

Bar Exam **BASICS**



FOUNDATIONAL BAR EXAM TIPS



By Matt Racine
Editor, BarExamMind.com

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Table of Contents

INTRODUCTION	1
PERFORM A BAR EXAM LEVEL SET'	4
CREATING YOUR BAR EXAM MINDSET'	10
CREATE A STUDY ROUTINE	13
DON'T OVERSTUDY	16
ANTICIPATION OF CONDITIONS	20
ADVICE FOR WRITING BAR EXAM ESSAYS	26
ADVICE FOR WRITING PERFORMANCE TESTS	33
ADVICE FOR TAKING THE MBE	38
THE LAST FEW WEEKS	42
TIPS FOR BAR EXAM TEST DAYS	47
CONCLUSION	54

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INTRODUCTION

It is an understatement to say that the bar exam is a difficult test.

Before the exam, you have to spend two or three months learning vast amounts of material. Most people put the rest of their lives on hold to prepare for the bar exam. When you finally take the test, you have to have a huge amount of information available for instant recall.

To say all of this is stressful is to put it mildly.

To make matters worse, if you do not pass the bar exam, you have to wait another six months before you can try again. Therefore, you should do all you can to make sure that your first bar exam is your last bar exam. Reading this book is a great first step toward that goal.

When you first start your bar exam preparations, there is a huge amount of uncertainty, and you wonder:

- Am I studying enough?
- How should I study?
- Will my family and friends understand how hard this is?
- What should I do on test day?
- What if I don't pass?

All of these questions lead to frustration and anxiety that can be easily alleviated with some perspective, which is what I offer you in this book.

This is the second bar exam book I have written. My first book, *Bar Exam Mind: A strategy guide for an anxiety-free bar exam*, concerns itself with various techniques, such as

visualization and affirmations, you can employ to reduce or eliminate anxiety and fear about bar exam performance. *Bar Exam Basics: Foundational Bar Exam Tips*, on the other hand, focuses on fundamental issues for bar examinees: How to plan and prepare for the period of time when you will be studying and how to succeed on the practical aspects of the exam.

The purpose of *Bar Exam Basics* is two-fold. First, it offers suggestions and advice about how to arrange your life and study schedule to make your bar exam preparations as effective and efficient as possible. Second, it provides you with practical advice about how to study for the different portions of the exam and how to most effectively use the final weeks before the bar exam in order to slay the bar exam beast.

This book comes from two sources: experience and contemplation.

I have taken and passed two bar exams: Oregon and California. I know how hard I studied for each of these tests, and I know that I was much more efficient when I studied for the California bar exam because I had the experience of having taken a bar exam before. In this book, I use my perspective as a multiple bar exam taker to share the techniques and systems I developed to make it easier to study for and pass the bar exam.

In addition to the knowledge gained from these direct experiences, I have been thinking and writing about the bar exam since March 2009, when I started the Bar Advisor blog. I continue to post periodically on Bar Advisor, but the majority of my writing about the bar exam is now posted on my Bar Exam Mind blog, which I started in 2011. I encourage you to check out these two blogs when you have a chance.

Through comments on these blogs and interactions with bar examinees via email and on Twitter, I have gained further perspective on the concerns the majority of you have about preparing for the bar exam. Many of those concerns have framed what is contained in *Bar Exam Basics*.

Finally, please note that throughout this book, I have included hyperlinks in the text to helpful online resources. If you have an internet connection from your Kindle reader, you can access those external resources immediately.

Let's get started.

PERFORM A BAR EXAM LEVEL SET

I wanted to start this book by giving you some ideas about how to organize your life during your bar exam studies. The bar exam is unknown territory for most people, and in my opinion, a big part of the stress and anxiety created by the bar exam has to do with the unknown.

Also, lots of law students are hard-charging, get-it-done-now types. This is a very useful trait under the right circumstances. But launching into a huge and lengthy challenge like preparing for the bar exam is not something you want to rush into without some thought and planning.

With the bar exam, you are dealing with two unknowns: (1) the test itself and (2) its effect on your life and the lives of those close to you. I hope you will seriously consider what I have written in this first chapter and that you will take the time to perform a **bar exam level set** to help make your life more manageable during the weeks and months you study for the bar exam.

What is a level set?

