



Lee Burgess: Welcome to the Bar Exam Toolbox Podcast. Today, we are chatting with Ariel Salzer and discussing our top five essay writing tips.

Your Bar Exam Toolbox hosts are Alison Monahan and Lee Burgess - that's me.

We're here to de-mystify the bar exam experience so you can study effectively, stay sane and hopefully pass and move on with your life!

We're the co-creators of the [Law School Toolbox](#), [Bar Exam Toolbox](#) and the Career related website [Career Dicta](#). Alison also runs [The Girl's Guide to Law School](#).

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And, with that, let's get started.

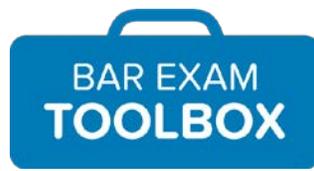
Welcome back. Today, we're discussing our top bar exam writing tips with special guest, Ariel Salzer. Ariel is one of our most experienced bar exam tutors, so we're super excited to have her here today to talk about the essay portion of the bar exam, which, as many of you may know, can be a huge headache for those studying for the bar.

To get things kicked off, Ariel, why do you think the essay portion of the bar exam is so challenging for folks?

Ariel Salzer: You know, that's a really good question, Lee. I think it's kind of a lot of different factors all mashing together at once. It's sort of this perfect storm idea of the convergence between needing to know a lot of rules, first off. Needing to use a lot of facts really precisely, and also needing to finish everything on time. So, I think that's a big part of it. All three of those components.

Lee Burgess: I think what's interesting about the bar process, and when it comes to the essays, is people get very obsessed with the law. I think they think the law is really the gatekeeper. If they master all of the law ... If you're doing your bar prep now, I'm sure you're listening to hours of lectures on the law, that it feels like if you just master all of the law, if you can memorize everything in your Conviser Mini Review of 500 pages, that there's no way that you can't pass those essays. Do you think that that's right?

Ariel Salzer: Yeah, no, I think that's absolutely accurate. And we've seen it before. We've seen people who come to us after failing this exam and they say, "I knew all the



law. I did so well on my MBEs." And you can tell, because their MBE scores are really high. They definitely knew the law, but it's not coming into the essays in the way that it needs to. And I think that's where a lot of people find trouble is that knowing the law just can't help you write good analysis. That's a whole other skillset.

Lee Burgess: Right and it's that analysis that pretty much every jurisdiction is going to focus on to give you the majority of your points. And I think students forget that part. Actually, if you've never read the instructions in the instruction manual ... I guess it's not the instruction manual, it's the instructions on the top of the booklet for the test, for any test, whether it's the UBE, MEE, California Bar ... I would do that, because you might be surprised that those instructions usually talk about analysis a lot more than they talk about knowing the law.

Ariel Salzer: Yeah, it's true, and maybe don't take your time during the real exam doing it, and do it right now.

Lee Burgess: That's a good tip.

Ariel Salzer: Because they never really change. They're not going to surprise you with brand new instructions, but it is something really useful to get the hang of, because, you're absolutely right, the analysis is key and that's where most of the points are.

Lee Burgess: Another thing that I think just makes this portion of the bar exam hard is, it just creates a lot of stress and anxiety for people, the stakes are so high, and especially if you struggled with writing in law school at all, this could really be an anxiety point for you. Have you seen that cause struggles with students you've worked with?

Ariel Salzer: Yeah, definitely. And the exam in and of itself is stress inducing, but the fact that it's so different from law school finals in a lot of ways can also be anxiety provoking. In law school, we get really, really long fact patterns. They might be a couple pages, single spaced. There might be irrelevant facts thrown in there, like red herrings. On the bar exam, you're not going to see that. It's going to be really short, right?

Lee Burgess: A very short fact pattern.

Ariel Salzer: Right? A really short fact pattern. And, there's really nothing extra. You have to use everything you're given, which can be really scary, because if you see something and you're kind of like, "I don't know why they're telling me it's 8:00 p.m." You need to figure out why that's in there. And that can be stressful.

Lee Burgess: I'll just warn our listeners right now that Ariel and I can totally geek out on this stuff and talk about it for a really long time.



