



Lee Burgess: Welcome to the Bar Exam Toolbox podcast. Today I am welcoming Brittany Raposa, one of our tutors at the Bar Exam Toolbox, and also the Director & Professor of Bar Support at Roger Williams University's School of Law.

Today, we're going to be chatting about the MPRE. 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](#), the [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. And with that, let's get started.

Welcome back. Today, we're discussing MPRE preparation with special guest, Brittany Raposa. Brittany is one of our bar exam and law school tutors, and currently teaches bar prep and legal ethics, so we're excited to have her here today to talk about the MPRE. So to get things kicked off, Brittany, can you give us a basic rundown of what the MPRE actually is?

Brittany Raposa: Sure. So the MPRE is a 60-question, two-hour exam, and it stands for the Multistate Professional Responsibility Exam. So that's just testing the professional model rules and judicial ethics, and then some evidence and civil procedure issues that are related to professional responsibility.

Lee Burgess: And so, does everyone have to take this test?

Brittany Raposa: So, everyone should take it. In most jurisdictions, before you sit for the bar, you have to pass the MPRE. And when I say pass the MPRE, passing means that you just get the required score for the jurisdiction that you want to take the bar in. So for example, if you were going to sit in Massachusetts, you need an 85 on the MPRE before even applying to sit for the bar. In some jurisdictions, you don't have to have passed it prior to sitting for the bar, but you have to pass it sometime after. New York, for example, is one of those jurisdictions. So in New York, you don't have to get an 85 before even taking the test, but you do need to get it within a certain number of years after taking the test.

Lee Burgess: And do most people take it during law school, or do most people take it after the bar exam?



- Brittany Raposa: So most people take it during law school, and I would definitely recommend that everyone do take it during law school. So you take Professional Responsibility; in most law schools, it's a required course. If it's not a required course, it's still good to take for MPRE preparation. And while the information is still fresh and right after your PR course, it's really good to take the MPRE while still in law school.
- Lee Burgess: Yeah. And I think it's usually offered in March, August, and November.
- Brittany Raposa: Yes, it's offered three times a year.
- Lee Burgess: Okay. So often times, I'll have people ask me like, "Shouldn't I just take the August one, right after the bar?" Because it's usually about two or three weeks, if that, even after the bar exam. And I think that if that's the situation you end up in, that's okay; but you're pretty tired after the bar. I think most people don't want to study for another multiple choice test.
- Brittany Raposa: Yeah, especially the MPRE is definitely a little different than the bar, but after you're kind of burned out from 200 multiple choice questions and a full day of written testing, the last thing, I think, students want to do is study for the MPRE and take a two-hour multiple choice exam.
- Lee Burgess: Yeah. I also think that if you are planning on getting licensed... Let's say you sit for the bar in July, you're planning on getting licensed in the fall sometime, depending on when your results come out – you don't want to have a situation where you pass the exam, but let's say you sit in August for the MPRE, and you fail the MPRE. Then you won't be able to get your law license. And I think a lot of people don't recognize that fact.
- Brittany Raposa: Right. Yeah, and I think that your law license could also expire. So in New York, for example, you can practice without having passed the MPRE, but then if you don't pass it, then you're just no longer a lawyer anymore.
- Lee Burgess: Yeah. So that's not okay.
- Brittany Raposa: No, no.
- Lee Burgess: It's not that big of a deal, but this is something you want to kind of check the boxes for. I will say that I find the MPRE a little bit like taking your written driver's test. You want to do it early as you can. Sometimes people fail, because often times, you don't study for a very long period of time. So you want another opportunity to take it again without it becoming kind of embarrassing.



