key is to be energetically engaged in both memorization and understanding, instead of passively re-reading. Memorization is necessary, but you will not do well in law school or pass the bar if you have only memorized rules, but have not learned how to apply those rules to different factual scenarios.

In order to *effectively* memorize, you must in some way make the material your own. You will have to synthesize it for yourself so that you gain facility with it, and understand the nuances of the material. That doesn't mean that you should never look at anyone else's outlines or commercial study materials. It is helpful to use them as a tool – as a reference point. But, you need to know how to get to that place yourself too. Now is the time to develop the skills of rule synthesis and memorizing so that doing so becomes second nature to you. It will pay off for the bar exam, and throughout your legal career. It is the process of synthesizing the material that is the real learning, not memorizing the finished product of an outline itself.

One of the traps that students fall into during bar prep is trying too many new things. Sometimes students will succumb to peer pressure. For example, students often feel like they need to use flashcards, even though they have never used them before and they don't work for them, simply because a friend is using flashcards. Bar study is generally not the time to try something new or use something you aren't comfortable with, especially just because others are doing it. You can be confident in the study methods that work for you if you have been using them throughout law school, and have been thoughtful and deliberate about determining how you learn best.

The other skill to perfect during law school is, of course, exam taking itself. You will be confronted with a number of in-class exams during law school. Many of these will include multiple choice questions and essays that are modeled after those you will see on the bar. Even if the questions your law professors test you on are not in bar exam format, the analytical skills you will need to do well on them are substantially similar to the skills you will need on the bar exam.

---

Teaching, <https://cft.vanderbilt.edu/guides-sub-pages/test-enhanced-learning-using-retrieval-practice-to-help-students-learn/>.

Becoming accustomed to taking exams is imperative, especially if you earned an undergraduate degree primarily by writing papers, or other untimed assessments. Even if you are historically a good test-taker, that does not mean exams will be simple in law school. The analytical skills being tested in law school are unlike what has been tested on your prior exams in other educational programs. Consequently, your exam preparation must change as well.

In order to learn how to become a better test-taker, you must practice the kind of essays and multiple-choice questions that law schools use. You should seek out practice questions from your professors, law school exam files, and academic support professionals. If you cannot find previous exams from your professor, use commercial sources like study guides and bar review books. You can also turn any hypothetical question or example that your professor uses in class discussion into an opportunity to practice writing out a full essay answer in IRAC format.

It is not enough to just do questions and look at the answers. You have to be thoughtful and reflective, and assess why you are answering a question incorrectly. Is it because you didn't know a rule? Did you forget an important exception? Did you read too fast and miss an important word or fact? Did you read too slowly and overanalyze? Did you add a fact that was not actually included in the question? Reflecting on each question you do – not just on the rule itself, but on your test-taking process – will help you improve tremendously. You can do this by carefully reading and deconstructing sample/model answers. As you begin to notice patterns in your test-taking missteps, you can develop strategies to retrain yourself to avoid those common mistakes. You do not need to do this work alone. Seek assistance from your professors and from your school's academic skills professors.

It can be helpful to keep a journal of these types of tidbits during your first semester of law school. You can develop valuable insights about yourself as a learner and your own learning processes. (The technical term for this process is metacognition.) Then you can begin to develop strategies to strengthen your weaknesses and avoid common pitfalls. Many of us go through years of education without knowing how we learn best. Paying attention to this in law school will give you a tremendous advantage when you begin to study for the bar exam, and when you enter law practice, as lawyers are lifelong learners.

## BAR EXAM OVERVIEW

### 4. What is the Uniform Bar Exam?

The Uniform Bar Exam (UBE) is a professional licensing exam written by the National Conference of Bar Examiners (NCBE). The exam, per the NCBE, is designed to test the minimal competency required to become an attorney. The NCBE states that “the UBE is designed to test knowledge and skills that every lawyer should be able to demonstrate prior to becoming licensed to practice law.”<sup>7</sup>

The UBE is traditionally given on the last Tuesday and Wednesday of every February and July. For an up to date list of which states have adopted the UBE, see the NCBE website at <http://www.ncbex.org/exams/ube/>.

While there is plenty of debate about the efficacy of the bar exam, it is important to know what the bar examiners believe they are testing in every section of the exam. The UBE consists of three parts – the Multistate Performance Test (MPT), the Multistate Essay Exam (MEE), and the Multistate Bar Exam (MBE). We will go through preparing for each of these sections one by one later in the book. This chapter briefly introduces each section.

The Multistate Performance Test (MPT) consists of two lawyering exercises. You have three hours for the MPT portion of the bar exam, and thus should spend no more than 90 minutes on each MPT. The MPT is the NCBE's response to pressure from the bar and the legal academy to include a lawyering skills component to the bar exam. The performance test places you in the role of a new attorney. You are given a case file, similar to one you would find in a law office, and a library, which is a series of statutes, regulations, and/or cases. You are also given an assignment memo that tells you who you are, who you represent, and what your task is. All MPTs take place in the fictional state of Franklin in the fictitious 15th circuit. The good news is that you are asked to only use the law that you are given; you do not need to incorporate any outside doctrinal knowledge.

The majority of MPTs ask applicants to draft a memo to a senior partner or a letter to a client or opposing counsel. Sometimes you are asked to draft/redraft a closing argument, will, contract, or another legal document. Generally, if it is not a letter or memo you will be given explicit instructions on how to structure your response. The most important aspects of the MPT are (1) following instructions and (2) making your response look like the requested document.

The Multistate Essay Exam (MEE) consists of six essays in three hours. Most commonly, the essays are single subject, however one essay can include more than one doctrinal area. Conflicts of law, for example, is often tested alongside a larger subject, as is agency. Additionally, criminal procedure and evidence are often combined into a single essay. The MEE subjects are: Agency, Civil Procedure, Conflict of Laws, Constitutional Law, Contracts and Sales, Corporations, Criminal Law and Procedure, Decedent's Estates (Wills and Trusts), Evidence,

---

<sup>7</sup> Purpose, Uniform Bar Exam, NATIONAL CONFERENCE OF BAR EXAMINERS, <http://www.ncbex.org/exams/ube/>, last visited December 13, 2019.

Family Law, Partnerships, Real Property, Secured Transactions, and Torts. This means that you need to know 14 subjects for the essays, but will most likely only be tested on six to eight of them.

Each question should be answered in about thirty minutes. Just like with the MPT, it is important to have a strategy in place and to have a formula down before you walk into the exam. You want to be thorough, yet succinct. Your answers should closely follow the IRAC or CRAC format and should be directly responsive to the question asked.

The Multistate Bar Exam (MBE) is perhaps the most well-known section of the bar exam. It consists of 200 multiple choice questions and is given on the last Wednesday of every February and July. You will be given 100 questions in the morning and 100 questions in the afternoon. Each session runs for three hours. This means that you have to complete each question in approximately one minute and forty-eight seconds. The MBE tests seven subjects: Civil Procedure, Constitutional Law, Contracts and Sales, Criminal Law and Procedure, Evidence, Real Property, and Torts. The subjects are each tested in roughly equal proportions. As with the other sections of the bar, timing and stamina are often issues on the MBE, so you want to make sure you have practiced enough large sets of MBEs to develop a plan and rhythm.

That's it! Two days, three components, and you're done and on your way to becoming a licensed attorney.

## 5. Multistate Performance Test (MPT)

On the Uniform Bar Exam (UBE), the Multistate Performance Test (MPT) consists of two written simulations. According to the National Conference of Bar Examiners (NCBE), “The MPT is designed to test an examinee’s ability to use fundamental lawyering skills in a realistic situation and complete a task that a beginning lawyer should be able to accomplish. The MPT is not a test of substantive knowledge. Rather, it is designed to evaluate certain fundamental skills lawyers are expected to demonstrate regardless of the area of law in which the skills are applied.”<sup>8</sup>

Many students struggle with how to tackle the MPT. For most students, the main trouble with the MPT is time pressure. If you are taking the exam under standard exam conditions, you will have three hours to do two MPTs. That means you will need to spend no more than 90 minutes on each. The problems are not usually especially complex, but they require you to process and sort through a large amount of material in a short period of time, making even simple things feel complicated. That's why the key to success on the MPT is to have a plan of action for how you will tackle it.

A critical step is to spend time reading the assignment memo so that you understand what your role is and what type of document you have to draft. The assignment memo is the first item you will find in the File. Be sure to jot down each task, so that you don't forget to cover any component. You can also write out draft point headings at this stage, so that you remember to address each issue in the assigned document.

After you know what your role and tasks are, the next step is to turn to the Library, the last part of the MPT. Read the law in it – the statutes, regulations, and cases – so that you know the basic framework of the rules you are to apply. Break the critical rules into elements so you can see how they are structured. Generally, the cases will give you tests for how a rule in a statute or regulation is to be applied, so read the cases to see what they tell you about the meaning of the statutes or regulations in the Library.

You will probably not have time to read the cases thoroughly from the first line to the last, as you have done when preparing for class since your first semester. You are reading these cases with a specific mission – to find clues such as the statute number, or words like “the test,” or “the rule.” Instead of simply reading from top to bottom, scan the cases for the statute number, or read the first line of each paragraph to find a rule. Once you have found the rule, you can skim the case to get an understanding of the facts so you can analogize or distinguish them (later) from the facts in your case file. At this point, it’s a good idea to write out the main rules directly in your exam document so that you can begin an outline. Place them under the headings that you have already drafted.

Once you have a sense of the rules that you will need to apply, go back to the File. The File is the first part of the MPT, and is where you found your assignment memo. Understanding the rules first will help you decide which facts are relevant to each part of your analysis. (Starting with the

---

<sup>8</sup> The Multistate Performance Test Purpose, NATIONAL CONFERENCE OF BAR EXAMINERS, <http://www.ncbex.org/exams/mpt/>.

File and the facts in it creates the risk that you will get lost in the facts, and will spend too much time in the File trying to understand facts that, it turns out, are irrelevant.) As you read through the File, put key facts under the relevant pieces of the rule in your outline. This way, you are developing a thorough outline as you process the facts. This outline will save you time later and will help you with the organization of your document.

It is important to spend enough time reading and outlining, before you start writing. The bar examiners recommend that you spend half the time (a full 45 minutes if you are taking the exam under standard time conditions) on this process. That suggestion illustrates the importance of planning. Rushing the planning process will cost you time later because you will have to re-read the material multiple times to figure out what to write.

You can tweak the plan to suit your own needs, but make sure that you have a plan, and that you practice using your plan multiple times. Some people find that reading the library before the case file does not put them on solid ground. They prefer to read through the facts first. If that is true for you, that is fine, but make sure that you have a plan and you practice following it several times before exam day. You want to feel like you know what you are doing and the process is second-nature when you sit down to take the MPT on exam day.

It is important to make the document you are drafting look like a finished document. So, even if you find yourself running out of time, you should conclude. If you have a detailed outline written out, keep it there. Do not delete it. You may get partial credit if the grader can see where you were going.

You want to practice the task as you will have to do it on exam day. That means that if you are taking the exam in a state where you will have to do two MPTs back to back, you should practice doing two MPTs back to back at least twice in the weeks leading up to the exam. Force yourself to stop the first MPT after 90 minutes and move on to the second. You don't want to get caught up spending all of your time on one MPT. Even if you write a beautiful MPT, it will not be beneficial to your overall exam score. Aside from these three-hour sessions, you should practice an MPT at least once per week.

By virtue of having graduated from law school, you have most likely drafted legal documents like the task they present to you. Most of the time, you will be asked to draft a memo, brief, or letter. If it is a different type of document, they will give you detailed instructions and probably an example. Additionally, everyone else will be as thrown off as you will be, and you just need to be where most people are in order to pass the bar.

Follow instructions. The bar examiners are testing your ability to follow instructions, synthesize rules, sort relevant and irrelevant facts, analogize to cases, and draft a document that looks like something a first-year associate would draft.<sup>9</sup> You have all of those skills. Your task is simply to show them what you can do in the time given.

