



Lee Burgess: Welcome to the Bar Exam Toolbox Podcast. Today, we're talking about how the bar exam poses unique challenges to foreign-trained attorneys.

Your Bar Exam Toolbox hosts are Alison Monahan and Lee Burgess, that's me. 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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With that, let's get started.

Alison Monahan: Welcome back to the Bar Exam Toolbox podcast. Today we're discussing the special challenges the bar exam can present for foreign-trained attorneys. Before we dive in, I mean, the first challenge is whether you're even going to be allowed to sit for the exam and where.

Lee Burgess: Yeah.

Alison Monahan: So different states have very different rules on this. You want to make sure that you are qualified for whatever state you're considering and you want to get any necessary approvals as soon as possible. I mean, generally speaking most of the students we see are sitting in either California or New York, which are both relatively liberal but it really depends a lot on the type of system you're coming from, the type of degree you have. In some cases, a lot of states require an LLM, some of them require a JD. You just want to make sure you understand the requirements.

Lee Burgess: I think that that's definitely a step that a lot of people wait too long to figure out. I think people forget that getting a law license and taking the bar are two separate things. Passing the bar is one of the requirements to getting a law license, but every state has more requirements than that, your moral character, the MPRE, if you have a JD or if you've been an apprentice, whatever it might be. So, when folks come from outside the US having gone to school somewhere else, I think it can seem like, "Well, all I have to do is pass the bar." It's just not that simple sometimes.

Alison Monahan: No, it's definitely not. You know, you don't want to be disappointed after you've passed the bar to find out that you never actually were qualified to sit for it anyway. So that would be a total waste of your time. So basically, just be sure you're really clear about what your education, how that fits into the system,



whether they need anything from you in an advance, that kind of thing. And then you'll be good to go with the challenges of the actual bar exam.

Lee Burgess: Yeah. So, your reward for qualifying is you get to suffer through the bar. Yay.

Alison Monahan: Yay. Hooray. I mean, I guess the reward at the end is you get to be a lawyer in the U.S. Hooray.

Lee Burgess: Yes, hooray.

Alison Monahan: All right, so let's talk through some challenges and then we will talk through some solutions.

Lee Burgess: Yeah. So, I think the biggest challenge is that you've got to understand a lot of substantive law that is likely different from the substantive law that you studied in your home country, whether or not it was ... Even when I've worked with attorneys who've come out of Britain and you would think that some of the British law is similar enough to the U.S., but it's still very different in a lot of ways. It can be a challenge no matter where you come from that you've got to learn a large amount of substantive law without typically going through a full JD program, although most people do seem to have taken an LLM program, don't you think, Alison?

Alison Monahan: I think that's most common. I mean, I think most states at least require that, in some cases maybe not. But even in a typical LLM program, you're just not seeing obviously the volume of law that the average person who's done a three-year JD has done. So, it's going to be a challenge. Certain LLM programs you dive into certain areas of the law but even then, you're not taking the full first year curriculum. Realistically, I think for most people it's going to be very, very hard to do this amount of prep in a standard eight to ten-week bar prep program. So often times foreign attorneys think, "Oh, you know, I'll just sign up for one of these big programs and they'll tell me everything I need to know."

I mean, that's hard enough for the JDs out there. I mean, look at the pass rates on the bar. But if you haven't even studied evidence, common law, I mean, there's just a lot of topics. You're starting more from scratch than someone who has at least studied the majority of the MBE multiple choice. Well, hopefully all of the MBE questions, although not everyone takes evidence. I mean, I would put a strong plug in if you're doing an LLM program that you really ought to try to take an evidence class because that's on the MBE. It's a difficult topic and it's typically on the essays. To the extent you get to pick your classes, I think you can finagle this a little bit. But the reality is you're just not going to have seen a lot of this stuff before.



