



Lee Burgess: Welcome to the Bar Exam Toolbox podcast. Today, we are talking about the best way to study for the bar exam if you are an auditory learner. Your Bar Exam Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify 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, [CareerDicta](#). Alison also runs [The Girl's Guide to Law School](#). If you enjoy the show, please leave a review on your favorite listening app, and check out our sister podcast, the [Law School Toolbox podcast](#). If you have any questions, don't hesitate to reach out to us. You can reach us via the [contact form](#) on BarExamToolbox.com, and we'd love to hear from you. Now, with that, let's get started.

Alison Monahan: Welcome back. Today, we're talking about studying for the bar as an auditory learner, and also some techniques anyone can use, even if this is not your most favorite learning style. Lee, what is an auditory learner?

Lee Burgess: If you're an auditory learner, hearing and speaking work best to help you learn and memorize. You might be thinking about [how you spot whether you're an auditory learner](#). If you think back to law school, you might realize that you enjoy class lectures and discussions, and have noticed that you participate in them more than your peers because you're really engaged. You also might notice that if you're given verbal directions, that they're almost effortless to follow. You'd rather somebody explain something to you to do it, rather than give you written directions.

Another thing to look for is if you commonly talk yourself through tasks. Perhaps you almost read emails aloud to yourself. You might read handouts or other written information out loud. Even if you're alone in a room, you just find that if it's out loud, you're going to retain it better. And you don't really get anything by writing information out, or seeing images or pictures or color. It doesn't really stick in your brain. These are some of the things to think about if you find yourself wondering if you are more of an auditory learner.

Alison Monahan: Right, I think these people are pretty well-catered to in law school, and also really in most bar exam courses. I mean, a lot of the mainline bar exam courses really are a person lecturing about a topic. You sit and you listen, which can be great. I think that also can be the downside, because you've got to really be sure, even if you are a person who feels like you retain information really well by hearing it, is you're not just passively absorbing it. You've still got to make an effort to really make that material your own, practice using it, practice writing. Unfortunately for the auditory learners out there, the bar exam is not an oral exam.



Lee Burgess: Right.

Alison Monahan: So, you know, you've got to do that work that may feel less natural to get that step of getting this stuff down on the paper in a way that's going to let you pass the bar.

Lee Burgess: Right, exactly. One thing that we have learned with working with a lot of students and a lot of bar takers is this idea that typically, you're not just one learning style, so you shouldn't be afraid to combine different learning styles while grappling with material, if doing so is the best way to ensure that you remember the material longer. Even if you are auditory, that doesn't mean that you can't use [kinesthetic](#) or [visual techniques](#) to memorize the material.

So, I would use myself as an example. If I'm engaged in a lecture, I actually can retain information, but I do need to take notes or have some sort of visual representation to refresh my recollection, because I'm not going to remember it as well as if I'm just trying to listen and retain that information. I kind of have to mix things together to make it meaningful for myself.

Alison Monahan: Right, and I think that's generally going to be the case. If you sit through, say, a four hour lecture on a certain topic, obviously not all of that information is information you really seriously need to retain to pass the bar. Right?

Lee Burgess: Right.

Alison Monahan: So, you might use visual techniques; flowcharting or diagramming, something like that, that maybe would not be your absolutely preferred method. You might just want to talk about what you heard. But that's going to help you narrow this information down and get it to a point where you actually can really memorize it. And then you might do things like record yourself reading your own outline. That's a technique that we've had people have a lot of success with.

Lee Burgess: Yeah. You have to just constantly be evaluating. [Are the activities that I'm doing as part of my bar prep leading to me being able to retain the information?](#) I think that's just a common question that people don't want to have to ask themselves, because it can be very sobering when you realize that you're putting in a lot of time doing certain activities that aren't leading to the output of you having this material memorized and stuck in your brain.

Alison Monahan: Right, and it's also not just retaining it. You've got to be able to use it.

Lee Burgess: Right.

Alison Monahan: And apply it.



