



- Lee Burgess: Welcome to the Bar Exam Toolbox podcast. Today, we are talking about taking the bar exam online due to COVID. Who knew that this would be an episode? 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 taking an online bar exam. Fun! Thanks to the coronavirus. For the record, it's July 27th. I think if you'd told me six months ago we would be talking about this, I would be like, "What in the world are you talking about?"
- Lee Burgess: Yeah.
- Alison Monahan: Yeah, it's kind of crazy times, but... You know, we're finally...
- Lee Burgess: Here we are.
- Alison Monahan: Here we are, and we're finally starting to get some more solid information about how this is all going to work in theory, subject to the caveat of course that things can go wrong, as they did this week. I think it was Nevada, which just had to postpone further into August because their software tests were not going well. Oh my gosh!
- Lee Burgess: I guess it's a good thing that they delayed, but if I was studying for the bar, my head would be wanting to explode right now.
- Alison Monahan: Oh yeah. Literally days before the exam they tell you, "We can't do this as scheduled. We're just going to do it on this other random date in August we've never mentioned before, because the software's not working." It's so anxiety-inducing.
- Lee Burgess: Yeah. So, our hearts go out to all of you in Nevada who are trying to prepare for this exam. It's a lot.



Alison Monahan: Yeah. At least in California, some detailed information has finally come out. Honestly, I think all things considered, it's probably not that terrible. I'll be interested to get your take on that. So we're going to talk mostly about these California... Well, really only about California right now. So for other states, you definitely want to make sure you know what your own rules are, what software they're using, what's going to be allowed. Some of this may or may not be relevant to you, but basically we're working with the information we have right now. So, what is California doing?

Lee Burgess: Yeah. Well, so they are doing a two-day exam. They are doing five one-hour essays on the first day with a one-hour lunch break, and I think it's 15-minute breaks between each essay.

Alison Monahan: I think that's right.

Lee Burgess: And then on the second day, the morning is going to be two MBE sessions of 50 questions in 90 minutes. So they're taking that three-hour chunk morning session and breaking into two mini 90-minute sessions. And then another one-hour lunch and a 90-minute performance test in the afternoon. So what's interesting about this, if you're taking the attorney's exam, which is what a licensed attorney in another jurisdiction who's been in good standing for five years can take in California – you don't take the multiple choice. They used to take a one-day exam, and now they have to take the full one-day, and then the second half of the second day.

Alison Monahan: Yeah, kind of weird.

Lee Burgess: So it also changes things up for them too. Other details about this – for the essays in the MBE, you're not allowed to have any scratch paper. And for the performance test though, you can have eight blank pages, you cannot print the questions. And wasn't it you have to hold up the scratch paper to the...

Alison Monahan: Front and back.

Lee Burgess: Front and back.

Alison Monahan: To make sure that you haven't written any notes to yourself about the performances test that you've never seen before. Okay, whatever.

Lee Burgess: Yeah, whatever. To be honest, I had a scenario that was a lot worse than this in my head. And I think that this is manageable. Of course, there are going to be some very specific challenges that we're going to talk through. But I think with



practice, you can do this. I think the other thing that we found out which was good, was if you have any blips in your Internet connection, you're not going to get kicked out of the exam, which was something that was a concern that had been floating around. I was happy to read that.

Alison Monahan: Right, although that's not entirely true. It's better than it sounded like, because originally, when they did the "[baby bar](#)", it was literally if your Internet blips for any reason at any time during the exam, you're kicked off forever. So, that's not true now, which is good, it's better. However, now the problem is, if you cannot log into one of those sessions when they start within, I think it's 10 minutes, then you don't get to take the rest of the test. So you still have to have reliable Internet, but it doesn't have to be as reliable as it would have been, but it still needs to work in the period that you need it to work in.

Lee Burgess: Yeah. I guess I was happy that they had thought about that and made some thoughtful changes. And I think that what some other folks are struggling with is if they do not have a space to take the test, because you do have to be in a room by yourself, your pets can't be there. You basically have to have a room with a door to be in. So, I know some law schools are opening up spaces for folks to take the test in person, maybe in offices or in rooms, but if you're worried about... Everyone should go through and read for their jurisdiction, but it's California specifically, this document that we'll link to in the show notes. But it's incredibly important to read all of it, and not everyone I'm talking to right now has read it.