---

<sup>9</sup> The Bar Examiner has a very helpful explanation of what bar examiners are looking for when they grade MPTs, straight from the bar examiners themselves. Diane F. Bosse, *The MPT: Assessment Opportunities Beyond the Traditional Essay*, THE BAR EXAMINER, December 2011 (Vol. 80, No. 4),

## 6. Multistate Essay Exam (MEE)

According to the National Conference of Bar Examiners (NCBE), the purpose of the Multistate Essay Exam (MEE) “is to test the examinee’s ability to (1) identify legal issues raised by a hypothetical factual situation; (2) separate material which is relevant from that which is not; (3) present a reasoned analysis of the relevant issues in a clear, concise, and well-organized composition; and (4) demonstrate an understanding of the fundamental legal principles relevant to the probable solution of the issues raised by the factual situation. The primary distinction between the MEE and the Multistate Bar Examination (MBE) is that the MEE requires the examinee to demonstrate an ability to communicate effectively in writing.”<sup>10</sup>

The MEE consists of six essays in a row. If you take the exam under standard exam conditions, you will have thirty minutes per essay. The MEE tests on all of the MBE-tested doctrines (Civil Procedure, Constitutional Law, Contracts and Sales, Criminal Law and Procedure, Evidence, Real Property, Torts), as well as Agency and Partnership, Conflicts of Law, Corporations, Family Law, Secured Transactions, Trusts, and Wills.

Inevitably, you will need to study doctrines that will not appear on your bar exam. That is part of the nature of the exam. It is not worth your energy to spend much of it lamenting this fact. You are far better off focusing your energy on memorizing the law and practicing MEEs.

As with all aspects of the bar, a key to the MEE is to have a plan. You should spend roughly a third of your time (10 minutes) reading and planning what you will write. It is helpful to read the call of the question first. If the questions are pointed, they can help you focus your reading of the facts on the narrow issues being tested. Write some notes to yourself about issues that are triggered, as well as a skeletal outline, so that you know what you will address for each sub-question. Many bar takers are rightly concerned about time, and therefore think the best thing to do is to start writing as quickly as possible. However, if you start writing or typing before you have a plan for the entire essay question, you will likely end up spending more time thinking and rewriting later. You also may find yourself analyzing an issue in one place, when it really belongs in response to a different question. Taking time to plan will ultimately save you time.

Some MEEs will have 3-4 pointed calls of the question. Others will have one or two open ended questions that require more issue spotting. Make sure that you practice plenty of both types of essays before exam day. Whatever the call of the question, this is not a law school exam where you want to show the professor everything that you know. The bar examiners want to see that you understand the crux of the legal question. They want you to spot the issue, state the relevant rule, apply it, conclude, and move on. They do not want you to regurgitate everything that is in your outline about a particular subject. They are more interested in your ability to identify what is relevant, and demonstrate your legal reasoning skills.

---

[www.ncbex.org/pdfviewer/?file=%2Fassets%2Fmedia\\_files%2FBar-Examiner%2Farticles%2F2011%2F800411Bosse.pdf](http://www.ncbex.org/pdfviewer/?file=%2Fassets%2Fmedia_files%2FBar-Examiner%2Farticles%2F2011%2F800411Bosse.pdf).

<sup>10</sup> The Multistate Essay Exam Purpose, NATIONAL CONFERENCE OF BAR EXAMINERS, <http://www.ncbex.org/exams/mee/>.

Whether or not they explicitly say so, because they are lawyers, bar examiners instinctively expect your answer to be in IRAC or CRAC format, where you state a legal issue or conclusion, state the rule, apply the facts to that rule, and conclude. This is the same format that you have used throughout law school, and is the framework for legal writing. Keeping the sections of IRAC physically separate from one another in distinct paragraphs will make it easier for a bar grader to see that you have addressed everything that they are looking for. For a refresher on IRAC, you can find the IRAC CALI Lesson here: <https://www.cali.org/lesson/18022>. It is worth spending 45 minutes going through the lesson to refresh your IRAC skills before you are deep into bar preparation.

Each bar exam grader only spends 2-3 minutes grading each essay. Therefore, you want to write clearly to make their jobs as easy as possible. Put a paragraph break between each section of IRAC, even if it is only one sentence. If your analysis requires stating and analyzing multiple elements, break the IRACs of each distinct element into separate paragraphs as well. Large paragraphs are harder to read, and graders are reading very quickly. You don't want them to miss something that is there. Not only will breaking your answer up into smaller paragraphs make it easier for your grader to see what you included, but it will also keep you from forgetting to apply a piece of the rule. It is much easier to keep track if your application directly follows the relevant rule, as opposed to putting several rules together and then multiple analyses.

You also need to be prepared for the fact that you will not know everything the MEE tests. You will know most of it, but there will be a sub-question on at least one essay that you do not know the answer to. That is ok – just have a plan for it. You should use your general knowledge of the area of the law at issue to decide who you think should win, and make up a rule to that effect. Address it in IRAC format, and move on to where you know the rule and can get more points. Examinees get into trouble when they get stuck on something they don't know, and waste precious time and energy. You know enough about the way the law works to make up something that is probably partially correct. Seize the moment, write down a rule, apply it, and keep moving. Just keep going.

There are also likely subjects tested on the MEE that you didn't cover in law school. No one takes every single class that covers bar-tested material. You may not have seen trusts or secured transactions before you begin studying for the bar exam. It can feel very overwhelming to learn a subject for the first time during the bar study period. The best way to tackle a new subject is to do as many essays as possible in that subject. If you don't have time to do them all, simply read an essay prompt, issue spot, and then read through the model answer. This is great practice, and an excellent learning tool. But don't just stop at reading – write down what you learned about how the rules are applied. There are only so many ways any rule can be tested, so the more essays you engage with, the better prepared you will be.

Students often ask whether they should look through all six MEEs on exam day and then decide what order to write them in. This is generally a waste of time. You need to tackle them all. You don't want to waste several minutes reading and deciding. If you come across an essay that you are particularly uncomfortable with, you can always skip it and come back to it. But, you don't want to lose precious time skimming them all and deciding what order to do them in.

As the bar exam approaches, many applicants focus on essay predictions. Major bar review companies, supplemental study programs, and everyone who has taken a bar exam within the past few exam administrations will start to predict what subjects will appear on the essays.

### **NONE OF THEM KNOW!**

The bar examiners are intentionally unpredictable. Yes, most administrations of the Multistate Essay Exam include 3-4 essays on MBE subjects. Yes, Evidence and Criminal Procedure are often tested together in the same essay. They also seem to test on Civil Procedure and Secured Transactions regularly. But nothing beyond that can be predicted.

The MEE often tests the same subjects two exams in a row. Sometimes, they don't test the same subjects twice in a row. **No one knows what will be tested, except the NCBE, and they are not going to tell you.**

So, do not spend time trying to guess what might be tested. Spend that energy on learning the material. I have seen many people over-rely on the predictions to their detriment. Yes, you should know the subjects that whatever popular predictor of the year is claiming will be on the exam. They are safe bets. Some of those subjects will be there. But know something about everything else too, because some predictions will definitely be wrong.

## 7. Multistate Bar Exam (MBE)

According to the National Conference of Bar Examiners (NCBE), the purpose of the Multistate Bar Exam (MBE) is “to assess the extent to which an examinee can apply fundamental legal principles and legal reasoning to analyze given fact patterns.”<sup>11</sup>

The MBE consists of 200 multiple choice questions and tests Civil Procedure, Constitutional Law, Contracts and Sales, Criminal Law and Procedure, Evidence, Real Property, and Torts. You have likely seen most of the testable doctrine during your time in law school.

You will be given 100 questions in the morning testing period and 100 questions in the afternoon. Each testing period is three hours, so you need to work through each question in an average of one minute and forty-eight seconds in order to finish. (Note that there are several different exam booklets, so your seatmates will be answering questions in a different order than you will. This is done to prevent cheating. But it also means there is no need to worry if they are flipping through the question booklet more quickly or more slowly than you are.)

The goal does not necessarily need to be to finish, however. If you are struggling with time, you may find that you actually do better going a bit more slowly through the questions and just bubbling in an answer for the last five to ten questions. Or, you may decide to skip very long questions, or questions on a doctrine that you struggled with the most (such as future interests or the rule against perpetuities). If you can narrow an answer choice down to two choices, you have a 50% chance of getting it right. If you can't, pick a letter that you will always choose (like B), to increase your probability of answering correctly, even when you are just guessing. You will have enough information to develop this type of strategy in the two weeks before the bar exam. Don't start abandoning doctrines completely before then.

You need to have an exam day plan for tackling the MBEs. On average, you should complete 25 questions each 45 minutes, and 33 questions each hour. Know before you enter the exam what your time markers are. For example, if your exam starts at 9:30am, you should be at question 25 at 10:15am. Make sure you regularly check the time so you can keep track of where you are, and where you should be.

The MBE questions are not designed to trick you, but they are designed to test nuances of the law, which requires you to know the law very precisely. Some excellent CALI lessons on answering multiple choice questions are Multiple-Choice Questions: Wrong Answer Pathology, at <https://www.cali.org/lesson/18024>, and A Methodical Approach to Improve Multiple Choice Performance, at <https://www.cali.org/lesson/18100>. The bar examiners are looking for the best answer among the choices, not necessarily the best answer in the world. In order to successfully find the correct answer, you need to read every answer choice, and eliminate incorrect answers. There will be four answer choices for every question. One will be correct and three will be distractors. Do not pick A or B without reading C and D. Using the process of elimination is critical to success on the MBE. It is simply not true that for most questions you will be able to think of the answer in your head and find it among the answer choices. Instead, you need to think

---

<sup>11</sup> The Multistate Bar Exam Purpose, NATIONAL CONFERENCE OF BAR EXAMINERS, <http://www.ncbex.org/exams/mbe/>.

through why each answer choice is correct or incorrect. (The *Strategies and Tactics for the MBE* book series by Steven L. Emmanuel is an excellent resource for tips on navigating MBE questions. For example, as part of the process of elimination, you will learn to make sure that an answer choice is first, correct on the law, second, correct on the facts, and third, responsive to the question asked.)

One of the components of the MBE that makes students anxious is having to switch between doctrines every 1.8 minutes. This is certainly something that takes practice. One method to assist with this constant shift is to read the call of the question before you read the fact pattern. Sometimes the call of the question can give you a sense of the doctrine that is being tested, narrowing the issue, and allowing you to have a more focused approach when reading the facts.

As you practice the MBE and review your work, make sure that you not only read every answer choice, but you also read every answer explanation – even the incorrect ones. Use the MBE practice to learn how the bar examiners test doctrine on the MBE. You want to review every explanation so that you know why the right answer choice is correct, and why the three distractors are incorrect. You are also going to learn new rules through this form of MBE practice. This is part of the design of bar prep, it is not an accident. Add the new rules you learn to your memorization materials. Additionally, keep a list or journal of MBE test-taking tips so that you can continuously remind yourself of those tips. Learn as much as you can from each question about how in the future you can correctly answer a similar question.

Bar applicants often second guess themselves on MBE questions, and choose the wrong answer over the right answer they picked originally. If this is something you do, it is important to recognize this pattern and interrupt it. Make note of how often you pick the right answer and then second-guess yourself and choose the wrong answer, and figure out whether this is a big problem for you. **If it is, make a pact with yourself that you will only change an answer if you can articulate a reason (in IRAC format) why you are changing it.** This means that you can't change an answer just because you think another answer choice looks prettier, the question must not be as simple as it seems, or you haven't heard of a rule so it must be correct. Those are all common ways the bar examiners try to distract you. You should only change an answer if you missed something – or forgot something – the first time.

Sometimes people will change their answers because they think they have too many of one answer choice in a row. The bar examiners aren't thinking about whether there are three "Bs" in a row, or whether there are patterns created by the answer choices. There are actually multiple MBE booklets with the questions in different orders to prevent cheating. So, there are bound to be some weird patterns. Pick the best answer that answers the precise question asked, and trust yourself.