- Lee Burgess: Yes.
- Alison Monahan: So I think sometimes, that's where this can fall apart for the more auditory people is they think, "Oh, I know all of it. I could explain it to you." But that's not what you're asked to do. You're asked to apply it to a new hypo, and that's something that you have to practice, just like everyone else.
- Lee Burgess: Yeah, good point. Just being able to recite for me all the hearsay exceptions doesn't do squat if you can't tell me which ones apply to a fact pattern.
- Alison Monahan: Right. If you can't say, "Well, the police showed up and there was a dying body, and okay, what was that? Well, there's this one called this, there's one called that." It's a dying declaration. You need to be able to get that one out.
- Lee Burgess: Right, exactly. And not only is it a dying declaration; you have to then quickly be able to rattle off the elements of it.
- Alison Monahan: Right, exactly.
- Lee Burgess: You can move through them, and quickly. Because I think the other thing that can happen when you are an auditory learner is sometimes, you're listening for concepts and you really understand those concepts, but you're not necessarily as focused in on the details, of the terms of art or the necessary words that need to be included in the elements, to get the points from the graders. So, it's not just about explaining dying declaration. You really need to have it verbatim memorized, of what that is. And it just needs to be short and sweet and concise. You need to spit it out the same way every time, and then move on.
- Alison Monahan: Yeah, absolutely. You need to know these rules element by element, so that you can go through them element by element. And like you said, you can't just have the gist of it, like, "Oh, I know there's a hearsay exception that applies to someone who's dying." That's not sufficiently precise to pass the bar exam.
- Lee Burgess: Right, exactly.
- Alison Monahan: And it can be definitely tedious to write these out over and over until they're really in your head or make mnemonics and write those down. This is not necessarily that fun. I mean, what are some things that people who do think they're more auditory learners can do to make this a little more natural for them, this process of really memorizing these elements?
- Lee Burgess: Well, if you have purchased a commercial bar review course, it's likely that you're going to be assigned hours and hours of lectures. We're talking 25 hours of lectures a week.



Alison Monahan: Wow. That's a lot.

Lee Burgess: Yeah, it's a lot. But-

Alison Monahan: I could never have done that. I would have gone crazy.

Lee Burgess: I think you would have totally gone crazy. But I think a lot of auditory learners really should take advantage of these recorded lectures, because it's likely that you're going to be able to internalize that information. But my caveat to that is that you need to stay actively engaged. Just sitting there and listening, which can often times mean that you're tuning out for a period of time, is not going to help you really engage the material. So when you're listening, you need to write down key words or concepts. You need to do whatever you can do to stay actively engaged. Maybe turn off the internet as much as you can, put your phone away. Just try and make sure that you're actually absorbing what's being discussed in those lectures.

Alison Monahan: Yeah, absolutely. The more actively engaged you are, the more you're going to retain. And once you have your outline and you've narrowed it down, you're like, "Okay, these are the elements of all the rules I need to memorize for hearsay," one thing you can do is have a friend or a tutor or whoever it is, your child, actually use your outline to make sure that you articulate the rules correctly.

Lee Burgess: True.

Alison Monahan: You could give them your outline. Even if they don't actually know the material, they haven't gone to law school, they can presumably read. And it might help you to go through your list, and then orally go through it; actually explain these rules to them, explain what the elements are. And then they can tell you, "Hey, you're missing this one," or "You got this wrong," or "You're forgetting this hearsay exception," so you know what you need to work on.

Lee Burgess: Yeah. I mean, my kid can memorize a children's book pretty fast, and correct me if I don't say the words exactly right. I'm pretty sure he could quiz me on bar outlines if I got him comfortable with it. He'd be like, "That's not what that word is, mom."

Alison Monahan: Yeah, he can't read yet, but he can memorize.

Lee Burgess: He can memorize. He memorizes incredibly fast. Can't read, but definitely can memorize. The other thing you can do, and I think Alison, you already mentioned this, is recording yourself reading your own outline. We have a lot of students that do this in our tutoring programs who are auditory learners, and many of them find it very helpful, because you can listen to these mini lectures



or recordings on your commute to work or while you're running errands or in the car, on a walk.

Alison Monahan: Pretty much, you could treat it like a podcast.

Lee Burgess: Yeah.

Alison Monahan: One that you made yourself.

Lee Burgess: Yes, exactly. So, as long as you don't get distracted by your own voice, I think it's a good idea to give this a try. And again, it creates repetition. And for you, it's not going to be as long and as lengthy as some of the lectures that you're going to get from your bar review company, which is also helpful. You could probably read through an outline in 20 minutes, 30 minutes, at the longest. And then that's like a nice, digestible amount of time. That might be your walk with your dog, or whatever it might be.