Ariel Salzer: We'll try to keep the time to a reasonable-

Lee Burgess: Exactly.

Ariel Salzer: ... reasonable limit.

Lee Burgess: We might like talking about the bar exam more than pretty much anyone else I know, really.

Ariel Salzer: It's true, but I guess that's why we do what we do.

Lee Burgess: I guess that is why we do what we do. Now that we know why this part of the exam is hard ... And we are really just talking about the essay questions, so fact patterns that you're writing responses to ... We're actually going to do a podcast coming up on [the performance test](#), which is a bit of a different beast. So stay tuned for that. But, these tips are really about essay exams only, and, if you're still in law school and you're listening to this, some of these tips are also going to help you on your law school exams, so don't feel like there's nothing here for you as well.

All right, so let's break it down into ways that the students should be preparing for these essays. Although the different jurisdictions have slightly different exams, the main one being the Uniform Bar Exam has the MEE portion in which there are 30 minute questions, the California Bar is 60 minute questions, but basically this advice is going to be pretty universal. So, Ariel, what do you think is our first, top advice tip for studying for the essay portion of the bar exam?

Ariel Salzer: I hate to say it because we say it so often here, but practice. It really is the only way to get to where you're going with these essays. It's kind of like the sports analogy we always come back to. It's like trying to learn how to swim or play tennis or something by just watching another person, or watching a video, or reading a book about it. It's just not going to happen.

Lee Burgess: No, you've got to do the hard work. Students seem to know this. Like, when you talk to them, it's like an abstract idea that they're all signed up for, but why do students either refuse to do it or put it off?

Ariel Salzer: That's a good question. Probably because it's horrible, it feels awful. We've all been there. We know how much these essays can take out of you and how frustrating they can be when you don't remember the law and you're not good at analysis at first and you need to work on getting better. The first ones are always really hard for most people, I would say, and the vast majority of people, their very first essay when they practice to take the bar exam, or when they're studying to take the bar exam, I should say, is pretty terrible, actually. I know mine was. Mine was awful.



Lee Burgess: Oh yeah, oh yeah.

Ariel Salzer: So, it's hard, it's definitely tough.

Lee Burgess: It is really hard, and I think it triggers that anxiety, too. Right? Then you're looking at this page going, "There's no way I'm going to ever pass this exam," and then you walk away from it because you don't want to have that feeling again, and unfortunately, it is that studying through those uncomfortable feelings that, one, is where the magic happens with the studying, I think, but it also is good to practice that because in the exam room, you might also get a question that triggers that sort of a feeling and you don't have the option to walk away in the exam room.

Ariel Salzer: Yeah, absolutely, and I think what you just said brings up two really good points. So the first one is, doing what makes you feel uncomfortable while you're studying, I think that's so important. And we've actually written [blog posts](#) about this before, so maybe we can link to them or something.

Lee Burgess: We will, yeah, we'll link to them in the show notes.

Ariel Salzer: Yeah, really, really working on the things that scare you the most, those are probably the things you're the worst at, that you need to get better at. That's the first thing. And then the second one, that moment in the exam where you feel like, "Oh gosh, I'm having flashbacks of my terrible first essay, I'm not going to do well, this is all going terribly." Just gear up for that moment because it's going to happen at some point. Everybody has a bad moment during this test. So I think the more that you can prepare yourself mentally and emotionally and whatever to have that moment during the exam, the more it can feel like, "Oh, here's that moment that I practiced for," the more comfortable it will feel.

Lee Burgess: Yeah, mine was question number two on my exam. I read the question and my, literally, my mental response was, "Huh." That was it.

Ariel Salzer: That's not a good response.

Lee Burgess: No, that's like all I had to say. And I've really realized that I probably wasn't going to pass the California Bar if my response was, "Huh." I don't even think I would have even gotten a 45 for those of you taking the California Bar. I don't think they gave you even a 45 for a, "Huh." So, you have to go back and move past that feeling and start digging to pull something out. If you can pull yourself together and work through those feelings, there is going to be something in there that you can write about. You're not going to not know anything if you've prepared for this exam at all, but you have to just keep your wits about you enough to keep working at it.