- Brittany Raposa: Yeah, I always tell students... I always say repeatedly that you should let yourself have a few chances to take it. So for example, if you need the score before you even apply for the bar, and the bar application is due May 1st, you don't want the first time you take the MPRE to be in March.
- Lee Burgess: Yeah, that's very true.
- Brittany Raposa: When it's your only chance.
- Lee Burgess: Yeah.
- Brittany Raposa: And it's also a difficult exam. It's not easy. I think that there is this myth that was created in some fashion that says, "Oh, it's so easy. You just have to study a couple of days before, and you're good."
- Lee Burgess: Yeah.
- Brittany Raposa: And that's not the case anymore, if it even was in the first place. So I think that it is difficult, it's technical in the questions. And so leaving yourself a few chances in order to pass it is the smartest decision.
- Lee Burgess: Yeah, that makes it different than the written driver's test, which I do think you can cram for in the days before.
- Brittany Raposa: Definitely.
- Lee Burgess: So you mentioned a little bit that you think the MPRE is hard, and I do think that to get that passing score, depending on your jurisdiction, it can be a challenge. Why do you think that the MPRE itself is so hard? Is it just that it's all multiple choice, or is it these nuances of the multiple choice questions that you were just talking about?
- Brittany Raposa: I think that one of the things that makes it extremely difficult is the model rules themselves are pretty easy to understand, but it's the comments and the exceptions and the runarounds. And that's exactly what the examiners are testing – the nitty gritty in the comments, or some exceptions to the rules. So, it's not only good to have a basic understanding of the model rules generally, but you have to know all of the nuances and tricks. And I think that the questions really tailor themselves to a student being able to pull those out of their hat and say, "Okay, I not only know what this rule is, but I can also tell you what this little nuance is."



- Lee Burgess: I think that's true. I think that if people have started studying for the MBE, I think, it also tests some of those nuances. And so you have to get comfortable with this type of legal multiple choice. It's not testing, typically, the big, sweeping issues; testing the tiny little things that you have to have an attention to detail for, which I think a lot of people can struggle with. I also think it's important... One of the things you mentioned is that in jurisdictions, which there aren't very many anymore that are testing local, state professional responsibility on their bar exam as well, that this is a national test. So it is not testing, if you're in California, the California rules of professional conduct. They're only testing the model rules.
- Brittany Raposa: Right. And I think something else that makes the MPRE difficult is just the multiple choice in itself. So I think the MPRE really does a good job – good in the sense of the word of making two answer choices extremely close to one another. I think that's true for the MBE, for the bar exam, as well; but the MPRE is so tailored to just one genre that it's able to kind of create this really thin line between two answers, and really trick students.
- Lee Burgess: Yeah, you never knew there were so many things that could be written about what boards judges could sit on, and really stuff that most of us don't really think about.
- Brittany Raposa: Right. And there's the fine line between when a lawyer is on an organization and they can vote when something is favorable to a client, and it's completely different when the vote is unfavorable to a client. It's really the different sides of the coin, and the such close answer choices that the examiners give the student. It can be really difficult.
- Lee Burgess: Yeah. So, I think basically every law schools requires you take Professional Responsibility in school.
- Brittany Raposa: Mm-hmm.
- Lee Burgess: So, factors that want to guide your choice; do you think you should definitely take that Professional Responsibility class before you sit for the MPRE?
- Brittany Raposa: I do. I think that it's good to take PR right before you take the MPRE because it gives you a really big dive into the model rules that the commercial courses that prep you for the MPRE might not. And it kind of gives you a little bit of a broad understanding, some policy understanding in a PR course, but I think it helps students know and to have a really good foundation of the rules themselves,



which would lead them then into being able to do a commercial course, and then practice questions.

Lee Burgess: Yeah, I would have to agree. So if the test is offered in March, August, and November; if you want to take the March exam, you may want to consider taking Professional Responsibility in the fall. Or else you're only going to be about halfway through your Professional Responsibility class when you sit for the March exam. I can't remember what I took. I feel like I took, actually, the November exam.

Brittany Raposa: I took the November exam, as well.

Lee Burgess: Yeah. And then it was just so nice to have something crossed off my list. I remember that fall, I did the... We call it the moral character. I was having a brain moment there. The moral character, which is this big packet background check you have to do for California, and then I took the MPRE. And I was like, "Two major boxes checked! Get them done!"

Brittany Raposa: Yeah.

Lee Burgess: It can be so exhausting when you look at that road of bar prep, because I think a lot of folks going into law school even, don't think about how many of these requirements you have to meet in order to get that law license. I think that there's this idea that the bar exam is the only thing you have to do, and unfortunately it's not. You have to be on top of all of these different requirements for your individual state, to make sure that you can get the license when you pass the bar exam, which is usually one of the last things you do, that there's nothing standing in your way.