## 8. Registering for the Bar

### *Registration*

The first step to sit for the bar exam is to register for the bar exam. Every jurisdiction has a slightly different process with different deadlines, so make sure you familiarize yourself with the website of your jurisdiction's bar examiners. The National Conference of Bar Examiners (NCBE) also has a very helpful [Comprehensive Guide to Bar Admissions](#), on the homepage of its website, which it updates annually.<sup>12</sup>

### *Deadlines*

Make sure that you understand all of the deadlines you will face. Some jurisdictions have a series of deadlines with increasing fees. Others have deadlines for various stages of the process, particularly pertaining to character and fitness requirements. Sometimes there is a different deadline for laptop registration and handwriting the exam. Every year, students will register for the bar but miss the deadline to download the exam software, and then be forced to hand-write the bar exam. It's not the end of the world to have to write by hand, but it is an added stressor to build up your handwriting skills and stamina while studying for the bar, if you weren't planning to do so. Make sure you read all of the bar examiners' instructions thoroughly, so you know everything you will have to do.

### *Exam Accommodations*

If you have received exam accommodations during law school and want to receive accommodations on the bar exam, make sure that you know exactly what documentation you will be required to submit. Bar examiners are very strict about providing accommodations. They will likely require both historic and recent medical documentation. Work with your law school's bar support and disability support services providers. They have worked with similarly situated students in the past and can assist you with your application. Pay close attention to the deadline for applying for accommodations, as it may not be the same as the deadline to register for the exam itself. (Note that if you have not yet taken the Multistate Professional Responsibility Exam (MPRE), you must apply for accommodations prior to registering. [http://www.ncbex.org/exams/mpre/ada-accommodations/.](http://www.ncbex.org/exams/mpre/ada-accommodations/))

### *Character and Fitness*

Some jurisdictions conduct the character and fitness process prior to registration for the bar exam, while others have a simple exam registration process, and a lengthier character and fitness process once bar results are released. The character and fitness process can be anxiety inducing. Many people have things to disclose – everything from underage drinking in an undergraduate dorm to felony convictions. There is almost no single disclosure that on its own will prevent you from becoming a lawyer. The key is to err on the side of disclosure and candor. Be sure to

---

<sup>12</sup> <http://www.ncbex.org/>

disclose all character and fitness matters to your law school, so that your law school file matches your bar admission application.

One concern that regularly comes up during the Character and Fitness process, but not during law school, is financial history. Because many lawyers will be accountable for managing client funds, Character and Fitness Committees want to ensure that applicants understand financial responsibility. You may wish to run a free credit check on yourself to make sure that you have no outstanding obligations about which you are unaware.

If you have something serious to disclose, see if your school has someone who works with students on these issues or speak to an attorney who specializes in character and fitness issues so that they can advise you on the process. If you do need to speak to a lawyer, your law school may be able to refer you to someone who can help. If you are prepared and forthright, you will be able to move through the Character and Fitness review without a problem.

## MAINTAINING YOUR MENTAL HEALTH

### **9. Remember Why You Are Doing This**

Before you dive head-first into bar study, take some time to remind yourself of why you started on the law school journey in the first place. It has been years since you sat down to write your personal statement for your law school application. You're going to need to draw on that initial passion and inspiration in order to get through the next couple of months.

Studying for the bar exam can be a roller coaster of emotions. You will want something on hand to remind you of your end goal. Dig out that old personal statement (you can probably get it from LSAC or your law school if you don't still have it somewhere), write a letter to yourself, or create some art as a reminder of where you want to be once the bar exam is behind you. A lot of what you were asked to do in law school probably felt very divorced from why you came to law school in the first place. Bar study can feel even farther away from that initial mission. Keeping your goals close can enhance your motivation during bar study.

It can be very helpful to have regular reminders of why you set out on this journey in the first place. It may sound silly, but it is helpful to place reminders and inspirational quotes around your study and living spaces. Put Post-it Notes in places where you will see them every day. Have encouraging reminders pop up on your phone periodically. Have friends and loved ones regularly send you positive, affirming, messages. You are so close to reaching your goal now. This is the final hurdle.

Remember that it is a privilege to have graduated from law school and to be able to sit for the bar exam. At one time, you dreamed about this very moment. While it may seem more like a nightmare now, keeping those initial dreams alive will help you get through tough moments during bar study.

## 10. Critical Exam Skills: Building Confidence and Reducing Anxiety

Anxiety and confidence play a big role in bar exam success. It is unlikely that you will feel confident walking out of the bar exam. Most people leave feeling unsure of whether they passed or not. That is to be expected. However, it is critical that you walk **into** the exam with confidence.

There are a lot of resources that can help you get into a positive mindset. You want to have a practice to maintain your mental health throughout the bar study period. There are a lot of resources that can help you with this, such as the [Headspace App](#),<sup>13</sup> and [other mindfulness apps](#)<sup>14</sup>. The [ABA's Lawyer's Assistance Program](#)<sup>15</sup> has resources and advice as well, and many law schools run wellness workshops, meditation, or yoga. There are also visualization techniques that you can engage in throughout bar study to help your mind imagine that you are in the exam room, so that when you actually get into the test, you are prepared for all of the feelings it will bring.

You can also speak to someone in your school's Student Affairs/Services Department. This is particularly important if you find yourself experiencing anxiety levels that are unusual for you. They are experts at helping law students and bar takers, and have helped many who came before you and experienced similar challenges.

Your goal is to walk into the exam confident that you are prepared. No, you will not know everything. Yes, there are always more rules you could have memorized and more practice questions you could have completed. But, you have studied hard and worked smart. You are ready.

You deserve to be here, on the precipice of taking the bar exam. Getting to this moment is a tremendous feat in and of itself. Think back on all of the hard work and sacrifice that got you to this moment. Remember your loved ones, mentors, and allies who helped propel you to this moment. (If it helps motivate you, you can also remember those who told you that you would never get to this point.) The bar exam is one more obstacle to overcome on your journey to become a licensed attorney. As you enter the exam room, you stand on the shoulders of giants – those who came before you and made it possible for you to be in the exam room now. You are their legacy. It is your time to show them what you can do. You are ready for this. Nothing can stop you now.

Sit down for the bar exam with the confidence that you are capable. You are right where you need to be. You have had the tremendous opportunity to go to law school and study for the bar exam. You are one of the lucky ones. You are destined for greatness. You can, and you will, pass the bar exam.

---

<sup>13</sup> [www.headspace.com/](http://www.headspace.com/)

<sup>14</sup> <https://www.mindful.org/free-mindfulness-apps-worthy-of-your-attention/>

<sup>15</sup> [https://www.americanbar.org/groups/lawyer\\_assistance/articles\\_and\\_info/law\\_student\\_resources/](https://www.americanbar.org/groups/lawyer_assistance/articles_and_info/law_student_resources/)

Remind yourself of this every day as you study. Close your eyes and remind yourself of this as you hit a tough question on the exam. Keep telling yourself – you can and you will!

## **11. Trigger Warning: Bar Exam**

Aside from being very anxiety producing for everyone, the bar exam can also be triggering for individuals who have experienced any one of a variety of traumas. It is important to spend some time thinking through a process for handling such triggers if you think they may derail your ability to perform on exam days.

People are harmed in bar exam questions. There are accidents, assaults, murders, and acts of sexual assault and intimate partner violence. People's homes are foreclosed upon. People are wrongly convicted. People are discriminated against. People get divorced and lose custody of their children. There are a number of fact patterns that can remind test takers of traumatic events in their lives, and therefore make it difficult to focus on the task at hand.

If you know that you will find yourself interacting with a certain type of fact pattern to be emotionally difficult, have a plan for how you will work through it. You may need to get up and walk to the bathroom, you may need to close your eyes and count to ten, you may need to take a few deep breaths. Your goal should be to move through that section of the exam as quickly as possible, earning as many points as you can, so that you can spend more time elsewhere.

Think about whether there are any types of questions that might be triggering for you, and come up with a strategy so that you know what you will do on exam days. You may want to work with a professional psychiatrist, psychologist, social worker, or other counselor during law school and the bar study period so that you feel ready to handle triggering questions should they arise on exam days. As with all aspects of the bar exam, having a plan is the key to success.

## FOR YOUR LOVED ONES

### **12. Prepare Your Family Before the Bar Study Period Begins**

Although bar study is very isolating, it is also a time when help from loved ones can be quite helpful. Seek out the help you need early, and often. You need to prepare your loved ones for the bar study period. They will be thrilled to celebrate your graduation with you, and will think you are done with the time-consuming journey of law school. They have seen you stress out about exams throughout law school, and they have watched you succeed. They will not understand the intensity of the bar study period. Even loved ones who themselves have taken the bar are unlikely to remember just how much they needed to study.

As discussed in Chapter 17, you will have time to spend with your loved ones and do fun things, but you will have to be very disciplined about your time and carefully schedule your activities.

I have seen students fail the bar because they were not given the space they needed by their families. It is not enough for your loved ones to say they support you. They must actively support you every day. That means giving you the time and space you need to focus only on your studies. It would be a nice bonus if they took care of meal prep and laundry for you too. The following chapter is written for you to share with your loved ones. Keep talking to them about the intensity of bar study, until it starts to sink in.

### 13. For Loved Ones

This chapter is for those of you who love someone who is studying for the bar. No one is their best self when they are studying for the bar. Your loved one will need space and time to study. They will also probably need you to cut them some slack with the everyday chores of life.

It is best if you can leave your bar taker out of family problems and decisions as much as possible. They need their full attention to be centered on the bar exam, and that focus can easily stray. Most decisions can wait. Most problems can be taken care of without them. Many bar takers are central figures in their family – the one that people go to for support and advice. Try to insulate them from this role as much as possible during the bar study period.

The best thing you can do for your loved one is to leave them alone, and periodically do something nice for them. Motivation, affirmation, and encouragement are key to the bar study process. Additionally, the value of providing tangible assistance cannot be overestimated – making meals they can freeze, going grocery shopping, doing laundry, etc. Anything you can take off of their plate will be very helpful.

Your bar studier will also need to be regularly reminded that they are smart and capable. Simple things like leaving Post-it Notes with encouraging phrases like "You Can Do It!" around their living and studying spaces can go a long way. Flowers, chocolates, and massages won't hurt either.

Bar studiers do not make the best roommates. They are stressed out, irritable, and irrational. On the plus side, they won't be throwing loud parties or having lots of guests over.

#### *What Your Bar Studier is Going Through*

It is important to understand that studying for the bar exam is an all-consuming endeavor. You may think that your loved one is exaggerating about how much time they need to devote to studying, but they aren't. Bar study requires a level of lengthy focused attention unlike most other tasks. They really do need to eliminate all distractions (and everything is a distraction). They also won't be able to do extra chores, and may not end up having time to do some of the chores they typically take on.

Remember that this is just a short period of time – 2.5 months. There are a lot of ups and downs in bar study, as one set of practice questions may go well, and the next one may feel like a disaster. Your loved one may take those emotional ups and downs out on you. They don't mean to. Once they get through it, they will return to their charming, helpful selves.

#### *A Few Tips For A Happy Home*

1. Communicate with your bar studier about their needs, and make yours clear as well. Really listen to them. Try to be accommodating. Set up ground rules and boundaries. Remember that it is not forever. If you help them get through this period, your relationship will be stronger than ever.

2. Don't get on their case if everything is not as clean and tidy as it usually is. Definitely don't make them clean up after you. They don't have time for that. They will barely have time to clean up after themselves and do their own laundry.
3. Be as quiet as you can. Music, TV, and even conversations can seem louder to a bar studier than they actually are, when they are trying to focus on studying. Try to respect their need for quiet, and work out rules and boundaries with them in advance. It is especially important not to interrupt their sleep so that they can get enough rest to carry them through long days of studying.
4. Be encouraging. Little notes with positive affirmations and motivational sayings mean a tremendous amount. It is really nice to know someone believes in you when you are struggling with a difficult task that takes a toll on your confidence.
5. Give them space, but also let them know you're there. Most of the time bar studiers will want space to do what they need to do. It is a time when they need to be very focused and selfish. But, they also need breaks, and sometimes someone to vent to, so let them know you're there if they want to talk or hang out.

Don't worry, once they get past the bar exam, they will return to their lovable selves. They are under a lot of pressure now, but eventually that pressure releases. They will be forever grateful for the love and support you showed them during this time.