Ariel Salzer: Yeah, absolutely. I had a similar moment on my bar, where I couldn't for the life of me figure out whether this was a property question or a contracts. And those two subjects are not very related. They don't overlap a lot. So I had to just kind of sit there and think, "Okay, well it couldn't be a full crossover of everything in property and everything in contracts, so why don't I just start narrowing it down one by one? Ask myself, 'Is this about parole evidence? No.' Go little by little. Calm down."

Lee Burgess: Yup, it's very, very true. And having [an attack plan](#), which is basically what Ariel is talking about, for what to do when you don't know what you're doing, is also one of the things that practice teaches you. You have to learn how to work through these questions that are head scratchers. And that can be the difference between passing and failing, is to not just give up on those questions, is to still work them enough that you can get as many points possible. And the way that I think during your study period that you can really make the most of this practice and work on working through these questions is by evaluating your work. And I think this is something that students often forget to do. If you were working with a bar review provider that's like a commercial bar review program, sometimes you can submit your essays for feedback and you might get feedback back and that's great. But, I think the magic happens when it's really about [self-evaluating your work](#), and trying to figure out what your gaps and weaknesses really are.

Ariel, do you see that to be a big shift for students when they can really start to decide if they're writing passing essays?

Ariel Salzer: Yeah, definitely. And I think it's also one of the hardest things to do. Doing the writing practice, cranking out the essays, like we talked about, that's uncomfortable enough on its own, but then actually looking at those essays, especially if they're really terrible, is really difficult as well. But I do think you're absolutely right. I think that is where the magic really happens with learning and if you're not seeing what you're doing wrong and then figuring out how to fix it in the meantime before you start another essay and just try again, it's just not going to pan out as well. Your progress isn't going to go as fast.

Lee Burgess: Mm-hmm (affirmative). So there are a lot of different ways that you can do this evaluation. You might have a list of self-evaluation questions that you use to gauge how your work is doing, you definitely want to use sample answers or model answers or whatever your jurisdiction provides you. Make sure you're knowledgeable about what those samples or models are. In California, they used to release real student answers that were very, very high scoring. Those can also be anxiety inducing for people because they think that they have to produce that answer, and that's just not the case. Also, sometimes those answers are imperfect because they're written under timed conditions, so you really have to be critical with that. The National Conference of Bar Examiners releases these very lengthy model answers that are not, they're not real essay



answers, so you also have to be able to pull out what you actually needed to have versus what they just added in as explanation.

So, the self-evaluation process can be kind of challenging and if you are struggling with that you should definitely reach out to all the resources available for you at your school, with your bar review provider, with tutors, whoever it is that you're working with to make sure that you know how to evaluate your own work.

Ariel Salzer: I couldn't agree more. I think that's so important.

Lee Burgess: Yeah. Now, once you evaluate, though, oh, does the fun stop there? I don't think so. Because-

Ariel Salzer: If only.

Lee Burgess: If only. Because then, oftentimes, you have to rewrite the work and students feel like once they have done an essay once, they should just toss it to the side and never look at it again. But, so you think that is the right way to handle that?

Ariel Salzer: Well, to throw me a softball question, no.

Lee Burgess: Oh yes, here you go.

Ariel Salzer: Absolutely not the right way. I was writing a blog post the other day for the Bar Exam Toolbox and I was thinking, "How can I analogize this to some kind of situation?" And I was thinking about a Rubix Cube. You know like the little boxes with all the colors that you try to mix around and make into a, you know, whatever box with the colors on the right sides. I don't how to describe a Rubix Cube, but basically if you start with one that's all scrambled up, just bear with me with the analogy, and you decide, "I'm going to do this in five minutes," and you set the clock, and you scramble around for five minutes, and then you stop the clock and start it over again, and scramble around for another five minutes, if you keep doing that, like you do with the essays, with no review in between, and you're not looking up, "How do I solve a Rubix Cube? What are my rules that are wrong?" Whatever it is that you're supposed to be learning from each pass that you take at it, you're never going to get any better. I don't know if that makes sense to anyone but me.