So, I think that doing this can be helpful, but you can also try and use a live person, like we talked about. Using a friend to check the rule statements. We've also had folks use their pets, use stuffed animals. You could explain the rules to just about anyone, because it's the act of explaining that is what is important; it's not who's retaining the information. I've had students get out a whiteboard and do a lecture, basically, for either some human being in their house or some animal in their house, or just in the room, because that activity helps them really internalize what they've been studying.

Alison Monahan: Right. Well, they always say if you really want to learn something, try to teach it to someone else.

Lee Burgess: True. It's very, very true.

Alison Monahan: That someone else could be your pet bear. It's totally fine.

Lee Burgess: Yes.

Alison Monahan: Also, I think if you have a trusted study buddy. This can be a little bit complicated in the bar space, because people get so cuckoo crazy, and you definitely don't want to have somebody who's going to be increasing your stress load with their own cuckoo craziness.

Lee Burgess: True.

Alison Monahan: But if there's someone that you've worked well with, or maybe somebody that you know from a different school who's a friend of yours that you've been



studying together ... Two of my good friends actually met studying for the bar, and it was really a bonding experience. But I think these can be helpful for auditory learners, because it does give you someone to ask questions of, talk things through with, explain in your own words; that kind of thing. You just have to be sure that you do some solo study time, too, so it's not like, oh, the two of us together could definitely pass the bar. Because unfortunately, they're not going to let you work together.

Lee Burgess: Right, and make sure that you're including this quizzing of your own knowledge as part of that. So, if this study buddy can check you against your outlines or is quizzing you to say elements of certain things, I think that's important. But I think sometimes, when you're studying with another person, things can get so general that you forget that you need to be able to pound out the five elements of XYZ, because that's what's going to be necessary on your exam, not just big picture discussions.

Also, the thing is about the bar exam is you have to be very precise, especially in your rule statements, because you don't have a lot of time, especially for those of you taking the UBE. You only have 30 minutes to answer a question. We're talking about no extra sentences, really. The precision and making sure that you are memorizing short and succinct rule statements is so important, and I think for auditory learners who are used to rambling on a little bit more, or having that freedom, it can be hard to force yourself to memorize things in this tiny little box, because that's what's really required to be able to move through the material so quickly.

Alison Monahan: Right, and this can be a particular problem for people from higher ranked schools, who are used to having more leeway, shall we say, on their exams to talk about policy or some pet thing with their professor. But that's not what the bar exam is about. The bar exam is about, these are the rules. These are the facts. This is how the rules apply to the facts. This is the probable outcome. Next question.

Lee Burgess: Right.

Alison Monahan: Because the other thing I think could sometimes happen with a study buddy, which is the opposite of what you were talking about, is people can get so obsessed with the exception to the exception to the exception, and really spend a ton of time on that, forgetting that this is a test of minimal competency. You don't have to know every detailed exception to the exception to the exception to pass. I guarantee you that's true.

Lee Burgess: Yep.



Alison Monahan: Definitely, I did not know a lot of law and I passed. It's this balance. You have to be checking yourself of, do I have enough specificity, but not too much? And I think that's hard for people, particularly if they have had these more general exams that rewarded a different type of discussion.

Lee Burgess: Yeah. And I think this is where tools like our [Brainy Bar Bank](#) tool can become very effective, because-

Alison Monahan: True.

Lee Burgess: ... one of the things that we do with our [Brainy Bar Bank](#) tool, which is a database of either [California](#) or [UBE](#) bar questions, is you can search by the frequency that a subject comes up. You can search by frequency of a topic within that subject. So to really focus in your study, you can make sure that what you guys are drilling each other on is the most heavily tested material, and that you're doing practice questions on the most heavily tested material, and that you aren't getting offline and discussing this very small exception in future interests that may be one MBE question, but that MBE question is not worth three hours of discussions about how to understand it and execute it. So, making sure that no matter how you're studying, if you're working with a commercial course or if you're studying on your own, that you are focusing on what is the most heavily tested material, is very important. As Alison said, it's minimum competency, so you need to know all the heavily tested stuff and some extra stuff, but that's probably going to get you through.