- Lee Burgess: And I think you have to remember with these bar prep programs are designed to do and that is to review law that people have taken in law school. These lectures are not designed to be your first introduction to these subjects, although even for some law students it might be the first time they interact with some of these subjects, but there maybe one or two of those subjects, not all of them or most of them, I think, even if you went through an LLM program.
- Alison Monahan: Yeah. I think my sense from talking to foreign-trained attorneys is I would say the average amount of American law that you've done straight-up in an LLM program at the level that the average 1L would have seen it is probably about two classes. Maybe you took contracts and torts or maybe you took Con law and property but it really doesn't typically get much beyond that.
- Lee Burgess: No. And I know that some bar review providers are doing these special foreign-trained attorney programs. If you are looking into those, ask what is really different about that material than what is offered to the law students or the law graduates who are taking that program because most of the time it's just you get longer access to it. Similar material, longer access.
- Alison Monahan: Yeah. My impression is not that they're really creating that much if anything that's different. It's just they give it to you for more time.
- Lee Burgess: Right. And your study schedule is longer. But again, the lectures that they are giving you are review lectures, not necessarily teaching lectures. I think that's just very important to go in understanding and I don't think that most people really grasp that. Also, these lectures that they do are recorded. They are not interactive. You cannot ask questions about the substantive law. If you are listening to a constitutional law lecture for the first time, it's likely you're going to have questions especially if you didn't grow up in the United States and didn't take a civics class in high school. It can get complicated.
- Alison Monahan: Yeah, exactly. I mean, I think people want to start really early, probably much earlier than you think learning the substantive law. That may mean that you don't take the bar exam that's offered immediately after you graduate from your LLM, which is worth considering. You can use things like the examples and explanations books or even some commercial outlines in addition to or before your bar prep officially starts. I would say particularly people really want to focus on these MBE questions. So this is a multiple choice component of the bar. It covers seven topic areas. Most of these also appear in the essays as possible essays so you need to be rock solid on the substantive law of these topics if you're going to pass.
- Lee Burgess: Yeah. I think that's really true. Another solution to one of the issues we were talking about with understanding the substantive law is the fact that most of the



commercial programs don't have somebody you can ask questions to and that's often times when you need more help. In our tutoring programs, we work with foreign-trained lawyers. We end up answering a lot of those substantive questions because there's a human that you can ask questions to. I think that's why foreign-trained attorneys often times like to either supplement a commercial program or have some sort of one on one element to their bar prep because they need to be able to get a bit more information than is presented in a lot of those lectures.

Alison Monahan: Yeah. I think that's right. And I think you also, if you are a foreign-trained attorney and you're trying to look at how am I possibly going to learn and understand and memorize all of this information, you really have to take a step back I think and figure out how am I going to learn this step by step with elements that I can easily memorize. I mean, not easily, but I can potentially memorize and also apply and you're going to have to be strategic about knowing what's most commonly tested because reality is you just can't possibly learn every single detail. And you're probably going to want to look to shorter options because you just can't memorize a standard test prep, telephone book size. They might give you multiple telephone books of information and it's just too overwhelming. I think you've got to be strategic and use some different tools than maybe a typical law student who is pretty familiar and feels confident with this information might be using to get it down to an area that you can actually potentially memorize.

Lee Burgess: I think that's a really great point. I love looking at the shorter options. I love this for almost anyone studying for the bar. These are resources like [Lean Sheets](#), [SmartBarPrep.com](#), [BarEssays.com](#), which is only for California. These can help you just memorize the elements and the law so you can spit it back. And even Bar Essays for the California bar has essay templates, which a lot of foreign-trained attorneys really appreciate because they also haven't been writing as much in IRAC and so being able to memorize these templates can help. We'll talk about IRAC in a few more minutes. Looking to some additional resources to simplify your prep is going to help you understand the substantive law. You don't need to be an expert in con law, you just need to know what the lemon test is, memorize the elements and apply it.

Alison Monahan: Yeah, exactly. This is what we try to do with our [Writing of the Week](#) program where we have an introductory video that gives you the elements of the law that you need to apply for a certain essay. What I think is most striking to people there is that it's actually not that much information. It doesn't matter what the topic area is, it's typically going to be I would say half a page to a page worth of law if that. You can memorize that. So, I think using something like that where you're practicing the law and then there's a wrap up video that explains to you step by step this is what you need to talk about, this is how you should



have used this. That can be very helpful when you're trying to learn the law because you're learning it through practice.