A “level set” simply means to assess your resources and your goals to see what you need to do or need to obtain in order to achieve those goals.

In the case of the bar exam, you should examine several areas to determine how you will study for and pass the bar exam. The process may involve your friends, your significant other, your family, and anyone who you think could help *or hinder* your bar exam preparation.

Here are some things you should think about when performing your bar exam level set:

Determine where and when you will study

Do you need total silence when you study? Can you handle some noise but not too much? Are you easily distracted or could you study at a rock concert? The answers to these questions will determine where you should study.

Some suggested locations:

- law library (possible distractions from colleagues talking to you)
- public library (can be loud at times)
- home (might not be a good choice if you have a loud roommate, children, or are easily distracted by other tasks like cleaning or gardening)
- coffee shop (I could never have done this, but some people seem to be able to pull this off)
- outdoors (study in a park? at the beach? maybe, but seems like it would be tough to focus)

What time during the day should you study?

Possible daily schedules:

8am to 5pm: I think this is ideal and it is how I studied for the bar exam both times that I took it. By following this schedule, you study at the same time the actual bar exam is administered, so you train your body and mind to be focused during the same time as the test. I call this “anticipation of conditions.” On the other hand, you need

to be highly focused everyday while you study during these hours, and you generally can only take short breaks if you want to fit the necessary studying into these hours.

8am to 10pm (or similar, e.g., 6am to 8pm): This schedule allows you to take longer breaks while you are studying, maybe to exercise during the day or spend a few hours with your family. It is probably a good schedule for people who have commitments beyond simply studying for the bar. The main drawback I see is that the later at night you study, the harder it can be to fall asleep, and you need to get sleep while studying for the bar exam.

6pm to Midnight: This is a schedule for people who are working during the bar exam. Obviously, not ideal, but you have to do what is necessary. Having a late night schedule will likely require studying most of the day on the weekends. But be sure to take breaks and get some good sleep. (I had a colleague who was working as a full-time attorney in California who was studying for the New York bar exam at night and on the weekends. She hated it, but she passed.)

Determine if there are any large blocks of time when you will not be able to study.

Are there any commitments you cannot change during your bar studies that you will have to work around? Are there any important holidays that occur during your period of bar prep that you want to enjoy? Do you have any trips planned? Maybe a friend is getting married and you need to budget a few days to attend and enjoy the wedding? Figure this out now and account for it in your study schedule.

Eliminate or Reduce Stressors and Potential Stressors

To the extent that you can foresee a stressor that may negatively affect your ability to focus on your test preparation, you should try to do something *now* to eliminate the stressor or reduce the likelihood that it will have a negative effect.

Doing this may require some uncomfortable conversations with family and friends or working out agreements with people (e.g., for the next 2 months, we won't do "x", but after the exam is over, we'll do "x" every day for a week).

Here are some possible areas of stress to think about:

Family

Do you have kids who will need attention? I had a 3 year old and a 1 year old when I took the Oregon bar and they were 5 and 3 when I took the California bar. I made a commitment to think about the bar when I was at the library from 9-5 but then was fully present for them (and my often exhausted wife) when I was home.

Is your spouse or significant other needy? Will he or she be jealous of the bar exam for occupying so much of your time and attention? If you think this could be a problem, consider ways to reduce it. Commit to a date night once a week. Take Saturdays off and do something with your S.O. every Saturday. Promise to cook dinner a few nights a week.

Finances

You don't want to run out of money while you are studying for the bar exam. If you think you might run short on funds, cut back on expenses where possible. Possible places to reduce spending: Downgrade or cancel your cable subscription; cancel any monthly subscriptions to newspapers or websites; avoid buying new clothes; try not to eat out too often.

If you find yourself a little short of money one month, there are lots of ways to get a few hundred dollars quickly. Do you have family you can tap for a couple hundred

dollars if absolutely necessary? What about freelancing? Do you have anything you could sell on Craigslist or Ebay? What about babysitting or tutoring?

Make sure your bills get paid and you don't overdraw your bank account. (The only time in my life I bounced a check was when I was studying for doctoral exams; I literally forgot to deposit a paycheck.) If you have auto-pay for your bills, great; if not, consider setting it up. If you don't like auto-pay, put bill paying into your calendar on the 1st and 15th of each month so you won't forget.

