



Lee Burgess: Welcome to the Bar Exam Toolbox podcast. Today, we're talking about how to know who to trust when getting bar exam advice. 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.

Alison Monahan: Welcome back to the Bar Exam Toolbox podcast. Today, we're talking about trust, specifically how you know who or what to trust when you're preparing for the bar exam, and also why it's important to go all in with an approach once you've decided to actually trust it. Well, this is a big issue for a lot of students.

Lee Burgess: Big issue, super big.

Alison Monahan: Something we see a lot of. And I think this is because it's really hard to figure out what advice you should trust and what's going to work for you. I've seen this play out in at least two different ways. I don't know about you, but one, people just sign up for a course and kind of blindly assume it's going to work for them without really evaluating whether it actually makes sense to trust the approach they're signing up for. And then two, some people just never really trust any option, and they keep changing direction kind of midstream when actually any one of these probably would've been fine if they just used it.

Lee Burgess: Right.

Alison Monahan: And this can result in kind of a really mishmashed study approach that probably is not going to be entirely effective.

Lee Burgess: Yeah, I think that that's so true. I think one of the things people need to keep in mind is the landscape has really changed. I was talking to someone the other day who graduated the same year I did, and I was talking to him about his bar options. I started by saying, "Listen, it is very different than it was even just 10-11 years ago, when it was pretty much just one offering."

Alison Monahan: Yeah. I think part of this is that now you actually do have a lot of options. You have various big courses. You have supplementary materials like [AdaptiBar](#),



even things like shorter outlines from [Lean Sheets](#) and [SmartBarPrep](#), or [Critical Pass](#) flashcards. We have courses, our [WOW](#), our [POW](#) options, and so on. The schools have kind of gotten into this. They might be offering extra classes or extra help. And of course, you can always hire a tutor. How do you pick that person? It's a lot to sort through.

- Lee Burgess: Yeah, it's a lot to sort through, and I think you will get a lot of the old guard advices: "Well, just do the one program we all did."
- Alison Monahan: Right. "It'll be fine. You'll pass."
- Lee Burgess: "You'll pass."
- Alison Monahan: It's like, "Look at the pass rates. That's not really happening."
- Lee Burgess: Right.
- Alison Monahan: I think that is kind of just something to be aware of. You might not be getting the best advice from someone who graduated 20 years ago, when they really did just have kind of one or two options, and they used whatever option was common in their state. Some of these were very state-specific exams that don't even exist anymore. So, you do have a lot of options, and that can be confusing, but you kind of have to decide.
- Lee Burgess: Yep. So, if you are beginning your bar prep search process, or let's say that you have had a failure and you're regrouping to try again, it's kind of hard to know where to start. You typically start with the Internet, and that is a very overwhelming place to be.
- Alison Monahan: Yeah. I think the first thing I think people really need to do, particularly if they've had a failure, which do not just do the same thing again. If you failed the bar, that is unlikely to be successful the next time. But you really have to look at yourself and how you learn best, and trust yourself first.
- Lee Burgess: Yeah. You have to really think, did you learn well from passively listening to lectures? I think if you are starting your bar prep for the first time, think about the classes that you were the most successful in. Did you just sit there and listen and not interact?
- Alison Monahan: Take some notes on a piece of paper, fill in some blanks? Probably not.