Alison Monahan: Right, and the really interesting thing is, if you start to go into the Brainy Bar Bank for the UBE versus California, which are the two that we have, they're not the same.

Lee Burgess: Yeah.

Alison Monahan: So you can't just study for a generic bar exam at this point. You have to really be strategic about which exam am I taking, and what's most likely to show up? Because that's where you want to prioritize your focus. Classic 80-20 rule. If you know 80% of the material, it's probably going to get you through.

Lee Burgess: Yeah.

Alison Monahan: Sorry, I think I got that backwards. If you know 20% of the material, it's probably going to get you through 80% of the essays. That's what it is.

Lee Burgess: Yeah.

Alison Monahan: But I think that's absolutely true. If you think about these high level topics, there are just certain things you have to know if they show up.



- Lee Burgess: True.
- Alison Monahan: You can't take a ... If you get a question on community property, and you haven't studied community property, well, duh, you're not going to pass that question. But there are probably 10 rules, really, when it comes right down to it, that you absolutely must know to complete a community property essay.
- Lee Burgess: Or at least the majority of them. You're not-
- Alison Monahan: Right. I mean, there may be things like little bits and pieces that you're kind of flailing on, but basically, you can get most subject areas down to a page or two.
- Lee Burgess: Yeah. And I think that's so important for students to remember, because when you're sitting down to study for the bar in the beginning, and you get these outlines, and your bar review provider may give you extensive outlines.
- Alison Monahan: The stacks of books is unbelievable.
- Lee Burgess: Yeah, the short books are 500 pages or something close to that.
- Alison Monahan: Yeah, they're looking at us being like, "How would anyone ever learn everything in these?"
- Lee Burgess: Right, which is practically impossible to learn everything in 500 pages. But I think one of the things you have to think about is, even if you study all that material, unless you have a photographic memory where you could just memorize it all, you are almost guaranteed that there will be stuff on the exam that you will not know. Because I don't know anyone who sat for the exam that didn't have either one part of one essay question or some MBE questions that they didn't know. And-
- Alison Monahan: Oh, yeah. There's some crazy stuff that shows up on the bar exam sometimes.
- Lee Burgess: Yeah. Super kooky. Super kooky stuff. And their MBE questions were ... I'm just like, what outline puts this on. You know? What?
- Alison Monahan: Those might even be ones they're testing. You got to keep in mind, too, a certain percentage of those, they're trying to figure out if they're good questions. If everyone's like, "Uh, no clue," it's probably not going to show up on the real test.
- Lee Burgess: Yeah, that's very true. That being said, one of the things you have to just realize is that there is going to be stuff that you don't know, and you have to get comfortable with that. Because I think sometimes, students can go into the



room and get really unnerved by the fact that they reach a part of a question that they've never heard of before, or that they didn't study. On my bar in California, there was an essay question where part of the law wasn't even in the BARBI books.

Alison Monahan: Whoops.

Lee Burgess: Yeah. It was that nuanced and focused, because all of us went back to the hotel to try and look it up, because we didn't know what we were talking about.

Alison Monahan: To be like, "Wait, what was that word?"

Lee Burgess: Yeah, we're like ...

Alison Monahan: "I've never even heard this in my life."

Lee Burgess: Yeah. It's in there now, by the way, if you're studying for BARBRI.

Alison Monahan: Yeah, of course, I'm sure. I'd be like, I'm sure somebody wouldn't put it in there and be like, "Oh, no, it was totally there the whole time."

Lee Burgess: Yeah. But you know, I think stuff happens. I passed the bar, even though I made up some serious law in that essay question. I passed the law not knowing every rule that was tested on the multiple choice, and I know you did, too.

Alison Monahan: Well, I passed the California bar A) not knowing that they tested professional responsibility, which happens to be, actually, I now know from the Brainy Bar Bank, the single most heavily tested topic on the entire exam.

Lee Burgess: Yeah. That wasn't your fault.

Alison Monahan: I just thought, you know what? You did the MPRE. Why would you want to talk about professional responsibility? And for some reason, I also did not pick up on the fact that they really like to test distinctions between California and federal law, so I just literally hadn't studied those.

Lee Burgess: Yeah.

Alison Monahan: Don't do this. This was stupid. Point being, however, you can probably ... If you get some sort of question where there is a distinction, you can probably guess. Like, okay, there are two possible ways this could come out. And then you could just assign one to each side, and if you're wrong, well, you lose half a point. No big deal.