## PREPARING TO STUDY

### 14. Unlearn What You Learned About Learning

One of the reasons that bar study can be frustrating is that most of what we think about how learning happens is incorrect. Bar study asks students to engage in activities on a daily basis that most of us were taught are designed to *test* what you learn, not to *help you* learn. Here are five myths about learning that can make bar study feel uncomfortable:

#### *Myth 1: Learning Happens by Listening to a Teacher in a Classroom*

Many of us who received our early education in the United States grew up listening to teachers in a classroom, and were expected to passively learn what we need to know from the words that came out of our teachers' mouths. In bar study, that translates into passively listening to bar review lectures and believing that you are supposed to walk away understanding all of the rules. You're not. You can't. The lectures are simply one step in the learning process. It is an introduction. You aren't expected to walk away from the lecture fully understanding everything, and you definitely aren't supposed to walk away having it all memorized. Lectures are only the beginning. You need to do much more than listen to lectures in order to actually understand the material, and be able to use it.

#### *Myth 2: Reading is Studying*

Many of us grow up thinking that in order to study effectively, we must repeatedly re-read our notes, textbooks, or outlines. However, reading, too, is passive. Many people learn very little through re-reading. In fact, re-reading can have a deleterious effect providing a false sense of what we know, because we think that if we understand the words on the page, we actually understand how the law works. But, recognizing words on a page doesn't actually mean we could restate a rule, or more importantly, apply it to a set of facts. As with lectures, reviewing outlines is an essential component of bar study, but it is just one component. Outline review is not where deep learning happens. You need to be more actively engaged in studying than reading allows for. (Outline creation, on the other hand, is active learning. Synthesizing material from your cases, class notes, supplements, and other sources, and putting it all together in a structure that provides a framework for how the law is applied, is critical. The students with the "best" outlines don't do well on exams because they had access to the words on the page. They do well because they figured out how to formulate those words on the page, thereby engaging in more active learning.)

#### *Myth 3: You Need to Study One Thing at a Time*

Another myth that often causes trouble for bar studiers is the idea that they have to study one subject at a time. Students feel like they can't move on to Civil Procedure if they haven't mastered Contracts. The truth is that your brain learns more when it works harder. Spacing out

your study so that your brain has to come back to things over a period of time will actually help you remember more. This is called spaced repetition,<sup>16</sup> and is an effective method of studying.

Law students are used to cramming for finals. They study Contracts for a period of time, take the final exam, and then start studying Criminal Law. But breaking up, and interleaving your study is actually a more effective method of learning. This means that in bar study, you shouldn't wait until you feel like you have mastered something before you move on. For example, during the first part of bar study, when you are still doing lectures every day, you should keep up with the lecture schedule, even when you feel uncertain about a particular doctrine. In phase two, when lectures are over and you're memorizing, you should move through each subject quickly, studying multiple subjects per day. Develop a schedule that allows you to come back to each subject multiple times, spacing out your study, and forcing your brain to work harder to remember. Don't build a schedule that has you studying Contracts for two days and then not coming back to it. That will be less effective than shorter, more numerous, reviews of a subject.

#### ***Myth 4: In Order to Learn Something New, Something Else Must Be Forgotten***

Students often tell me that when they learn something, they forget something else. But your brain does not have finite capacity. The human brain continues to grow, even in adults.<sup>17</sup> So, learning a new concept is not going to make you forget an older one. It's all still in there. Law school, and bar study, rewire your brain. Your brain will grow and expand to remember what it needs to. (That doesn't mean you will remember everything about every rule that could possibly be tested on the bar. You won't. Fortunately, you don't need to. But, it does mean that learning what an impleader is doesn't mean you'll forget the elements of defamation). Your brain is truly incredible. It has helped you get very far in life. Have confidence that it will get you successfully over the hurdle of the bar exam as well.

#### ***Myth 5: Questions are for Testing***

This is perhaps the most pervasive – and dangerous – myth perpetuated by our schooling today. Students do practice questions as if each one is a form of summative assessment – there to test what you know, and tell you how you would perform on exam day. But testing is actually where the most learning happens.<sup>18</sup>

Passing the bar requires you to test yourself every day. You should be doing some form of practice (MBE, MEE, or MPT) every single day. Ideally, you would do a set of MBEs and an essay each day, and an MPT at least once per week. Many students feel that they can't do the

---

<sup>16</sup> James Gupta, *Spaced Repetition: A Hack to Make Your Brain Store More Information*, The Guardian, <https://www.theguardian.com/education/2016/jan/23/spaced-repetition-a-hack-to-make-your-brain-store-information>.

<sup>17</sup> Helen Shen, *Does The Adult Brain Really Grow New Neurons?* Scientific American, <https://www.scientificamerican.com/article/does-the-adult-brain-really-grow-new-neurons/>.

<sup>18</sup> See, e.g., Bart Schuster, *Learning Through Testing*, Association for Psychological Science, <https://www.psychologicalscience.org/observer/learning-through-testing> (September 20, 2012); Cynthia Brame and Rachel Biel, *Test-Enhanced Learning: Using Retrieval Practice To Help Students Learn*, Vanderbilt Center for Teaching, <https://cft.vanderbilt.edu/guides-sub-pages/test-enhanced-learning-using-retrieval-practice-to-help-students-learn/>.

practice until they “know” the doctrine. They don’t want to do practice questions until they are “ready,” meaning when they have fully understood and memorized the doctrine. Don’t be that student. You may never feel ready. You need to do practice questions every day anyway.

Practicing is learning. It is not only how you learn the test itself – putting yourself into the mind of the bar examiner and understanding how they think and formulate questions – but doing practice questions and applying the law, is actually how you learn the law. It forces your brain to work hard to figure out a problem. The harder your brain works, the more you remember. That is why practice questions are where the real learning happens, not in lecture or outline review. It is also why you will learn some new rules through practice that weren’t in your bar review lecture or outline. It is all designed to help you learn more.

The only way to do well on the bar exam, is to get ready for the bar exam. That means practicing what you will be doing on exam day, every single day. It is not enough to memorize the law. If you don't know how to apply it, and how the bar examiners will test you on it, you will not be successful. The more practice you can do, the better, but you want to make sure that you are doing it thoughtfully. Don't just race through 50 MBE questions, tally your score, and move on. You need to go through each question (yes, even the ones you got right), and make sure you understand why you answered it correctly, or incorrectly. **If you learn a new rule, add it to your study materials.**

Reflect on why you are answering questions incorrectly. Are you reading too quickly and missing important details? Are you adding facts that aren't there, or over-analyzing? Once you begin to notice patterns, you can come up with solutions to correct your common mistakes. Keeping a journal or list of these common missteps can help you identify those patterns, and break through them. Reflection is critical to the process of metacognition – or learning how you learn – as well as to the process of pushing yourself to learn in new ways.

Practicing essays, MBEs, and MPTs, also helps you get into the minds of the bar examiners. What do they think a reasonable person would do? What are they trying to trigger when they include certain facts? As you practice, you will begin to recognize patterns in the questions, and in what doctrine is heavily tested. On exam day, you will see some questions that are very similar to what you have studied. That is a glorious thing to experience on your actual exam day – seeing questions that you feel like you have seen before.

In this way, the bar is similar to any other performance you are getting ready for, or any other big day. You wouldn't get ready for a sporting event, concert, speech, or play without practicing or rehearsing over and over. Don't minimize the importance of rehearsing for the bar exam either.

***So, remember:***

- ***Trust the process;***
- ***Do more practice than you think you're ready for; and***
- ***Have confidence in your ever-growing brain!***

## 15. Reduce Work Obligations and Plan Your Finances

Recognizing that it is a very privileged thing to say that you should stop working for nine or ten weeks, it is critical that you try to do so. It does not matter whether you have worked through all of law school. It does not matter if you have always worked. It does not matter if you know someone who worked while they studied for the bar. You will not be giving yourself a strong chance of passing the bar if you work during bar study. Studying for the bar exam requires more sustained focus than law school itself.

If you were a part-time law student who worked during law school, speak to your employer early and often about the time off that you will need. It is best to have as close to nine weeks as possible. If you are unable to get solid time off from work, consider studying for the bar over a longer period of time. Doing so will take great discipline and stamina, but so does working full-time and attending law school, which you have already proven that you can do successfully. Negotiate as much time off as you can, even if it is shorter workdays or a few days off each week. You will want more time off closer to the exam. Whatever time you can take off will help. Remember that you will be more valuable to your employer with a law license than without one. You have given them a lot while juggling law school. Now is the time for your employer to give a little bit too.

This is a short period of your life – nine or ten weeks – but you will need to plan your finances well in advance so that you can get through it. Try saving up money for a bar review course and to live off of during this period. If that is not realistic, some banks offer bar study loans. Additionally, some law schools offer bar study grant programs. Check with your academic and bar support teachers to see what other students in your area have done to sustain themselves financially during the bar study period. Borrow from loved ones if you can. Barter for things that you need – you can repay everyone when you are a lawyer.

Many law students support their families – financially and emotionally – while going to school. This won't work during bar study. You will need near-complete focus and immersion to succeed on the bar. Therefore, you need to come up with a plan so that others are not financially dependent on you during this period. That will require strategic thinking and thorough advanced planning. If it is not possible to eliminate your financial responsibilities, reduce the amount of time you have to work to the absolute bare minimum.

If you don't feel like you are in a financial position to focus on bar study right now, consider postponing to the next administration of the exam. It is only a few extra months. In the grand scheme of things, it won't matter at all. You want to give yourself the best chance to pass the bar on the first try, and that means making sure that your life is such that you can be laser-focused on studying for the bar.

This is the time to invest in yourself. You will be much better able to care for your loved ones and your community once you have passed the bar and landed your dream job. Let them care for you now.

## 16. Disconnect From The Movement

One of the things that sometimes gets first generation students and aspiring social justice attorneys into trouble during bar study is that they are incredibly involved in their communities. You may be part of multiple groups, or hold demanding leadership positions in active organizations. You may be the person that everyone in your community looks to for advice and problem-solving. It is important to disconnect from these roles fully for the bar study period.

Some people are not very good at saying no. Consequently, when they say they will cut back or only limit themselves to one or two tasks, they often find themselves being asked to do more than they had originally contemplated. Don't be that person. It is better to completely cut ties for the bar study period. There will be plenty of time afterwards for you to be involved, and you will be in a much better position to help once you have your law license. If you don't give yourself the time you need to prepare for the bar exam, you will only end up needing to spend more time away from organizing in the long run, because you will need to retake the exam.

Make plans to disconnect. That means talking to others and putting systems in place to take care of what you would normally be responsible for. That way, you won't be fielding last minute calls because no one knows how to do that thing you are usually responsible for. It will also give you piece of mind because you can trust that things will get done in the way you want them to get done. If you can, provide written documents with instructions, and who to contact (*i.e.*, not you) for issues that may arise while you are studying.

You can think of this process as movement building. Too often, organizations run on personality and max out – and burn out – key leaders. Sharing knowledge and deepening the skills of multiple members will lead to more a sustainable organization, and will ultimately make the work, and the people doing it, stronger. After you take the bar exam, you will be able to return to the work more focused, and free from the anxiety of law school and bar study.

## 17. Use Your Organizing Skills To Organize Yourself: Creating a Daily Schedule

It is critical to plan everything during the bar study period. Time management, the ability to make and follow a schedule, and self-discipline are essential to success on the bar. Fortunately, they are also skills that you likely already possess as someone who came to law school to change the world and work with marginalized communities. For more on time management, you can check out the CALI lessons Time Management: Creating Your Plan, at <https://www.cali.org/lesson/18183>, and Metacognition, at <https://www.cali.org/lesson/18099>.

You will have to come up with a plan of attack for this exam. You will need to figure out what study materials you need to make and/or purchase. You will need to choose places to study and come up with a daily study schedule. You will also need to schedule nearly every minute of the nine or ten weeks that you will be studying. Having a clear schedule can help keep you in a good place mentally, because you will be able to build in time for physical and social activity. If you do not have a schedule, you may find yourself putting off things that are critical for your mental, physical, and emotional well-being.

