

HOW I SUCCESSFULLY PREPARED FOR THE BAR EXAM

Two years ago, I sat for the July Ohio Bar Exam. Then, I was an evening student at Chase College of Law, carrying about twelve semester hours, and working full time in Cincinnati, Ohio. I dreaded the prospect of sitting for the bar exam, as I did not believe that there was any way possible to pack into my brain all of the information I would need for the bar exam. I did not believe that the two short months after graduation from law school would be ample time for me to adequately prepare for the bar given my work schedule. I also worried about the fact that it had been nearly four years since I had taken the major bar exam subjects in law school, like Torts, Contracts, etc. Privately, I feared that the stakes were insurmountable.

*Right away, I realized that the bar exam experience was more about **time-management, discipline, and perspective**. These were things within my ability to control. I developed a long-range study plan for myself, which, in the beginning, felt like "over-kill." In the end, however, my approach to studying for the bar resulted in success beyond what I had anticipated.*

I share my approach to preparing for the bar exam as a law student, only as a means of furnishing ideas on how others might want to prepare for the exam. My approach may work for some – as it did for me, but may not work for others. My approach to preparing for the bar is being offered merely for whatever value the reader might deem it to have.

What follows is an outline of how I managed my time, studied the law, and eliminated fatal stress factors. If I were being asked how to study for the bar by a family member or friend, the advice I would give is presented below.

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90+ DAYS PRIOR TO THE BAR EXAM

A. FINALIZE TRIP ITINERARY

1. **Hotel Reservations**
 - a. 3-day stay
 - b. Reasonable proximity to exam site
 - c. Request a microwave oven (live on TV diners to avoid having to hunt for meals in a strange town during the bar exam)
 - d. Request a refrigerator (bottled water, soft drinks, etc.)
2. **Obtain road maps, directions, etc.**
3. **Rental car, etc.**

B. SELECT BAR REVIEW COURSE(S) EARLY

1. **Draw on what worked for the Professional Responsibility Exam.**
2. **Decide which to use: lecture tapes, in-class lectures, or both.**
3. **Expenses**
 - a. BAR EXAM LOAN !!!
 - b. Scholarships ???
 - c. Stipends, advances (law firms)
4. **Inventory**

When bar review materials arrive (prior to law school finals), simply review the materials for INVENTORY purposes – restrain yourself from reading any of this stuff prior to completing law school finals.

C. QUANTIFY ALL THE THINGS THAT MUST BE ACCOMPLISHED BETWEEN NOW AND THE BAR EXAM

1. **Wrap up ALL law school obligations: get through finals and graduation.**
2. **Identify all (likely & unlikely) bar exam subjects.**
 - a. Do call Supreme Court (or bar exam administrators) with any questions.
 - b. Do obtain the State sponsored bar exam instructions and old exams.
 - c. Do talk to Law School Professors.
 - d. Do review and re-review the list of bar exam subjects furnished in semester class registration packet (see Elaine Shafer, etc.)
3. **Identify EARLY any bar exam subjects which were not taken in law school.**
 - a. Law School Professors
 - b. Nutshells, Hornbooks, etc.
 - c. Law Library
 - d. DON'T DEPEND SOLELY UPON BAR REVIEW COURSES TO LEARN NEW STUFF!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!
4. **Identify any weak (law school) areas likely to be encountered on the bar exam.**
 - a. IRAC
 - b. Time management
 - c. Stress management
 - d. Grades
 - e. Objective question format
(I found the CALI exercises in the Law Library very helpful)
 - f. Issue spotting
 - g. Analysis
 - h. Outlining answers

- i. PENMENSHP!!!
- j. Grammar
- k. Sentence structure
- l. SPELLING!!!
(I found it helpful to make a list of important words I commonly misspelled, for example, res ipsa loquitur, foreseeability, perpetuities, etc.)
- m. Following directions
- n. Concentration, focus, pressure

5. **Employment** (For approximately 25-30 days prior to the bar, I took leave from work)