Food/Cooking

You should make an effort to eat healthy food while studying for the bar exam. Poor food choices (e.g., sugary or starchy foods) can lead to brain and body fatigue, poor concentration, and even depression. Not what you want at this critical time.

But, eating healthy takes time because you have to cook most of your food. If you are worried about having enough time to cook, consider preparing meals in advance and freezing them. I have one friend who cooks five days' worth of chicken breasts, vegetables, and rice each Sunday. He separates the food into five Tupperware containers and freezes them so that he has his dinners for Monday through Friday all ready to go. Kind of boring, but basically healthy.

Maybe you can get your significant other, a roommate, or a family member to cook for you?

The mother of one colleague of mine actually moved in with her for the last 3 weeks before the bar exam. She cooked all her meals, washed her laundry, and cleaned her apartment. Now that is love!

Deal with Fear and Anxiety about the Bar Exam

Bar exam fear, stress and anxiety is the main focus of [my Bar Exam Mind blog](#), and I won't go into great detail in this chapter. The point is, if you are worrying about the bar exam and consequences of failing the bar exam, it makes it more difficult to study for the bar exam.

To deal with the stressors of fear and anxiety, consider using [negative visualization](#) to put the fear in its proper perspective and [positive visualization](#) to build confidence.

For more ideas on how to deal with anxiety and fear, please explore the past posts on my blog or read my other book, [*Bar Exam Mind: A strategy guide for an anxiety-free bar exam*](#).

Finally, if your fear or anxiety is so extreme as to be debilitating, you might want to consider seeking help from a therapist or psychiatrist.

Final Thoughts...

Passing the bar is difficult, but many people have done it. You can do this. Make the commitment to pass.

Get your life organized before you start studying so the only thing you need to worry about is studying. It may take some planning and negotiating, but it is important to make these arrangements now.

Don't let the stress and anxiety build up before you take action.

CREATING YOUR BAR EXAM MINDSET

Now that you have thought about how to arrange your life while you study for the bar exam, I'll let you in on a little secret: The bar exam is not just about how much knowledge you have of the law.

The bar exam is really a test of how well you function under an extended period of stress. It is not only about the stress of taking the actual exam itself but also the stress of several months of preparation. This ongoing stress can lead to a negative mindset that can sabotage bar exam success.

This chapter is about creating a positive mindset to help you succeed on the bar exam whether you are a first-time taker or a repeater.

Why Mindset Matters

Mindset matters because what we think has a powerful influence on what we do. Do you remember when you were taking Torts during 1L? Do you remember how you started seeing potential negligence lawsuits *everywhere* you looked?

That is how mindset works. If you think something is difficult or impossible or unfair, then, even if it objectively is none of these things, it will subjectively be so to you. If you think something is possible and fair, then it is.

As the great motivational speaker Zig Ziglar once said, “Positive thinking will let you do everything better than negative thinking will.”

Establishing a Proper Mindset for the Bar Exam

There are lots of techniques for establishing a proper mindset. By “proper mindset,” I mean a mindset that will support you in the achievement of desired goals rather than undermine you.

Also, a proper mindset is not a one-size-fits-all concept. Some people may function better with a calm mindset focused on flowing with events, while others will function better with a mindset that views the world as one of obstacles to be overcome by force and struggle.

You need to know which works best for you. Take a moment now to consider what mindset you have used in the past when you have been successful at something.

The one concept that does seem to be common to all “proper” mindsets is the absence of fear. This does not mean the absence of potential adverse outcomes; it means that the potential adverse outcomes do not create a state of fear that sabotages your likelihood of success.

If you would like more information about techniques to help clear away fear, go to my blog and read the posts about using negative visualization and about blasting through fear. (You can link to them both by clicking [here](#) and [here](#).) I also have an extended discussion of removing fear in my *Bar Exam Mind* book.

In addition to clearing out the fear, here are some other techniques to help you establish a positive mindset as you work toward passing the bar exam:

Have a healthy support system in place: If you have people in your life telling you that you can’t pass the bar, then tell them to stop saying it, avoid them while you study, or boot them from your life. (See the previous chapter for more.)

Take responsibility for your success: Avoid saying it is someone else's fault that you cannot reach your goals. If there really is someone or something keeping you from achieving your goals, then take responsibility and get away from that person or thing until your goal is realized.