Approach this process as you would any organizing campaign or event you would plan. Think about your goal – to pass the bar exam on the first try. Then figure out what you need to do in the short, medium, and long term to achieve that goal. Also think about who your allies will be and who is likely to hinder your efforts. Then, plan accordingly. Talk to your allies about how they can support you. Find ways to get away from toxic or harmful influences. (If you are in a dangerous situation reach out to someone in the Student Affairs/Student Services office at your school for assistance.) You won't have time to devote energy to people who take from you, and do not give you anything in return. Tell them early on that you will be unavailable for nine or ten weeks. If necessary, physically separate yourself from them by moving or changing your phone number. Sometimes, people have loved ones screen calls and emails for them so that they only have to respond to critical messages.

You need to create a bar study schedule that works best for you. Many people find success in a regularized schedule that has them doing essentially the same thing at the same time each day. Other people find this to be boring and prefer to switch things up. Your commercial bar review company will give you assignments, but it will be up to you to turn them into a plan. Make a plan for what you will be doing at each point in the day – be it bar review lecture, making/reviewing study materials, doing practice questions, eating, sleeping, exercising, having dinner with your children, etc. Also think about where you will want to study. It can sometimes be helpful to switch your study location to give your brain a fresh start. If the schedule you create does not feel like it's working, you can always change it. It is not set in stone. You should always be working from a plan, even if you modify that plan periodically. [You can find a sample schedule on the J.D. Advising website.](#)<sup>19</sup>

Any plan should include doing these three things each day (until you finish watching the lectures) – watch your lecture, make/tweak your study materials, and do some form of practice.

---

<sup>19</sup> <https://www.jdadvising.com/create-daily-bar-exam-study-schedule/>

This means doing MBEs and essays every day, and at least one MPT per week. Your commercial bar review company will most likely assign you more work for each day than is humanly possible to complete. But, if you watch your lecture, make your memorization materials, and do some practice every day, you can go to sleep knowing that you have accomplished the essential tasks you need to complete.

Your plan also needs to include down time. You will need to take care of your physical and mental well-being every day. You should build in time weekly to have fun with loved ones, and daily to spend time taking care of yourself. That might mean going to the gym, doing yoga, meditating, reading a non-law book, and/or watching non-law related television. Build into your schedule time for daily essentials such as showering and food acquisition. If you are a parent, build in time daily to spend with your children. If you map it out, you will see that there is time in the day to do everything. But, you will need to plan it out.

On most weekdays, you will need to put in between eight and ten hours of solid study time. Each weekend you will work for about eight hours total. That will likely increase in the couple of weekends right before the bar exam. However, if you work steadily from the beginning, you will not need to ramp up considerably in the weeks leading up to the bar exam. It is best to maintain a strong and consistent study schedule throughout the bar study period.

## 18. Where Should You Study?

As you begin to plan your bar study, you want to think about where you will study. It can often be helpful to have more than one location to choose from, as switching locations can sometimes be helpful in regaining focus. For example, you may want to study at your law school during the day, and at home in the evenings.

You may already have a favorite study location from your time in law school and, if so, that is fine. But, you may decide that you want to change locations to reduce commute time, or you may be moving to a different location for bar study. If that is the case, you will want to check out your options. You may want to study at your law school, a different school, or a local public library. Before you settle on a study location, make sure you know what the hours are, and visit so that you can ask how busy the space is during the hours you are hoping to be there. Some students like to study in coffee shops. This is ok if you are someone who can focus with a lot of people and noise around.

A few things to ask before you choose a study location:

- What are the hours of the study space?
- What will my commute be like?
- Can I leave things there over night?
- How easy is it to find a power source to plug in my laptop/phone?
- Will I have to purchase something each day in order to be able to study there?
- Will I have to pack up all of my stuff every time I need to go to the bathroom?
- Can I eat in the location? What food options are accessible?
- Will I be able to focus given the noise level and density of other people around?

If you are thinking about only studying at home, make sure that you develop a routine for yourself so that you can stay on track, and also maintain human contact. Waking up whenever you wake up, studying in your pajamas, and using your bed as a desk is not a plan. You should set a schedule for yourself with study times, wellness times, and meal times. Make sure you get outdoors at least once a day, and maintain contact with other human beings.

Wherever you decide to study, you want to block out distractions as much as possible. [There are a number of apps and software hacks, known as distraction blockers, that can help you with reducing internet distractions.](#)<sup>20</sup> You may also want to purchase headphones or a white noise machine if sounds coming from elsewhere are distracting to you.

Wherever you decide to study, always have a backup location. There may be times that due to the weather, or simply fatigue, that you want to switch things up and break the routine. That is ok, but you should know where you will go on those days. Sometimes people like to study a few days per week at home and a few days per week at a law school or library. That is great. It does not have to be the same every single day. Other people like to study in the same place every day because they benefit from that routine. Either way is fine. The key is to know yourself, and your

---

<sup>20</sup> <https://zapier.com/blog/stay-focused-avoid-distractions/>

location, before you begin studying. If it turns out that it is not working, switch locations quickly so that you don't waste time in an unproductive space.

## **19. Study Groups: To Use or Not To Use?**

Bar study is usually a fairly solitary event, though it does not have to be. Whether you should study with others or not is a very individual decision. Sometimes the accountability of having a study partner or group can be helpful. Some people like to talk things out with friends. For others, it feels more stressful to speak to other people about what they are doing.

For some bar studiers, it can be helpful to set aside time with a study partner or small group to discuss difficult concepts each week. Other times, having a study partner can be helpful to go over difficult practice questions that you encounter. You could also grade each other's essays or do timed closed-book practice at the same time.

Other people choose to do parallel study, where they are in the same space (physical or virtual) and take breaks together, but study individually. Parallel study can enhance motivation because you will feel accountable to other people and will not feel as isolated. But, you will not have to talk things out, which some students find to be stressful. Bar study requires a lot of self-discipline and having a parallel study partner or small group can be helpful in keeping you on track.

If you decide to study with others, you should set boundaries and ground rules. Determine what you want to do with each other and what you want to do on your own. You can have certain times of the day or signals that indicate when you want to talk and when you do not. Study groups can be helpful for accountability, but you do not want to be in a position where you are taking care of another bar studier or being their sole support system. You won't have time or energy for that.

It is also ok to break up with your study group. If things are not working well for you, change what you are doing. You need to put your study needs first. Remember that none of this is personal, and it will not last forever. If your study partner decides to study on their own, it is about them, not you. You will all still be friends when it is over.

Remember that, as with all relationships, your study partner relationship should be healthy and productive for everyone. If it is not, let it go.

## **20. Know What Resources are Available to You**

It is a good idea to take an inventory of the resources available to you before you begin studying. Think about who your support network can be, and what you can lean on each person for. Is there someone you can call to vent to? Is there someone (or a pet?) who might let you teach them some doctrine? Is there someone you can reach out to when you just need a break and want to do anything other than talk about the law?

You should also know what resources your law school makes available to you. Most law schools will continue to offer support to graduates as they study for the bar, even though you are technically not students anymore. Find out about tangible support like study space and locker availability, as well as whether other resources such as counseling and health services, and a food pantry, are still open to you.

The most valuable resources may be the academic support/bar support professionals at your law school. Most law schools have someone designated to support students through the bar exam. This person is an expert at guiding recent graduates through this stressful time, and can help you stay on track. They will provide you with advice based on their experience working with other people in your position, and not just anecdotes or stories about what they did when they studied for the bar. This experience is invaluable.

Some schools provide one-on-one mentorship programs, others provide regular workshops to bar studiers, while others provide opportunities to do simulated exams in a test environment. Sometimes schools will provide snacks, dedicated study space, and supplemental bar review resources. If you are not familiar with what your school offers, reach out to your academic support department to ask. If your school does not offer something that you think would be helpful, it doesn't hurt to ask for it.

## 21. Making Memorization Materials

Commercial bar review companies will generally tell you that you can memorize from their outlines alone, and therefore making your own study materials is a waste of time. Most people, however, find that relying solely on the bar review outlines as they are written is not enough – they have to make the materials their own in some way. Active engagement is critical to real learning. (Remember that reading alone is not sufficient, as discussed in the *Unlearn What You Learned About Learning* chapter.) It is important to engage in a process of making/working with your study materials every day. Think ahead to the last two-to-three weeks when you will be memorizing. What do you want to have ready for that process?

You will not have time to both create and use study materials at the end of the bar study period, so you have to make them as you are going through the study process. You will learn a tremendous amount of material with each new lecture, and you should be finished with your study materials before you leave each subject (which means every one to three days, depending on the subject). Therefore, you need to work quickly and efficiently.

The method you followed in law school to make the perfect outline, (or the best flashcards), may not work now. Your goal is not perfection. Your goal is usable. Do not get lost in outlining all day every day. **If you are spending more than three or four hours per day during bar study on creating study materials, you need to change your approach.** It is imperative that you leave time for practice questions every day.

Use the bar review lectures as a guide for what you should focus on. Only use the bigger outlines from your bar review company for reference. The lecture handouts/notes will include the most heavily tested material, and that should be your foundation. As you practice essays and MBEs, you should add rules that you learn from those practice questions to your outline/flashcards/charts. If you have questions, get them answered now, as you are learning the material. You can look up the answer in your bar prep materials, read an answer explanation closely, ask your commercial bar review company, or ask your school's bar support personnel. Don't wait until the very end.

Make the study materials that work for you and your method of learning. That might mean that you have more than one kind of study material – an outline and a large flow chart, for example. It is best for the learning process if you make it yourself. But, if that takes too much time, or if you did not make your own study materials during law school, find a way to make the bar review company's materials your own in some way. Write on them. Draw out diagrams and examples. Record yourself reading an outline, and listen to yourself during your commute, in your downtime, or even while you are sleeping. The process of working through the lecture material after the lecture will help you synthesize and solidify the material. This process of learning, understanding, and beginning to internalize the material is the first step towards memorizing.

The key is to find a balance – don't skip the study materials, but don't spend all of your time trying to make them perfect.

The good news is that the bar examiners don't know what is in your outline. Unlike in law school where your professor was expecting to see the rule exactly as they taught it, the bar examiners are grading essays by bar takers who took a variety of commercial bar review courses and used a wide range of study materials. Your wording on an essay does not need to be the exact phrasing of the rule that was in your outline. You need to understand the concepts, and remember key legal words. If you can do that, even if you don't remember the exact wording of a rule from your outline or flashcard, you will earn enough points to pass. The bar examiners want to know that you know how to spot issues and analyze facts like a lawyer. Thus, you need to actually understand the concepts, not just memorize them. Memorizing the law is just one step, but it is a crucial one.

## 22. Take A Commercial Bar Review Course

Students often ask whether they really need to take a commercial bar review course. The answer is yes. Bar review courses provide a plethora of resources that you will need to succeed.

First, bar review companies provide you with the law that you need to know. They have teams of people who extensively study bar exams, and will help you prioritize your work by identifying what is most heavily tested. This is especially critical if you are taking the Uniform Bar Exam because the National Conference of Bar Examiners (NCBE) use a variety of sources for determining the “general principles of law” that they test on. There is no single place you can go to find the testable law, and the commercial bar review courses have developed a detailed compilation of laws based on their painstaking research of bar exams. NCBE suggests that one look at their older essays to determine the sources of law that are used. However, studying solely from past essays will only provide you with a limited picture of what can be tested and will therefore not be sufficient. You need a more comprehensive source, which is where the bar review companies come in.

Additionally, the commercial bar review companies provide you with practice materials. As is discussed elsewhere in this book, the key to passing the bar exam is plentiful and strategic practice. The bar review companies will give you essays, MBEs, and MPTs to practice from. They all license questions from the NCBE, and many develop additional multiple-choice questions and essay questions for practice as well. Further, many companies will provide you with individualized feedback on a number of essay and MPT assignments during the bar study period.

This is far from an ideal or equitable system, but it is the system we have. Unless someone has the resources to create an entirely open source bar review company, applicants must pay for a commercial bar review course in order to have a strong chance of passing the bar the first time.

## 23. Knowing Your Test Center

Depending on your jurisdiction, you may need to make travel plans several months in advance. Look at your state's bar examiners' website to find out the location(s) of the bar exam. (You can find your jurisdiction's website by going to "Jurisdiction Information" on the National Conference of Bar Examiners' website: <http://www.ncbex.org/>.) You may need to take a car, train, or plane to get there. Figure out the best method of transportation for you, and how long your travel time will be. You should also check the weather in the area you will be going to (particularly if you are taking the exam in February). You may want to arrive in your test city a couple of days early if there is a possibility it will snow and travel will become difficult.