- Lee Burgess: Probably not. You were probably engaged in some way. I think that there is kind of this misnomer that this passive listening to lectures is going to be a way to internalize the law. And I don't know. Really, unless you are a person who can memorize things just by listening to them, it basically is not the answer for everybody.
- Alison Monahan: Right. We're going to talk about this later, but this is a place you can be strategic too. If you are someone who's like, "Well, generally speaking, I'm okay with listening to a lecture on something I knew nothing about" – great. Listen to the lectures on the things you know nothing about.
- Lee Burgess: Right.
- Alison Monahan: Do not listen to the lectures on torts and contracts that you've already taken an entire course on.
- Lee Burgess: Right. Or let's say you high-scored contracts – don't listen to the contracts lectures.
- Alison Monahan: Yeah. That is probably not the best use of your time.
- Lee Burgess: Nope, probably not. And I think that the different parts of the test can also inform how you need to prepare. Are you most worried about multiple choice because you've always struggled with multiple choice standardized tests? Or did you struggle with writing? Did you take a class on the performance test at your law school, and that was the part that you really struggled with? I think you need to be able to thoughtfully go through each part of the test and ask yourself, "Where are my pain points, and how am I going to really fix those?" Maybe your pain points are all of them, and that's totally okay.
- Alison Monahan: Right, but that's also good information to have.
- Lee Burgess: Yep.
- Alison Monahan: I think for most people, they probably have a strength in certain areas. I was like, "Well, traditionally I'm good at multiple choice, so I'm probably going to do better on that section than I will immediately on the essays, which require actual knowledge that I do not currently possess." You've got to sort of think about, where can you maximize your points, and also, where do you have the opportunity to improve the most? Because the question really is, what realistically do you personally need to do to pass this test? And that might look



really different from your friend who's sitting down the row, and they have different strengths and weaknesses. So you've got to really evaluate, do you maybe need some additional time to prepare? Do you maybe need some more help? You can look at things like your grades, from particularly first year. That's a pretty good predictor of how you're going to do on the bar. Your school's pass rate – do you know what their pass rate is? If that pass rate is pretty low, say that you're at an unaccredited school or something like that, you're probably going to need extra help. That's just kind of the way it is. Or if you have accommodations for certain things – if you get extra time on the test, you're probably going to need extra time to study.

Lee Burgess: Yeah, it's true. You want to look at, what are your strong and weak subject areas? Are there topics you didn't cover in law school? I talked to somebody recently who didn't take Evidence, and that's a...

Alison Monahan: That was a mistake.

Lee Burgess: That's a doozy. You should take Evidence in law school if you're still in law school. But if you didn't take Evidence, you can't learn Evidence in a few hours.

Alison Monahan: No. You definitely cannot.

Lee Burgess: No. That's going to take some time.

Alison Monahan: You need to take Evidence if you can.

Lee Burgess: Right, if you haven't.

Alison Monahan: You need to devote minimum several days, probably a week or so to this topic, because it's on the MBE. It's in the multiple choice section.

Lee Burgess: It's a doozy. It's a doozy. Also, we have a lot of folks that we talk to who are foreign-trained lawyers or have taken LL.M.s, or have not taken LL.M.s, which I think is a unique challenge.

Alison Monahan: Right, and who are sitting for a bar in a place they've never studied the law.

Lee Burgess: Right.

Alison Monahan: Challenging.



Lee Burgess: Very challenging. Then I think what we're seeing more and more is, life is complicated. We talk to a lot of people who have young children, or they're taking care of sick family members, or they have pets or jobs, or you name it.

Alison Monahan: Sometimes all of the above.

Lee Burgess: Sometimes all of the above. And then we have to have really thoughtful discussions. One of the first questions I always ask somebody is, "What's going on in your life? Tell me how much you can study." And sometimes you get answers that are like, "Ten hours a week." And I'm like, "Cool. You cannot study for this test 10 hours a week as a repeat taker, typically, and prepare for a few weeks."

Alison Monahan: No, that's not realistic.

Lee Burgess: Yeah.

Alison Monahan: Yeah. I think in order to trust anybody or any course or anything, you've got to kind of figure out what you actually need. And someone in that scenario, I think it's highly unlikely they're just going to sign up for a large course and succeed, because that schedule is just simply not set up for their life.

Lee Burgess: No. I think that most of those large courses are designed for a person who is typically young, single, and recently out of law school, studying full-time.

Alison Monahan: Yeah. You have two months to study, you've taken 70% of these courses, and you can devote all of your time and energy to this. If that's not you, then you're going to have to trust yourself.

Lee Burgess: And you didn't have academic problems. They're not writing those courses for people who had academic struggles in law school.

Alison Monahan: No, not at all.

Lee Burgess: No.

Alison Monahan: Alright. I think the first idea is, you really have to get a realistic idea of what you need, of what you want, and then look at where you're going to get these substantive materials, any practice materials, and also any feedback or help that you need. I think those are kind of the three buckets that I think about.