Lee Burgess: Yeah.

Alison Monahan: But you can't panic. If you panicked, you're in serious trouble.

Lee Burgess: I think one of the things that can be challenging, if you're an auditory learner with all this volume of information, is that when you are just focused on more listening to lectures and things like that, I think the amount of material can just be completely overwhelming.

Alison Monahan: Oh, absolutely.

Lee Burgess: For anyone.

Alison Monahan: 20 hours a week for eight to 10 weeks, I mean, that's a lot of stuff that possibly could come up.

Lee Burgess: Yeah. So, you have to figure out how you're going to manage that material to make it, I say memorizable. Because that's my made up...

Alison Monahan: Right.

Lee Burgess: ... word. But you have to be able to put it in some sort of a form that you can actually commit it to memory. For some people, that's using more condensed outlines like [Lean Sheets](#), or [SmartBarPrep.com](#) are some options that are more condensed than a lot of the outlines that are presented by your bar providers. For some people, it's making your own condensed outlines from the bar materials. It's, this is the need to know stuff.

But you do have to do something to be able to grasp the universe of what's tested, because I think if you're trying to keep it all in your head from what you've listened to, it's just going to be completely overwhelming.

Alison Monahan: Right, and I think if you do get to that point where you're really solid on the bulk of what's going to show up, and something weird shows up, you probably have an advantage over other types of learners, because you may actually remember watching that lecture.

Lee Burgess: That's true.

Alison Monahan: You might not have been able to recall it off the top of your head, but something may trigger in your brain that's like, "Oh, they talked about this. Here's the rule."



- Lee Burgess: Right. Oh, "This is the totality of the circumstances test," or something. "That was one of the elements." You know? It's amazing when you do a lot of bar study, how you can just start to guess legal rules, because you've seen so many tests and legal tests at that point that you're like, "But there's a balancing element to this."
- Alison Monahan: Right.
- Lee Burgess: Let's balance the public policy interest versus the interests of the defendant, and see how it comes out.
- Alison Monahan: Yeah, and the other thing is, honestly, you're not talking about any one issue for that long, so if you do a paragraph and it's wrong, yeah, you wasted a couple of minutes. That's not great, but it's not going to sink your essay if the rest of it's basically correct.
- Lee Burgess: Right, and you still are likely going to get some points for that paragraph, because you're probably going to get points for identifying the issue, and you're going to get some points likely for some legal analysis. So ...
- Alison Monahan: Right. I think those things, making it clear that you have identified the issue and what you're talking about, is something that auditory learners really need to focus on. Because it may not be as obvious to you as someone who's more visual. If I look at an essay and it doesn't have headers, I'm a visual learner. I look at it and I'm like, "What is wrong with this person? Where is the bold? Where's the formatting to help me through here?"
- Lee Burgess: Yeah.
- Alison Monahan: I think you mentioned earlier that auditory learners might tend to go on and on a little bit more, and so sometimes, you get these essays that are just a full page of essentially verbal diarrhea. I mean, I'm sorry, it's what it is. And that's not going to help you pass.
- Lee Burgess: Yeah, that's another really good point. I think-
- Alison Monahan: You may have to work more on your structure than other people.
- Lee Burgess: Yeah. I think the other thing that auditory learners should really play with are rhymes, word associations, like mnemonic devices, to memorize some of this material, and take some of the complex bar concepts and boil them down into the elements that you need to memorize. I think that's one way you kind of take your ability to memorize things that you hear, but make it very organized and executable, I guess. Because a mnemonic's going to probably give you elements or give you keys to those terms of art that you need to include. And if you can



memorize those and hear those in your head, you're going to be able to write them down a lot faster, and then be able to have that precision that we're talking about.

Alison Monahan: Yeah, I think that's absolutely right. Probably be the people who are humming along in the bar, being like, "Do do do, do do do do do," because each one of those is an element of something. So, yeah, definitely you can play to your strengths, too.

Lee Burgess: Yep. And I think that it's okay to use-

Alison Monahan: Sorry.

Lee Burgess: ... mnemonic devices that are presented to you by your bar provider, or the ones that are commonly accepted, but a lot of people also find value in making up their own, because if you make up your own, the process of making it up can make it easier to memorize as well.

