



Lee Burgess: Welcome to the Bar Exam Toolbox podcast. Today we're celebrating our 200th podcast episode! Yay! 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 to the celebration of our 200th episode of the Bar Exam Toolbox podcast! It's very crazy that so many people have listened. We really appreciate it. It's had almost 750,000 downloads, which is incredible, so thank you for being a part of it! And today we're going to run down a list of our top 10 most popular episodes/episode types. Alright, Lee. Well, what is number one?

Lee Burgess: Well, this is always fun, is to go into our statistics and find out what people are listening to. And I went to look for my top 10 and I found out that the top 20 plus episodes are all of the same type.

Alison Monahan: Good, we're done.

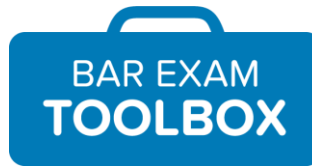
Lee Burgess: I know.

Alison Monahan: Thanks for listening, bye!

Lee Burgess: Exactly, yes. So, these are the ["Listen and Learn" episodes](#), which I really love that these are so popular. I actually remember when we came up with the idea for these episodes, we were sitting and having coffee – some of our favorite things to do together. But if you aren't familiar with them, the idea is that we introduce an area of heavily-tested law, and then we apply it to different fact patterns. And our idea is that these bite-sized chunks of law are really easy to follow, when you're just taking a bite-sized chunk. So, we can tell you not only what the law is, but how you will likely see it applied on exam day. And of all of these very popular episodes, our two most popular episodes in "Listen and Learn" were on Real Property, which I don't think should surprise anyone, because who loves Real Property? Only Real Property attorneys, I think. I think nobody else.

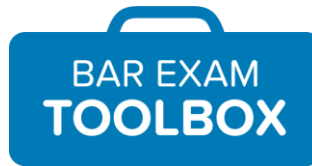


- Alison Monahan: I know. I have a feeling we probably struggled to get one of our tutors to even write those. So, kudos to them for going ahead and getting it done.
- Lee Burgess: Exactly. But I do get a lot of feedback that listeners do love these episodes, because it's a way to kind of review law while you're driving in the car or on the treadmill or doing something that doesn't have to feel like studying, necessarily. But you're still getting exposure to heavily-tested law. And between us presenting the law and applying it, you are getting exposed to it multiple times in a 15-20 minute period.
- Alison Monahan: Right. We've even had occasionally people write into us saying, "I really think you might be the actual reason I passed the bar exam, because I got this question on a topic that I was totally unprepared for, and it happened to be on a topic that I listened to a 'Listen and Learn'. And I could hear Lee walking me through the elements in my head on the exam. And I wrote down those elements and I applied the facts and I passed the bar."
- Lee Burgess: That's so magical, I love it. It just warms my heart. So, please send us notes if you have positive feedback. But also, you can send us notes if there are any areas of the law that you've been struggling with. We take user questions and turn them into "Listen and Learn"s. So, stay tuned. If you have some questions, please share with us and we'll try and get you some examples of that law.
- Alison Monahan: Yeah. Maybe don't ask any Con Law ones right now, but...
- Lee Burgess: Well, yeah, that's tricky. I mean, how are they even going to... I know, we actually had to table a couple of "Listen and Learn" episodes because we feel like the law is really unstable right now. Anyway.
- Alison Monahan: Yeah. So anyway, ask us about, I don't know, Torts or something that hopefully isn't changing.
- Lee Burgess: Evidence maybe. Okay, so that was our top chunk of episodes. Then the next most popular episode was [Episode 118, which is More on Memorization for the Bar Exam](#). And I also don't think that this was shocking to me, because most bar studiers that we talk to are very concerned with memorization. And I think this is something that the large bar review providers often just kind of leave up to the student. They don't really give you a ton of direction.
- Alison Monahan: Yeah, so I think this is obviously super critical. One of the key reasons people do not pass the bar is they just haven't memorized enough material. So this episode talks about what's even realistic to memorize, because it's not going to



be 300 pages of stuff probably, word-for-word. We talk about different memorization techniques, we talk about how to practice the material that you've memorized. But I think really thinking through how you are going to memorize starting way earlier than you're probably recommended to. If you're doing a large course, this is not something that should be left to the very end. I think this is a really important episode, so I'm glad people are listening to it.