- a. Vacation time
- b. Comp time
- c. Leave time
- d. Park & Rides (study on bus traveling to & from work if possible)
- e. Lunch time (study)
- f. Evening study
- g. Early morning (before work) study
- h. Study during time off for holidays (Memorial Day & Independence Day)
- i. Study during weekends
- j. Unpaid leave time

6. **Household/Personal Affairs**

- a. Church, religion, etc.
- b. Family
- c. Friends
- d. Community projects/commitments
- e. Finances
 - 1) Mortgage/rent payment (BAR EXAM LOANS !!!!!)
 - 2) IRA (early withdraw)
 - 3) Savings; Credit Union loans
 - 4) Cash in bonds
 - 5) Home equity loans
- f. Health issues
 - 1) Caregiving arrangements
 - 2) Child care arrangements
 - 3) Elder care arrangements
 - 4) Illness (yours, family, etc.)
 - 5) Special needs during bar exam (back rest, wheel chair, etc.)
*** Notify bar exam administrators early ***
 - 6) Sleep, eating & recreation habits
- g. General maintenance stuff
 - 1) Lawn & gardening
 - 2) Auto
 - 3) Groceries, meals
 - 4) Laundry
 - 5) Housekeeping
 - 6) Repairs, etc.

7. **Job Hunting, Resumes, etc.**

60-80 DAYS PRIOR TO THE BAR EXAM

A. ESTABLISH THE PLAN (put it in writing!!!!!!)

1. **Set study GOALS up-front, then work backwards to arrive at a schedule.**
 - a. Self-teach/learn all bar exam subject(s) not taken in law school.
 - b. Review any weak area(s) bound to come up on the bar.
 - c. Review bar materials cover to cover and intently listen to all the lecture tapes at least once.
 - d. Dedicate at least 2-3 days for each individual, **double-tested subject** on the bar:
 - 1) read and review the bar review course materials by subject;
 - 2) listen to the tapes by subject;
 - 3) work through a couple essay questions by subject; then
 - 4) prepare outlines for each subject (5-15 pages each).
 - e. Dedicate at least 1-2 days for each individual, **single-tested subject** on the bar:
 - 1) read and review the bar review course materials by subject;
 - 2) listen to the tapes by subject;
 - 3) work through a couple essay questions by subject; then
 - 4) prepare outlines for each subject (2-10 pages each).
 - f. Plan to work out a **FEW THOUSAND MBE QUESTIONS**, and a **FEW HUNDRED ESSAY QUESTIONS**, under **SIMULATED BAR EXAM CONDITIONS**.
 - g. 'Key Goal' is to prepare in such a way that you will not have to do this again:
 - AVOID goals and study habits aimed to simply "pass" the exam.
 - Set goals which MAXIMIZE your resources of (1) time, (2) knowledge, and (3) physical stamina, then slowly, over time, drive these levels higher and higher so that you can function comfortably at your peak during the "real" bar exam.
2. **Establish a "realistic" schedule for the next 60-80 days leading up to the bar exam.**
 - a. Break down months into weeks, weeks into days, and days into hour increments.
 - b. Be realistic in preparing "THE PLAN." Your "Plan" must accommodate other personal responsibilities which cannot be placed on hold while studying for the bar.
 - c. As part of my PLAN, I designed a one-page grid to help me pace my studying:
 - 1) Across the top margin I listed all of the features of my study program: reading the bar review materials, listening to the tapes, working out a couple essay problems, and preparing my own outlines;
 - 2) Alongside the left margin I listed each bar exam subject, and the specific date I expected to reach each individual subject;
 - 3) As I completed each subject I'd check it off.

d. As part of my PLAN, I also kept a one-page sheet to monitor my practice-test scores:

- 1) Across the top margin I listed all of the MBE & essay subjects;
- 2) Alongside the left margin I listed the date of each MBE score;
- 3) In the center I penciled in the corresponding scores for the percentage of MBE questions answered correctly;

(For the majority of my study, I worked out MBE and essay questions specifically categorized by subject. Later, maybe 3-4 weeks before the exam, I practiced with mixed sets of questions. This way, I was able to identify early, particular areas of the law I had problems with, or particular types of questions I had difficulty with)

- 4) I would always spend time reviewing the questions answered incorrectly, and I would always skim the ones I answered correctly;
- 5) On this same sheet, I also kept running tally marks in the top margin corresponding with the number of essays I had worked out per subject.

