



Alison Monahan: Welcome to the Bar Exam Toolbox podcast. Today, we're talking about the practical aspects of retaking the bar exam after a failure. Your Bar Exam Toolbox hosts are Alison Monahan, that's me, and Lee Burgess. We're here to demystify the bar exam experience so that you can study effectively, stay sane, and hopefully pass and move on with your life. Together, we're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website [CareerDicta](#). I also run [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 always reach us via the [contact form](#) on BarExamToolbox.com, and we would love to hear from you. With that, let's get started.

Lee Burgess: Welcome back to the Bar Exam Toolbox podcast. Today, we're talking about the practical aspects of retaking the bar exam after a failure. Now, for this one, we're assuming you're in a good enough place emotionally to start navigating the practical aspects. If not, go listen to our [episode on handling the emotional fallout from a bar exam failure](#). Uh, alright guys, I feel like we should stretch, do a breathing exercise, to talk about this one.

Alison Monahan: Yeah. So, we've processed, we're at a point where we can start to think about what comes next. So, what is first on our agenda? What do people really need to do here to set themselves up for success?

Lee Burgess: Well, first you have to really answer the question, why did this happen? And you have to be realistic, and really do a deep dive into that score report and learn as much as you can about what happened.

Alison Monahan: Yeah, I think that's so critical. And I think oftentimes people don't really fully understand the score report or they're not really sure. I believe we have a whole episode, actually, they can go listen to on [interpreting your score report](#). This can be really confusing, particularly, the way they do the MBE analysis and breakdown is kind of confusing, but you want to understand because this is a really important data, because what your score report is showing you is what happened. So, you might think that you're great at writing essays, but then if your essay score is substantially below the passing cutoff – well, that's evidence that maybe you're not so great at writing essays. Same thing with the MBE – maybe you were getting great scores before you took the test, but your MBA scores are really subpar. This is really important information, because it shows you where you need to focus your attention to be successful.



- Lee Burgess: Yeah, you've got to spend time with this stuff. And I think oftentimes it can take a while to really dust off your memory about what it felt like to sit in the exam. Because sometimes I'll ask students, "Well, do you remember what happened on the first performance test?" And they're just like...
- Alison Monahan: Right. They're just like, "Score's awful."
- Lee Burgess: Right, but maybe it's not awful for the second performance test. And it can take a while to be like, "Right, was I tired? Did I feel nauseous? Was I having trouble focusing? Did I not eat enough food for lunch?" There are lots of things that you think about when you're going through remembering the process. And I think it's hard to go access that information, because when you walk out of the exam, you want to be done and not think about it anymore.
- Alison Monahan: Right. You've kind of blocked it out.
- Lee Burgess: Yeah, you've got to really sit and put yourself back in the seat, think about what happened, remember how you felt. You can really learn a lot by just thoughtfully going through that period of time.
- Alison Monahan: Right. And also just see, did how you feel about something correspond to how you did on it?
- Lee Burgess: Oh, good point.
- Alison Monahan: Maybe you felt great about a certain essay, and then you look at your actual essay score and it's below the rest of them. And you've got to think, "Huh, was I overconfident? What happened here? Because I thought I was doing really great on this essay, and I didn't." Things that can cause problems or things about timing – so think back, did you run out of time on the MBE? Did you run out of time on the essays? Is that corresponding to your score? You mentioned things like fatigue and food and caffeine – all these things can cause you not to do as well as you might have hoped. And I think there's probably not one reason most people fail. Maybe occasionally there's something where it's like your computer crashed and you didn't answer half the questions or something. But generally speaking, it's going to be a couple of different things, at least, probably, that need to be corrected. But I think you've got to figure out what those things are.
- Lee Burgess: Yeah. Another one to look out for is anxiety. Typically, anxiety scores, I think, are worse at the beginning and then steadily get better, because you're the most freaked out, you're having a blank mind, things are harder at the very beginning.



So, you mentioned the fatigue and things like that, but if you were worried about your anxiety, look for that pattern because that tends to happen a lot.

Alison Monahan: Right. Your first score is worse and then you settle in and you're on a better role at some point and your scores are starting to go up. I think everybody has their strengths and weaknesses, but on the test itself, hopefully through your score report, you do get some objective information about what went well, relatively speaking, what went less well. I think people have to be realistic about how close they were to passing as well.