Brittany Raposa: Right, exactly. I think that one of the things I counsel students about with the November administration of the MPRE is that November can be quite a hectic time for a student in law school. You're in the midst of a fall semester and it's approaching finals time, so I think that's just something to think about, whether you can devote a sufficient amount of time to study for the MPRE in November.

Lee Burgess: Yeah. Alright, so let's talk about how people prepare for the MPRE outside of just taking a Professional Responsibility class. What options do people have for preparation?

Brittany Raposa: So, all of the bar preparation companies like [Kaplan](#), [BARBRI](#), [Themis](#); they have MPRE preparation courses, and they're all free. So you can go online and just sign up for them, and you get an online portal, and it comes with books, a bunch



of questions and lecture videos, and you can utilize that. I don't necessarily know if one is better than the other; they all kind of teach the same thing and do the same things, but I do usually recommend that students at least download or look at all of the companies for the different types of questions that they may see.

Lee Burgess: Makes a lot of sense. And I also think it's a nice dry run of how each of these companies does some of their test preparation if you haven't yet committed to purchasing a bar review program.

Brittany Raposa: Yeah, I agree. I think that most students say to me, "Well, it really worked for the MPRE, I really liked it, so I'm going to use it for the bar exam as well."

Lee Burgess: Yeah. I feel like that's maybe why they're free.

Brittany Raposa: I think so, too. I think so, too.

Lee Burgess: I do think, though, that you want to make sure that you don't get caught up in obsessing over three different companies' outlines. I think you can go down the rabbit hole pretty quickly if you get information overload. I don't think it's a bad of downloading all the different questions so you get that variety; but maybe, do you think, pick one outline? I doubt one outline is significantly better than another.

Brittany Raposa: Yeah, I always tell students to only pick one lecture route, one outline route, and just use questions from other sources.

Lee Burgess: Yeah, I think that's wise. So, what if you are worried about the MPRE in the sense that you've struggled with multiple choice a lot in the past, maybe you're struggling academically in law school, and this idea of prep on your own, which is really what a lot of these MPRE prep programs we're talking about are, just doesn't sound like it's going to get you where you need to be – what do you think are some of your other options for getting additional help?

Brittany Raposa: So I think tutoring is an option. A private tutor can really take a student through question analysis and maybe help them understand areas of law that they don't. But I think what an MPRE tutor can really do is kind of question workshop with the student; not only showing them the nuances, but the tricks of the multiple choice question. And I think that a tutor can really help the student with a self-regulated learning process, teach them how to learn from the questions instead of just doing them passively.



Lee Burgess: Yeah. That's something we talk about so much at the Bar Exam Toolbox, is not doing passive practice. I would consider passive practice, doing multiple choice practice, to be like, "Wow. I did 30 questions. I got 15 of them right. I'll just either look at the ones I got wrong, or I'll just move on." And that's not what you want to do. You really want to learn from those questions and start to kind of master how to approach the multiple choice. I think, depending on your law school, this may be the most legal multiple choice that you've gotten exposed to, and so that also might lead you to having a few different struggles about what they do to have distracting answers, or like you were mentioning earlier, how they test the nuances. Because the multiple choice is not going away. The MBE, the full-day multiple choice bar exam is a real challenge as well. So you want to start kind of chipping away, I think, at getting comfortable with legal multiple choice, thinking about time management, thinking about testing anxiety around multiple choice. A lot of things, I think, can kind of come up in the MPRE process that if you nip in the bud early, maybe it won't plague you as much if you've got some strategies going into your actual bar prep.

Brittany Raposa: Yeah, I think so. I usually tell my students... I made something called a tracker chart for them, and when they're doing MPRE practice, they're supposed to not only just read the explanation of why they got it correct or wrong, but they fill out a chart that forces them to explain why they got it wrong. And I think that that process is so significant. And learning it for the MPRE in turn just helps them when it comes time to take the bar and learn from MBE questions.

Lee Burgess: Yeah. I think this practice of really engaging in the question is incredibly important, and I even go a little bit further and tell people that they also need to make sure they understand if they got a question right for the right reasons. Because sometimes, you can get questions right for the wrong reasons, but that doesn't always mean you will get it right again, if you got it right for the wrong reasons.

Brittany Raposa: Right, right. Yeah, that's something I preach too.