- Lee Burgess: One of the nice things that the larger commercial bar providers do is that you can always test out their courses. And I really think that people forget this part, that most of them do have some sort of free MPRE offering, so you can see what you like best. So if you're looking at a [Themis](#) and you're like, "I wonder if I'll like Themis", then you can...
- Alison Monahan: Who knows?
- Lee Burgess: Who knows? Then you can say, "Well, they've got an MPRE. Maybe I should go see what their programming is like." Typically, that includes some sort of lecture, and then some practice questions. Well, listen to the lecture and see how much you retain. When I took the MPRE, I went to a lecture, and I remembered nothing from that lecture, actually.
- Alison Monahan: Yeah.
- Lee Burgess: Nothing at all.
- Alison Monahan: I think I just had taken Professional Responsibility recently, and then I got the questions and practiced some.
- Lee Burgess: Yeah. The MPRE is interesting. This is how I studied for the MPRE – totally bad advice. I went to this lecture, retained nothing. I had taken Professional Responsibility, didn't retain much from that either. And then I read the outline, which was also not very helpful. I was actually in Vegas. I was in a hotel in Vegas, spending half a day reading this outline, and then I realized that the only way I was actually going to retain anything is if I did practice questions and evaluated them. Whoa!
- Alison Monahan: Yeah. That's basically how I did it. I think I spent a few days beforehand being like, "I have to take the MPRE. I probably should look at this. Good thing I just took Professional Responsibility. It can't be that hard." Then I got the questions, and I'm like, "These are really nitpicky."
- Lee Burgess: Yeah. All these like, "If you're on this committee, and the judges, and the money..." I mean, there are easy ones, like, "Don't sleep with your clients", but there are many more complicated ones.
- Alison Monahan: No, it was kind of almost like the driving test in California. I remember that being much nit-pickier than I expected. It's like, "What is the speed limit default



of a train crossing?" And you're like, "I don't know. Could be 25, could be 35, could be 45. I have to know this information."

Lee Burgess: I know. I did fail my driving test the first time I took it.

Alison Monahan: Yeah, I did too.

Lee Burgess: Yeah, I was pretty embarrassed. Then I went home, and I was super devastated. Then my mom said, "Did you study for it?" And I was like, "No." And she was like, "Well, I don't know what to tell you."

Alison Monahan: Yeah. In my case, they handed me back my answer sheet with the wrong answers marked and told me maybe I could try again.

Lee Burgess: Oh. Well, you weren't like 15. I was 15.

Alison Monahan: No, no. I was coming from a state where I already had a driver's license.

Lee Burgess: Right. They were like, "Go home and study, and you can come back in a week or try it again."

Alison Monahan: I actually failed the driving part of my very first driving test when I was 16.

Lee Burgess: Wow.

Alison Monahan: Yeah. I apparently didn't put my hand up when I was backing up.

Lee Burgess: You put your hand up when you're backing up?

Alison Monahan: Yeah, apparently you're supposed to reach over or something. It was a rule I'd never even heard of.

Lee Burgess: I had a friend who failed because she kept pushing her hair behind her ear nervously, and every time she took her hand off the steering wheel – it was two hands, of 2:00 and 10:00 or whatever – and then every time she pushed her hair behind her ear, she failed. No, I took my driver's test very seriously, and I think I got something like a 98. I was very proud of myself.

Alison Monahan: Yeah, I think the person was just sexist because they were like, "You're just too pretty a girl to be this bad a driver." It was in North Carolina. I was like, "Great, thanks." Anyway.



Lee Burgess: Anyway.

Alison Monahan: Back to the bar exam.

Lee Burgess: Back to the bar exam. Okay, so we talked about using the MPRE to kind of test this, and I think it really is a great testing ground. And then if you fail, it's very low risk. You can sit for it again. So, it's a great opportunity to try something, and then if you fail, you should learn from that and change your strategy because the MPRE is easier than the rest of the bar.

Alison Monahan: Yeah, and it's still actually not easy. I was surprised.

Lee Burgess: No, it's not super easy.