Alison Monahan: Oh wow. You need to read all the words.

Lee Burgess: You need to read all the words. There are lots of them. This is a reading comp exercise. There are lots of words, take notes on it, make sure you really understand the requirements. And if there's something about your situation that doesn't jive with the requirements, you want to start investigating not only the best ways to prepare, but the best ways to work around that. So, no external monitors. I hear people chatting about trying to get the biggest laptop that they can.

Alison Monahan: 17 inches max is in the rules. I read it.

Lee Burgess: Yeah, we read every word. I read it twice actually, because I read it once on my phone, and then I went back and read it.



- Alison Monahan: I actually think I read it three times at this point – once on my phone, on my computer the day it came out, and once last night when I was writing this episode.
- Lee Burgess: Yeah. So see, even we've read it multiple times.
- Alison Monahan: And I'm sure there are things that I've missed.
- Lee Burgess: Five times, at least.
- Alison Monahan: I've read it literally word for word three times, and you could probably still find things that I'd be like, "Oh, that's interesting, I didn't notice that part."
- Lee Burgess: Yeah.
- Alison Monahan: I mean, this is nitpicky, but you're applying to be a lawyer. This is what lawyers do. So yeah, if you have anything that's at all weird or that you're all concerned... For example, they give you the specific OS that you have to have on your computer, and out of curiosity, I looked to see if my current laptop, which I haven't updated for a while, despite its endless nagging, and I wouldn't qualify. So I would have to update my software. You have to make sure you're doing all the stuff in advance. What if you update and then your laptop isn't working? Do not leave the stuff till the last minute.
- Lee Burgess: Yeah, no, it's a very good point. This episode's coming out in early August, you have this information in your hands now. Do this stuff now, please do not wait till late September. Just don't.
- Alison Monahan: No. At that point, there's no excuse.
- Lee Burgess: And if you're going to get a new computer, get it now, because you want to practice on it, you want to make sure that it's not going to break, it's not a lemon.
- Alison Monahan: You know that 17-inch MacBook that I just sold for 100 bucks or whatever, probably would have been a valued commodity at this point. I re-sold that to a bar taker.
- Lee Burgess: That's true. See, you just sold it too early.
- Alison Monahan: They're like, "I got the 17-inch."



- Lee Burgess: That's right. Yeah, and for people outside of California, your jurisdictions are going to create these documents – please read them word for word, take notes on all the requirements. And again, ask questions if they haven't covered something that you think that they should cover, or that might apply to you.
- Alison Monahan: I would say another very interesting tidbit that showed up in this – that I think I actually didn't notice the first time or two times I read it – is that California is saying you cannot sit for any other exam and then take their October exam. So that was an interesting point that I think had not been mentioned, really.
- Lee Burgess: Yes, that is very interesting. The other big news in California is they have lowered the pass score.
- Alison Monahan: Whoo! Some good news has come out of all of this.
- Lee Burgess: Some good news. Forever, not just for this exam, to 1390. It used to be 1440. For those of you outside of California, California just has to have its own scale that doesn't at all relate...
- Alison Monahan: Dropped the zero and yeah, it doesn't even relate at all. I don't know, it's weird.
- Lee Burgess: But basically, that's going to... I actually saw an article saying that this may create more diversity in the profession. No matter what, I think it's a good thing. Of course, now everybody's trying to get it to be retroactive.
- Alison Monahan: That's not going to happen. Don't worry about it, keep studying.
- Lee Burgess: I don't think it's going to happen. I understand the law deans are writing about that, probably to up their bar pass rates, but I don't think... If they wanted to do that, they would have done it.
- Alison Monahan: Right. I'll give that one maybe a 2% chance of passing, versus diploma privilege, which I give a 0% chance. In any case, could happen, might be a miracle. Don't count on it.
- Lee Burgess: Don't count on it. Okay, well, let's get into the nitty-gritty. So now we kind of know what they're doing. Let's start with the MBE, which I think, given that everyone's taking in October, this 100 set from the [NCBE](#), I think that everybody's MBE situation is probably going to look pretty similar. But if I were studying for this test, if I didn't have it already, I would buy [AdaptiBar](#) and start practicing online.