Lee Burgess: No, I think it does make sense, and I think looking at these questions as a teaching tool is really powerful. I think that so often we think, "Well the questions are just the questions." But we can use the questions to learn the test. They can only be so creative. They can only write on so many issues. There's only so much law they can test. If you really start nerding out on the questions, like we do, you'll start to see patterns. And you can do that as you study, but if you do lots of practice on an individual subject, it's pretty amazing



where you're like, "Wow, they seem to raise these two or three topics together frequently because they fit together." You know? Or things like that. By really [rewriting](#) and getting comfortable with what facts trigger that law, like, "Why wasn't my analysis robust enough? How could I argue these facts?" you might see similar facts in a question on the exam and go, "Aha! I'm so glad I did that question twice because now I really know how to make it more robust."

- Ariel Salzer: Exactly. I was just thinking back to a student that we had last bar season that you and I both worked with who studied for, I think, ten days, was it?
- Lee Burgess: Mm-hmm (affirmative).
- Ariel Salzer: Right before the exam, and that was a big part of what this person did, is they looked at, you know, how does parol evidence show up in a fact pattern? What does that look like? I might not remember the rule exactly, but maybe I can remember what that fact situation feels like so I can recognize it again. Which is so valuable, I mean it really is.
- Lee Burgess: Really studying just the test itself and not just the law is so critical, and the practice is really where you do that. So, hopefully by now we've convinced everyone they need to practice. And, by the way, by practice, we mean you should be writing every day at least.
- Ariel Salzer: And even though the person I mentioned passed the exam, study for more than ten days, please.
- Lee Burgess: Oh yes, we wouldn't recommend the ten day study plan, but it was a special situation, they were not taking the multiple choice portion of the bar, which definitely removes pressure and someone was a very experienced test taker and we just took a shot at it. It was amazing that he did pass, but it is not our recommended study plan for the bar exam, for sure. A blog post is coming, though, on how you can [study for a couple of weeks](#) if you only have a couple weeks. It's in my list of things to write.
- So, after practicing, though, what about studying the law? We think it's really important to study the law in a way that's going to make essay exams easier. What do you think I mean ... What do we mean by this, Ariel? I'm going to send you another softball.
- Ariel Salzer: Yeah, sure. A way to study the law that makes the exam easier? Well, I think the first step is, make it as simple as possible. Cut it down into short sentences. If you're studying rules and you don't totally remember what dependent relative revocation in wills and trusts actually means, like, "What is that?" look up the topic and make sure you understand it and then boil it down into a small piece with buzzwords or rule elements that you can kind of latch onto and remember and then remember those rule elements first. You can flesh it out later, but I



think getting rule elements and putting those into the attack plan idea that we talked about before, and this is something you can use in law school as well, if you boil the rule down into a simple set of checklist items, I think it's going to be a lot easier to remember and apply.

Lee Burgess: Yeah, you don't really have time to write these really long and verbose rule statements that maybe you had time to do on your exams in law school. And I think for students who are used to taking especially open book exams in law school, which are becoming more and more popular, you might feel really comfortable having paragraph-long rule statements because you were copying them out of an outline or a pre-written essay or something. You can't do that on the bar, there's no time, and you can't memorize all that information that way unless you have a photographic memory, and if you do, good for you. But, most of us can't do that. So we really have to simplify, simplify, simplify, and make sure that we turn this law into digestible chunks. You might struggle with that if you're taking a full commercial bar course because there's so much material. But that is one of your jobs, is to distill it down into an amount of law that you can actually commit to memory.

Of course there are some tools that you can use. We like [Lean Sheets](#), we'll also link to some reviews that we've done of Lean Sheets at the end of this podcast recording. But, they take the opposite approach. Their outlines are so lean that you really get the bare minimum that you might need to know for given rules and then maybe as you're studying, you might need to expand on them a little bit. But, it's about short, concise rule statements. I don't think people fail, generally, the bar exam because they had too short or direct rule statements. You maybe didn't know the rules. But if you knew them and you wrote short and concise rule statements, I don't think that's what's going to prevent you from passing.

Ariel Salzer: I would definitely agree with that. And even if you do have some kind of eidetic memory where you can just look at your Conviser Mini Review and remember the whole thing, don't write long rule statements anyway.

Lee Burgess: That's true.