Alison Monahan: Yeah, it was challenging.

Lee Burgess: I mean, those are hard multiple choice questions, but it's a very small amount, comparatively, of substantive law.

Alison Monahan: True. It is true. It's not as hard as the MBE, which is legit hard.

Lee Burgess: Yeah.

Alison Monahan: Yeah. I think there's also a place you can ask a lot of questions. I think a lot of people don't really ask questions, because they don't know what they're looking for, but hopefully you've already figured out exactly what you're looking for. Don't be afraid to make a less popular choice if you think that's better for you.

Lee Burgess: Sure. And you should ask questions of different bar providers, and also ask if they can accommodate your needs. Often times, if I think a commercial program is a good starting point for a student, and they need it to start on a certain date or they need to study longer, I'll be like, "Hey, ask."

Alison Monahan: Yeah.

Lee Burgess: Ask. The worst thing they can say is "No". Ask if they could make it fit your needs, or ask if it's worth it. I know AdaptiBar, which is something we use in our programming, they'll give you extended access for comparatively a nominal amount of money, if you need access to a session for much longer than they're giving it to you. But a lot of people don't even know that's an option.



Alison Monahan: Right, exactly. They just don't even think, like, "This is the date of the signup." It's like, "Well, yeah, but you could also just get that sooner." People who are listening to this in the spring of their 3L year, there's no reason you can't be using it up to bar right now to practice for the MBE.

Lee Burgess: Right.

Alison Monahan: That is completely a valid thing to do. It is probably a good idea, in fact, if you think you're going to struggle with it. Because why do you want to subject yourself to trying to do all of that in two months if you don't have to?

Lee Burgess: Right. And even without spending any extra money, extra meaning to get an extended access, they usually give you access the Monday or something after the bar was offered.

Alison Monahan: Yeah, exactly. Basically once one's over, you pretty much can get access.

Lee Burgess: Yeah. Which would give you... See, now I'm not going to do math in my head. March, April, May, June...

Alison Monahan: Yeah. Several more months.

Lee Burgess: That's several more months.

Alison Monahan: Yeah.

Lee Burgess: Yeah. Alright, the other thing that we think is important to ask is, where are their materials coming from?

Alison Monahan: Yeah. Are they using real bar question or not?

Lee Burgess: Are they using real bar questions or not? Are they just giving you the sample answers from the California Bar, or are they writing their own answers? Are they going to give you feedback? Are they writing that feedback? What's actually coming?

Alison Monahan: Yeah. Can you see a sample of what that feedback might look like?

Lee Burgess: Right. Ask. Ask.

Alison Monahan: Why not? People can say "No", but...



Lee Burgess: Exactly.

Alison Monahan: I think it also gives you a pretty good idea of how accommodating someone's likely to be.

Lee Burgess: Yep.

Alison Monahan: If the answer to all of these questions is, "No, we won't tell you" or, "No, we're not going to do that", then maybe that's not the best option.

Lee Burgess: One of the things that has come up with one of our tutors who needed accommodations from the bar provider is, she had to ask for accommodations around, I believe, getting transcripts of the lectures.

Alison Monahan: Right. She has a hearing issue.

Lee Burgess: Has a hearing issue. And they were kind of like, "We'll get those to you."

Alison Monahan: She was like, "Are you familiar with the ADA?"

Lee Burgess: Yeah. She was like, "Getting them to me someday is not the right answer."

Alison Monahan: Yeah, like, "When am I going to have this material so I can start studying?"

Lee Burgess: Right. But that's, I think, a great example of, if she'd waited really to the last minute to make those requests, even if they were... They should've had that already, but even if they were trying to scramble, then she's still waiting for that material.

Alison Monahan: Yeah. I think if you have anything you think is going to be a little unusual, you definitely want to plan ahead on that.

Lee Burgess: Yeah. You should also plan ahead by asking for the bar to give you those accommodations too, just as a side note.

Alison Monahan: Yeah, for sure.

Lee Burgess: Don't wait. The other thing you can do is talk to people. Don't just go into the depths of the Internet. You can actually talk to human beings that might've been...