Alison Monahan: I feel like this is an absolute no-brainer. We're not getting paid to say this, we're not getting commissions from them. Seriously, if you're not practicing with AdaptiBar, just go buy it today.

Lee Burgess: Yeah, just go buy it today.

Alison Monahan: Talk to your school, try to get them to reimburse you or whatever, if you want, but just get this. There's literally no reason not to do it. It sounds like the test functionality is going to be super similar, you're going to have the ability to mark answers you know are wrong, to highlight on the screen, to flag questions. I'm pretty sure they already do all of that. So, this is one of those, where there is no downside, other than the 300 odd dollars, which is nothing in the bar space. Just get AdaptiBar, it's going to drastically increase your odds of passing this portion of the test, and that is always a good thing.

Lee Burgess: Yeah. I also think that people really need to start studying MBE questions in 90 minutes, even if you're not doing a full 50. Eventually you need to be doing 50 in 90 minutes, but I also think just getting this rhythm of sitting down to work on multiple choice for 90 minutes, without getting up. That's one thing that people really need to take to heart about these electronic exams. During the testing part, you literally cannot stand up. If you stand up, the computer will fail you, or give you a rule violation or whatever. They're going to think you're cheating. So you have to sit your booty in the chair and not move, for 90 minutes.

Alison Monahan: And they even tell you what type of pillow you can bring, if you want one.

Lee Burgess: Yeah. And I think this is really hard for people. You also cannot drink anything, you cannot have snacks.

Alison Monahan: No water, no nothing.

Lee Burgess: No water, no nothing. So, if you're someone who gets up to go to the bathroom a lot, constantly drinks water, needs snack food all the time, think you're going to have breaks...

Alison Monahan: I think you're describing me.

Lee Burgess: I know, I am. Every time I make this list, I always think of you. You always bring snacks places though, so it's always so nice.



- Alison Monahan: Well, and I during the MBE, I would get up basically every hour, to walk around, reset my brain. Definitely, I think you've got to be practicing in those 90-minute sets, because it is going to feel longer.
- Lee Burgess: Yeah, it really is. Yeah, you've just got to do this. It's not fun, but all of your... I think all studying should involve, depending on your jurisdiction, studying in the chunks of time that you're going to have to sit at your desk without moving, to take the different parts of the test. I just think that that's a no-brainer. So, if you're going to do a PT, sit down 90 minutes, don't get up. MPT, California PT, Pennsylvania PT – doesn't matter. Sit in the chair, work on it, eight pages of scratch paper, online, split screen. Do it. I think this is really important, and this is going to make it feel not so novel. One of the things I think everybody needs to do is get comfortable, and it's going to not be fun to get comfortable in this new format.
- Alison Monahan: I was thinking about this this morning. I think in a way actually, ultimately, if you prepare properly, it could really help a lot of people, I think, with that anxiety about taking the test in-person on test day, because there's just so much build-up and so much anxiety, and you're waiting in line with all these people and you're checking in, and there's just so much stress in the room. Really, if you struggle with test anxiety, you can almost inoculate yourself by just putting yourself literally in the exact same testing conditions over and over and over, until it's not really a novel stimuli.
- Lee Burgess: I think this is a really good point. And a private room is one of the accommodations for...
- Alison Monahan: Right. It is actually a good thing.
- Lee Burgess: ...with clinical anxiety. That's one of the most popular accommodations that I've seen. And so in a way, I think a lot of people not having to listen to the hum of all of the laptops having to work...
- Alison Monahan: And the typing, oh my God.
- Lee Burgess: Yeah, not needing to wear ear plugs – that's a big distraction for people. I think there can be some silver linings to this – not having the uncertainty about traveling to your testing center, or lots and lots of things. So, it's time to look on the bright side, this is the world that we live in. And it's time to figure out how to make it work for you.