Lee Burgess: Yeah, exactly. And the practice element is such a critical piece for foreign-trained lawyers because memorizing this law means nothing if you do not understand how to apply it to a simple fact pattern.

Alison Monahan: Yeah, exactly. And I think like I mentioned before, you really want to know that you're focusing on the most commonly tested areas. It can be really hard, I think, to parse this out because you haven't had these classes. You don't know that certain things are less important than other things necessarily, because it all seems important, but if you want to know what's tested, you can use our Brainy Bar Bank and that will basically show you within a topic area overall what is most likely to come up so you can make sure, again 80/20 rule, playing the odds but if you're solid on 80% of the material and that's what's most likely to show up, you can afford to have those little blips where you're like, "I have never seen this before in my life."

Lee Burgess: Yeah. The other thing that I think is important to remember is when we look at the test, if you're taking the UBE, the MPT is a chunk of the test where you don't need to know any law and in California there's still a performance test that is part of the writing portion. And that is not a part you should ignore because if you don't need to know any law to be successful on that part, you should try and make sure you're successful on that part.

Alison Monahan: Yeah.

Lee Burgess: I think sometimes you can get very caught up in, "I don't know all the law. I'll never learn all the law." But instead, it's important to start thinking about it as "What are the parts of the test that I could excel at where I don't need to know any law and let's make sure I excel at those." Of course, the performance test piece presents its own unique challenges but at least it doesn't also include memorizing a whole bunch of law, some of which may not even be on the test.

Alison Monahan: Yeah, although I think that's actually a piece a lot of foreign-trained attorneys struggle with for our next challenge reason, which is reading and writing in English.

Lee Burgess: Yes.

Alison Monahan: So I think regardless of how good your English is, it's almost always going to be slower if this is not your first language. Even though people may have no accent and they speak perfectly, almost always they say, "I just feel less confident,"



which totally makes sense. Unfortunately, you don't get accommodations for this.

Lee Burgess:

No.

Alison Monahan:

It feels unfair but you don't get time and a half because you're not a native English speaker. You're going to have to compete with people who are native English speakers. I think often times, particularly on the performance test, this can really be a problem because if you're a little bit ... Say you're 20% slower reading and writing and you have the same 90 minutes to do that performance test, you've got to have a real plan for how you're going to handle that.

Lee Burgess:

I think that's true. I always think it's going to be a unique challenge if English is not your first language. Even if you're a JD and English is not your first language, I think it's harder to take this exam because of the time pressure element to it. But I have been told by numerous bar graders that they can tell oftentimes, especially under the time conditions, when someone is not a native English speaker but you're not penalized for that. I think one of the things you have to remember is that they are going to maybe say, "Oh, they picked a word that wasn't exactly the right word but they clearly understand the concepts and they're still communicating well and so we're still going to give them points."

It's not the same as typos and I think that the graders don't see them in the same way. One of the challenges is getting comfortable with writing in an imperfect way because what I have noticed is that if you are someone who is practicing law or is ... I guess you can't practice if you aren't licensed, but is working in the legal field in the US and you do some of your work in English, it's likely that you have techniques to make sure that that English is perfect. You might proofread it, you might get it written by somebody else. There are lots of things you can do. You have none of those on the exam. I think the graders know that and I think that's okay but you have to forgive yourself that the writing is going to be imperfect and you can't expect it to be perfect.

Alison Monahan:

Yeah, I think that's right. I mean, I think you can't get too hung up on proofreading and things like that because you just do not have the time. What you can do and what people have found very effective, you mentioned earlier the Bar Essay's essay templates. I think memorizing essay templates for certain heavily tested areas can be very effective. I mean, what are you going to write if there's a personal jurisdiction question? You can basically work that out in advance and then just fill in the facts.