Lee Burgess: True.

Alison Monahan: Sometimes I talk to people who are like, "Oh, I almost passed." And then I look at the score report and I'm like, "You were 200 points from passing. That's not almost; that's really far off."

Lee Burgess: Yeah, although that's a California score.

Alison Monahan: Yeah, it's a California score.

Lee Burgess: For UBE folks, if you're 200 points off...

Alison Monahan: It doesn't exist.

Lee Burgess: It's like a whole different ball game.

Alison Monahan: Yeah. But with UBE, you'd be like 20 or 30 points away.

Lee Burgess: Right, exactly.

Alison Monahan: That's pretty far from passing. And so, I think you just have to be realistic about, "Was this something that barely slipped away or was this something that I've really got to do some serious work to recover on?"

Lee Burgess: Yeah. You've also got to think a lot about your bandwidth to study for the next exam. I think I'm talking about this with every single person that I'm doing intake calls with, who wants to study again. Because I think one of the main reasons folks fail is that they don't have the bandwidth to study again, and you want to be able to just dive right in, you want to just say, "I can do this no matter what." And then, you're in the midst of studying, and we'll hear something like, "Oh, you have a trial prep coming up?"



- Alison Monahan: Like, "Huh, you didn't mention that."
- Lee Burgess: Yeah, so how are you going to study for the bar if you're in trial prep? I think people just really want to be able to dive in again. We've had so many people find success by taking a break and setting themselves up so they do have the bandwidth to study. It's just such an important thing, and I think no one really wants to be honest about bandwidth.
- Alison Monahan: Yeah, because it's this idea of, "Well, I just studied a few months ago, this stuff has got to be in my head someplace. I've just got to power through and get it done. And whatever it takes, it takes, and I'll just do it." But that's not necessarily realistic for people. If they're working or if they have family obligations, particularly now, if kids may or may not be in school, all this stuff is still going on. And I just think it's really important to really sit with that and say, "Okay, how am I going to carve out the time if I'm going to study for this next test?" And if you can't realistically carve out sufficient time, then there's just no point in putting yourself through it.
- Lee Burgess: Yeah, it's so true. And money – because just sitting for the test, not even hiring someone like us to help coach you through it, is incredibly expensive. There was an online Facebook group for the California bar where somebody was complaining about that, of how much money it just takes to sign up. If you're going to invest that money, make sure that you have time to give it a real, honest shot.
- Alison Monahan: Right. And that might mean taking some time off of work, minimum several weeks, figuring out childcare, all these things. They're doable, but yeah, like you said, if you're in the middle of a trial, it's probably not the case that you're actually going to be able to study on top of that.
- Lee Burgess: Yeah.
- Alison Monahan: I mean, I've been to trial, it's pretty all-encompassing.
- Lee Burgess: Yeah, I know. It sounds crazy, but we have had that happen to some of our students before. We find out that they've got to go to trial.
- Alison Monahan: Yeah, we're talking to somebody who's like, "I'm working 70-hour weeks", and it's like, "Well then, when are you going to do this?"
- Lee Burgess: Right, yeah.