Lee Burgess: Yeah. Another thing I think folk often forget is, if you need accommodations, either for learning differences or physical or medical conditions, or even things like pregnancy or breastfeeding, that accommodations are also available on the MPRE. But like most accommodations processes – please, please, please, do not wait until the last minute to investigate those, because there's still an administrative process you have to go through.



Brittany Raposa: Right, and something else I would... A tip for accommodations is that most of the time, it's not as easy to get accommodations for the MPRE or the bar exam as it is for law school.

Lee Burgess: True.

Brittany Raposa: And I think that one of the things students should really consider if they want accommodations for the bar and they have them in law school – getting them for the MPRE actually strengthens your chances for getting them for the bar exam.

Lee Burgess: Very good point.

Brittany Raposa: So I think that students should always be thinking about that. I've seen a lot of times students say, "Well, it's just two hours, 60 questions. I don't need them, but I want them for the bar." If you want them for the bar, getting them for the MPRE shows a history, and it strengthens your chances of getting them.

Lee Burgess: I think that's a very good point. And we can link to some other podcasts we have about accommodations, because I think it's such an important issue, if that's something that you need to level the playing field. But I also think the other thing that folks need to keep in mind is, even though it's a two-hour, 60-question exam, if you're apply for accommodations depending on your individual situation, think about what you're asking for.

So the easy one, or the default one – I guess it's not the easy one – the default one for a lot of folks is time and a half, especially for learning differences. Things related to attention deficit issues, severe anxiety, other issues around focus. Also, some physical ailments, folks with terrible carpal tunnel or back problems, or things like that. Sometimes they need time and a half to be able to take a break and stretch, and do things like that. But I've also had students with medical conditions where they need to be placed closer to a restroom, or they need to be able to drink water, or they need to be able to eat, or pump breast milk, or do various other things. And so, I think that even though it seems short, you do want to critically evaluate what you need to level the playing field, and do make sure that your requests, in your application, are very specific, because I've seen application packets in California, which is where I know the most about the application packets, get denied because the requests weren't specific enough.

Brittany Raposa: Right.



- Lee Burgess: The doctor wrote a note, but didn't say what you need, so they didn't know what to do.
- Brittany Raposa: Right. I would only suggest too, once you get accommodation paperwork, I would go over it with someone in your law school, like the Dean of Students or even an academic support professional to make sure that you have everything that you need to maximize your chances of getting them.
- Lee Burgess: Yeah, I agree. I think it's very important, and I think folks also need to remember that if you need accommodations, no one will ever know, once you are licensed, that you had those accommodations. I think people really say that they don't want to do it because they feel like there's a stigma attached to it. They just know you're a licensed attorney. Nobody knows how you got there. It's very important that you know that.
- Brittany Raposa: Exactly.
- Lee Burgess: Yeah. Alright, so we have talked a bit about practice and time management, and how practice is important, and that you need to do active practice by tracking what you get wrong and what you get right, and learning from the questions. You only get about two minutes per question, which is not very long. If it sounds long, try doing some of these lengthy questions. What about kind of managing the study period? You mentioned that you can't study one or two days, so how do you think, typically, folks approach studying since you are usually taking this exam during the school year?
- Brittany Raposa: Yeah, so I typically tell students to begin four to five weeks out from the exam. For the first couple of weeks, taking in, reviewing the rules, and then kind of practicing questions with those rules. So for example, review conflicts of interest, and then do conflict of interest questions. And then, maybe after a couple of weeks, on week three, it's time to maybe do some mixed practice and review. And then you start upping your simulated practice exams that you do; 60 questions in two hours. I think that elongating the study... I always tell students not to just cram for it, and make it a five-week, four-week study plan so that they can build this stuff into their long-term memory, not just their short term memory. So by the exam time, they're good to go.
- Lee Burgess: Yeah, that makes a lot of sense. So, I will confess that I studied for the MPRE by just starting to read... Of course, since I'm ancient, I had a big BARBRI book of outlines. And I was on a trip with my now husband, and I sat in the hotel room, and I was just reading Professional Responsibility outlines. That is a terrible way to study for this test.



Brittany Raposa: Yeah, it is. And I also think a terrible way to study for the test... I cringe when I hear this. So, usually a student will be unsuccessful and they'll say, "I don't know why I failed, I knew all the rules." And I would say, "Well, what did you do?" And they just said, "Well, I just took the model rule book and read the rules and the comments only." That's also a terrible way to study.