You can memorize standard language also that you want to use for your rule statements. Those are things you need to be able to reproduce quickly and accurately. If you can do that, then it's going to really help with that feeling of,



"Oh, I'm so struggling to write." You just, personal jurisdiction, boom. What are the elements? Okay, write those down and write them the same way every single time. The good news is, that can actually help your efficiency because once you've memorized those elements, you know exactly what you need to talk about and that's great. You're not going to be rambling because you don't have time to be rambling.

Lee Burgess: Right. And, I mean, it just seems I think almost too simple to memorize language verbatim but you just have to do it. I mean, you don't have time to craft language. It's not possible.

Alison Monahan: Yeah, exactly. Yeah, I think-

Lee Burgess: No one has time to craft language. People for whom English is their first language should not be crafting language.

Alison Monahan: Right, exactly. But even more so if you know that you're going to be under more time pressure. I think this is something to spend even more time in your study and your prep on making sure that you have memorized rule statements verbatim.

Lee Burgess: Right. So if I was studying for the bar and I was in this situation, I would be sitting at my computer with a list of heavily tested legal issues and I would just be writing out the rule statements for those legal issues over and over again, typing them out, muscle memory. Or handwriting them out. It doesn't matter. They're the same every single time until I could do it from memory and then I would check it off and I'd go to the next one. It just sounds awful.

Alison Monahan: Yeah, exactly.

Lee Burgess: But it-

Alison Monahan: I mean, it's not fun.

Lee Burgess: It's not fun but it would get the job done. You know just ...

Alison Monahan: Yeah. And I think it's also going to help you on another one of the challenges that we see a lot, which is using the writing style that the bar expects, which is basically IRAC, Issue, Rule, Analysis, Conclusion. This might be really different from what you learned previously. And if you did this in a different legal environment, people might be like, "What is this? This is not how we write." But this is basically how you write for the bar exam and you've got to get that style down.



Lee Burgess: Yeah. And they expect that style. They expect it from everybody so you just have to go with it, even if it doesn't feel comfortable for you. You have to learn it and practice executing it because that's what's required.

Alison Monahan: Yeah. It's basically formulaic. That's the good news. If you have memorized your rule statements properly, you literally should just be able to walk through each element that you have written down, use that, do the analysis, draw a conclusion, and move on to the next point. Think of this almost like a machine that's just spitting out points and you're like 'cla-cling, cla-cling, cla-cling.' All you're doing is really checking boxes. This is the rule, I've broken it down into elements. This is the fact that I need to apply here. This is the possible counterargument. This is who has the stronger argument. Here's why. Next point.

Lee Burgess: Yeah.

Alison Monahan: I mean, it doesn't seem that hard when we just say it but you need to be able to write like that.

Lee Burgess: Right. And I think that, again, is where the Writing of the Week program can be very helpful to just check that you're walking through all of these points and to show you how on one hand it is very simple and formulaic.

Alison Monahan: Yeah. And I think also one thing that can be really helpful is if you are in California, Baressays.com, they have actual essay answers that people wrote in exam conditions with the score that they got. If you have absolutely no idea what the difference is between basically in California 65 on an essay is passing. So if you want to see what does a 65 look like versus a 70 versus a 50, I think it can be really helpful because the more that you read these, the more by osmosis you're going to start absorbing like, "Oh, okay. This is the process for writing." You haven't done a lot of this writing in a way that someone who's done three years of law school has. I think you've got to really immerse yourself in that, not so much in the sample answers that they hand out for the bar because those are literally the best ones ever written and they are not realistic. So I think you've got to get a sense of what is reasonable to expect me to produce under these conditions and then target that.

Lee Burgess: Right. All right, what about the multiple-choice questions? Think these are just brutal in a whole other way.

Alison Monahan: Fun, so fun.

Lee Burgess: I know.



Alison Monahan: I mean, nobody does this, right? I'm pretty sure in France or whatever no one's giving out multiple choice questions about the law.

Lee Burgess: No, yeah. The multiple-choice questions are painful. It's interesting because it used to be the rule that foreign-trained attorneys to go take the exam in New York because it had more multiple choice than other jurisdictions and it was thought that multiple choice is always easier than the writing. Do you think this is true for most people?