- Alison Monahan: Just tell them that that's not happening.
- Lee Burgess: Yeah. The other thing that you want to think thoughtfully about is what worked and didn't work in your previous prep. So, some of the large commercial bar review providers, which most folks use for their first attempt, will say, "Hey, no problem. If you fail, just do the course again. We'll give it to you for free."
- Alison Monahan: Haha, do you think that's going to work next time?
- Lee Burgess: Yeah, I know, that's the thing. I'm always like, "Well, what worked in that course last time? What do you need from that course that you didn't get last time?" And I think the fact that it's so passive that they can just give you the course for free again, also shows an inherent problem with it, because it's not really engaging you, because it doesn't cost them anything really to give you the course again. Maybe they have to pay people to give you feedback again, but they're not even paying people that much to do that, because they're not spending that much time on the feedback. So I think it is really important to be thoughtful about, "Okay, I did this the last time. Some of this stuff maybe was a waste of time or I've done it already. I can't just sign up to rinse and repeat, it's not going to get me where I need to be."
- Alison Monahan: Right, I think that's the critical question you need to be asking, is what needs to change in your prep to give you a better shot at passing? And I think this is going to be really hard, because you worked really hard, you paid a lot of money for a course, you want to think that that course is going to get you to passing. It did not, and maybe it was that you didn't do it. That's legitimate – if somebody did 20% of the work, then okay, fine. Maybe if you do the rest of it, it'll help. But somebody who really committed and did the work and finished the majority of the stuff they were asked to do and failed – I think really has to sit with that and say, "Okay, what about this needs to change?" And, "Is just doing the same thing again likely to give me a better result?" I think the answer to that question is almost always "No".
- Lee Burgess: Yeah. And one of the biggest pieces of that is really asking yourself, what sort of active activity do you need? Is it doing practice on your own? Is it doing practice and getting feedback? Is it finding somebody to customize something to your own very specific learning style? Is it coming up with solutions because you have learning differences and you get accommodations? You really have to wrestle with this, about what your needs are. And I think it's important to think about outside the box a little bit. It's not just, "I need to hire a tutor." It could be, "I need to hire a therapist." It could be lots of different things that you need to



change, but you've really got to think realistically about it and focus on what was missing the first time.

Alison Monahan: Yeah. And I will say for most people, learning the law or knowing the law is not really the issue, even though it's very tempting to think that's the issue. So, just passively watching the same video you already watched or whatever, so you can learn the law better, is not generally going to get you to passing. It's all about using the material. And for that, like you said, you've got to be really engaged in these active activities.

Lee Burgess: Yes. So, one of the other frustrating things about this process is, sometimes you have to start making decisions fairly quickly, which is tough. It's tough, especially if you're grieving. We talked about this in our emotional episode, our emotional failure episode. But you're going to need to start looking at your options, and they might be different prep programs, tutoring options, making sure you understand what, if anything, your school is going to offer you. But depending on when your jurisdiction releases their scores, you're going to need to get going pretty quickly, especially if you're going to work and study. So even if you find out in October whether you passed or failed, you may want to start looking at your options, because if you can't study full-time, you may want to start prep in October or November.

Alison Monahan: Yeah, definitely. And I think just understanding when you need to make decisions about moving forward, is super critical. Even something as basic as what's the timeframe for signing up for the next exam? Okay, that's my drop-dead date, I have to decide by that point if I'm going to do this or not. But then, just getting all of your ducks in a row with lining up your resources and your tools and your people and everything you need to get this going. You've just got to kind of have that roadmap so that you can say, "Okay, this is my decision point. If I have not committed by this time to these things, then I'm not going to be taking the next test.

Lee Burgess: Yep. And all of this really leads to the fact that you've got to come up with a plan. You've got to figure out, what's the execution plan? Are you going to hire somebody? Do you need to figure out how you're going to pay for it? Are you going to talk to your bosses at work? Are you going to shift your work schedule around? Are you going to move home for a couple of months so you can reduce your living expenses? Whatever it might be, you've got to come up with a plan.

Alison Monahan: Right. When are you going to study? How are you going to study? Who's going to help you? All of these things. Hopefully, by the end of this process, you should have an idea of how to answer all those questions.



Lee Burgess: Yeah.

Alison Monahan: And that's going to need to happen probably pretty quickly.

Lee Burgess: Pretty quickly. So Alison, we have worked with a lot of people over the years...

Alison Monahan: We have.

Lee Burgess: A lot. We've been doing this a long time now. Let's look at the calendar, it's...

Alison Monahan: We have.

Lee Burgess: We have, it's been a long time. Where do we commonly see things get derailed?

Alison Monahan: Well, I think the biggest one for people – and this is hard – is not actually being willing to make changes or to take advice. It sounds irrational, because obviously whatever it is that you did – however you prepared, and however you wrote your essays, and however you answered your MBE questions – it didn't work. You would think that people would be very receptive to feedback and commentary and advice from an expert on why that didn't work and what they should do differently, but that doesn't always happen.

Lee Burgess: Do I now get to talk about my favorite blog post ever?

Alison Monahan: Sure.

Lee Burgess: One of my favorite blog posts, we talk about this all the time, on our Bar Exam Toolbox blog, is that [you have to do what makes you uncomfortable](#).