B. EXECUTE THE PLAN

1. Preliminary Matters

- a. Study Room (quiet, limited intrusions, use an answering machine at home, etc.).
- b. Supplies (pencils, ink pens, tablets of letter size paper, wrist watch, Tylenol).
- c. Organize bar review materials, outlines, tapes, etc. into piles by subject for convenience.
- d. Study groups, study partner, or individual study.
- e. For relaxation: gravitate towards 'light' fun and entertainment. Limit or avoid mentally/emotionally-engaging activities, like horror flicks, soaps, etc.

2. FIRST: Build a good, solid foundation of the black-letter law.

- a. REVIEW each bar exam subject, one by one; digest each well. Make sure you understand the basics before moving on. Work out a couple of essay problems on the subject already reviewed before moving on, just to be sure you are getting the 'hang of things.'
- b. OUTLINE each subject, in your own words, from your own memory, only referring back to the bar review materials to refresh memory, etc.
- c. ORALLY RECALL WHAT YOU HAVE LEARNED. After your foundation of black-letter law is completely built, go for a long walk (in the park, in your back yard, etc.), and orally recite each outline of each bar exam subject, as you understand it, from memory. What you are trying to do here, is to develop a natural feel for the law that you have learned. You want your grasp of basic legal concepts to flow as naturally to you as reciting your own street address or name. Later, review any concepts that you tripped on.

3. **SECOND: Ask questions.**

If you have a question about something you hear during a lecture, or you believe something you have read in your bar materials is incorrect, or you want a clearer understanding of a difficult point, etc., **ASK**. Ask as many questions as come to mind **now**, because you won't have the opportunity to do this later during the 'real' bar exam.

- a. Law School Professors
- b. Bar Review Lecturers
- c. Law Library
- d. **But** -- use *common sense* and use your time *wisely*.

4. **THIRD: Practice exams.**

Be **absolutely** sure you know the exact format of your State's bar exam (MBE, essay, briefs, legal memorandums, etc.)!!!!!!!!!!!!

Also, **from this point up to the last day of the bar exam, I took leave from my job.**

a.

MBE QUESTIONS

- 1) I scheduled for myself, daily 3-hour rounds of 100 MBE questions:
 - no bathroom breaks;
 - no phone calls;
 - no snack breaks;
 - no cheating on time;
 - I recorded MBE answers in pencil, on copies of the same oval-ring answer sheets as were to be used during the 'real' bar exam.
- 2) At the end of each round, I'd take a 10-minute break, then return to score my work:
 - I reviewed all answers presented in bar materials;
 - I watched for signs of faulty understanding of legal concepts and important distinctions (e.g., habit evidence versus character evidence).
- 3) **NEVER, EVER BECOME DISCOURAGED WITH YOUR SCORES!!!!**
 - a. Likewise, don't become overconfident with days of high scores.
 - b. Practice makes for perfection.
 - c. The more MBE problems you work out, the more familiar you will become with how to play the MBE 'game.'
- 4) With the MBE, you must train your brain to swiftly wrestle with a vast amount of information, while at the same time catching important distinctions in the law. My study routine helped me to increase my physical and mental stamina for the bar, and helped me to curb my urge to daydream after an hour or so of MBE questions.
- 5) Don't work too fast; don't work too slow. Practice under the same time constraints as will be required during the "real" bar exam.
- 6) Do take advantage of at least one in-class, practice MBE exam offered by a bar review course.

b.