Alison Monahan: I mean, I think it depends. I, in general, think the MBE is a very, very difficult test for anyone. I think it does not probably play to the strengths of most foreign attorneys partly because ... There are a number of reasons I say that. One, it's extremely time pressured. You have the same issue that you have with reading comprehension in a different language and that's slowing you down. It also it can get very detail oriented and very specific about the law. It's not enough just to have a broad understanding of a certain topic area. You really have to know the nitty gritty rules that, again, you've never seen which makes it difficult.

I think for most people it's a timing thing and then just they're hard questions and also just it forces you to learn a level of detail that is extremely difficult.

Lee Burgess: Yeah.

Alison Monahan: So, I mean, in terms of what can people do, what can they do?

Lee Burgess: I mean, you got to practice. You have to practice but you also have to be strategic in that practice, like everything else. You don't have a ton of extra time. I think using tools like [AdaptiBar](#) are really great. AdaptiBar lets people get extended access. I mean, you do have to pay more money but it's not like buying it twice. If you are doing a longer study period, you should write to them. They're very nice people. They respond to emails. Ask about how to extend your access so you can get started earlier rather than later. I think you want to track the weak areas of the law. And you really want to evaluate why you're missing questions. If you haven't listened to our episodes that I did with Sean Silverman on the MBE, I think it would be great to listen to those about how we walk through questions and also where are the common pitfalls for getting the wrong answer so you can start to read these questions in a more sophisticated way as you get used to them. You really need to get comfortable with them.

Alison Monahan: Yeah. I think AdaptiBar is pretty much a must have resource if you're studying as a foreign-trained attorney. The [Strategies and Tactics](#) book by Steven Emanuel is also popular. That could be a good place to start if you want to start prepping earlier because this book, you just buy it. He has questions but he also walks through strategies and tactics for approaching them. If you're really just "What



is this? I've never thought about having multiple choice questions on a legal exam before." I think that book might be a good place to start for some basics.

Lee Burgess: Yeah, I agree.

Alison Monahan: But yeah, the multiple choice is going to be a challenge.

Lee Burgess: Yeah. It's a challenge for everybody.

Alison Monahan: It's not a fun test.

Lee Burgess: No, it's not.

Alison Monahan: The good news is, I do think you can get better at that faster than you can get better at the essays. If you do some multiple-choice questions and you're starting at a very low point, do not despair because it is very trainable.

Lee Burgess: That's true. That's a very good point.

Alison Monahan: Yeah. So don't give up immediately if you're like, "Wow, I'm getting 10% right."

Lee Burgess: Right.

Alison Monahan: You can do better.

Lee Burgess: Yeah. All right, another issue and challenge that we've seen for foreign-trained attorneys is often times they don't have the same social support, knowledge of what they're going through as folks who either are going to law school in the US and have their school community or may have family members or know people in the law in the US and I think this can be really challenging. It can be very lonely.

Alison Monahan: Yeah, particularly if you're studying in your home country. You may not have people to study with. You may just be sitting in your house all day watching endless videos and going crazy. Also, you just don't have people to get advice from necessarily. I think this is definitely one of those situations where you've got to really think through what is going to work for you and what kind of support do you need. And also, just really doing your research and figuring out exactly what you're going to need to do to pass and not just stepping in to like, "Oh, I've just signed up for this prep course and everything will be fine." That's unlikely.



Lee Burgess: Yeah. I think that that's really true. If you are doing an LLM program, it's possible that maybe your school has some resources for you to support you through this. Maybe even you can do your bar prep on campus or with other students. But they may not be in the similar situation to you so it might not help to study necessarily with law students. But as we also recommended, it may not make sense to take the next bar offered. So, you might also not be taking the test with the people you were in school with. It's all very complicated and very unique to each individual situation.