- Alison Monahan: Right, and I agree with you 100%. I think practicing as close to exam conditions as possible in every single format of the exam is the way to go.
- Lee Burgess: Yeah. So, now is the time to start working for the essays on outlining techniques on your screen now. So, don't print questions, don't do questions out of bar books unless you're really struggling, but even then you've got to struggle with it on the computer. So, we have our Brainy Bar Bank tool, where we have databases of [California questions](#) and [MEE and MPT questions](#). I never thought this is what it would be used for, but I think you could use our tool to be able to just pull up these questions in a browser and split your screen and really mimic the testing environment pretty easily.
- Alison Monahan: Yeah, it's funny because occasionally people would complain, like, "What do you mean I have to print out the Brainy Bar Bank questions?"
- Lee Burgess: Now you don't.
- Alison Monahan: There's a plus now. Feature, not a bug.
- Lee Burgess: Save a tree. Yeah, we've been talking about how to attack this stuff online, and I think one of the key things is that [attack plans](#) are going to be a really big deal. You're going to need to have a structure in your head to make sense of the facts and see those issues and practice how you're going to... Are you going to write down your attack plan on the scratch paper next to the screen so you can make notes on it? Are you going to keep it in your head? You're going to have to do a little trial and error to see what you need to be able to keep things organized.
- Alison Monahan: Yeah, and I think even more so than normal. It's always important that you have kind of the structure for yourself, but even more so in this scenario where it's going to be a little bit harder to kind of parse out the question and figure out what they're asking and get your thoughts down. I am actually pleased to see that they're allowing the highlighting tools, which I think they didn't do for the "baby bar".
- Lee Burgess: I agree, yeah.
- Alison Monahan: At least with the highlighting, you can mimic that sense of underlining or highlighting the key facts, for example, as you're reading. So I think it can get a little bit closer to that sort of thing. You're going to be able to copy from the scratch paper to your answer, but you can't copy from the question to anything. So you can't copy from the question to the scratch paper or from the question to your answer, but once you've done a scratch paper, anything on your scratch



paper, you can literally copy into your answer. So, I think this could actually be an interesting way of thinking about this outlining process. I think certainly for me, and I think for a lot of other people, you can't necessarily produce a super clean outline the first time that you read the question, because you're trying to figure out what the question is about, you're making sense of it, so it may be kind of chaotic. Maybe you're highlighting key facts, you're kind of jotting some notes down and you're thinking, you're trying to recall the law. But once you do that thinking-through process, you could spend another couple of minutes really cleaning it up and making your headers and maybe even writing out the key rule statements or something. And then you can actually copy that into your answer. So I think almost like a two-stage process could be helpful.

Lee Burgess:

Yeah. Again, this is why you've got to start practicing, because I think a lot of people, and us included, we're going to continue to do trial and error with our students and share best practices, but you've got to figure out what works for you. I think for me personally, I feel like I liked having the scratch paper, but then writing it out top to bottom, so I wouldn't forget anything. The only thing that I think can happen when you start copying and pasting is this idea of, you might forget, or you think you copied something or you didn't. Definitely, you have to be very sure that you've got cross-checks that you covered everything. This is going to be new, and you're going to have to go back and validate and have safeguards for yourself, but those are going to be developed through the practice. So, there are opportunities here. I think that for some people, this could actually be better. I think one of the risks that I find with outlining online, which is one of the reasons why we don't recommend people in the real normal world before times – I didn't even know what we're going to call it anymore – but that people just get so caught up in starting to write and they still won't take the time to do the plan. I think one of the things I really want people to understand is you still have to plan your answer before you write.

Alison Monahan:

Probably more so.

Lee Burgess:

Probably even more so. If you just start diving in and saying, "Oh, I'm just going to write it out as I go" – I think you're going to leave points on the table.

Alison Monahan:

Yeah, you're just going to miss things, you're not really thinking, you're not identifying what's a major issue and a minor issue so you're going to run out of time. I think you allocate that 10 to 15-minute window and don't let yourself start typing in the real window your actual answer, until you've made sense of this, and you know what you want to say and you know what you want to talk about, because otherwise, it's just going to be absolute stream of



consciousness, and probably not going to make any sense and probably miss major problems, issues, and you're not going to get the points you need.

Lee Burgess: Yep.

Alison Monahan: That's just the reality. No one can do this really off the top of their head.

Lee Burgess: No. So I think one of the other interesting things that's going to be different for a lot of people is you're not going to have the three-hour block that you get to distribute between the three questions. You're just going to have one hour to do a singular question. I think people have liked to play with those three-hour blocks and kind of steal a little time from one question or go overtime with one question. So I think that this is going to make everyone be very honest in their one-hour for each question. I think that the place where this is going to get tricky is if they put Evidence on it, specifically because Evidence questions are usually racehorse questions and a lot of people need a couple of more minutes to finish those. So, one of the things when you're studying, even more than before – even though we always said don't go over 60 minutes – is, do not write past 60 minutes. Do not.