Lee Burgess: That's terrible, yes. Now, granted, I did also do practice questions, which is probably why I passed the MPRE, is because I did do the practice questions. But I remember sitting and doing the practice questions going, "Oh, my! Why did I waste hours and hours passively reading the outlines?" It was such a terrible use of time, just a terrible use of time.

Brittany Raposa: Right. You do need to review and know the rules in order to get the questions right, but doing the questions and so much practice is what maximizes your chances of success.

Lee Burgess: Right. And I think there is reviewing, but this is a great time, I think, to also start evaluating how these big outlines are going to serve you to study law. So usually just reading an outline in a big book is not going to get the law into your memory. So you either need to create your own outlines, or some study aids, or some flow charts, or do something to interact with the material as you start to practice to make sure that it goes in your head. Because I kind of wish... I was actually in Vegas. Yes, Vegas – the most exciting place to study for the MPRE. I remember sitting in the hotel room in Vegas, and afterwards thinking, "Why did I spend three hours in this hotel room in Vegas reading this outline? I should've been having fun and then doing more active studying," because in the end, I had to basically relearn everything again, because of all that passive work. I mean, I probably learned a few factoids, but that passive work didn't really get me towards my goal.

Brittany Raposa: Right. One of the reasons why I tell students to do a lot of practice questions is because you're only being tested on one subject, and so there's only so many ways the examiners can test these rules. So, the more questions you do, the more the questions look familiar. So not only do you know it, you know how to answer it, but then you become really familiar with how things can be asked of you, and that's really how students do quite well on the MPRE.

Lee Burgess: Yeah, that makes sense. Now, within the professional responsibility topic area, are there topics that are tested particularly heavily, or areas that are particularly tricky that folks should put a big star next to, and make sure they invest some extra time?



- Brittany Raposa: Yeah. I think one of the biggest ones is conflict of interest. I think it's one of the most heavily tested on the MPRE, and it's difficult because a student not only needs to know what's going to happen here, but you need to recognize what type of conflict it is. Is it a current client conflict? Is it a concurrent one? Is it a past client? Is it a former client conflict? And I think that there are so many different rules, and then you throw in screening and when it's attributed to a law firm, and a conflict attributed to a law firm, that it can be really nuanced and confusing. I usually tell students that your understanding of conflicts of interest is so critical to your success with the MPRE because it shows up the most.
- Lee Burgess: Yeah. And anyone who's practiced any sort of law, conflicts is something you always end up having to talk about.
- Brittany Raposa: Right, exactly.
- Lee Burgess: It's the first thing you do when you talk to a lawyer at a private firm, is they run a conflicts check. That's the first thing that happens. Beyond the MPRE, it's something you basically need to understand because it comes up in practice all the time. Depending on what type of law you practice, conflicts stuff would come up in... I did big corporate litigation – it would come up, but it would also come up... My dad was a criminal defense lawyer for a lot of times, and sometimes you have a case with multiple defendants. Can you pre-charge? Represent multiple defendants? How do you get waivers? Why are those waivers required? How are you going to navigate safely? I mean, this is real world stuff, just outside the MPRE.
- Brittany Raposa: Right. And I think a couple of other topics that are really big is client confidentiality, which is also so significant in real practice. And then duties to clients and duties to third-parties. Those are the most heavily tested ones. and then of course the other topics are tested too, just not as heavily; like safekeeping client funds, judges. Students hate judges, the judges questions.
- Lee Burgess: I remember there being a ton of judges questions on my MPRE.
- Brittany Raposa: Normally, there are only two to three, now. I think the reason why students don't like judges questions is because... I mean, it's just the reality of a PR class, mostly – you cannot cover everything. And most PR classes don't get to cover judges, so it's almost this new territory for them. But I think that relying on your commercial outline for the judges portion is sufficient.



Lee Burgess: Yeah. So, what about folks who find themselves struggling with testing anxiety or panic around taking any type of multiple choice tests? What have you seen can be helpful to avoid panicking on the MPRE?