If you have to travel, you will likely want to book a hotel well in advance, before they fill up. Think about whether you want to be in a room by yourself, whether you want a loved one to come with you, or whether you want to room with a friend. If you share a room with a friend, make sure you discuss arrangements and set out ground rules in advance, so you know each other's needs and preferences regarding discussing exam-related issues during your stay. Everyone's stress will be high, and sometimes it is best to just be alone. Ask your school's academic/bar support team where people usually stay and how they usually get to the test center.

Stop by the test site before exam day so you don't have any anxiety about getting lost. Make sure you give yourself plenty of extra time to deal with every day issues such as traffic and transportation delays. Make a backup plan in case your first transportation plan doesn't work.

## BAR STUDY PERIOD

### **24. Tip of The Week**

This chapter provides some advice as you go through each of the nine weeks of bar preparation. Some people suggest a ten week study schedule, others study for eight weeks. Nine weeks is not only a happy medium, but it gives you enough time to get through all of the lectures, and still have two to three weeks of solid memorization and practice time right before the exam. If you do not have nine weeks to devote fully to bar study, you will need to alter the recommended schedule, and start studying earlier than nine weeks before the bar exam. You have likely heard stories of people who only seriously study for the bar for two weeks, or who work full-time and study part-time and pass. Of course, there are individuals who have done so. However, they are the exception, not the rule. You don't want to take that chance. Give the bar exam its due and give yourself the best chance to pass it the first time.

If you will be working during bar study, you should start studying early. Make sure that you give yourself enough time to not only watch the lectures and memorize the doctrine, but also to do considerable practice of each section of the bar. Reflective practice is truly the secret to bar exam success.

#### *Week 1*

The first week will generally allow you to ease into bar study. You may find yourself questioning why this book suggests that you study for ten hours per day. But, don't get too excited, your commercial bar review company's schedule will ramp up soon enough, and you will easily be able to fill ten hours.

Make sure that you carve out some time to get to know your bar course's materials. Bar review companies offer many services and materials, and it is worth it to take time now to familiarize yourself with everything on their website, as well as the printed materials they sent you. Often students don't understand everything that is available to them until much later in the bar study period. Spend some time now playing around on the website and perusing the books so that you know what is there. Make notes to remind yourself of components that you want to utilize in the future.

You should also use this week to test out your daily schedule. Do your study locations work for you? Is it noisier or more crowded than you thought? Is your commute too long? When are you going to do each of your daily tasks? You want to do the most difficult tasks when your brain functions best. You're not going to magically become a morning person or a night person. Bar study is not the time for radical shifts. Don't try to do your most taxing task (whether that is lecture, practice questions, or making/annotating study materials) when your brain is the most tired. The first couple of weeks should be used to figure out what works for you, and adjust accordingly. (Don't get caught up in what your friends are doing. Everyone does things slightly differently. You need to do what works for you.)

## *Week 2*

During the second week, you may still be figuring out a schedule that works best for you. Try to solidify your schedule by the end of this week. While some flexibility is always important, you don't want to be constantly changing things around. You will be better off if you get into the groove of a comfortable study routine.

This week, make sure that you have a plan for making study materials every day. You do not need to make entirely original outlines, charts, or flashcards for everything. But, you want to think ahead to the last couple of weeks and what you will want to memorize from. Make (or purchase) those materials now. (Be mindful, if you do purchase extra memorization materials, that they will be written by yet another third party, so you now have your bar review lecture notes in one voice, these purchased materials in a second voice, and neither of them in your own voice. Having two sources phrasing things differently can lead to added confusion. You don't want to be overwhelmed with too many potential sources to memorize from, so be thoughtful about your purchases.) If you will be using commercial materials, make notes on them and make them your own in some way so that you can more easily memorize from them. Even if you use pre-made materials, it is important to review them every day after your lecture to reinforce what you learned during the lecture. Seeing the material more than once, in different formats, will help you internalize it.

If you are someone who has always made your own study materials, and you are finding yourself spending several hours per day outlining what you learned in your lecture, you need to make a change now. It is not sustainable, and you will not be able to catch up every weekend. It is important to find materials now that you can memorize from, and make them your own by annotating them and adding rules you learn from MBE and essay practice.

You want to make sure that your memorization materials are actually useful by doing practice questions with them. Are you able to easily find the answer to a question that comes up? Can you use the materials when practicing essays and MBEs?

Even though you need to prepare for memorization now, you are not expected to actually memorize now. You will do your rote memorization towards the end of the bar study process. Your task now is to learn, understand, and practice. Get your questions answered now. (You can reach out to your commercial bar review company with a question or ask your bar support teacher.) Make sure you understand the basic concepts by doing practice essays and MBEs.

If you have not already done so, start doing MPTs this week. You should do at least one MPT per week during the course of your bar study. (As the exam gets closer, you will want to do two MPTs back to back at least twice to make sure you know what that feels like.)

## *Week 3*

You may start to feel overwhelmed around week three or four. You have covered a lot of material already, and there is still plenty more to come. Remember that it is not humanly possible to do everything that your bar course assigns, and you do not need to. Focus on watching the

lectures, making/reviewing study materials, and doing practice every day. If you find reading the outlines before the lecture to be helpful, do it. If you find that you are spending hours reading and not retaining much, skip it.

Many bar review courses offer review questions and other assessment activities that are not reflective of bar essay or multiple-choice questions. If you find them to be helpful, keep doing them. But, if they don't feel effective, it is a better use of your time to do bar-type questions instead (that means MBEs, essays, and MPTs as opposed to learning or review questions that your bar company has developed to reinforce the doctrine).

At this point, you may also find that being around your classmates is stressful. It is ok to break up with study partners that you have had throughout law school. You need to focus on what works for you now. They will still love you six weeks from now when you can commiserate about how terrible it was to study for the bar exam.

If you find yourself experiencing anxiety that is abnormal for you, speak to someone at your school, or reach out to your doctor. The earlier that you can get help and develop a plan, the better off you will be.

#### *Week 4*

This week, remember to breathe. This is a marathon, not a sprint. You can do it! You will remember what you need to (and you don't need to remember everything). Breathe and take care of yourself. Make sure you take breaks, eat well, exercise, and sleep.

Trust yourself. By now, you should have a very good understanding of what is working for you. Keep doing those things. Stay focused on your end goal.

Focus on getting as much as you can out of your practice sessions. When you do essays, don't just review them to see if you picked out the right rules and reached correct conclusions. Also review your structure. Make sure that you are using IRAC or CRAC, breaking your answer into small paragraphs, and writing clearly and concisely.

When you review MBEs, make sure you understand both why you answer questions incorrectly, and why you answer questions correctly. Focus not only on doctrinal errors, but test-taking mistakes so that you can develop strategies for improvement. Keep a list or journal of tips for yourself that you can periodically review. They can be tips on tough rules, or test-taking reminders. You want to interrupt bad habits now, and move past common mistakes. When you learn new rules through practice (which you will), add them to your outline/flashcards.

You will likely be offered a simulated MBE exam by your bar company sometime between weeks four and six. You may want to skip it because you don't feel ready. Don't. It's a good idea to do it, and it's an even better idea to go to a live location and take it around other exam-takers, if that is offered as an option. You want to take it in an environment that feels as close to the actual exam as you can get.

You should take the practice MBE to practice the MBE. You are not taking it to get a score that is dispositive of how you will do on exam day. You haven't memorized everything yet. This isn't the test. But it is still a valuable experience. It is important to feel what it is like to do 100 multiple-choice questions, take a lunch break, and have to come back and answer 100 more. It is important to take away some lessons about test-taking and stamina. Pay attention to how you feel and how focused you are at various points during the exam. Notice when you are distracted, tired, or anxious. Notice your timing as you move through the exam at various points in the day. Focus on which subtopics you struggled with.

When you review your answers, notice when you answer several incorrectly in a row. Was it because one question was difficult and it blew your concentration and confidence for the next several questions? Was it because you were tired or hungry and you need to build in a snack (if your jurisdiction's security policies permit), drink of water, or quick trip to the restroom to reset your focus?

Make note of how you felt at different parts during the day. What distracted you? When did you get hungry or tired? Make a plan for just before you get to that point on the actual exam, so you can prevent the same response.

Remember that if you get anxious, you can close your eyes, take 3-5 deep breaths, and reset. Sometimes people close their eyes and slowly count to ten. It will only take a few seconds and can save you a lot of wasted time and mental energy. Center yourself.

Also pay attention to specific topics and subtopics that you struggle with. Doing so can help you determine what to prioritize during the last couple of weeks, and eventually what you might need to let go of.

Remember, even though the practice MBE is a mock exam, you are still in learning mode. Use this experience to learn as much as you can about taking the MBE. As you review your answers, ask yourself what you can take away from each question that will help you get a similar question right in the future.

If you don't do as well as you would have liked to do on the simulation, don't panic. Many people bomb the practice tests. It's just practice. It's not the real thing. It can be very valuable if you stay in learning mode. The key now is to learn as much as possible from the experience and adjust your study plan accordingly.

This score is not dispositive. Keep studying and stay focused on learning. Your score will improve significantly from now until exam day as you learn more, memorize more, and practice more. You're not in exam mode until the actual day of the exam.

## *Week 5*

At this point, there is a light at the end of the tunnel. You will probably be done with new doctrinal lectures next week, or the week after.

Make sure that you are not doing all of your practice questions on the computer. You will be given printed essays and MPTs, so you should have hard copies in front of you to write on when you practice. Similarly, the MBE is in a booklet, not on a computer screen. You need to practice in the manner that you will actually take the exam. We read differently on screens and on paper. You want to be comfortable engaging with the material in the way you will encounter it on exam day.

Check in with yourself and make sure that you are not simply going through the motions and doing bar company assignments for the sake of doing them. You do not want to be so focused on checking off items on your bar company's to do list that you forget to actually learn.

Your goal should be learning, not just thoughtlessly doing. That means that it is more important to be thoughtful and reflective about each task, than it is to complete a to do list. There is no point in doing 50 MBE questions if you don't have time to review them. Doing that does not help you get similar questions right in the future. It is the review – and the incorporation of rules and tips into your study materials – that ensures that your practice is useful.

The same is true for essays. Don't just do essays closed book and move on. You should practice issue-spotting closed book, but if you don't know the rule, look it up. It is more critical for you to review, apply, and then remember the correct rule, than it is to do an essay closed book just because your bar company tells you to. (You will do more closed book essays and MBEs later.)

Keep pushing forward. You want to have two (preferably three) weeks before the bar where you are done with lectures, and can focus on active memorization and practice. If you stop now and try to master a subject, you will be taking away from that crucial time at the end where you will need it more.

Remember that the real learning happens through thoughtful and deliberate practice. Your brain remembers more when it has to work hard to solve a problem, especially when you get it wrong and have to figure out the answer through the explanation.

Stop trying to have the perfect outline, or have it all down. Keep moving forward. Spend more time on practice than you think you should, especially if you don't feel ready for practice.

## *Week 6*

Now is the time to design a schedule for what you will be doing once bar review lectures are over. Everyone does things slightly differently during this period, and your daily schedule now will depend on what you have done up to this point. Most people find that they need to spend most of their time memorizing the material. However, you don't want to go backwards in your progress on MBE, MPT, and essay practice. This time period – like all of bar study – is about

balance. Make sure you do some of everything. Exactly how much of each thing you do depends on how comfortable you are in each area of law and how much practice you have completed up to this point.

The bar review companies will give you assignments for this period. You should follow their schedule to the extent that it is comfortable to you and you feel like you are getting out of it what you need. Feel free to tweak it so that you can spend more time on the areas you are having trouble with. You should make a calendar for yourself so that you make sure you fit in time to repeatedly review all of the subjects.

Your schedule should include going over each subject more than once. That means you'll want to work through 2-3 subjects per day, moving on even though you will not know everything. Giving yourself the time to go back to subjects is critical. It is far more effective than spending all day on a single subject and then not coming back to it. Remember the virtues of spaced repetition from the *Unlearn What You Learned About Learning* chapter.