Ariel Salzer: They don't want to see that.

Lee Burgess: They really don't.

Ariel Salzer: And you don't have time. You don't have time.

Lee Burgess: Yeah, you just don't.

Ariel Salzer: You just don't.



- Lee Burgess: We have seen all sorts of memorization techniques come through our law student and bar exam programs, but we like people to really think about what's worked for them for the past, but also to think outside the box. Like we've gotten into some [visual learning techniques](#). We actually did a guest post with the guy who's working at [SketchyLaw](#), which are some visual learning videos for unpacking some of the MBE topics, but what else have you seen works for students when they're just trying to memorize such a large amount of information?
- Ariel Salzer: Good question. Aside from breaking it down, I would say the weirder the better. I'm a huge fan of weird mnemonics or songs or I've heard of people making up some kind of almost like a marching rhythm, kind of poem or something and then kind of walking around as they say it, and for some reason that helps them internalize it, it's more [kinesthetic](#) or something like that. I made a mnemonic for all the hearsay exceptions and used superscripted, again, to nerd out, used superscripted numbers, like R<sup>3</sup> means that there's three things that start with an R. And I wish I could share it, but it was so full of profanity, and, again, weird, that I really can't just put it out there on the internet. Go do something like that, because that is something I will never forget.
- Lee Burgess: That is brilliant. I think what you're saying though is important, that part of this is about learning the law to make it your own. You know, so it has meaning to you. So whether or not that you're able to use someone else's mnemonics or make your own or use someone else's visuals or make your own, I think it's just important that you really figure out what you need and do it yourself. I was talking to another student who is working with us for the bar and he was saying that he had made an agreement with his wife that he was going to be able to teach her all of the law for the bar because he learned by teaching and talking things through and so she just agreed that at night he could talk to her about all the bar studying he'd done during the day and that was really how he was going to be able to commit things to memory.
- Ariel Salzer: You know, I love that idea, and there probably won't be a lot of people sitting around like, "Teach me! Teach me what you learned," all day long. That takes a really special person in your life-
- Lee Burgess: That's true.
- Ariel Salzer: But, I've worked with students before who taught their dog all the law, or they taught the poster on their wall all the law, and, it sounds crazy, they taught a stuffed animal the law, but saying it out loud in a way that, like we always say, a smart ten year old, or your grandmother, or somebody would understand even without a legal background, I think that's so powerful in making sure you actually understand it.



Lee Burgess: Yeah, exactly. All right, so moving on to our next tip, we think it's important that you become an expert at reading and analyzing facts. We've already talked about how important analysis is a little bit because the more and more we learn about this test and what the graders are looking for, sorry guys, they're looking for legal analysis, that's what they really care about.

Ariel Salzer: Yeah, definitely.

Lee Burgess: So, students become obsessed with the amount of law that they need to know, which we've already kind of said. But, the majority of these points come from the legal analysis, and so, one of the things you really have to think about when you're thinking about legal analysis, is not all issues are created equally. Within the question, they are going to trigger major issues and minor issues. And your job is going to be to not only identify all of those issues, but identify which issues are really ripe for legal analysis. If it's something that's easy and slam dunk, if you spend a gigantic paragraph on it, you're only going to get a small amount of points because there're only a small amount of points available. But if you skip over facts that created ambiguity, that you could have really argued both sides about, and you just ignored it, you're not going to pass the question.

Ariel Salzer: Yeah, definitely. I think we talk about this with students a lot, like how do you tell looking at a fact pattern or outlining your essay on scratch paper, how do you tell what those big issues are? I think one of the things that we always tell students is the more facts, the more points. If you see a lot of facts about something, or you see some weird ambiguity like you were talking about, and it raises, "Oh this could trigger that particular rule element, maybe they're telling me it's 8:00 p.m. because I need to know about the common law versus modern rule for burglary, which involved being at night when somebody broke into something." Things like that. Where are the facts telling me to put my attention?