Brittany Raposa: I work with a lot of students who have severe test anxiety, both with law school and as a tutor. And I think that one of the things that has been most successful is having the students do timed practice and preparation. So those students, I suggest do more timed exams in simulated exam settings. That eases their anxiety a little bit when they get into the actual exam room, because it's like, "Well, I've already done this a million times, so I'm going to be okay, because I was okay before."

Lee Burgess: Yeah.

Brittany Raposa: That's one of the biggest tools, I think, that's really helpful. Another being that if you find yourself in a really big state of panic, don't try to push through; just take a break and then go back to it with a new outlook.

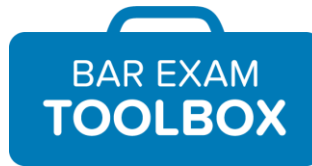
Lee Burgess: Yeah. I think that that's a good point. And again, this is a great dress rehearsal for the bar. If you're finding yourself dealing with moments of panic, if you're finding yourself having your mind get blank, these are great warning signs that you need to be serious about your preparation, especially going to the bar exam, because it is a more high pressure situation, so none of this stuff gets better.

But, the good news is there are plenty of ways to cope with that. Mindfulness approaches help with that, taking breaks, having breathing exercises that you can pull from, making sure you're treating your body well, getting plenty of rest. There are lots of different things that you can do to manage this, but ignoring it is not the right approach. Don't ignore.

Brittany Raposa: Right, right. I think that working through it and working with the test anxiety is the best way to... You have to tackle it, not ignore it.

Lee Burgess: That is so true. So we mentioned this a little bit earlier, but I just want to touch on it for folks who may have found out that they got too low of a score on the MPRE. How do you approach bouncing back and scheduling when to retake the exam?

Brittany Raposa: So I think that if you didn't get the score that you needed on the MPRE, it can be kind of defeating and devastating, I think. In many students' eyes, they see it as a failure, even though they could be close. And so, it's not necessarily a failure; I



think it's just a learning opportunity. So, I think one of the things that you should do is either sit down with yourself or with someone and ask yourself what do you think you did wrong? Typically, when someone fails the MPRE, they just did something wrong, or something that didn't work for them. So I think figuring out what that is, and having the self-reflection process and then finding something that works instead, is the way to go.

So normally, it's either you didn't do enough practice questions, or you didn't put enough time into it. And so I think that then crafting a plan that's going to optimize your success after failing once, taking into account what didn't work for you is the best way to do it. I usually do think that taking the next exam administration is the best course of action, unless you don't have time to devote to it at that time.

Lee Burgess: Yeah, which is, again, why we are recommending you take it as early as logistically possible. Let's say you take the November exam – then you have a chance to take the March exam if you're sitting for the July bar. Or, the reality is, if you're taking the February bar exam, that March exam's going to come up really fast. And so you could take it again in March, but again, you're going to be pretty burned out. So you don't necessarily want to go back-to-back if you can avoid it. But then at least you have another opportunity before you get those bar results, and then the lack of an MPRE pass won't be standing in the way of getting your law license. Because trust me, once you get that passing score, you want to take your oath and be done. Just pay your money and be done.

Brittany Raposa: Yeah.

Lee Burgess: I guess it's like, "Take your oath, pay your money, be done." I can't remember if they make you pay before.

Brittany Raposa: Well, you pay like five times, I don't know.

Lee Burgess: I just paid my bar dues. Every year, I was just always like, "Oh, those are a lot of bar dues."

Brittany Raposa: Yeah. Yeah, they just take money from you a lot, but if you don't have to keep paying for the exam afterwards, it's helpful.

Lee Burgess: That's true, because you do also have to pay for the exam every time you have to...

Brittany Raposa: Yes, and the cost keeps increasing, oddly.