Alison Monahan: Right.

Lee Burgess: And this is the crux of it. I think it's so easy to go back to old habits. Old habits die hard, right? And it's like, "Oh well, I can just listen to this lecture and I'm getting no negative feedback, which is great."

Alison Monahan: Yeah, "I feel good. I feel good watching this Contracts lecture."

Lee Burgess: I do. I'm checking things off my to-do list. I've studied for six hours today. I may not remember anything, but I have studied for six hours today. And the problem is that you're already coming into this with all these icky feelings from surviving this failure. And then if you're really doing the right kind of studying, you're



really uncomfortable while you're studying, because you're challenging yourself, you're failing, you're fixing it, you're trying again, you may fail it again. You're really kind of doing this heavy lifting, that for a while does not feel great. And a lot of people who I know abandon that feeling.

Alison Monahan: It may never feel great.

Lee Burgess: Yeah, it's true. It may never feel great. If you're studying the right way and always studying stuff you don't know, it should all kind of feel crummy the whole time.

Alison Monahan: Yeah, it's not going to be the most fun process. But yeah, it feels better for me to sit and re-watch a video on first year Contract Law, which happened to be a class that I did really well in in law school, and it was one of my favorite classes. It's like it makes me feel great. I feel really confident. Lee, isn't it important to build my confidence here?

Lee Burgess: It is. I mean, I high-scored my Community Property class, so I definitely spent days, days, studying community property, which I took right before I sat for the bar exam.

Alison Monahan: Yeah, I was a Civ Pro TA. I liked studying Civ Pro, it was my favorite one. These are the things, it sounds crazy when we're saying them, but we really do see people doing things like this all the time.

Lee Burgess: All the time, all the time. And so, one of the things you have to do when you're making your plan is just look for these pitfalls and just be self-evaluating and being like, "Am I falling in the trap of just doing things to make myself feel comfortable?" I was just doing this to myself about working out the other day. I had tried to start jogging again, and then something came up and I stopped. And then I would try it again, and then something came up. And then I was working out another way, and I was like, "Oh, I'm just not feeling like I'm getting any stronger." And then I really thought about it and I was like, "Well, I've cut my workouts by 10 minutes, and I'm not doing the hardest workouts anymore."

Alison Monahan: Like, "Hmm, what's going on here?"

Lee Burgess: Maybe I'm not getting stronger because I stopped making myself uncomfortable. I was just feeling really good about the fact that I was knocking out these same workouts all the time, instead of challenging myself to do something different. And so we have these patterns over and over again. It's not



something that we can't recognize in ourselves, but we have to have those little "a-ha" moments, to evaluate what's going on.

Alison Monahan: Yeah, and I think if you do invest in paying someone for advice, you should really do your best to listen to them.

Lee Burgess: True.

Alison Monahan: We do see people all the time who just really don't want to take the advice that our tutors are giving them, and that is completely their choice. However, I'm like, "You paid for this, so maybe you should at least consider it. I don't know."

Lee Burgess: Yeah, yeah. At least try it out. See if it works for you.

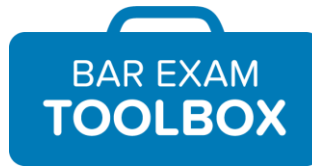
Alison Monahan: Yeah, give it a shot. I don't know, we sometimes see funny ones where people really hate us and then it turns out they passed. I'm like, "Maybe something sunk in."

Lee Burgess: It's true. So, we also mentioned this pitfall of not having enough time to study, especially when working. I feel like we can't talk about this enough because it comes up over and over and over again. And having really realistic conversations with your job about what studying for the bar is going to mean and setting boundaries. Because I think the other thing, going back to this idea of making yourself uncomfortable – boundary setting is often times difficult, and it's almost easier to do the work than it is to study, because hopefully work, you're getting more positive reinforcement than you are studying. And then it can be like, "Well, work needed me to do something, so I just didn't study this afternoon." And it's like, okay, but that's not going to get you closer to this goal.