ESSAY QUESTIONS

- 1) I scheduled my essay practice rounds in one-hour increments, allowing myself one-half hour per essay question.
- 2) Do write out good number of essays as you would do during the bar exam. Some bar review organizations may even be willing to grade these for you.
 - a. IRAC
 - b. Penmanship, etc.
- 3) By simply **outlining** many of my essay answers (under reduced time allowances, e.g. 10-15 minutes per question), I was able to plow through a lot more fact patterns more efficiently.
- 4) At the end of each round, I'd take a 10-minute break, then return to compare my responses to those in the bar review materials:
 - I reviewed all essay responses presented in bar materials;
 - I watched for signs of faulty understanding of legal concepts and important distinctions;
 - **KEEP IN MIND:** these are subjective-type questions: there is no "single" correct answer – thorough **ANALYSIS** is important.

5-10 DAYS PRIOR TO THE BAR EXAM

A. ORGANIZE FOR THE TRIP

1. **Pack luggage**
 - a. Clothing;
 - b. Study materials;
 - c. Food, water, etc.;
 - d. *Tylenol*, antacids, cough drops, prescription medications, reading glasses, etc.;
 - e. Hotel reservation papers;
 - f. Identification;
 - g. Maps, directions, etc.;
 - h. Any important phone numbers, personal arrangement details;
 - i. Pencils and ink pens.
2. **Use discretion in giving out your temporary place of habitation for the bar:**

(But, do give your location to someone you trust so that you won't be sitting in the bar exam worrying about emergencies back at home – tell this someone to only call you in the event of dire emergency.)

3. **Double-check on your important arrangements made.**

B. BUZ-WORD OUTLINE

On 1-2 sheet(s) of paper, list out in columns, all of the bar exam subjects. In each column, from memory, in a couple of words or less, list out the key issues you will need to spot, the sub-issues, the general rules and exceptions, and any nuance issues.

1-2 DAYS PRIOR TO THE BAR EXAM

A. PERSPECTIVE

- ENJOYMENT. In preparing for the bar exam, it was a thrill to occasionally get a glimpse of the 'big picture.'

Remember, your course work in law school has been over the period of 3-4 years, and in neat, compartmentalized little pieces. For example, on your Torts I exam in your first year, you were not also expected to spot contract issues, remedies issues, civil procedure issues, etc.; but on the bar exam, you will be. Law School teaches us the particulars about each subject individually; the bar experience teaches us how to pull all of those individual puzzle pieces together to form one 'big picture.' I found this fascinating.

- SENSE OF ACCOMPLISHMENT. It was not until the last few days before the exam, that everything finally gelled in my mind. Everything finally made sense to me. I knew I had worked hard; I had completed my PLAN.
- BRAIN-POWER. Never forget -- you know more than you think you know.
- DON'T ALLOW YOURSELF TO BE INTIMIDATED. Honestly, everybody taking the bar is just as terrified of the bar as you are, and want their lives back too.
- PREPARATION. Thorough preparation for the bar before hand will enable you to experience the "real" bar exam more calmly: you've put yourself through the phases of this exam everyday, for the past couple of months. Such thorough, early preparation for the bar will have afforded you the valuable opportunity of catching your weak spots early with ample time for improvement. You'll have no cause to be nervous during the "real" bar exam.
- THE BAR IS TERRIBLY IMPORTANT, BUT
As hard as you will have worked to study for the bar exam, as much as you will have riding on successful bar results, and as important as the bar exam is – *the bar exam is not the most important exam of your WHOLE life.* Think about it: to even be a candidate for bar membership, you've survived greater tests in life than the bar exam.

experience. Give your absolute best during your preparation and during the actual exam, then let the chips fall where they may.