- Lee Burgess: Yeah. Back in the day, it wasn't so expensive.
- Brittany Raposa: You know, I will say it was only \$60 when I took it. It's like \$120 now.
- Lee Burgess: Wow. And in bar land, \$120 is pretty cheap, because sitting for the actual bar is not \$120.
- Brittany Raposa: Right. No, it's not.
- Lee Burgess: It's definitely not. And I think if you have failed, that is a great time, too, to explore tutoring because you may want to have some help to figure out how you need to change your study approach. I don't think we've mentioned it yet, but shouldn't be so much of a surprise to folks listening to this podcast that we do offer MPRE tutoring at our Bar Exam Toolbox company. So if you do have questions about the MPRE, we're happy to answer them for you and see if we can help you pass.
- So, as we kind of wrap up, because we're running out of time, I did want to raise one idea that I think is important for the MPRE. The MPRE tests knowledge of the professional responsibility rules, so you have to understand what is the policy behind those rules so you can extend the logic, even if you do not understand a specific rule. But you don't want to answer with what you think the outcome should be, or what you think is fair. You want to answer based on the rules. These are set rules, and you may not even agree with them. Do you think that students sometimes struggle because they try and impart their own opinions on what should be allowed, versus what the rules are actually stating?
- Brittany Raposa: I definitely think so. And I think that what's important to know is that the examiners know that students will feel a way about a certain question, so they pick those questions intentionally. One of the famous ones is where there's a lawyer and a client, and the client is famished and can't afford groceries, so the lawyer gives the client money. And the question is, "Is the lawyer subject to discipline?" And students are like, "Well, of course not. The lawyer shouldn't be." But they are.
- Lee Burgess: Right.
- Brittany Raposa: The model rules indicate that you cannot give a client money, unless it's to advance litigation costs or whatnot. And so, they will test those things, playing on students' emotions for a reason. It's actually an examiner tactic. So it's something, definitely, to keep in mind.



Lee Burgess: Yeah, especially, I remember questions about when it's okay to have relationships between lawyers and clients, or lawyers and former clients, past clients. I always found those kind of interesting. And then I found the rules around sitting on boards and doing charity work and giving legal advice for things like that – I think that, to me, was also an area that was kind of hard to grapple with, because sometimes the rules were a lot stricter than at least I initially thought they should be.

Brittany Raposa: Yeah, I definitely agree with that. I think it's really tough to deal with. I think that in the area of judges, as well, they like to play on students' emotions; like when a judge can give a gift or take a gift, or attend some type of event without the appearance of impropriety. So, it's definitely something to keep in mind, and it just kind of stresses the importance of having to have the rules and the nuances memorized so you don't get bogged down in your feelings; instead, you ground that with the law.

Lee Burgess: Yeah. And this is also why I think most bars have Professional Responsibility hotlines, where you can call and ask questions when you're practicing, because it is very hard to keep up with a lot of these rules and requirements. And lawyers can, I know in California, and I know it's like this in a lot of other jurisdictions – there's a hotline where you can anonymously call and just be like, "I got this question. What do I do?" Or, "I think I made a mistake. Did I make a mistake? What do I do?" And they kind of help you navigate that. Because I think it is somewhat hard to track all these rules. And in California, for those of you taking the California Bar, remember the MPRE's not going to test these rules, but California just redid their new rules that are now tested on the California Bar Exam. So, don't use old outlines for the California Bar, please, with professional responsibility. But I think even for a lot of lawyers, we're like, "The rules changed? Uh-oh." So, always ask if you're unsure. The bar doesn't want you to have an ethical violation, so they are going to set up easy ways for you to get that feedback and practice if you need. But they're worried we're not ethical, so they're going to make you take a lot of ethics questions to make sure that you understand your rules of professional conduct.

Brittany Raposa: That's very true.

Lee Burgess: Alright. Well, I think with that, we are out of time. Thanks, Brittany, for spending some time with me this afternoon chatting about the MPRE. Woo-hoo! Super exciting.

Brittany Raposa: Yes, I love the MPRE, which is weird, but I do.



Lee Burgess: That's okay. That's why we work together, because we like to spend afternoons discussing things like the MPRE. I'm going to talk about the MBE with Alison in a meeting later. It's going to be really exciting.

Brittany Raposa: Oh, gee.

Lee Burgess: 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. We have linked to a lot of helpful blog posts about the MPRE in the show notes, so please check them out. 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, and that includes the MPRE.

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 in the future. If you're 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. Good luck studying for the MPRE, and we'll talk to you soon!

RESOURCES:

[Multistate Professional Responsibility Examination](#)

[Simple Strategies for Passing the Multistate Professional Responsibility Exam \(MPRE\)](#)

[Conquering the MPRE: An Approach to Answering MPRE Questions](#)

[Refuting the Myths: How to Be Successful on the MPRE the First Time](#)

[A Brief Guide to the MPRE](#)

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