Get creative: If what you have tried in the past is not working, try something new. Ask around, use Google, and read about what has worked for others trying to achieve the goal you seek.

CREATE A STUDY ROUTINE

Most people offering advice about how to pass the bar exam tell you to follow a study schedule. I am no exception to this, and I believe that following a schedule — whether it is given to you by a bar review program or you create it yourself — is essential to bar exam success. But, I am not sure I have ever seen anyone discuss the value of establishing a daily and weekly routine during your studies.

Routine vs. Schedule

To be clear, a routine is not the same thing as a schedule.

A **schedule** is a timetable that you follow so that you will complete certain tasks within a given time limit. For instance, if you choose to follow the study schedule given to you by the good folks from some bar preparation course, you will complete studying and practicing all bar exam subjects a week or two before the bar exam. Then, you will use the remaining time to continue to practice and to review your weaker subjects.

A **routine**, on the other hand, should be thought of as the rhythm of your life. For example, my weekday routine is that I wake up around 6:00 a.m. each morning, take a shower, eat breakfast, get my kids ready for school, then get to work around 8:00 a.m. I work until 5:00 or 6:00 p.m., then I come home, eat dinner, relax, and then go to sleep by 10:00 p.m. each day. Within this routine, I fit my daily work schedule. The schedule varies each day of the week, but my routine rarely varies.

Why Establish a Routine?

It is important to establish a routine because a routine provides stability, freeing you to concentrate on your studies.

In other words, a routine gets your mind and body into an expected rhythm. Any source of stability is important while you study for the bar exam because you are placing heavy demands on your brain to memorize voluminous material. The stability means that your brain has one less uncertainty to worry about as you continue on your bar exam journey.

With a strong, well-planned routine, you fit bar exam studying into your life, but the studying does not take over your life. This is extremely important because some students preparing for the bar exam report feeling overwhelmed, helpless and depressed because they cannot find time to spend with friends and family and seem to do nothing except study. With a strong routine in place, you will be effective and focused when it is time to study, but will be able to relax and get away from the bar exam when it is not study time.

Assuming you do not have to work at a job during your bar exam studies, one possible bar exam routine could be: Wake up at 6:00 a.m.; shower, get dressed, eat; commute to bar exam study location; attend lecture or study topic “x” per study schedule; lunch; practice topic “y” per study schedule; commute home; dinner; nighttime activities; in bed by 10:00 p.m.

In addition to the daily routine, you should establish a weekly routine. In the weekly routine, I highly recommend you take a minimum of one day off from studying and make sure you fill that day with something that will help recharge your mental batteries, such as spending time with friends, going for a hike, watching a movie, or just plain relaxing.

Breaks in the Routine

It is inevitable that you will have some breaks in your routine. Maybe you have a sleepless night; maybe the water heater at your house breaks in the middle of the night and you have to stay up waiting for the plumber. Life is like that.

But these breaks should be rare and will be things that are outside of your control. If there is a break in your routine, try not to worry. Assuming your routine is well-established, you should be able to get back into your routine quickly.

DON'T OVERSTUDY

But it's the BAR EXAM! What do you mean don't overstudy?!?! Is it even possible to overstudy for the bar?

Yes.

There are two main goals at the heart of bar exam study: (1) learn the substantive law you need to pass the exam and (2) learn how to take the test itself.

You can accomplish the first goal by enrolling in any good bar review course or by acquiring/buying the right materials to learn the law on your own. You accomplish the second goal by anticipating the format of the bar exam, taking practice tests, and building up your endurance for the marathon that is a two- or three-days long bar exam. (For more on “anticipation of conditions,” see the next chapter.)

But don't overtrain.

Exercise physiologists know that extreme exercising — such as weightlifting with no rest between sets and no days off *or* endurance training with no easy days or days off — can lead to injuries from overuse. Even worse, overtraining can sabotage performance at critical times. Too much running, for instance, can lead to slower race times rather than faster race times.

The same is true with bar preparation.

If you try and study 12-14 hours per day for 8 or 10 weeks straight, it will be very difficult to maintain your ability to learn. You will undoubtedly have days when your brain and body say, “Enough!” **You *will* hit the wall.**

If you hit the wall too many times, it may impede your ability to succeed on the bar exam. (Note: If you have a few days here and there where you can't seem to get much done, don't worry too much about it. I can remember hitting the wall on occasion both times I took the bar exam. You just have to accept it, take some time — maybe a few minutes, maybe the rest of the day — off, and get back to studying when your brain wants to work again.)