Alison Monahan: Yeah. I think one of the things when you're working and studying is you really have to figure out times that you can devote to bar study when you're actually fresh and you can think. And I think this is difficult because most people's work will be all-encompassing if you allow it to be, so if you try to fit in bar study after work or something, I think for a lot of people, that just doesn't end up working that well. I was supposed to be studying my second bar exam when I was working. I didn't ever study, I was working in a law firm. What was I supposed to do?

Lee Burgess: Yeah. It's so true.

Alison Monahan: Luckily I had taken three weeks off and that was enough time for me to get ready, but I couldn't do anything.



- Lee Burgess: Yep.
- Alison Monahan: It was not realistic.
- Lee Burgess: Yeah. It's really hard.
- Alison Monahan: That was not a realistic assessment of my time.
- Lee Burgess: Yep, it's very, very hard. And so folks will often say, "Oh, I have X, Y, Z job at a firm, but I only work 40 hours a week." And I'll be like, "Really? Really, really?" And then it's like, "Well, some weeks I work 50." I was like, "Okay, well, let's assume you work 50 then." And then that extra time, you can build in for extra practice. But you've got to be realistic.
- Alison Monahan: Well, and it's also just like, when are you fresh? If you're working 50 hours a week at a demanding job, that doesn't leave a lot of brain power to try to commit to bar study. That's just the way it is.
- Lee Burgess: No. I mean, I got up early today, I recorded course material, I had a two-hour meeting. You and I just had a meeting, now we're doing this podcast. If after all of this, I went to sit down to say, "I'm going to memorize a huge amount of material" – my brain would be a little fried.
- Alison Monahan: Yeah. And that's still only going to be like 4:00 PM. That's not even a full workday.
- Lee Burgess: That's true. So, it is hard to get a good version of yourself to do the studying.
- Alison Monahan: Yeah, I agree. We've touched on this next one as well. I think another thing we really see people derailing themselves with is just the passive learning. We harp on this endlessly, but just because it really is the key to passing. Mindlessly watching videos, mindlessly doing anything and just checking that box of, "I studied for an hour" – that is not going to help you pass. You've got to really do those harder things, dig in, challenge yourself, do the active learning. And the good news is, you can do less time, but it has to be more active.
- Lee Burgess: Yeah. So, I think that is a good segue into talking about what are some of the questions that do arise, because I think that the first question we get from a lot of people is just like, "Is 10 hours a week enough? Or do I need 15? I've got a job." What does it mean to study, even if you're studying part-time? What do I really have to put in?



Alison Monahan: Right. Well, I think typically 10 hours a week is not going to be enough, unfortunately. Maybe if you're taking some time off, a solid chunk of time beforehand. But, again, this is a hard question to answer, because some of it comes down to how close were you to passing? How much of this information do you think you've retained? Certain people are going to need less time, but generally speaking, I don't think that's enough. What do you think?

Lee Burgess: No, unless you're doing some sort of ramp-up plan. I've definitely seen folks who want to study for multiple extra months. So, let's say if you're studying for the February exam, you want to start studying beginning of October. Well, maybe in October you do 10 hours a week, but it's focusing on the performance test and you're just refreshing your recollection on some of the law, and you're starting to do some MBE practice. And then November it goes up a notch, and then December it goes up a notch. Then maybe you take three weeks off before the exam in February. But I do think that that's like a starting spot. If that is all the time that you have to study between the time you're starting to study and the exam, and you're only going to be able to do 10 hours a week, I think you need to think about how little cumulative time that is compared to people who are studying 40 hours a week. Or if you studied 40 hours a week for the first bar and just how much work you're going to get done, because this shouldn't have to take over your life. But you've got to give yourself time to do the work, the work still has to get done. And again, it depends on what you were struggling with.

Alison Monahan: Yeah, and I just think studying for one hour a day after work is probably not the most productive time. So you do that five days – okay, you did your five hours, and then you do a little bit of study on the weekend – that just doesn't seem like enough time to dig into any of this to me.

Lee Burgess: Yeah, and I think on the weekends, you're going to need those big blocks of time to really get solid work done, and then strategize. If you do only have an hour or 90 minutes in the evenings to study, is that your multiple choice time? because all you have to do to get ready to study multiple choice is turn on [AdaptiBar](#) and go in and do work; or sit down for 90 minutes and do a performance test. Just thinking about how to maximize that time, and then use those longer blocks of time that you have on the weekends to do more in-depth learning and studying and feedback and things like that. But you've really just got to make the most of the time that you have, but be realistic about the amount of work you can get done.