If you feel like you need to spend time memorizing, you'll probably spend 60-75% of your day reviewing your outlines, charts, and/or flashcards. Make sure to stay active. Test yourself. Write things out. Talk things out. Don't just passively read.

You may feel like that process doesn't help very much and you would rather spend the majority of your time doing MBEs and essays. If that's the case, you can spend closer to 75% of your time on practice.

Either way is fine, and both ways work. Just make sure to make a schedule, and stay as active as possible.

It's common at this point to feel like everyone else is doing better than you, knows more than you, or has a better study plan than you. They don't. You are doing just fine.

### *Week 7*

Hold on to your dreams. Remember why you are doing this (see Chapter 9). You have come very far, and are in an excellent position to succeed on the bar exam.

Now is the time you have probably been waiting for – no more new lectures. But that doesn't mean that you are done learning and should already know everything. Stay in learning mode.

With three weeks to go, you may feel like you need to already have everything memorized. You don't. That would be impossible. You have plenty of time between now and the exam to get the law to stick.

Stay focused on learning. Right now your days and nights are filled with memorization and practice. While you should move into doing practice closed book, that doesn't mean you are expected to have everything memorized perfectly. It is important to practice writing down what you know, and reasoning through the rest. Working through a question where you feel shaky on

the law is an essential bar exam skill. You will have to answer a question on the exam about which you are not confident.

Every time you do an essay, MPT, or set of MBEs, think about 2-3 lessons that you can take away from that experience and carry with you to a similar fact pattern in the future. Write these lessons down. If they are rules, put them in your outline. If they are test-taking tips, keep them in a separate journal or on a separate list.

Everything you do is in service of internalizing and memorizing the rules. True memorization takes time and repetition. It won't happen overnight. Fortunately, you have just enough nights left to make it work.

Now is the time to shift your focus towards memorization. Everyone memorizes a bit differently. Some use outlines, some use flashcards, some people talk to themselves, some people record themselves and listen to their recordings, some people draw big charts and pictures, some people turn their notes into songs. You need to do what you know works for you. Do not try to do something just because it is working for your colleague, when you know it has not worked for you in the past. Think back to the doctrinal classes you did well in during law school. What did you do then? What did you do in elementary school when you had to study for vocabulary tests? Don't throw out what you know about how you learn. This may be the largest amount of material you have ever had to memorize, but the way you go about memorizing does not change much. Your brain has the capacity to memorize large amounts of information. You can, without a doubt, do this.

Break the material into smaller pieces. You may think you will never understand future interests, or jurisdiction, or secured transactions. Take it piece by piece, and it will come together.

There are many ways to memorize. Be creative! The key is active learning – don't just read, do something more.

### *Week 8*

It is common to feel like nothing is sticking, no matter how many hours you put in. But, like many feelings during bar prep, just because you feel a certain way about your level of preparedness, it does not mean that feeling is an accurate representation of how much you know. You know a whole lot more than you think you do.

If you feel like something is not working, switch to a different activity. Varying study methods is useful because it forces your brain to work harder and helps with memory retention.

Remember that this is not a test where someone is going to be asking you to recite the details of various rules. The rules will be triggered by the MBE and essay fact patterns. You will be amazed at how much comes out of you during the exam, once you see the fact patterns.

Make sure you stay active with your learning. Do not just read and reread. Talk things out, write things out, do practice questions. Just keep moving forward.

Keep practicing. Remember that you want to learn the test, not your outline.

You may find that your practice MBE scores are going down. Unfortunately, this is very common. It does not mean that you are forgetting everything, or that you are going to fail the bar. There are a number of potential reasons for this MBE score decline (such as the time of day you are taking the questions, anxiety, and exhaustion), but the important things to remember are 1) you're in good company, and 2) you are still capable of passing the bar. A score decline happens to plenty of people, and they go on to pass. Focus on learning as much as you can from each practice question that you do. Every single one is a learning opportunity.

Keep pushing forward. Try switching the source of your MBE questions. Focus on essays. You want to see as many fact patterns as possible, so even if you do not have time to fully write out every essay your bar company provides, read through several essays every day, issue spot, and read the model answer. You can even copy down the model answer if that helps you learn.

### *Week 9*

It's the last week of bar prep. You're almost done! Take some time to review the exam day strategies from Chapter 25. Map out your day so that you know exactly what to expect.

Sometimes people slow down during this week, and that is totally ok. You don't need to put in super long days just because the bar exam is next week. Let your brain rest if it needs to.

Take this time to solidify what you know and let go of the things you feel like you will never understand.

Only you know where you need to focus at this stage. Some people focus primarily on memorization in the last week, while others focus more on practice. You can make that determination based on what is helping more information stick. If you need to spend more time memorizing, do it. If you feel like you need to improve your essay issue spotting, read through more essays each day. If MBEs have got you down, do more MBE practice (on paper please, not just online). But don't do only one thing, always build in some memorization and some practice.

The best thing you can do for yourself this week is to trust yourself, and take care of yourself. Stay focused, stay healthy, and get some rest.

### *The Day Before the Exam*

Take a break the day before the exam. Go see a movie, have dinner with a loved one, get settled into your hotel room if you have one. Do some light outline review if you feel like you have to, but also do something that takes your mind off of studying.

You have worked so hard for the past 3-4 years. Today is your day to stop. Let your brain rest so it can remember all that you have learned. Do something to take your mind off of the bar exam.

Stop worrying. Stop trying to predict what will appear on the exam. Just breathe – deeply.

Remember that this exam is not a measure of your worth as a human being, or as an attorney.

Remember that you have been preparing for this moment for years, and you are ready.

Remember that you are standing on the shoulders of giants. Let the love and light of those who came before you and sacrificed to allow you to be in this moment, guide you to the finish line.

Enter that exam room proud, bold, and confident. You deserve to be here. You've got this!

### *The Night Between*

The night between the two days of the exam, can be very stressful. If you are taking the exam under non-standard conditions, it may be a four-day exam, and then you will have multiple “nights in between” to consider. You are likely going to be exhausted, and anxious both about the first day and what is to come the second day. If you used a laptop, make sure that your answers for the written day are properly uploaded. Then, have some dinner and try to relax. Studying will not help you at this point. Your brain needs to calm down after an intensive day of testing. Try to get to bed early. You probably did not sleep much the night before the first day of the exam, so try to sleep some more now. You are almost done! Getting to this moment itself is a huge accomplishment. Take some time to be proud of yourself for all that you have done.

## EXAM DAY

### 25. Exam Day Strategies

Just like you must plan for every day of bar study, have a plan for exam day. You want to know what time you will need to wake up, how you will get to the test site, what you can bring to the test site, what you will eat before, during, and after the exam, and how you will get home/back to your hotel. You also want a plan for what you will be doing during each portion of the exam.

Thoroughly review the security policy for your jurisdiction so you know what you are permitted to bring into the test facility, and what you are not permitted to bring in. The bar examiners are extremely serious about security. If you bring in something that you are not allowed to have, you will risk having your exam score invalidated and not being permitted to take a subsequent exam. You will have to report it as a character and fitness violation to any jurisdiction in which you apply for admission.

Also make sure you know what you are required to bring with you. You will likely need a photo identification and a seat ticket. You do not want to be refused from the exam because you did not bring appropriate documentation.

#### **Map out a plan for your day.**

If you are taking the UBE, your schedule will likely look like this:

#### **Tuesday**

9:30-12:30: 2 MPTs

2:00-5:00: 6 essays

*(Note that in some time zones you will have the MPTs in the morning and the essays in the afternoon, and in other time zones you will do the essays first. Make sure to pay attention to the schedule in your jurisdiction. You should be able to find it on your Board of Law Examiners' website.)*

#### **Wednesday**

9:30-12:30: 100 MBEs

2:00-5:00: 100 MBEs

It is your responsibility to keep track of your timing, so know what time you should be at each transition point. For example, forty-five minutes in, at 10:15, you should be done reading and planning your first MPT, and should start writing. At ninety minutes in, which is 11am, move on to the second MPT. Spend no more than thirty minutes on each essay. For the MBEs, you've got one minute and forty-eight seconds per question. That's roughly seventeen questions per half

hour, twenty-five questions per forty-five minutes, and thirty-three questions per hour. So, at 10am you should be on question seventeen, and at 10:30 you should be at question thirty-three or thirty-four.

Make a schedule for yourself and look at it every day. Memorize it. Write it out on scrap paper next to you as soon as the exam begins so that you can stay on track. It might look something like this:

<b>Time</b>	<b>Task</b>
9:30am	Open MPT 1 and begin planning
10:15am	Begin writing MPT 1
11:00am	1) Stop MPT 1 2) Open MPT 2 and begin planning
11:45am	Begin writing MPT 2
12:30pm	End MPT

<b>Time</b>	<b>Task</b>
2:00pm	Begin Essay 1
2:30pm	Begin Essay 2
3:00pm	Begin Essay 3
3:30pm	Begin Essay 4
4:00pm	Begin Essay 5
4:30pm	Begin Essay 6
5:00pm	End

<b>Time</b>	<b>Task</b>
9:30am	Begin MBE
10:00am	Begin question 18
10:30am	Begin question 35
11:00am	Begin question 52
11:30am	Begin question 69
12:00pm	Begin question 86
12:30pm	End

<b>Time</b>	<b>Task</b>
2:00pm	Begin MBE
2:30pm	Begin question 118
3:00pm	Begin question 135
3:30pm	Begin question 152
4:00pm	Begin question 169
4:30pm	Begin question 186
5:00pm	End

It is also recommended that you bring your own lunch. Many test sites will offer meal services. However, if you bring something you 1) won't have to wait in line and 2) can make sure the food won't upset your stomach or make you sleepy.

Wherever you are taking the bar exam, dress in layers. The room will either be too hot or too cold. You want to make sure you are comfortable and not distracted by your body temperature. The temperature outside likely has no relation to the temperature inside the testing facility.

Also make a plan for what to do if you don't know something. It is impossible to know everything. There will be a sub-question of an essay that you don't know. Practice making up a rule. Everyone faces things they do not know. The key is to make something up based on your general understanding of the law, apply it, conclude, and move on to where you can get more points because you do know the applicable rule. Don't stay on the question you don't know, at the expense of spending more time on something you do know.

Also make a plan for what to do if stress and anxiety fill your head and make it difficult to focus. Will you get up and walk to the bathroom? Will you write out a mantra on scrap paper? Will you close your eyes and take three deep breaths before reading the next sentence? Have a plan so that you can move through your anxiety, instead of letting it move you.

Everything about preparing for the bar exam is about having a plan, and executing it. You are likely a master planner at this point. This is the last plan you have to fulfill.

## THE BAR IS OVER

### **26. After the Bar Exam**

Waking up the day after the bar exam can be a bit destabilizing. You have felt like you needed to study every waking hour for months. Now, there is nothing left to study. You will likely relive some questions in your head and kick yourself for not having the perfect timing in each section. There is nothing you can do about that now. Take solace in the fact that you studied hard and did everything you could do. You most likely passed.

Don't talk about exam specifics with your friends. None of you knows the right answer. Discussing it will only cause anxiety for everyone. It won't be helpful. Congratulate each other on getting through this difficult process. Celebrate with each other.

The work now is to put the exam out of your mind. Whenever self-doubt and worry creep in, replace those thoughts with positive thoughts about what you get to do with your time now, and what your future will look like. Waiting is hard, but you have accomplished so much, so refocus yourself on your successes.

## 27. I Didn't Pass This Time: Retaking the Bar

This chapter is dedicated to those of you who unfortunately did not pass the bar on the first try, and therefore have to take the bar exam again. Retaking the bar is not easy, especially if you have already taken it more than once. But it is absolutely doable. Many people have taken the bar exam multiple times. It will end up being merely a small footnote in the story of your incredible legal career. The bar exam does not define you, or your legal career.

Failing the bar exam brings up a lot of emotions, and you should let yourself feel all of those feelings. It is almost like the stages of grief. You will feel sad and you will feel mad. You will keep rechecking to make sure the bar examiners didn't just make a mistake in the letter they sent you. You will think the bar exam is a stupid way to determine whether someone should be a lawyer (and you will be right). But, try not to focus on these emotions for more than a few days.