- Alison Monahan: Real people you know, whose judgment you trust.
- Lee Burgess: Who are at the school. Maybe people who were similar to you academically, or that you had studied with or met in a class. I think that they can share their personal experiences, especially given a common education path. I think that's a really good thing.
- Alison Monahan: Yeah. I think particularly if you can find people who will admit they didn't pass, and talk to them about what didn't work. Of course, it's valuable to talk to people about what did work, but there's a confirmation bias there. It's like, "Everything I did worked, because I passed." People who didn't pass are probably going to be a lot more realistic about what did not work for them.
- Lee Burgess: Yep, I think that's true. And if you want a tutor, which I think is a really great option, especially for people who either have failed before or have special circumstances – they have struggled with writing in the past, they really need extensive feedback, they need a lot of customization because of their individual situation – you can get names from your school, you can do your research online. But you should talk to people and ask specific questions, and go with your gut. When I hear about tutoring relationships that have fallen apart, because we'll often get somebody who's worked with a tutor before...
- Alison Monahan: Right. I always ask them, "What did they do? What could we do that would be helpful for you?"
- Lee Burgess: Right. "How was that experience? Why aren't you going back to them?"
- Alison Monahan: "How did this fall apart?"
- Lee Burgess: Yeah. Sometimes we'll get a repeat student because there were reasons why it was not successful, but they want to come back because they were happy with the program and felt that they were making progress. So, if you're a student who's exiting, I like to know why. It is interesting, because sometimes they'll be like, "Well, I didn't really connect with that person" or, "I didn't trust what they had to say."
- Alison Monahan: Right. "I didn't like them. They were mean to me."
- Lee Burgess: Yeah. "I didn't feel like I could be honest with them." I've also heard students say they were hiding things from them and not being truthful, because they were feeling criticized. All of that kind of stuff, you want to try and suss out in



the initial meeting or your first tutoring session, as soon as you can, and make sure you understand their refund policy, because if you dive in and it goes poorly, you need to understand what you're signing up for and get your questions asked early.

Alison Monahan: Yeah. Everybody's just not the right fit for every single person.

Lee Burgess: Sure.

Alison Monahan: I've been doing ski lessons. I've done probably six, eight of them, and I just had a bad instructor experience. I would not work with that person again.

Lee Burgess: Right.

Alison Monahan: Everybody else was great. I trusted them, I learned things. That one person did not work for me.

Lee Burgess: Yeah.

Alison Monahan: It happens.

Lee Burgess: It happens, and I think that that fit piece is really important. In the same way that you can get this terrible advice if there's one commercial bar program that'll work for everyone...

Alison Monahan: That's not true.

Lee Burgess: It's not true. And there's not one tutor that's going to work for everybody.

Alison Monahan: Right. People have different approaches.

Lee Burgess: People have different approaches, different philosophies. I think the more exposure you can get to a tutor's philosophy, the better. I think one of the things that I love about doing this podcast and our Law School Toolbox podcast is I think it's pretty easy for people to figure out what we think about this test.

Alison Monahan: Yeah, exactly. I think our advice is pretty consistent.

Lee Burgess: Yeah. But sometimes if you're just reading Yelp reviews of some tutor, you don't really know.



- Alison Monahan: Right. Well, presumably the people who left them are either very happy or very sad.
- Lee Burgess: Right. That's true. That's true.
- Alison Monahan: If you passed, you're happy. If you didn't, you're probably not. And neither one of those is necessarily reflective of what your experience might be. I think, again, you've got to kind of trust your judgment. And once you have decided, particularly on a course, I think it's really important not to just blindly follow the advice that doesn't make sense for you.
- Lee Burgess: Yep. Starting with the study schedule. The study schedule is one schedule developed for a fictional student. And if it doesn't work for you, you should change it.
- Alison Monahan: Yeah. Frankly, a lot of it is not entirely necessary probably anyway. But again, you've got to know yourself. Are you somebody who can get away with doing some percentage of the work that seems more effective, or do you really need to do everything?
- Lee Burgess: Right.
- Alison Monahan: One thing I think is really critical is, you have to evaluate whether you need to do more or earlier practice, because a lot of these schedules are really set up to study, study, study, study, study, and then at the last minute, "Now do some practice questions."
- Lee Burgess: Right.
- Alison Monahan: That is not the way we believe you should probably be structuring your life.
- Lee Burgess: No. It doesn't allow for active learning, and it also doesn't allow for any writing troubles to be fixed. Think about the performance test portion – the MPT or the performance test in California – that's just a writing exercise. There's no reason why you should be waiting until the last two weeks of the exam to practice this.
- Alison Monahan: You should be doing that now. You can just download some.
- Lee Burgess: Yeah.
- Alison Monahan: It's pretty easy.