Alison Monahan: Yeah, definitely, and build in time that you can do makeups and things like that, because once people start falling behind, that can be bad.

Lee Burgess: Yeah.

Alison Monahan: Well, on this point, when do you think a re-taker should start studying again?

Lee Burgess: Well, it kind of depends on your state, because New York and California don't even tell folks until usually in November. So, if you find out in November, you should definitely get started studying right after you find out. If you find out earlier than that, if you are one of these individuals that is going to be working and studying, and if your scores had a pretty big delta from where you needed to be, I would go ahead and start in October. I really would, for a February test. Also, because of the holidays that come up, depending on your religion, between October and January 1st – there are a lot of holidays that come up, many of which you will not want to use for studying. And so you want to build all of that into your study calendar and make sure that you move your start date, depending on how many other commitments you have during those months. It's a tricky season to study.

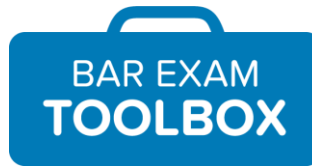
Alison Monahan: It is, because for some people having that time off from work is actually great, because they can focus. But then for other people, it's like, "No, that's totally impossible. I'm completely committed to other things, I can't use that time." So I think it's very personal, but I think starting sooner and even just doing things, like you mentioned, like the performance test or the MBE. People sometimes worry about burnout, but I feel like burnout also comes down to stress. And so the more you're trying to do at once, the more likely you are to burn out. Whereas if you do it a little bit kind of on a rolling basis, kind of ramping up, I think as long as you're building in time off, it might actually be less likely to result in burnout.

Lee Burgess: Yes, and I think the other thing to protect yourself from burnout is to go ahead and show up for those family or personal commitments that you want to. If your best friend is getting married, I wouldn't skip the wedding for the bar. I would plan around it, so you can show up. I think COVID has shown us how important these life things are. We missed them all when that got snatched away from us. And so, I think one of the ways you manage burnout is by still kind of living your life, but doing it thoughtfully with some planning.

Alison Monahan: Well, and on the flip side, if you really don't want to join your family Thanksgiving celebration, this could be a great excuse.



- Lee Burgess: So true, yes. Go somewhere remote by yourself with some Wi-Fi and get some work done.
- Alison Monahan: Exactly. "Sorry, can't come, got to study for the bar." You do you, whatever is going to get you closer to passing.
- Lee Burgess: Exactly. So, we've already talked about this next one, which is just retaking the same bar course again because it's free. I'm all about getting as much as you can out of what you've already paid for, but you've got to make sure it's going to add value to what you're doing. If it doesn't add value, got to move on.
- Alison Monahan: Yeah. And clearly the information you need to pass is in any course, so it's not like throw it out the window, but really think about how you're going to use that material to get in a more active state of learning and actually get closer to passing, not just checking off the boxes again.
- Lee Burgess: Yep. This is one question that we also get quite a bit, is how much ground is reasonable to make up in one bar season? How big of a shift can you make in your scores? And this is a tough one.
- Alison Monahan: It is tough. I think it's a great question. I think, again, you've got to circle back to what we were talking about at the very beginning of, why did this happen? And if it's like, "Well, I always got bad feedback on my writing and I never really learned how to write an essay. And I also have X, Y, and Z going on" – it's like, alright, that is a lot. If it's something else, like you got food poisoning and that's what caused you to fail, that's a different situation. But I think this is a very individual sort of analysis, and probably something you should talk to someone about who does this.
- Lee Burgess: True. I also don't think we've mentioned that in your evaluation of what happened, it is important to think about whether or not you needed to request accommodations and maybe you didn't have time to request them. Or if a situation has come up when you should get accommodations. I think that when you're evaluating how much ground you can make up, sometimes getting accommodations when they're needed can be a huge difference maker in making up some ground.
- Alison Monahan: Definitely.
- Lee Burgess: Yeah, 100%. So that's another thing that if that applies to you... And again, accommodations can be for anxiety, learning differences, medical needs. What if you need to take medicine at certain times? There are so many things that can



make this a better, more... I guess it's this idea of leveling the playing field. It's a better situation for you to be able to perform your best, so you can compete. And if that's something you need, you need to make sure that part of your plan is figuring out how to get that.