Alison Monahan: Yeah. And as I mentioned earlier, if you are doing an LLM, you should strongly consider taking some bar classes specifically including evidence. I know that sometimes people do the LLM and they see it as like, "Oh, it's a fun year of my life. I get to party a lot." I mean, the ones at Columbia were super fun to hang out with. I don't think most of them studied very much, to be honest. Typically, somebody else was paying for it, the school, the government, whatever. Which is fine, have a great year. But if you actually think you want to be barred in the US, you need to be somewhat serious about your studies as well and at least consider taking some of those bar classes that, unfortunately, you might get lower grades in.

Lee Burgess: Yeah, that's true. I think one of the reasons folks like to [work with a tutor](#) is that it gives you somebody to have those checkpoints with and it gives you a human to interact with to give you support, to guide you through this process, but also to check in with you so you don't feel so lonely if you're studying by yourself.

Alison Monahan: Yeah. If that's not feasible for you, you can consider maybe a [virtual study group](#) or something if you are going to be studying in your home country, whether there are other people in that country or maybe just people you know from school. It could be a Facebook group or a WhatsApp group, a Slack channel, anything just to give you some accountability and also to give you somebody to work on questions and things like that with. I think thinking outside of the box there may be things that you can do that will help you besides just what a normal, typical law grad might be doing in their bar prep.

Lee Burgess: Yeah. I think that that's really true. All right, what about the working and studying foreign-trained attorney? I think this is maybe one of the most challenging situations.

Alison Monahan: Yeah. I think this is pretty common because often times people will take a leave of absence for a year from their job and then they go and do school and then they're expected to come back and slot into the job that they were previously doing but they're also trying to study for the bar. This is really tough. I think here you've just got to be very realistic on what time you have available and recognize, as we mentioned a couple of times, it's better to wait and take the



next exam than take it if you know you're definitely not ready. Sometimes we talk to people and they're like, "Well, I'm working at least 10-hour days and I'm working some weekends. I'm not going to be able to take any time off before the exam. I'm just going to fly right to California and sit for the exam." It's like, "Okay, how is this going to work?"

Lee Burgess: Right.

Alison Monahan: I'm sorry. I just don't see it. I don't want to be demoralizing but this seems basically impossible.

Lee Burgess: And I have met some brilliant foreign-trained attorneys who have had to study crazy amounts to pass this test because of the knowledge of the law issue. It just takes a long time to get through this law. Even if you're only focusing on studying heavily tested topics, there's still a lot of law to cover. It takes a long time.

Alison Monahan: It's hard to study after a full 10-hour day possibly working in law in a different language in a different system. Imagine you're in a civil law country working in a different language and then suddenly you're supposed to switch to studying bar exam common law. I mean, that's really hard.

Lee Burgess: Yeah. It's so true. So, you've got to be very realistic and you should be realistic with your job. Hopefully if it's a legal job, they'll understand. But I think some people really come at this with like, "Well, I'll just try to take it" and then they fail and it's complicated if that happens because, one, you typically don't continue studying so you take this break on the idea that you might pass even though you really weren't prepared. And then you fail and now you're scrambling again to pass. I don't like taking the test if you think you're not going to have a shot at passing. I think you should skip it.

Alison Monahan: I agree. I think there's just no point. Sometimes people think, "Oh, I'll just sit for it and get an idea of how I'm doing." It's like you're just going to get an idea that you're poorly, which is probably going to be demoralizing but, okay, you get a little bit of information. Are you doing better on the MBE, depending on the state? [Look at our podcast on interpreting your score report.](#) But you might get some information about your relative strengths and weakness but I just think it's demoralizing for most people to fail even if they expect to.

Lee Burgess: Yeah. Failure never goes off well. It just never does.