Take Extended Breaks

One way to avoid bar exam burnout is take a measured approach to studying. Probably the best way to do this is to take one day off each week to rest your mind and do something other than sit at a desk:

- Spend time with your friends;
- Play video games;
- Read some fiction;
- Enjoy a drink;
- Take a long walk;
- Go to the beach, lake, mountains or park;
- Do anything other than study for the bar exam.

If you are working while you are studying for the bar exam or you absolutely feel you cannot take an entire day off, try taking at least half a day off. Saturday and Sunday afternoons seem tailor made for this.

Periodization

Exercise scientists know that periodization is key to strength and performance gains. In summary, periodization means you vary your workout routine by incorporating rest days and easier days and weeks with periods of more intense training.

Why not apply this principle to learning the skills necessary to pass the bar exam?

Periodization for learning new skills

According to sport performance coach Marc Dagenais, an athlete can apply periodization to learning a mental skill as follows:

- Introduction to the skill (Explain concept)
- Development of the skill in a quiet setting
- Incorporation of the skill in sport specific situation (Specific application)
- Refinement of the skill in training and in preparatory competition
- Integration of the skill in strategies of competition
- Use of the skill in competition to achieve Ideal Performance State

As applied to bar exam preparation, we might think of it as follows:

- Attend a lecture or review an outline of a particular bar exam subject area
- Begin memorizing law for that subject area
- Initial practice essays and/or MBE questions on that area
- Learn from mistakes of initial practice and increase depth of understanding of law [through use of mini tests](#)
- Practical application of knowledge to full-length, timed essays and/or large groups of subject-specific MBE questions
- Ideal Performance State achieved on the bar exam itself

Periodization for enhancing/ maintaining learned skills

If the structure above seems uninteresting to you, then think of periodization of your bar exam preparations as simply varying from time to time what and/or how you study.

For instance, maybe give yourself a few days off from writing essays. Focus only on memorizing the law and MBE practice. Then, take a few days off from MBE practice and focus on writing essays.

You might also forego any practice testing for several days, spending all your time reviewing outlines and flash cards. Then, do a blitz of practice testing with two or three straight days of nothing but MBEs, essays and PTs.

These changes will give your mind a break from constant repetition of MBEs or constant writing of essays or performance tests. The change will free your brain to solidify the skills it has been learning while you turn to a related but different skill so as not to lose valuable study time.

ANTICIPATION OF CONDITIONS

In order to help you succeed on the bar examination — or any important test of ability — you should prepare for it under conditions approximating that “test” situation.

The more familiar the testing process is to you before the actual examination, the less likely you will be surprised by the intensity and time constraints of the bar exam itself. Once you get used to the format of the bar exam, you only need to worry about being able to recall the material (which is certainly enough!) instead of being stressed about finishing essays or MBE questions within the allotted time.

Anticipation of conditions is one of the reasons people in the military have live-fire exercises and combat training. You don’t just hand someone a gun, drop them off in enemy territory, and say, “Go to it.” A soldier needs to get used to the sights, sounds, and smells of a warzone until these become “expected” or “normal,” so he may then perform the tasks his commander desires without a second thought for the situation in which he is being asked to perform. While failure on the bar exam has much less drastic consequences than failure in a war zone, there are lessons to be learned from the intense and cinematic preparation an advanced military undertakes.

The bar exam is, for many people, a highly stressed two- or three-day period. For some takers, it may be the most stressful situation they have ever been in. Therefore, understanding what the test will be like and practicing in similar conditions is of utmost importance. By rehearsing the experience of the bar exam under test-like conditions, you can reduce a large amount of the stress and anxiety you might otherwise feel on the days of the exam.

There are two central aspects of the bar exam for which one must prepare: (1) performing at a high level for 6-8 hours for two or three days in a row and (2) performing while surrounded by hundreds or even thousands of people who are frantically taking the same test you are.

Endurance and High-Level Performance

A bar exam is a multi-day affair. To my knowledge, all states require at least two days of testing, and several (like California) require three. For those in Louisiana, the test is also three days, but it is spread over a week (i.e., Monday, Wednesday, Friday). In order to give your best efforts during each day of the test, you should practice performing during a multi-day testing situation.