Alison Monahan: Right. Set your timer, stop. Set an alarm.

Lee Burgess: If you couldn't finish it, you need to go back and figure out what you could have left out or figure out how to do it faster, because there's no cushion. And so, this is a place for lack of indulgence. You can't indulge yourself with extra time.

Alison Monahan: Yeah. Honestly, I feel like even though people will probably resist this idea, I feel like having these one-hour blocks and then having a break is actually going to help people. Because people always say, "Oh, I just spent a few extra minutes on this essay or that essay", but then you look at your score and you're like, "Well, you didn't do any better on it." So I think people have this idea that they can indulge themselves and take time from one and do better, but the reality is, I just don't feel like that works out that well for most people and they just end up cheating one of the questions, or the PT, or whatever it ends up being. I feel like this enforced discipline is actually probably going to help people in the end.

Lee Burgess: Mm-hmm. I think so, yeah. I mean, sometimes this just gives you the parameters. I think you've just got to stay on it, be disciplined, don't self-sabotage.

Alison Monahan: Right. There's no point in practicing and giving yourself 70 minutes. You literally know you're not going to have more than 60 because that timer is going to go



off and it's going to cut you off, so just don't even pretend. Before you could kind of pretend maybe you'll get an easy one and you could do it in 50 minutes, and maybe you could have another 10 minutes on this other one. That probably wasn't going to happen anyway; you're just going to run out of time. The other good thing is at least if you're running out of time and you don't get something down, it's almost going to be done. It forces you to be almost finished, even if it's like 80% finished. I would rather have that than if you got 40% finished because you ran out of time by giving time to other questions.

Lee Burgess: Right. Alright, well, let's move on to the PT, which I think is concerning for a lot of people, because that file and library are so long.

Alison Monahan: Maybe they'll make it shorter.

Lee Burgess: Yeah, I don't think they're making them shorter. You are going to get scratch paper for this one, so that's nifty. But you got to start practicing doing these on the screen and figure out how to do paper outlining techniques for this. I think for me, the paper outlining, I think there's going to have to be some sort of ways to use the paper. If you get eight pages – let's give the example that we have in California. I could see one page just for notes about the file, one page just for notes about the library, one page just for the rules and the structure. And then you can kind of start to give yourself some shorthand so you can move things around easily. Or you may just use the online scratch paper too, but I think that it's going to involve taking notes on the PT, which I don't think we really necessarily recommend that you spend a ton of time doing. We always recommend that you outline the PT on paper, but not necessarily take notes. I like to take notes in the margins myself, so I would have to translate that and be like, "Okay, in the depot, here are the main things that came out of the depot. Here's the contract, here are the main points that came out of the contract." Just try and refresh my recollection and probably make notes of the pages that you find the things on, so that you can easily go back and reference. So, if it's like depot page four of the packet, so you can scroll back and forth.

Alison Monahan: Yeah, I agree. I think this is just going to have to be a technique that you kind of develop through thinking about what might work. I think the key point is you've got to be able to keep track of the information. So, you probably want to be highlighting stuff on the screen, and then also noting it in some type of list. If it's depot page four, then you just scroll back and it's right there. The other thing, I think, is going to be an interesting challenge is, people have studied do we retain less when we're reading on a screen and that kind of thing? And what they've really found is it actually has to do with reading speed. So, it's possible to read this as if you were reading it essentially on paper and get all the that



information. You just have to consciously kind of slow down a tiny bit, which I think is going to be very difficult because people are going to want to race through and scroll through and see everything at once. And it's kind of the opposite in some ways of what you need to be doing. I think for me, I would probably want to scroll through, see what they're asking, kind of get a basic understanding of why I'm reading this, and then go back and start reading more slowly.

Lee Burgess: And probably take notes, because I think taking notes slows your reading down too.

Alison Monahan: Of course, of course, yeah.

Lee Burgess: The more you stop yourself to take notes, the more you have to reflect and put things in your own words, which I think is good too. That's a really good point. I would probably also do a skim and a read, flip through the packets, read those task memos. See if you can start to do a sweep to find some of the main points or the main organization, and then go back. But just like you said, it took three times of reading in detail that list from the California bar about what's going to happen on test day. This is a reading comprehension thing, and I think we have trouble doing reading comprehension on screens because we all start skimming.