- Alison Monahan: Not to mention the cost of it, the investment of time and energy. You might have travel costs. I don't see the point of sitting for it for the experience, although some people do basically like to do that.
- Lee Burgess: Yeah. I think you can get other experiences that will give you the same information. I just don't think ...
- Alison Monahan: Yeah. You could take a simulated test every two days sitting in the comfort of your house on a weekend and save yourself thousands of dollars.
- Lee Burgess: Yeah. I just don't think it behooves you to pay the bar for that experience. Okay.
- Alison Monahan: Great point.
- Lee Burgess: I know. Before we move on, I do want to circle back to the performance test because I know that I said that it was something that you really needed to dive into and I know a lot of people struggle with this because it requires reading and efficient writing but that does not mean that all hope is lost. This is another area where I think with guidance either from a tutor or maybe someone at your law school that you can come up with strategies to make these packets more reasonable. You just have to get very comfortable with them.
- Alison Monahan: Yeah. A lot of it's really about how are you going to organize your approach.
- Lee Burgess: Right.
- Alison Monahan: This is an issue even for native English speakers who have a JD oftentimes because they also don't have ... They're running out of time and things like that. You need to develop strategies for how am I going to note what's important so that I don't have to go back and try to figure out where stuff is? That kind of thing really comes through practice. Less is more with the writing components so you probably can't write as much as someone who's a native English speaker would. Every single word needs to count. No irrelevant law, no irrelevant issues. You need to make sure you have a prewriting outline, you're sticking to that outline, you're going through it step by step. The good news is, if you do that, you're actually pretty likely to score fairly well.
- Lee Burgess: Yes. Because I have seen some very high scoring performance test answers that are very short. Length is not always the indicator of the score. It's what's in the content that matters. If you are thoughtful about what goes into that content, you can definitely pass these questions. I also think it's very important to be thoughtful about how you approach reading the packet, how you approach reading the cases, where you are looking for signals in those cases for where



they lay out the law that you're likely going to need to apply. Make sure you're not spending a lot of time just reading paragraphs of facts that aren't really going to get you where you need to go. There are things you can do to trim the fat and thin out that packet but you've got to practice so you have these techniques, you feel comfortable with them so you know what you can do in the moment.

Alison Monahan: Yeah. I think the performance test and the rest of the exam as a foreign-trained attorney, this is a challenge but it's not impossible. Every year people pass the bar who did not study for a JD program and you can be one of those people.

Lee Burgess: Yeah.

Alison Monahan: But I think you do have to be smart about the way that you're preparing.

Lee Burgess: Yeah. It's just a different set of challenges.

Alison Monahan: Exactly. It's not like it's so easy for everybody else.

Lee Burgess: Right.

Alison Monahan: I mean, the good news is you're probably licensed as an attorney in your home country. You probably have some work experience. You're coming to this from a more grown up perspective than a lot of people are. But that being said, I think you do have to be strategic about it so that you can give yourself the best shot at passing and not have to keep doing it.

Lee Burgess: Yeah. Well, I think my last final thought would be I have also known a lot of foreign-trained attorneys who are a bit later in their career and that often comes with additional family responsibilities. Another thing to think about if you are ... Even if you are taking time off work is to make sure that just like every other person who's studying for this exam that you have a plan for your family responsibilities because we have known attorneys who are in the US with their kids while their spouse may still be abroad and so they don't have an additional partner to help them with childcare. How are you going to make time to study even if you're not working? There can be lots of different scenarios. Again, you have to look at the whole picture and set yourself up for success as much as you can with the problems you know. Because there are always going to be problems you don't know are coming, so try and do what you can with the problems you know about.

Alison Monahan: Right, absolutely. With that, unfortunately, we are out of time. We'd like to take a second to remind you, you can check out our blog at BarExamToolbox.com,



which is full of helpful tips to help you prepare and hopefully stay sane as you study for the bar exam. You can also find information on our website about our courses, tools, one on one tutoring to support you as you study for the UBE or California exam and we work with a lot of foreign-trained attorneys. If you enjoyed this episode of the Bar Exam Toolbox Podcast, please take a second to leave a review and rating on your favorite listening app. 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 myself or Alison at Lee@BarExamToolbox.com, or Alison@BarExamToolbox.com. Or, you can always contact us via our website contact form at BarExamToolbox.com. Thanks for listening. Thanks for listening and we'll talk soon.

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- [Private Bar Exam Tutoring](#)
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- BarEssays.com
- [Writing of the Week](#)
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