- Lee Burgess: Yeah, me too. Our third episode on the list is [Tips for Bringing Up Your MBE Score](#), which also is not surprising to me, because people are really worried about MBE scores. So, we discussed reasons why people struggle with the MBE, how to tell where you're having difficulties with the test, getting the right tools for exam prep – there are some new ones out there, and learning the law you need for the exam, and analyzing your past scores. Almost everyone we talk to about failing the bar exam has something to do with the MBE. It's just a really tough part of the test. We don't see a lot of people who knock the MBE out of the park and are just brought down by their writing scores. I think most students either struggle with both, or the MBE can be a challenge and kind of pull people down.
- Alison Monahan: Right. I mean, the reality is if you have a high enough MBE score, we're probably not going to see you talking to us about failing, because you're not going to fail. That was my approach – let me get a really high MBE score, and then I can totally bomb the essays and hope that the PT pulls me through.
- Lee Burgess: But I still get so much feedback from folks that they are not doing enough questions. I had someone else talk to me this week and said, "Well, I did a lot of questions. I did a thousand."
- Alison Monahan: Right, exactly.
- Lee Burgess: And I'm like, "That's not a lot of questions. It sounds like a lot of questions, but it's just not a lot of questions. That's not enough."
- Alison Monahan: No, it's not enough. And I definitely hear that a lot, like, "Oh, I just don't know what I could possibly do on the MBE. I've done so many questions, I did 1,500 questions." It's like, that is a lot of questions, but it's still not even actually the minimum that we would suggest doing. So, I think there are other things you could probably do, like listen to this episode.
- Lee Burgess: I know. And also just this idea that you have to be evaluating how you're doing. And that's something we also talk about in this episode, but you've got to make sure that you understand what's happening when you're doing those questions,



why you're getting them right, why you're getting them wrong, to make sure that you're studying the right way.

Alison Monahan: Right.

Lee Burgess: You could have a knowledge of the law problem and not realize it because you're just dismissing getting questions wrong for other reasons.

Alison Monahan: Yeah, exactly. I think in a way it's easier to make up points, typically, on the MBE because it's a more focused area of the law. You've only got seven topics, there's a limited universe that can be tested. If your memorization isn't the strongest, this is actually probably a better place for you to be.

Lee Burgess: Yeah.

Alison Monahan: But the reality is, a lot of people struggle with multiple choice. It is definitely a weird way of evaluating your knowledge of the law and your understanding of the law. But if you're struggling, go check out 178, which is our tips for bringing up MBE scores.

Lee Burgess: Alright. Next up, number four on the list was [Episode 136: Outlining on the Remote Bar Exam](#), back in the COVID days.

Alison Monahan: Early COVID days.

Lee Burgess: Early COVID days, when people were taking the exam on computers from home. Who would have thought that that would have happened, but it did. But I included it on this list because I still think there are some valuable lessons from this episode, especially about the pros and cons of outlining on the computer versus paper. And I think it can be tricky to make sure that the way that you're outlining is actually leading you to the best possible exam answer. Of course, you have to practice and evaluate as you are doing the abundance of practice I'm sure you're doing to get ready for the bar. But I thought we had some good discussions in this episode about how to take the exam on a computer, and also the logistics of testing software, which I think is not going anywhere. I think we're just moving to probably eventually requiring it. Everybody's going to have to take these exams on the computer.

Alison Monahan: Yeah. I think the real trick with the COVID was that you had to also read and outline everything on the computer too.

Lee Burgess: Yeah.



- Alison Monahan: That was definitely tricky for people. But a lot of people still do try to outline on their laptop rather than a piece of paper, and we think that's a bad idea. But you can listen to this episode and probably find out why.
- Lee Burgess: That's true. Number five on our list has got a great title – [Episode 142: The Worst Bar Exam Advice We've Ever Heard](#). That might be my favorite episode title for those 200 episodes. So this was fun, because we really just got to go through all the crummy advice that we hear people share with us, and that people gave us when we were studying. And I have to raise that my favorite terrible advice is just, "Do what the bar company tells you and you will pass."
- Alison Monahan: Yeah, I hear that a lot with people who talk to me about why they failed, and they're like, "Well, I just stuck with the program." And I'm like, "That didn't work for you, did it?"
- Lee Burgess: I know. It's so true. And the other topics that we talk about, that some people think it's okay to study late into the night and just to push through exhaustion, which is also terrible. This is a marathon, not a sprint. Thinking that you can just wait to practice until you know the law – that's another favorite of ours.
- Alison Monahan: Always a good one.
- Lee Burgess: Always a good one. There are many more, but this is a great episode to check out to see if you may have gotten some of this advice. And if you're following it, you may just want to listen to our discussion and evaluate some of your choices.
- Alison Monahan: Yeah. I talked to someone the other day who was convinced that she failed because she was so exhausted going into the test. And I'm like, "You know what? That might actually be accurate."
- Lee Burgess: Yeah, I've talked to a lot of people this season who have been in that situation. If you speak to me about the test, I'll always say something like, "Was there anything else going on that you want to share with me?" And then sometimes people will say, "Oh well, yes, I had a three-month-old, and then my significant other had COVID, and then my other child was..." And you're just like, "Oh, okay, so you were stressed and didn't have time to study, I get that." But I think a lot of times, people really do kind of ignore these other factors that totally lead to exhaustion and overwhelm and you cannot perform at your best that way.