Alison Monahan: Right. And in the UBE situation, it might mean applying in a different state, because some of them are notoriously very stingy with accommodations, and some of them are a little more relaxed. So, if you got accommodations for something in law school and you didn't for the bar, I think that's definitely something that should be high on your list to evaluate. Is there something you can do about this to better position yourself to be on that level playing field?

Lee Burgess: Yeah. What are other reasons why someone might want to take a different state's exam?

Alison Monahan: Well, we hear this one a lot too, like, "Oh, I failed California. Should I go sit in the UBE or should I take a different UBE state?" I think unless someone has a really good reason for doing a switch between a state, particularly if we're not talking about just two different UBE states, there people have an idea that it matters I think more than it does where they take it. I'm not sure that's going to be the solution necessarily that people are looking for, to switch from the UBE to California or something like that.

Lee Burgess: Yeah. And there's a lot of paperwork. There's a lot involved with switching states.

Alison Monahan: And it covers different stuff.

Lee Burgess: Yeah. Even within the UBE though, there's just a lot to consider if you're going to switch states. Do you really want a license in that other state? What does that mean? Will your state give you reciprocity? You've got a lot of things you need to think about. So, another part of creating the plan is just making sure that if you're going to take on all that extra work, it's worth it.

Alison Monahan: Yeah, and sometimes you see people who could waive part of their score into D.C. or something. And that might make sense if you had a really high score on half of the exam and you don't want to have to retake that part. Sure, consider that, but there has to be a pretty good reason for doing it.

Lee Burgess: Yeah. Well, I know we're almost out of time. Do you have any other thoughts on things that folks should consider when they're making their plan?



Alison Monahan: Well, I think one thing that's sometimes overlooked is, are there any resources that your law school is willing to provide to you? They have an incentive for you to pass, so more and more I think schools are stepping in and giving people personalized feedback or even just someone to talk to about their plan. I think anything like that, just go ahead and take advantage of it.

Lee Burgess: Yeah, I think that's a good point. I mean, you already paid for law school.

Alison Monahan: Right, exactly. Everybody wants you to pass, so get them on your team, get them on board. Sometimes they'll give you access to different programs, whatever it is, just go back, circle back and ask, "What do you do?" And if the answer is they're not doing anything, then maybe they should be doing something.

Lee Burgess: Yeah, that's true. I also feel like we should plug our ["Listen and Learn" series](#) on the Bar Exam Toolbox podcast, because if you haven't heard some of those, they are super helpful when you are studying again. We've got a whole bunch of them that can help you do some active learning. Yes, listening to me talk might be passive, but you can write out the answers, and that is active.

Alison Monahan: Right. Yeah, people do like them.

Lee Burgess: They do. Alright, well, with that, we are out of time. I want to take a second to remind you to check out our [blog](#) 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 second to leave a review and rating on your favorite listening app. We'd really appreciate it. And be sure to subscribe so you don't miss anything. If you'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. Thanks for listening, and we'll talk soon!

RESOURCES:

[I Failed](#)
["Listen and Learn" series](#)



[AdaptiBar](#)

[Podcast Episode 8: What Happens If You Fail the Bar Exam \(w/Ariel Salzer\)](#)

[Podcast Episode 11: Self-Sabotaging Behavior During Bar Prep \(w/Ariel Salzer\)](#)

[Podcast Episode 25: How to Interpret Your Bar Exam Score Report](#)

[Podcast Episode 60: Applying for Accommodations on the Bar Exam \(w/Elizabeth Knox\)](#)

[Podcast Episode 116: California Bar Exam Results Are Out! What's Next If You Didn't Pass?](#)

[Podcast Episode 127: Why People from Prestigious Law Schools Fail the Bar Exam](#)

[Podcast Episode 151: Dealing with the Emotional Aspects of Failing the Bar Exam](#)

[Five Famous People Who Failed the Bar](#)

[How to Pass the Bar by Doing What Makes You the Most Uncomfortable](#)