THE NIGHT BEFORE THE BAR EXAM & DAYS TO FOLLOW

- Visit the exam site, parking lot, and travel-ways to the exam site the day before the exam.
- Make sure you bring proper ID to the exam site, along with any other required documentation.
- Check and double check the exact dates and times for the exam. During the exam, listen for any changes to the timing.
- Wear comfortable clothing, but make sure there is not a formal dress code.
- Bring a wrist-watch to the exam.
- Rise early on exam days. Take a little time to glance over your notes for any item(s) you want to be refreshed on. Mentally 'suit up' for this. Arrive to the exam site on time!
- Pack a light lunch – easy on the fluids.
- Leave all your study materials in the car, hotel, etc. -- don't bring them into the exam site.
- Anticipate hard, uncomfortable chairs, and arctic-like air conditioning (at least that was my experience). If you need to have accessories, e.g. chair-pillow, back-rest, etc., get permission first. Familiarize yourself with the location for the bathrooms.
- Review your outlines and any notes in the evening: terminate all intense cramming (I did not work out anymore MBE questions once I arrived in town for the exam).
- Avoid shopping sprees at malls and stores, and avoid 'sight-seeing' adventures: there will be plenty of time for that later.
- RELAX after each exam session: take a shower, a bubble bath, 'light' calisthenics, go for a walk, etc., but don't discuss the exam with anyone other than 'yourself.'
 - * Exception: Law School Professors, etc.
- Avoid looking at evening/morning handout sheets (usually located in hotel lobbies), containing a summary of what certain bar review organizations believe has already been tested on the exam for that day and what is expected to be tested in the days to follow. The bar review organizations are relying on law students for this information: if you use it, use it with caution!
- Ignore chatter about the bar exam in the hotel elevators, parking lots, etc.
- When the exam is over, take time to unwind. Bar results will take a few months to come back; in the meantime, look ahead to the wonderful practice of law and try not to worry.

(Professor Todd's Two Cents on the Bar Exam)

TIPS AND RESOURCES FOR SUCCESS ON THE BAR EXAMINATION

- 1. Take the exam seriously.** Historically three to four out of every ten exam takers fail the exam. If you don't pass the exam, you cannot practice law. Just graduating from law school does not guarantee passage of the bar exam. In fact, if you are in the bottom sixth of the class, your chances of failing the Kentucky bar are greater than 50%. The good news is that there are things you can do to greatly improve your odds of passing.
- 2. Start planning now.** Get the application to the state you wish to be admitted in and determine what is necessary for admission. Also find out what is covered on the bar exam, how the exam is scored, and the percentage pass rate. Take courses in the subjects covered by the bar exam. Shop around for a bar review course. Inform your family that you are not free for a month's vacation immediately after you graduate. Tell your best friend not to get married in the six weeks prior to the bar exam. Save enough money for a bar review course and for living expenses while you take time off from work. Figure out when you will take the Multistate Professional Responsibility Examination (almost every jurisdiction requires it before you take the bar exam.)
- 3. Take time off from work and minimize family and social responsibilities in the six weeks prior to the exam.** Ask (or rather demand) from your employer time off for studying for the bar exam. Most large law firms demand that their newly hired attorneys not work while preparing for the bar exam. The bar exam requires full-time attention. Arrange appropriate childcare during this period if you have children. Limit family demands as much as possible. BUT, at the same time, acknowledge your and your family's needs and incorporate these needs into your schedule. The period prior to the exam may be the time that you and they may need support and reaffirmation of your relationships. Do not ignore or neglect these important people in your life.
- 4. Take a bar preparation course.** A bar review course provides students with the most up-to-date version of the law tested on a given bar exam. A good bar review course not only reviews the subject matter covered on the bar exam, it also provides practice questions, guidance on test-taking techniques, and recommends study schedules. Some courses stress the review of Black Letter law, while others stress practice exam taking. Shop around and find a course that best fits your needs.
- 5. Keep a positive attitude and steer clear of negative people and influences.** The bar exam is much like a marathon in that you will need to tap reserves of energy, determination and concentration that you did not think that you had inside of you. Don't let other people's voices or the voice inside your head discourage you from your goal. Think of the bar exam as a time for professional growth and development. Law practice is marked by many of the same skills you will rely on when preparing for the bar exam. The preparation for the exam will give you insight into your personality and aspects of your life that will ultimately assist you in your future career.
- 6. Develop a realistic schedule for study and preparation.** Bar courses will recommend a schedule of study, usually of around 10 hours per day. Try to develop one that will work realistically for you. I scheduled my life down to the hour. I spent 10-12 hours per day studying for the exam. I gave myself one day off per week and some blocks of down and family time. I spent 1-2 hours doing practice exams and 1-2 hours doing multiple-choice questions. In the two weeks prior to the exam, I doubled the amount of time on practice exams and questions.