- Alison Monahan: Right. I just think you have to be realistic about the schedule. If somebody has you studying 12 hours a day, seven days a week for months on end, that's probably not a) necessary, and b) going to result in you being well rested and ready to go for this exam.
- Lee Burgess: Yeah. Alright, number six on our list is [Episode 168, which is 10 Things to Think About if You're Taking the July 2022 Bar Exam](#), which always proves that everyone loves a top 10 list.
- Alison Monahan: It is true.
- Lee Burgess: Always, back from our blogging days.
- Alison Monahan: Yeah.
- Lee Burgess: Everybody loves a top 10 list.
- Alison Monahan: It really is true. We're always like, "Can you put that in a top 10? Okay, great. Thanks."
- Lee Burgess: I know, I know. It's so true. But I think this episode and similar episodes are great because they really give you a checklist of all the things you need to think about if you're getting ready to sit for the exam. So in this episode, we talked about getting your bar application in order, evaluating your study options, starting to study early, signing up and taking the MPRE, which I think a lot of people forget about, because I think it's not talked about as much as it probably should be.
- Alison Monahan: Yeah.
- Lee Burgess: And thinking about accommodations and dealing with the ongoing pandemic realities. I was on a phone call earlier today when I was saying it's not that COVID is over. COVID is... What do we even say now? I don't know. There are COVID realities that still have to be dealt with. I don't even know what to say anymore. Do you know the language we're supposed to be using now? These aren't COVID times. What are they anymore?
- Alison Monahan: I don't know. COVID endemic times, I don't know.
- Lee Burgess: I guess, I don't know. Anyway, but there are still realities that come with that, because if you get COVID, you probably won't be able to sit for the test. I mean, if you get COVID right before the test, I don't think they're going to let you in.



Alison Monahan: Right. I mean, people are still getting it. We had a law student the other day that was like, "Oh, sorry I've been out of touch. I was dealing with having COVID." And I talked to him a couple of days before that happened.

Lee Burgess: Virtually, thankfully. Yes.

Alison Monahan: Yes, thank you. On the phone, thank goodness. There are some things that you always have to think about for the bar. And then there are other things that you've got to think about because we're still living in pretty weird times.

Lee Burgess: Yeah. I was kind of excited to see number seven on the list, which was [Episode 139: Employment Concerns Related to the Bar Exam](#), because I think this is something that so many people have to deal with.

Alison Monahan: Oh, yeah.

Lee Burgess: So, I love that people are listening to this episode you did with Sadie Jones.

Alison Monahan: Yeah. So we talked about how employers generally think about the bar exam, deciding where you should take the exam, whether it's better to have a transferable UBE score or take it somewhere else, what if you have concerns about passing, and then, handling this unfortunate reality for a lot of people, which is, what do you do when you failed the bar and you have a job? There are lots of things that can arise out of that. A lot of the people we've been talking to in the last few weeks who found out they didn't pass the UBE are people who are working and studying. And so one of those conversations is, what kind of support are you getting from your employer? Are they giving you time off, what's going on here? And so, I don't think it's a situation anyone ideally, obviously, wants to find themselves in, but it is a situation many people do find themselves in. So, this one has some tips on kind of handling that.

Lee Burgess: Yeah. And like most things, having a plan is going to help you deal with a difficult conversation. Nobody wants to have these conversations at work. Like, ugh, it's awful.

Alison Monahan: Right. But at the same time, unless it's a very, very, very small firm, you're probably not the very first person who's ever failed the bar. There probably is some sort of process in place. And oftentimes what I hear from people is that their employers are looking for them to come in with suggestions and a plan and things that would be helpful. And then the employer will do their best to accommodate that. So, rather than just kind of throwing yourself at their mercy



and saying, "Tell me what to do", I think it's obviously usually better to go in and say, "Well, this is what I think I need to be able to get over this hurdle." And then together you can kind of figure out what's realistic.