- Lee Burgess: It's super easy. In fact, you can walk through some of them on our podcast.
- Alison Monahan: I'm pretty sure we've talked about this.
- Lee Burgess: We have, yeah.
- Alison Monahan: That's actually a great starting point if you're thinking, "I should really start doing something." We've got tons of episodes walking through essays and walking through PTs. Just listen to some of them.
- Lee Burgess: Yeah. Listen to some of them. Print out the question or print out the packet. Try it yourself. I think it can be very helpful.
- Alison Monahan: Alright. Just remember, blindly following a program is not a guarantee that you're going to pass. You've got to critically evaluate how you're spending your time and if it's working. Alright, but let's assume now... Let's switch gears a bit. I have listened to all of this, I've done my inner work, I've talked with my coach or my therapist or whatever about what I need, I have committed to an approach, I have made whatever modifications I think I need, or I've decided to work with a tutor, and they're going to help me make that. Now what?
- Lee Burgess: Now you've just got to go all in. You've got to trust it. You cannot be changing your approach all the time, because you will literally become stressed out and feel crazy and unstable, and it's not effective.
- Alison Monahan: No. I think what happens is people are like, "Okay, I've committed to an approach. I'm feeling pretty good about making this decision", and then they start doing the work, and then the work is hard.
- Lee Burgess: Yeah.
- Alison Monahan: Then people start freaking out, and then they say, "Okay, it's too hard. Something's not right. This isn't going well. I need to change everything."
- Lee Burgess: Right.
- Alison Monahan: You cannot continue doing that for the next two months of your study period if you want to pass.



Lee Burgess: No. You have to realize that this is not a linear process. I remember talking to a student once who was two weeks into 12 weeks of prep, and said, "Well, why aren't my questions passing yet?"

Alison Monahan: You're like, "Because you're two weeks in."

Lee Burgess: "It's two weeks in. You're two weeks in."

Alison Monahan: "You don't know anything yet."

Lee Burgess: "You don't anything. You're still learning. Well, you've done like a couple of rounds of feedback." If you're five weeks in, six weeks in, and stuff isn't getting to where it needs to be, that's a different question. But you're in the beginning, you're still learning, you're still trying to shift, and anytime you change habits, it takes a while."

Alison Monahan: Yeah, and you're going to fall back into bad habits.

Lee Burgess: Yeah.

Alison Monahan: I see this when I'm skiing. Things will be going pretty well at 11:00 AM, and then by the time lunchtime rolls around at 12:30, I'm starting to get feedback, like, "Hey, you're doing all those things we told you not do again." It's like, "Oh, right."

Lee Burgess: Right.

Alison Monahan: Basically, what they tell you is, "Look, take a break. Stop for the day if you're done for the day." Don't continue these bad habits. But you will start seeing them. It's just kind of part of the process. There are going to be good days and bad days as you study. That's just kind of the way it is.

Lee Burgess: Some days you're going to be more emotionally exhausted, and some days you're going to be more physically exhausted, some days you're going to be mentally exhausted. You have to make allocations for those as well and see this as the full marathon, and not take one bad day to signal that you should throw it all in the garbage.

Alison Monahan: Right. I think it's a balance. If you realize something is clearly not working for you, like just sitting around and watching videos, you'll want to change that. But that should be a last resort, assuming you've really thought about this, because



you do, at some point, just kind of have to trust the process. It's a long, eight to 10-week process. Like you said, if you're on week two and you're seeing law that you don't know and freaking out about that – well, of course you are. You've done like 12% of your study time or something.