Lee Burgess: Exactly. Continuing with the burglary example, there's a great California Bar question that has a guy entering through a partially cracked door of a garage that's being used for a home office and so then again, it's like you're reading these facts and you're like, "That's weird, so they chose specifically to have the door be cracked slightly," so then it's like, "Is that a breaking?" It's unclear. And then it's like, "He enters and it's a garage, so is that part of a dwelling? Is it a structure? It was used as an office, not as a home. It seems attached to the home." So you're reading that going like, "Wow these are a lot of weird details about this guy entering this home office garage," but they did that to create a lot of robust dialogue. We saw a lot of failing answers to that question that just said, "oh, well sure, he entered the garage at night to steal computers so, yeah, he's done."

Ariel Salzer: There you go, burglary.



- Lee Burgess: There you go burglary. That's not a passing answer.
- Ariel Salzer: Right, you have to really explore why those facts are in there. Exactly like you were saying.
- Lee Burgess: All right, so experts at reading the facts ... Again this goes back to why the practice is so important, so we can just say it one more time that the way that you really get comfortable with these facts is by studying the questions, by doing questions over and over again, and by starting to see some of these patterns of how they write these questions. These questions are not written off the cuff, they're well vetted. They've gone through multiple rounds of editing, they've really sat down and thoughtfully selected almost all of the words in the question, so read it like that. There's not a lot of extra padding in there that may have been in some of your law school exam questions.
- Ariel Salzer: Absolutely. That exercise we do with students using the computer in the garage hypo. I mean, I was hard pressed to find one fact in that fact pattern that didn't make some kind of difference. They really are intentional about it with all of these. Yeah, absolutely.
- Lee Burgess: Yeah, and if you're in law school and you're listening to this, this exercise of really becoming obsessed with reading the facts, and carefully reading the facts, and putting yourself in the position of the person who is writing the question and choosing those facts can also help your law school exams as well, because your professor has constructed this question to solicit a response. And the bar examiners have constructed these questions to solicit a response. The facts are how they tell you that. And so, the more comfortable you can get by thinking, "Okay, well if I was writing this fact pattern, then I had to choose the word garage over carport or driveway, or whatever it might be, shed." There's a reason that they chose garage and why is that important? It helps you if you can get into that mindset and think about the person who was drafting the question.
- Ariel Salzer: And just one final thing on this. Remember that it's always, always, always coming back to a rule element. They're not just giving you facts so you can randomly discuss all kinds of things about garages or whatever. Hopefully you wouldn't do that, but a lot of times people get really carried away and you always have to bring it back to the rule element. They're telling me garage because it's a structure, because it's a house, maybe. I think that part is really important, too.
- Lee Burgess: And that's really where that law and the factual analysis kind of really come together is that ambiguity and those facts are there to trigger legal issues and your knowledge of the law allows you to do that analysis. And so that's how all those things are connecting to each other. But without some knowledge of the



law, and some comfort level with the facts, it all doesn't come together in that beautiful IRAC that gets you all the points possible.

Ariel Salzer: Oh IRAC.

Lee Burgess: Oh IRAC.

Lee Burgess: Yes. All right, so what about taking time to practice exams. This is something we definitely talk to all of our students about. That it is important to not just do practice, but take timed individual questions, but also to do them in exam blocks to replicate what you will actually see on exam day depending on how your jurisdiction sets up your exam.

Ariel Salzer: Yeah, definitely. What I see most often is people are really gung ho about doing big blocks of questions at the beginning. Maybe because they're not exhausted yet, so at the beginning, meaning in June for the July bar or in January for the February bar, make sure you're not doing these big blocks of questions too early in the process. Make sure that you do have some kind of handle on the law and you're not just doing the whole Rubix Cube thing of, like, throwing three questions out there and just scrambling.

I think that's an absolutely beneficial strategy to do the blocks of three hour questions or whatever your jurisdiction has, but the timing is important, too. When you do those is important.

Lee Burgess: And even outside of just taking these timed practice exams, you can also study in similar blocks of time that you will be taking the test. So sometimes students like to say, "Well, if I'm going to have a three hour window in the exam room to do work, I better start get comfortable sitting for three hours and focusing," because it does create fatigue. We're big fans of taking breaks, breaks are really important, but you also have to work within the confines of what the bar is going to let you do. And if the bar is going to make you sit in one spot and not drink water and not get up for three hours, then not only do you need to practice doing essays in those conditions, but you also probably just need to get comfortable with making yourself sit for three hours and focus, and not check your phone, and not check your email, and not get up and take a walk, or not get a snack. Snacking is another big thing. People get so used to drinking water and snacking, they can get really distracted when they don't have those things that they can call on in the exam room.