Lee Burgess: And sometimes firms will pay to help you pass, because it behooves them to get you a license because you're very expensive to not have a license. So yeah, you want to make sure that you're understanding what the situation is, because you might be worried that you can't afford to invest in help, but it's possible that the firm will pay for it or give you a stipend to pay for it. Or there are lots of different ways that firms are handling it.

Alison Monahan: Yeah, definitely. And I think people just need to be realistic too about, what are the implications if they don't pass on the next try?

Lee Burgess: Right.

Alison Monahan: Things start to change a lot after you fail more than once, unfortunately.

Lee Burgess: True, yeah. It seems like most firms, you get two shots.

Alison Monahan: Right. And after that, you're probably not going to have a job anymore.

Lee Burgess: Yep. Alright, number eight on our list is [Episode 84: Tackling an MEE Partnerships Essay](#). So, there are a lot of these episodes, these "Tackling" episodes that you can look on our archives, but these were what came before the "Listen and Learn" episodes. So we would walk through a real exam question and kind of discuss the answer and how you would match facts to law. I think they are hugely helpful and a great listen, especially after doing some "Listen and Learn" episodes. And we even link to the essay question in the show notes. And so you can find the question, have it with you and then sit down, work on it, outline it, and then do the episode where we walk through it. And I think that that could be another way to kind of do some facilitated study. So, that's another way to use our "Tackling" essay episodes. But there's a lot on there and I think they're worth checking out.

Alison Monahan: Yeah, we have them for UBE, which are shorter essays, and California, which are longer essays. I think these are great even for law students to work through.

Lee Burgess: Yeah, true.

Alison Monahan: If you have any friends who are still in law school, they're looking for support and help and kind of how to work through a problem – I think these are really





great. I think "Listen and Learn"s are good too, because they're more focused on a specific topic. But some of these, particularly in California, will cover multiple legal issues in a single essay. So, particularly for foreign-trained attorneys and things like that, who are less familiar with the U.S. way of doing things – I think these can be a really great resource.

Lee Burgess: Yeah. Alright, Alison, what's number nine? We're getting close to the end of our top 10 list.

Alison Monahan: Well, this is [155](#), another really important topic on creating a study schedule. So, this is another one that people are worked up about, that we get a lot of questions about, particularly if people are coming back after not passing. So, in this we talked about choosing between using a commercial course study schedule and building your own, thinking about what materials and what tasks need to be on your study schedule, how many hours does bar prep even take, what do you have to do, what do you not need to do? We talked about how to structure your study time around your other responsibilities. One really important topic – prioritizing active learning over passive listening. I would add passive reading to that as well.

Lee Burgess: Yes.

Alison Monahan: And really focusing your efforts on bulking up your weaker areas. I know a lot of people don't like to study the stuff that they're not great at, but the reality is, that is where you can make up more points than doing the things you're already comfortable with.

Lee Burgess: Yes, it's so true. It's so true. And then I'm sure that we linked to our favorite blog post ever.

Alison Monahan: I'm sure.

Lee Burgess: [Do the things that make you uncomfortable](#). Study the things that make you uncomfortable. Yeah.

Alison Monahan: Yeah. If there's one takeaway ever from us, that's probably it.

Lee Burgess: That's probably it. Yeah, exactly. Alright, so I've got to admit that I cheated for number 10 on my top 10 list, because I just picked my 10th.

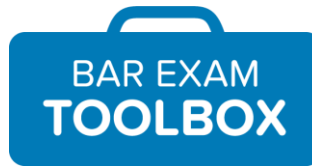
Alison Monahan: Oh, it's fine. We also already basically had the first 20 as our list, so we're cheating pretty much on the whole list.



Lee Burgess: That's right. Okay, perfect, excellent. Well, I really wanted to throw in a couple of episodes that I think are undervalued, because they are back in the olden days of the beginning of the podcast – episodes [2](#) and [60](#). Both are about talking about getting accommodations on the bar exam, and I think this is so important. I learned so much by doing these podcast episodes with experts on accommodations. And I think that both episodes have such great perspective on how to think about getting accommodations and how to go through the logistics of applying for them. And I think a lot of folks that we talk to often are just unsure about how to kind of wade into the accommodations process. It can sound so overwhelming. And then I think they can have complicated feelings behind it, especially if it's accommodations for something new that has arisen around the bar exam. I do know plenty of people who are dealing with new diagnoses around the bar exam, and that can make applying for accommodations be a really personally challenging issue. But these episodes are for you if you are struggling. They are packed with good tips, tricks, language to use to talk about these issues. I just I love them. I hope more people go back and listen to them.