Lee Burgess: And there are going to be speed bumps in the process that naturally need to be there in order to get to where you need to be. So, if you're using a tool like AdaptiBar, they're using algorithms to give you harder questions the more you do. You all of a sudden might start feeling like you can't get a question right. Well, that's because they're not testing you on the easy stuff.

Alison Monahan: Right. They're not giving you the ones you already know, because they already know that you've gotten those right.

Lee Burgess: Exactly. When you shift from doing open book essays to closed book essays, or essays with loose time constraints to essays with tight time constraints, likely, things are going to get bad for a while.

Alison Monahan: Right. That's just kind of part of the process.

Lee Burgess: Right, that's normal. You need to be able to roll with that. We almost always assign at least one full multiple choice, MBE, three-hour set kind of midpoint. And that might be the first time that people have really sat and done a strict timed...

Alison Monahan: For that period of time.

Lee Burgess: For that period of time. It can sometimes be a cluster, and then you take apart that cluster and it was like, "Oh, I got so fatigued." It's like, "Great. That's great information. We need to do more three-hour practice."

Alison Monahan: Yeah. That's good to know.

Lee Burgess: It's like, "Oh, I couldn't remain focused." "Did you eat enough? Were you too tired?" Or sometimes folks who take medicine for attention deficit realize that their medication isn't balanced right, because they can't remain focused for that period of time. There are all sorts of information that comes out of this, but what you don't want to come out is just, "Well, I'm clearly going to fail."

Alison Monahan: Right. "I'm done. Can't do the MBE."



Lee Burgess: "I'm done. Can't do the MBE."

Alison Monahan: "Giving up."

Lee Burgess: You know? Yeah.

Alison Monahan: Yeah. I think the key is that you don't jump out of the boat as soon as you hit a wave.

Lee Burgess: Yeah.

Alison Monahan: One thing too I'll caution people about, buying more materials at this point is not likely to help. You already have plenty of information. That's not the issue. I've talked to people who have failed, and they say, "Well, I had this course, and then I had this, and had this. Then midway through, I was getting freaked out, so then I decided to buy Critical Pass flashcards. Then also, I got this book." I was like, "Okay, great. Did you really think that that was going to help?" You've got to make sense of this material and use it. The issue is not having the information.

Lee Burgess: Right. And I think there's a lot of focus in bar prep over what the right rule statement is. I've also had some conversations where they'll be like, "Well, I had the SmartBarPrep outline, and they gave this rule. Then I looked at the [BARBRI](#) outline, and it had this rule."

Alison Monahan: And they broke it down, the elements, differently.

Lee Burgess: Right. It's like they all have the same term of art. They're all correct statements of the rule. Just memorize one.

Alison Monahan: Just pick one, yeah. Sometimes you have heard of people using four or five different sources for the same rule. That is not effective.

Lee Burgess: You don't have time.

Alison Monahan: No.

Lee Burgess: You don't have time. And the thing is that the BARBRI rule isn't going to mean that you pass over this SmartBarPrep rule. That's not the name of the game here.



Alison Monahan: Yeah. That's not the level of detail we're really talking about.

Lee Burgess: No. I think that that's really what you need to focus on, is remember the end game, the execution of the different parts of the test. And getting sidelined by doing the deep dive into, "What are the perfect statements of the rule?" is just...

Alison Monahan: Yeah. It doesn't matter.

Lee Burgess: ... a terrible use of time.

Alison Monahan: Yeah. I think the key here is you can't try to drink from the fire hose. If you are feeling really overwhelmed and you want to totally change course and throw everything out, I think that's the time to take a deep breath, kind of go back to the basics, and pick one single topic that you're going to focus on for that day, or maybe even two days, whatever. And learn that one topic using the materials you already have. Do not go buy more. Make a study aid you can reference later. Do a practice question or two. And then you move on to another small topic. You can really approach that kind of bite-sized approach for the entire bar.

Lee Burgess: Yeah.

Alison Monahan: When you want to throw it all away, that's what I would suggest going back to.

Lee Burgess: Yeah, I agree. So, what if you're truly freaking out?