Ariel Salzer: Yeah, definitely. I agree with that. And that's one of the reasons I always tell students, especially in the weeks leading up to the actual test, on your desk you should just have your exam bag with your highlighters. It should be clear plastic. It should have your driver's license in it. Make it exactly like the exam. Don't get up. Do three hour blocks, on a timer. And that way it feels comfortable, and you



don't feel like you're needing to reach for those security blankets like a snack or whatever it is for you.

Lee Burgess: Coffee, coffee.

Ariel Salzer: Coffee, that's a big one.

Lee Burgess: I know, I know. So these are all things to think through and to just be conscious of as you're studying no matter if this is your first time or if you're a repeat taker. How often do you think that people should do these timed practice exams. Do you think a block a week? A couple of blocks throughout the season? Does it depend on what they think they're struggling with?

Ariel Salzer: Yeah, I think it definitely depends on what you're struggling with. If timing is an issue for you and you feel okay on individual essays, but when you slam three of them together, all of a sudden your timing goes out the window, then yeah, this is a great thing for you to practice. The one thing I would be concerned about is exhaustion. So right before the exam, while these big blocks are good, you don't want to take a real three day bar exam in the three days before the bar exam or something like that.

Lee Burgess: So true.

Ariel Salzer: You don't want to go in exhausted.

Lee Burgess: No.

Ariel Salzer: I think it can be pretty individualized when these blocks of questions happen, but definitely when you start doing closed book essays, you can maybe factor in a couple of these and just see how they go.

Lee Burgess: Yeah, that's a good idea. And that's a really good point. I have friends that run marathons and you never run a marathon the week before you run a marathon. You don't.

Ariel Salzer: Right.

Lee Burgess: And the bar is a lot-

Ariel Salzer: You're just eating carbs and resting.

Lee Burgess: Exactly. The bar is kind of like running a marathon. You definitely feel like ... I've never run a marathon, but I hear that you're very exhausted after ... I can only imagine ... But the bar does feel like a marathon by the time you're done, so you do want to make sure that you're not driving yourself into the ground before the exam days.



Our final tip that I wanted to make sure that we talked through was that you've got to remember how quickly the graders will be reading your answers and really put yourself in the position of a [bar exam grader](#) who's going to read very, very quickly, and can you make their job as easy as possible? You should, basically, is what I mean.

Ariel Salzer: That's the right answer.

Lee Burgess: Yeah, I always say a happy grader gives happy grades. The harder the job, if they have to go start looking for things, if they're confused by your writing, if they can't find if you've raised issues, that's typically not going to do really good things for your scores.

Ariel Salzer: Absolutely, and we keep talking about IRAC and how great it is. This isn't because we love IRAC and it's so scholarly and magical and wonderful. It's because it makes it very obvious where is your rule, where is your analysis, where can I skim to and then give you points? That's what they're looking to do and if you can separate out your paragraphs and make it clear like, "Hey grader, this is my analysis, read this part." I mean, how many minutes are they really spending on this?

Lee Burgess: In California, it's like two minutes, maybe three, and that's for an hour long essay and so in the MEE it's similar, even less.

Ariel Salzer: I think it was you, actually, Lee, who said, "Why don't you try reading one of your essays like you were a grader? Spend two minutes on the clock and see if you can give yourself all the points. Can you find everything? Is it in there?"

Lee Burgess: Yeah, I used to do this as an exercise in some of my classes when I taught classes on the bar exam and you could even read your partner's, you can get a group of friends together and all read each other's and see what you can pull out. Because I think a lot of people don't really appreciate that the job of the grader is to really make a snap judgment on whether or not you're qualified to practice law. Now that can make you really upset and nervous and angry that that's how this big life decision for you is made, but it's just the realities of the exam, so you have to realize that you want to write knowing that they're going to be reading very quickly, so headers, paragraphs, clear and concise writing. No copying and pasting is a big one. Say "see above."