Register for the bar, get copies of your essays (if your jurisdiction permits), and make a plan. Figure out whether you have good study materials, and whether you want to sign up for a commercial bar review course or supplemental program. Determine how much time you can devote to studying this time around. Once you have a realistic sense of your time, make a study schedule. Reach out to your school's bar support professors to help you with this process.

Lean on your loved ones. People can surprise you with their kindness and willingness to help. Taking the bar often takes a village, so does retaking it.

Most importantly, be kind to yourself. Needing to retake the bar does not mean anything about how awesome you will be as an attorney. You need to figure out what went wrong and what you can change going forward, but it is absolutely not a reflection of whether you are in the right profession.

Trust yourself. Only you know how you study best and what you need to do. Now is the time to listen to yourself and to be selfish about your needs. Lots of people will give you advice. Most of them will give you bad advice. Do what works for you, but make sure you do an honest self-assessment of what worked and what did not work for you during bar study. Your bar support professors can help with this as well. Simply repeating exactly what you did before won't work.

Take care of yourself during this journey, and let other folks help take care of you too.

In sum, here are five tips for retaking the bar:

1. **Be kind to yourself.** Having to retake the bar exam brings up a lot of emotions. Give yourself some time to feel the sadness, anger, frustration and grief. Then push through it, develop a plan, and execute it. The only thing you can do now is to once again give the exam everything you've got. It may feel like you are alone, but you are not. Countless people have had to retake the bar and do so successfully. Many people are feeling the same things you are right now. Reach out to them. Seek support from loved ones and from your law school. You are smart and capable. You will pass the bar this time. Keep telling yourself that.

**2. Start with a subject you like.** Many people feel like they should start with their weakest subject so that they will have more time to work with it. Getting back into studying is difficult enough. Start with a subject you feel ok about. You can get to that tough subject next.

**3. Remember that you have done a lot and you know a lot.** You are not starting from zero. Spend some time taking stock of the materials you have, and deciding what study materials you can use, and what you want to make anew. You don't need to do everything all over again. You don't need to watch all of the lectures again. Use the materials you have. You have laid a very solid foundation for yourself. You have already earned a lot of points on the bar exam. That gives you a leg up from where you started the first time.

**4. Prioritize practice.** You're not seeing anything new for the first time now. You have already been through this process. Use all of that extra time to practice actual bar questions. Do MBEs and essays every day. Do MPTs at least once each week. Practice, practice, practice! Reflect on your practice every time you do it. Add every rule that you learn or clarify through a practice question to your outline or flashcards. Keep a journal of tips for yourself based on your common mistakes.

**5. Take care of yourself.** Self-care is an essential part of any bar study plan. It is especially critical when you are retaking the bar. Make sure that you build in practices that are good for your physical, mental, and emotional health every single day. Give yourself a daily opportunity to wind down. Pay attention to your stress level and your physical exhaustion. You need to be well to be productive. It is important to build in wellness practices early on, and maintain them as the exam gets closer and more stressful. (This will be important to maintain after you earn your law license as well.)

## Appendix A: Planning in a Pandemic

### **Studying in the Time of COVID-19**

In early 2020, the COVID-19 virus made its way to the United States and completely upended every aspect of life as we know it, including the bar exam and bar study. As if bar study was not hard enough, physical distancing and an altered bar exam schedule have brought some new considerations.

Even though you are not having a physical graduation ceremony this year, it is important to take some time to celebrate the end of law school. Completing law school is a tremendous accomplishment. Find a way to mark the occasion and celebrate (from a distance) with your loved ones. Think about how far you have come since you first walked into law school as a 1L. You should feel very proud of yourself.

The core components of bar study will remain the same, even in this time of crisis – you will need to watch lectures, make/annotate study materials, and do practice MBE, MPTs, and essays. However, you may have to rethink how and where you study.

Some states are offering a bar exam in September, instead of the traditional July administration. If you are going to be taking a bar exam in September, you have a longer period of time between graduation and the bar exam. This means rethinking your financial plan, as well as your study plan. You need to figure out how you are going to support yourself during this time. This may mean moving in with family or friends, or getting a part-time job. Speak to your law school's Career Planning Office about what opportunities might be available.

If your bar exam is in September, you can begin studying later in the summer, or you can begin studying towards the end of May, as you traditionally would, and space your studying out over more time. If you can do this, it will give you the opportunity to have a calmer, and longer, study period. Elsewhere in this book, in chapters 3 and 14, the concept of spaced repetition has been discussed. The longer you have to space out your study, the better, so if you start early and then work with the material more times, you are actually likely to remember it better. Additionally, you can study for three to four hours per day instead of 10 hours per day, and have a more balanced life. You do not want to start early and study for 10 hours a day for 15 or 16 weeks though, as doing so will likely cause you to hit burn-out levels of stress and fatigue too early.

While the traditional recommendation is that you do three basic things each day – watch the bar review lectures, make or annotate your memorization materials, and do some form of practice questions – you can spread those things out. So, if you are studying over a longer period of time, you can watch the lecture and take notes one day, make or annotate your memorization materials the next day, and do practice essays and multiple-choice questions on a third day. You can do extra practice, including an MPT, on the weekend. It is a good idea to map out a study schedule for yourself, and a sample follows this chapter.

You will also need to rethink your study location. Most bar review companies are not holding in-person live or video classes during this administration of the bar exam. You may not be able to study at your law school or local library, as they may not be open. Therefore, you are likely to have to study from home. For many of you, home has not been a conducive study space during law school. But, you've got to make it work now.

You will need two things to be successful – a study space and a routine. Try to make yourself a study space where you can have your computer, your bar company books, and your memorization materials within reach. If you find yourself having to take over a common area of your home, remind the people you live with that it is only a temporary set-up. You can also show them the *For Loved Ones* chapter in this book. Make sure it is comfortable, as you will be spending a lot of time there. Put some items around that are calming, like a plant, photos, or motivational notes.

You will also need a routine, whether you are studying part-time for a longer period of time, or full-time for nine or ten weeks. You need to separate the different parts of the day and take real breaks. If it is possible, try to get outside at least once per day. Sunshine, fresh air, and movement are good for your mind and body, and you need both parts of you to work together to succeed on the bar exam. Be mindful of your mental and physical health, and make sure there is a real separation between study time, leisure time, and your other responsibilities.

Motivation is always difficult during bar study, but it can be especially challenging now, in the midst of a global health crisis. It may be difficult to sustain focused study for long periods of time. It's ok if you need to break up your studying into smaller increments. (Even focusing for 20 minutes at a time has been shown to increase productivity. This idea of focusing for 20-minute intervals is the [Pomodoro Method](#).<sup>21</sup>) Build into your routine a daily reminder of your ultimate goal and why you are doing this. (See Chapter 9, *Remember Why You Are Doing This*, for ideas.)

Everything is harder now – the news is overwhelming and anxiety-inducing. It can be hard to differentiate one day from the next. Fear of getting sick, or having a loved one get sick, is palpable. Be kind to yourself. Take things slowly, and take it one step at a time. Reach out to loved ones or a professional for support. This won't be a typical bar study period, but you will still be able to do everything you need to do. You can do this!

---

<sup>21</sup> <https://lifehacker.com/productivity-101-a-primer-to-the-pomodoro-technique-1598992730>

## **Extended Summer/Fall Bar Study Mock Draft Plan**

- **Basic Assumptions**

- The assumption is that the bar exam is September 9-10.
- 3-4 hours per day Monday-Friday.
- One full weekend day (8-10 hours).
- Breaks are included for July 4<sup>th</sup> and Labor Day. No other holidays are included.
- Outline means work with/review study materials. It does not necessarily mean creating your own outline from scratch.
- Practice means doing essays and MBEs.

*Sample Schedule*  
**May 2020**

Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1						1 Finish Law School	2 Finish Law School
2	3 Finish Law School	4 Finish Law School	5 Finish Law School	6 Finish Law School	7 Finish Law School	8 Finish Law School	9 Finish Law School
3	10 Finish Law School	11 Finish Law School	12 Finish Law School	13 Finish Law School	14 Finish Law School	15 Celebrate	16 BREAK
4	17 BREAK	18 BREAK	19 BREAK	20 BREAK	21 BREAK	22 BREAK	23 BREAK
5	24 BREAK	25 BREAK	26 Torts Lecture	27 Torts Outline	28 Torts Practice	29 Torts Lecture	30 Torts Outline Torts Practice

*Sample Schedule*

*Sample Schedule*  
**June 2020**

<b>Week</b>	<b>Sunday</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
1		1 Civil Procedure Lecture	2 Civil Procedure Outline	3 Civil Procedure Practice	4 Civil Procedure Lecture	5 Civil Procedure Outline	6 Civil Pro Practice and MPT Practice
2	7	8 Wills Lecture	9 Wills Outline	10 Wills Practice	11 Trusts Lecture	12 Trusts Outline	13 Torts and Civ Pro Outline Review and Practice
3	14	15 Trusts Practice	16 Real Property Lecture	17 Real Property Outline	18 Real Property Practice	19 Real Property Lecture	20 Real Property Outline and MPT Practice
4	21	22 Real Property Practice	23 Real Property Lecture	24 Real Property Outline	25 Criminal Law Lecture	26 Criminal Law Outline	27 Mixed Practice and Outline Catch- up
5	28	29 Criminal Law Practice	30 Criminal Procedure Lecture				

*Sample Schedule*

*Sample Schedule*  
**July 2020**

Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
5				1 Corporatio ns Lecture	2 Corporatio ns Outline	3 Corporatio ns Practice	4 
6	5	6 Corporatio ns Review	7 Constitutio nal Law Lecture	8 Constitutio nal Law Outline	9 Constitutio nal Law Practice	10 Constitutio nal Law Lecture	11 Corporatio ns and Crim Law/Proce dure Review and Practice MPT Practice
7	12	13 Contracts and Sales Lecture	14 Contracts and Sales Outline	15 Contracts and Sales Practice	16 Contracts and Sales Lecture	17 Contracts and Sales Outline	18 Constitutio nal Law Outline and Practice
8	19	20 Contracts and Sales Lecture	21 Contracts and Sales Outline	22 Contracts and Sales Practice	23 Agency/Pa rtnership Lecture	24 Agency/ Partnershi p Outline	25 Contracts Practice and MPT Practice
9	26	27 Agency/ Partnershi p Practice	28 Evidence Lecture	29 Evidence Outline	30 Evidence Practice	31 Evidence Lecture	Evidence Outline and Practice Mixed Subject Review

*Sample Schedule*

*Sample Schedule*  
**August 2020**

Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9							1 MPT Practice
10	2	3 Conflict of Laws Lecture	4 Conflict of Laws Outline	5 Conflict of Laws Practice	6 Family Law Lecture	7 Family Law Outline	8 Family Law Practice and Mixed Subject Practice
11	9	10 Secured Transactions Lecture	11 Secured Transactions Outline	12 Secured Transactions Practice	13 Memorize/ Practice	14 Memorize/ Practice	15 50 MBEs 2 MPTs
12	16	17 Memorize/ Practice	18 Memorize/ Practice	19 2 MPTs = 6 essays	20 Review Practice Written Day	21 200 MBE Practice Day	22 Review Practice MBE Day
13	23	24 Memorize/ Practice	25 Memorize/ Practice	26 Memorize/ Practice	27 Memorize/ Practice	28 Memorize/ Practice	29 Memorize/ Practice MPT Practice
14	30 50 MBEs 3 Essays	31 Memorize/ Practice					

*Sample Schedule*

*Sample Schedule*  
**September 2020**

Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
14			1 Memorize/ Practice	2 Memorize/ Practice	3 Memorize/ Practice	4 Memorize/ Practice	5 Memorize/ Practice
15	6 Memorize/ Practice	7 LABOR DAY	8 RELAX	9 <b>BAR EXAM!</b>	10 <b>BAR EXAM!</b>	11	12
16	13	14	15	16	17	18	19
17	20	21	22	23	24	25	26
18	27	28	29	30			

*Ideally, you would take the four weeks before the bar exam off to immerse yourself in bar study. However, this schedule does not assume that is possible.*

*Sample Schedule*