Alison Monahan: Yeah. And I think obviously not getting accommodations that somebody needs is definitely one of the reasons people really struggle with the bar. And I think sometimes there's kind of a myopia about what accommodations are – it's only this one thing or this other thing. But it's actually a really wide universe and people have all kinds of reasons that they may need accommodations to compete on a level playing field. So, if you think there's any possibility that this might be you or you're not quite sure, go ahead and give these a listen, because I agree with you, I think they're really important.

Lee Burgess: Yeah. Some of the things that I think a lot of people don't consider is accommodations around breastfeeding. If you need to pump, you can get accommodations for pumping. There are all sorts of medical accommodations. I know that I've had students who take medications that make it necessary for them to be closer to the restroom, because they might need to go to the restroom more frequently. And so they get to take the exam in a private room that's like a hotel room with a restroom. And that's a big deal. If you think how much time you spend, if you're in the larger exam room, having to go back and forth, or if you need a special keyboard. There are just so many different options. And I think a lot of times individuals just think that something is too small to ask for, but if it's going to be a big deal for you, you should get more information about how to apply for those accommodations. And please, please, please, apply early so you can appeal them. So if they don't give them to you, you have time to appeal.



- Alison Monahan: Yeah. And definitely I think plan around all this stuff and do it as early as possible, because what often happens, I think, as people are sitting for the first time is they kind of look at this in May, when they start studying, and then California I think has a 60-day turnaround best case scenario. So at that point, you're already basically at the exam. You need to be applying really early, so that you know when you're studying what the situation you're dealing with is, if at all possible.
- Lee Burgess: Yes. I have had a ton of students get accommodations letters within a week of the exam day.
- Alison Monahan: Oh, yeah. And they tell you all this on the website. It should not be surprising.
- Lee Burgess: Yeah. But I think everybody wants it to be faster, but they're just not very fast. None of these jurisdictions are particularly fast.
- Alison Monahan: No, they're not fast at all. So you just really have to be applying way, way, way in advance so that you a) have a decision, and b) have time to appeal that decision. Some states are notoriously bad at appeals, but in theory you could appeal. Or you could decide not to take the test, or take it someplace else if you really think that this is something that has to happen.
- Lee Burgess: Yeah. But the best options you'll have is by doing it early. Basically, that is how you have the best options.
- Alison Monahan: Go listen to those episodes right now and get your application together if you think you need to.
- Lee Burgess: Yeah, exactly. So, that's kind of it. That was our top 10 plus... I guess maybe I'll just do top 10 plus episodes from the first 200. I'm kind of excited to see what we'll come up with for the next 200. I feel like the "Listen and Learn"s are going to be hard to beat, so I feel like a challenge has been mounted.
- Alison Monahan: I know. But to be honest, when we started that we were like, "Ugh, this is going to be so boring and no one is ever going to want to listen to this." So, who knows?
- Lee Burgess: That's true, but people love it. I know. We do have a new series that we are mixing in, called "Quick Tips", that are very focused tips or things to try out as part of your bar prep. So, if anyone has any suggestions for that content as well, you're welcome to drop us a line and we always take episode suggestions.



Alison Monahan: We do. And thank you to everyone for listening. We do really appreciate it.

Lee Burgess: Yeah. Well, with that, I think we're out of time. 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 have any questions or comments, please don't hesitate to reach out to myself or Alison at [lee@barexamtoolbox.com](mailto:lee@barexamtoolbox.com) or [alison@barexamtoolbox.com](mailto: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:**

["Listen and Learn" series](#)

[Podcast Episode 2: Accommodations for the Bar Exam \(w/Dr. Jared Maloff\)](#)

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

[Podcast Episode 42: Memorization Techniques for the Bar Exam](#)

[Podcast Episode 118: More on Memorization for the Bar Exam](#)

[Podcast Episode 84: Tackling an MEE Partnerships Essay](#)

[Podcast Episode 136: Outlining on the Remote Bar Exam](#)

[Podcast Episode 139: Employment Considerations Related to the Bar Exam \(w/Sadie Jones\)](#)

[Podcast Episode 142: The Worst Bar Exam Advice We've Ever Heard](#)

[Podcast Episode 155: Creating a Study Schedule for the Bar Exam](#)

[Podcast Episode 168: 10 Things to Think About If You're Taking the Bar in July 2022](#)

[Podcast Episode 178: Tips for Bringing Up a Low MBE Score](#)

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