Ariel Salzer: Oh my goodness.

Lee Burgess: Don't re-

Ariel Salzer: Please don't do that.



- Lee Burgess: Please don't do that because they don't have time to read the same thing over again. If it's a multi-part question, make sure you've clearly numbered your answers so they can find all of the parts. I remember reading an answer when I first started tutoring for the bar. It was an evidence question out of California and it was a five part question and the student had done miserably on it. And I'm reading his past exam answer going, "How could this have gone that poorly because it's not that bad," until I realized there was no number four in his answer. He had numbered one, two, three, and five. He had talked about number four, but there was no heading and I think they gave him no points for his number four analysis and I think that would have passed that question and gone a long way to getting him closer to passing. So, it might seem silly to obsess about stuff like that, but it's really not silly.
- Ariel Salzer: One of the things when we were talking about differences between law school exams and the bar, your professor might be giving you the benefit of the doubt. They might say, "Oh, well this person probably has a number four section in here somewhere, I'll keep reading." The bar exam grader's not going to do that.
- Lee Burgess: No, no. And your law professors are likely spending a slightly longer amount of time on ... Let's hope-
- Ariel Salzer: Hopefully.
- Lee Burgess: Let's hope.
- Ariel Salzer: Let's hope.
- Lee Burgess: On your final exams than the bar exam graders who are just cranking through piles of these. It's faceless, they don't know you, it's not like you're their student, they don't have a huge emotional investment in trying to make sure you succeed. They know they're probably failing a good chunk depending on your jurisdiction of people whose exams they are reading. So, it's-
- Ariel Salzer: Yeah, definitely.
- Lee Burgess: It's good to just keep that in mind.
- Ariel Salzer: And with the bar grading, too, one more reason to have a good solid attack plan based on the rule elements with headers that go with the rule elements. You want your essay to look like the other essays in that stack. You don't want it to stand out and look really weird, because otherwise it's not going to fit in well, they're not going to pass it.
- Lee Burgess: Very true. Very, very true. So, your goal is to be a good solid essay in the pile that doesn't get any special notice. You just want that passing score and moving on.



Ariel Salzer: Exactly. So true.

Lee Burgess: And with that, we're out of time. But before we finish up, I want to take a second to remind you to check out our blog at <http://barexamtoolbox.com> which is full of helpful tips to help you prepare (and stay sane) as you study for the bar exam. You can also find information on our website about our [courses](#), [tools](#) and one-on-one [tutoring](#) programs to support you as you study for the UBE or California bar exam.

If you enjoyed this episode of the Bar Exam Toolbox podcast, please take a second to leave a review and a rating on iTunes. We'd really appreciate it. And be sure to subscribe, so you don't miss anything. If you are still in law school, you might also like to check out our popular [Law School Toolbox podcast](#) as well.

If you have any questions or comments, please don't hesitate to reach out to Lee and Alison at [Lee@barexamtoolbox.com](mailto:Lee@barexamtoolbox.com) or [Alison@barexamtoolbox.com](mailto:Alison@barexamtoolbox.com) or you can always contact us via our website contact form at [barexamtoolbox.com](http://barexamtoolbox.com).

Thanks for listening, and we'll talk soon!

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- [Law School Toolbox](#)
- [Law School Toolbox Podcast](#)
- [Bar Exam Toolbox](#)
- [CareerDicta](#)
- [The Girl's Guide to Law School](#)
- [Writing of the Week Course](#)
- [Brainy Bar Bank Tool](#)
- Tutoring: [Law School](#) or [Bar Exam](#)
- [Podcast Episode 50: Ace the Bar Exam Performance Test \(w/Doretta McGinnis\)](#)
- [How to Pass the Bar by Doing What Makes You Uncomfortable](#)
- [What is an Attack Plan](#)
- [Are You Evaluating Your Work](#)
- [The Power of the Re-write](#)
- [Lean Sheets Bar Review Outlines](#)
- [SketchyLaw](#)
- [Mind Maps and Other Fun Visual Learning Techniques](#)
- [Bar Exam Tips for Kinesthetic Learners](#)
- [What are Bar Graders Really Looking for](#)