Alison Monahan: We saw that recently with some announcement that did come out and people read it on their screens. I read all the way to the end and they basically buried the lead in a very, very, very big way. And honestly, several of our tutors freaked out about it, and I'm like, "What are you talking about? This is in there." And they just hadn't seen it.

Lee Burgess: Yep.

Alison Monahan: So they read it quickly on the screen and didn't read all the way to the bottom and just stopped.

Lee Burgess: Yep, so you're going to have to work on these skills. It's going to be a lot. So basically, you've got your work cut out for you, but you've got to start now. You've got to start really learning about the software, getting your questions answered. And when you start kind of doing this practice, you've got to start focusing on how the timer is going to work. Are you going to be able to limit outlining time or things like that? Different jurisdictions may be using different software, although I think a lot are going to use [ExamSoft](#). But you've got to learn that and practice with something similar.



- Alison Monahan: And really think about what would be helpful for you. So I think, if I remember correctly – I'm doing this from memory, I would want to check it – but I believe California said you could set two individual timers that would be in addition to the total overall time.
- Lee Burgess: Interesting.
- Alison Monahan: So, I would probably think about how much time do I want to allocate on the essays for outlining? Do I want it to be 10 minutes, do I want it to be 12 minutes, do I want it to be 15 minutes? And just set that timer as soon as it starts, so that, again, you're forcing yourself to move on. And the same with the PT. You may have benchmarks, like do you want to have a halfway point? Where do you want to end reading this or that? You have the ability to control that.
- Lee Burgess: Yeah, I think that's true, which is great. But you want to start practicing that and seeing what's helpful. I think maybe having that 45-minute alert, halfway through your PT, could be really helpful. Warning, warning.
- Alison Monahan: Are you writing?
- Lee Burgess: Are you writing?
- Alison Monahan: Basically.
- Lee Burgess: Yeah.
- Alison Monahan: I don't know if they're... It would be interesting if they're doing it too. I would assume you can set one also for the MBE session. So there, again, you might want to have the 45-minute timer so you just get that check of like, "What question number am I on?"
- Lee Burgess: Yeah, that's true.
- Alison Monahan: "Am I on number 25, where I need to be, or am I on 23, or am I on 27?" Just to get that quick check of like, "I need to speed up", "I need to slow down" or, "I'm doing pretty well."
- Lee Burgess: Yeah. Other things we want you to think about – you already mentioned checking on your computer. And if you do get accommodations, I think that the accommodations are going to be able to be done online if they're up to one and



a half time. But if you don't know how your accommodations are yet going to function in this environment, please ask your bar today. Call, ask.

Alison Monahan: And interestingly, again, details – if you are someone who's getting different types of accommodations for different sections of the test – so say that you get one and a half times on the essays and you get 1.25 times on something else – that cannot be done online.

Lee Burgess: Interesting.

Alison Monahan: So there, you're going to have to go in if there's any variation. You can decline an accommodation – so if you say, "Well, I'll just do 1.25 on the whole thing and then I can take it online", but they can only basically give you one type of accommodation on timing.

Lee Burgess: Yeah. You mentioned, again, California, you can't sit for any other exams and still sit for that one. We've talked a little bit about needing to have stable Internet, because you do need to be able to upload on a regular basis.

Alison Monahan: I think they give you till the next day, kind of like they did in the real exam. In the real... The in-person. But each session, you have to be there at that time with Internet.

Lee Burgess: Right, and the camera needs to be on. You also have to have a camera on your computer.

Alison Monahan: Not external.

Lee Burgess: Not external. And it's tracking eye movements that they think show that you're reading something other than the screen or looking somewhere else. A lot of this monitoring is being done by AI so really just don't mess with it; just follow their rules. Don't try and come up with something new and fabulous, and find the thing that you could do that they didn't list. Just don't. Just follow their rules.

Alison Monahan: Yeah. I think they're going to have pretty low tolerance for people they think are cheating, just because it's pretty obvious how one could cheat.

Lee Burgess: Yeah, I agree.

Alison Monahan: We're not stupid. No one can't think of ways. Yeah, so I think you don't want to give the impression that maybe you're that person who's cheating.