Alison Monahan: Well, it happens.

Lee Burgess: It happens. It happens.

Alison Monahan: I think planning ahead about what you're going to do when you freak out is actually a very evidence-based way to go about it.

Lee Burgess: Yeah. If you're working with a tutor, they've probably seen this before. We have all seen it before. In fact, I remember the first year we started writing blog posts, there was the July freak-out, the October freak-out. We had a ton of blog posts on the stuff that we see that's very cyclical and normal. A lot of this stuff is just because of the point you're at in the process, and they can help you kind of evaluate if any pivots need to be made, or sometimes it's just, stay the course



and get through the confusion or the frustration that is normal, based on what you're trying to do.

Alison Monahan: Yeah. I think the key point is, if you do have someone who is basically supposed to be helping you with this, talk to them. Don't hide it from them.

Lee Burgess: Yeah. Exactly.

Alison Monahan: That's what they're there for. You can talk to if you have a trusted professor or somebody else at your school, maybe an academic support who's been helping you, who kind of knows you. Again, you can't necessarily take their advice of what they did 25 years ago, but at least to say, "Look, this is a normal part of the process."

Lee Burgess: For sure. You can also talk to some trusted friends. Maybe you are very similar in your style or similar in how you studied, and you want to know if they're also freaking out. Or maybe they've been finding things that are working for them that you haven't been doing. I mean, don't throw everything away, but it can be helpful to say, "Hey, are you finding these lectures helpful? Are you retaining information? How are you practicing? Where are you finding time? Is there anything you've cut out that you haven't missed?" I think you can have some smart conversations with other bar takers and see maybe if you can get some perspective, unless they're also melting down and freaking out. Then you should walk away.

Alison Monahan: Yeah. You should not get in that cycle of, "Oh my God, you've also been doing this? You haven't done that? You haven't done that?" Then that's not helpful. You've got to trust yourself.

Lee Burgess: Yep.

Alison Monahan: Yeah. I think you ought to be careful with non-law people too. Of course, they mean well, like your parents, your partner, or whatever, but they're not necessarily going to help a lot. They're probably going to say something like, "Well, you're a smart person. Of course you're going to pass the bar." That's not helpful.

Lee Burgess: Not helpful. No.

Alison Monahan: They're really not.



- Lee Burgess: Sometimes if you have a therapist or a coach, that can be really good to help you keep some perspective, because the thing is, especially if you're studying full-time, your prospective can get super warped.
- Alison Monahan: Yeah. You go totally nuts, basically.
- Lee Burgess: You can go totally nuts.
- Alison Monahan: Everyone does.
- Lee Burgess: Everybody does. And so, it can be helpful to kind of be brought back. I think I've definitely had folks in this space say, "If the bar is the hardest thing you've ever lived through, you're doing okay."
- Alison Monahan: Yeah. Count yourself lucky.
- Lee Burgess: But I think in the moment, it can feel like this is the hardest thing or the thing that you need to be successful. And this is just another thing you have to live through in life. Sometimes even coming back from a failure, people talk about what a great learning experience it was, and it's not the end of the world.
- Alison Monahan: No, that's right. I think in the end, we're going to circle back to where we started. When you're freaking out, what do you go back to? You have to go back to yourself. You know yourself. What calms you down the most? Do that thing, whether that's taking a break, maybe walking your dog, playing with your pet, getting some fresh air, getting some extra sleep. I like to look at all of the things I've done, and I keep a daily tracker of all the hours I've studied so I can be like, "You've been studying. You have been doing this." So, whatever it is for you – yoga, meditation, running – I don't care, but kind of plan, like, "What am I going to do when I hit that freak-out moment?" It's going to be hard to trust the process, but you can do this. You can trust yourself, and you can make this happen.
- Lee Burgess: You definitely can. Yeah. Well, with that, we are out of time. 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, tools, and one-on-one tutoring programs to support you as you study for the UBE or California bar exam. If you enjoyed this episode of the Bar Exam Toolbox podcast, please take a sec to leave a review or rating on your favorite listening app. We'd really appreciate it. And be sure to subscribe so you don't miss



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