Alison Monahan: Right. It's just a more active form of learning. It makes the difference between reading a book and writing a book.

Lee Burgess: Yes.

Alison Monahan: Obviously, writing a book is a lot harder than reading the book. It's not to say there's no value in reading a book, but there's not as much value as writing it.

Lee Burgess: That's true. Other things that you can do ... I mean, we've already talked about recording yourself reading outlines. But you can also try and use the spoken word to help you study essay questions. If you're an auditory learner, you might want to read the questions out loud to yourself, because then you might retain the facts a little bit better. Of course, you're not going to be able to loudly read to yourself in the exam room. But even talking to yourself silently, reading them aloud in your head, mouthing the words. You can try different things to see if the information is more retainable for you, for doing these little things that will help you execute it on paper. I mean, the reality is, it's important to remember that the bar examiners know nothing about what's going on in your head. They can only evaluate you on what you put on paper, so as much as you love to have this internal discussion, you got to write it down, or you don't get any points for it.

Alison Monahan: Yeah, and I think that's just the key takeaway here is, you pass the bar based on what gets on the paper. You've got to, got to, got to get your analysis. You've got to get your issues. You've got to get your rules broken down on paper, in a way that's easy to grade, in the possibly two or three, four minutes that this essay is going to get of attention from the bar graders. You've got to think about



how to make it easy for them to give you those points, and maybe simplify from what the voices in your head are talking about, about the complexity of everything.

Lee Burgess: Yeah. I've found some auditory learners say things to me like, "Well, I had that debate in my head about whether or not that was an issue, but then I decided it wasn't, so I didn't write it down." It's like, "Yeah, but you would have gotten points for that debate. That's the key."

Alison Monahan: Right, exactly. Yeah, that's kind of the definition of too conclusory.

Lee Burgess: Right.

Alison Monahan: It's like, well, you actually did the analysis in your head, and then you only wrote down your conclusion. So, you're not going to get any points for that.

Lee Burgess: Right.

Alison Monahan: I think writing, it's the old story; you've got to show your work, which I think can be a little bit tedious for someone who's more interested in talking and teaching and that kind of thing.

Lee Burgess: Yeah. And I was just recently talking to a number of attorney bar studiers who often times struggle with that as well, because they're so used to making quick decisions in their head about whether or not something applies that they're not used to writing things down and explaining their thought process, because nobody wants to pay to listen to them explain their thought process.

Alison Monahan: Right, exactly. The client just wants the answer; like, "Can I do this or not do this?"

Lee Burgess: Right.

Alison Monahan: So, that is a habit that people would have to break to really make this a deliberate, step by step, point A to point B, showing all of the thought processes along the way, and to do that in 30 minutes can be very difficult.

Lee Burgess: Yep. So, there are a few things you want to keep an eye out for if you are an auditory learner that can be study pitfalls, things to avoid. One is you can often times be really distracted by noises, things that you hear. Your strength really can become your weakness. So, you've got to make sure that you can eliminate distractions. You might want to study with earplugs, especially if you're allowed to take them into the exam room. I think that that's really wise. You may need to evaluate whether you are capable of studying in a coffee shop or somewhere



that's loud, where there are a lot of other people. You might be better off trying to study in a library or in a park, or in your apartment. Anywhere where you can get a little more solitude. But the problem is, when you get to the exam room, the bar exam is huge and it's typically-

Alison Monahan: Oh my gosh, the din of the testing is insane.

Lee Burgess: Yes. The din. And you're going to have to take the bar exam in this room with likely thousands of people, in-

Alison Monahan: With terrible acoustics.

Lee Burgess: With terrible acoustics.

Alison Monahan: With hard floors, high ceilings, hard everything.

Lee Burgess: They do this in-

Alison Monahan: Hard chairs, hard tables. The sound is bouncing around. It's awful.

Lee Burgess: Yeah. It's usually in some sort of convention center or big room where they throw conferences and stuff like that. There's usually no carpets. So, you have to get used to the idea that you're going to need a way to cope with that distraction, and not get distracted by the sound of other people typing. So, if you're really worried about that, then it might be a good idea to study in a library with other law students or people studying for the bar, because you're going to listen to people typing, and you need to get used to being able to tune that out. But I think...