- Lee Burgess: You do have an option to sit in-person, if you don't have a space. And like I said, the law schools are possibly helping out with this as well. Also, if you are determined to handwrite the exam, then you will have to do that in-person. I just am trying to remind everyone that it sounds romantic to take it in-person sometimes, but you have to realize that you need to be comfortable with the safety concerns, you would have to wear a mask. It's still going to be a lot.
- Alison Monahan: It's not going to be a fun, comfortable in-person experience. I think that should be really your absolute last resort, frankly.
- Lee Burgess: Yeah. And if you are going to have to take it in-person and you're going to have to wear a mask, you need to practice with a mask on all the time, because glasses fogging could be an issue for some people. It's an issue for me. How are you going to do this masked? You've got to practice and figure it out.
- Alison Monahan: Yeah, I had to wear a mask for something for several hours yesterday and it was the longest I'd worn it continuously, particularly inside. And by the end I was legitimately getting kind of light-headed.
- Lee Burgess: Yeah, you've got to get used to it, like most things. So, you've got to think through that. We also know that at least the California bar is going to load practice questions in the software and let you practice them. And so, you have to do all of the practice time that you can in the system to get ready. So important.
- Alison Monahan: You should absolutely use these questions. Use every single thing that they load if you can. They're also going to have practice time on the system itself, so you can log in, you can get comfortable getting the code that you'll need for each session. You really have zero margin of error to screw this up, so you have to practice until you feel totally comfortable with it, you have no questions, you feel absolutely confident that you know what is the URL you're going to, where do you get this code, how do you enter it, all of these things.
- Lee Burgess: Yeah. And if your jurisdiction hasn't shared information like this with you, like California has – call them and ask them because I believe everybody should be able to test the software on their machines and get used to it. So if you don't know how that's going to play out, start asking questions.
- Alison Monahan: Yeah, because you don't want that to be your sort of anxiety, like, "Oh my gosh, where am I supposed to click?" It's like, that should be second nature. That should be as second nature as putting in your ear plugs. It's just like part of what



you have to do to take this exam, and it needs to be super easy by the time the exam comes around.

Lee Burgess: Yeah. Alright, so Alison, as we wrap up, any final thoughts on this?

Alison Monahan: I guess my real final thought is, a) know what you're going to be allowed to do, and b) this isn't as bad as it could be. It's not ideal, but there are possible upsides in some situations. I think certain aspects of it could be helpful, and regardless, you don't have a choice. So, I think just kind of getting to the acceptance stage of the grief process as soon as possible, and just figuring out how you're going to make this work, because some people will pass the exam and you want to be in that group.

Lee Burgess: Yep, exactly. I think everybody take a deep breath, try some meditation, and remember that everybody is in the same camp that you are. This is not normal. These are not normal times. This is the hand that you've been dealt. If this is too much for you, don't take this administration. If you want to take this administration, then play by their rules and do the best that you can. If you want to delay because it is just too much for you – that is fine. No one will ever ask why you didn't take the Summer 2020.

Alison Monahan: And even if you end up having to do it remotely later, at least you know how it worked. You kind of know the process. So yeah, I completely agree. If you're just looking at this and you're like, "I cannot possibly deal with all this on top of trying to study" – just take a step back and prepare for a different test.

Lee Burgess: Yeah, and that's okay. So I think that everybody needs to give themselves permission to make that choice, but then if you're going to do this, then buckle up and let's get it done. Seriously.

Alison Monahan: Because you don't want to do it again.

Lee Burgess: You do not want to do it again. You do not want to do it again. And by the way, you're going to get results super late and you're really not going to be able to study for February.

Alison Monahan: Let's not even talk about that.

Lee Burgess: Don't say that you're going to take this as a dry run for February.

Alison Monahan: A trial. You're literally going to get results in January, is what they're saying.



Lee Burgess: Yeah. Please go big or go home.

Alison Monahan: Yeah, commit yourself to passing the first time around if you're going to try to do it. If not, just don't even bother, because you're not going to have time to find out you failed and try to study again. It's just that's the reality.

Lee Burgess: Yep. So, you can do it, guys. We're going to figure it out together. We're all in this together.

Alison Monahan: Good luck!

Lee Burgess: Good luck! Alright, well, with that, we're 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. 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. I'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, and we'll talk soon!

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