Alison Monahan: Or even go to the café with your earplugs on the last week, and make sure that you're able to still focus in that more distracting environment.

Lee Burgess: Yep. Yeah, so you need to be very aware of that. I didn't really realize how distracting just being in that room with all those people can be until working with a lot of students who get accommodations for various reasons. One of the accommodations that I commonly see is taking the exam in a private room or a semi-private room, where you don't have all these other people and all these other noises, and all these other distractions. I don't think back in the day, I really saw just how the exam was set up really leading to problems and not being able to perform your best because of all the distractions. But I think for a lot of people, it really can be something you have to overcome and prepare for.

Alison Monahan: Absolutely. I think the way to do that is to practice. Maybe you study for the first month, you're in a very quiet room, you have no distractions, you really



focus on learning the material. But then you gradually up your exposure until the last week or so. Maybe you are studying in the middle of the crazy Starbucks, right in the middle of the day. Assuming that you're not able to get accommodations, which if you can, you should definitely apply early and try to get them. But it can be challenging.

- Lee Burgess: Yeah. The other thing I think, and we've kind of referenced this in the episode, that you can easily get bogged down with busy work. You just listen to lectures and re-listen to them, and then you're like, "Oh, I know this material," but maybe you're not taking the time to do ... time to practice and review the answers. Perhaps you're just reading the model answers instead of executing your own answer first, because a lot of people will make the mistake of, well, I'll just read aloud the model answer, and then I'll remember what it says. But because you're being tested on legal analysis, you have to practice legal analysis, or you won't be able to-
- Alison Monahan: Right, sometimes people will only outline the answer, and they'll never actually really sit down and write them, which again, you can't just outline it. You have to write it. You don't want the first time you've written a real answer to be in the exam room.
- Lee Burgess: No, and I've heard a lot of people recently say, "Well, I've read the questions, and then I read the answers."
- Alison Monahan: Like, okay, well, glad you did it.
- Lee Burgess: That's great. But the problem is, that's not what you're tested on.
- Alison Monahan: Like, "Oh."
- Lee Burgess: You're tested on being able to create that answer.
- Alison Monahan: Yeah, somebody told you the answer. Fantastic. You understood it. Great. It's not exactly the same thing.
- Lee Burgess: Yeah. And we're not saying that this practice is fun. The practice is kind of crummy, and rewriting practice problems that you've screwed up is also kind of crummy. But it is, unfortunately, the best way to get better at executing these questions. And anyone who tells you otherwise is not being straight-up and honest with you, in my opinion.
- Alison Monahan: Yeah, there's a formula here, and this is a large scale, like everything else. I know someone from my law school who failed the bar multiple times and worked with various tutors and did all of this stuff, and finally passed, and literally what she did was, she took the practice sample answers and questions,



and she broke them down. She outlined the law from those questions and then she memorized it until it was basically like Pavlov's dog, where she got a question on hearsay, and she just spit out what she knew from literally reading and analyzing all of these questions, and that's how she finally passed.

Lee Burgess: Yeah. Yeah, I mean, there's a focus on repetition and recreating what has worked. I had a professor in law school who wrote out her own model answers to practice questions, and I remember being a second semester 1L and being like, "I should just probably memorize this. Should memorize all of her rule statements and these model answers, and I should probably memorize her organization, because she's literally telling me exactly what she wants me to say. Why would I overthink this?"

Alison Monahan: Exactly. I think that's the key to the bar exam is, do not overthink this.

Lee Burgess: Yeah, this isn't about creativity. This is about getting it on the page as they want it. They're not going to reward the most creative answer. They're actually going to reward the easiest answer to grade that they can check their boxes and then move on.

Alison Monahan: Exactly, yeah.

Lee Burgess: All right, well, I think that's a lot of [great tips for our auditory learners](#), but before we go, I want to take a second to remind you to check out our blog at [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](#), like the [Brainy Bar Bank](#), [tools](#), and [one-on-one tutoring](#) programs to support you as you study for the UBE or California bar exams.

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RESOURCES:

- [Learning Style Quiz](#)
- [4 Bar Exam Study Tips for Kinesthetic Learners](#)
- [5 Bar Exam Study Tips for Visual Learners](#)



- [Does Your Bar Prep Plan Fit You? 5 Questions to Consider](#)
- [Brainy Bar Bank Tool](#)
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