Many large bar preparation programs will build in to the course schedule a practice bar exam where you show up at a designated site and take a test in the same format and under the same time constraints as if you were taking your jurisdiction's real bar exam. This is great and, if you take the test seriously, it will likely be sufficient preparation under the endurance prong of my suggestions to you.

By “take the practice test seriously,” I mean that you should show up, give your best effort for the full time allowed, and get used to the intensity of the exam. Unless you are brilliant, your performance on the practice test will likely not be a passing effort. But that does not matter because the point here is just to see how your body and mind reacts to being forced to test for several days in a row.

For those of you not taking a bar review course that includes a sample bar examination, you need to build such practice into your study schedule.

When I took the Oregon bar, I was taking BarBri and so used its practice test. When I studied for the California bar exam, I was doing it on my own and so had to build it

in. I chose Tuesday February 5th and Wednesday February 6th as practice exam days, about three weeks before the actual February bar exam.

I only did a two-day practice exam even though the California bar exam is a three-day exam. I chose to do this for two reasons: (1) I had taken a bar exam before and was confident that if I could perform for two days, I could perform for three and (2) day three of the California bar has a format identical to day one, so I felt that studying rather than doing a practice test would be a better use of that extra day.

Another important thing to note is that I made the practice exam Tuesday and Wednesday. In most states, the bar exam starts on a Tuesday, and California is no exception. Furthermore, in states that use the MBE, it is *always* administered on a Wednesday. Therefore, to anticipate the conditions properly, I practiced the written portion on Tuesday and practiced the multiple choice MBE portion on Wednesday. Had I chosen to do a three-day practice exam, I would have done the second day of written practice on Thursday.

It is important to match the day of the week with the appropriate exam format so that your mind and body synchronize their abilities with the correct days of the week.

Finally, find out the approximate start time of your state's bar exam. Be sure that you start and stop your practice examination within those time parameters so that the practice session is as realistic as possible.

Practicing for Testing at the Testing Center

Once you have practiced for the endurance aspect of the bar exam, you need to practice for the auditory and visual experience of the bar exam. What I mean is that you need to be ready to take a test in a room with hundreds or thousands of people, many of whom are panic-stricken and hyper-stressed.

Let me briefly describe my two bar exam experiences:

For the Oregon bar, there is only one testing location for the entire state. All 700-1000 people taking the bar converge on a single location which, when I took the Oregon bar exam, was a rented convention hall at a hotel by the Portland International Airport. The majority of these people take the test on a computer and are placed in the same room.

When I took the test, the computer-takers' room had probably 500 people in it. Prior to the test starting, the power suddenly went out to a large portion of the room because the drain on the daisy-chained extension cords set up by people apparently unfamiliar with electric circuits was too great. My laptop battery would only last about 2 hours. *Good thing I practiced hand-writing essays.* When the power went out, panic spread. Finally, the power was restored and the test started about 30-45 minutes late.

Once everyone was finally able to begin the test and start typing, it sounded like a heavy rain was falling inside the room. Thank goodness I had my earplugs in and that I had written most of my practice essays while wearing earplugs. The entire time I was typing I kept wondering if the power would go out. I kept checking my power cord to ensure the green "it's still working" light was glowing. What a distraction! Day two was better since we only needed pencils to take the MBE. There was still panic in the air and a few people actually did not bother to show up for the second day, assuming they had failed.

In California, the number of people taking the exam requires that the bar examiners have several locations to administer the bar. I took it in San Diego, where it seemed like there was a mere 800 or so people in a convention hall taking the test on their computers. I have heard that some locations of the California bar have nearly 2,000 people taking the test.

With the California bar, the examiners seemed much more strict than those in Oregon. We had to put all of our test supplies in a clear plastic bag and leave our backpacks outside of the room. We had to provide fingerprints, signature cards, and photo ID during various moments of the exam. Just silly junk, but distracting nonetheless. At least I did not have to sit through the earthquake that hit during the July 2008 examination!

As you can see, any manner of things — anticipated and not anticipated — can occur at the bar exam. For example, during the North Carolina bar exam in July 2012, power was lost with the result that the air conditioning went out and laptop batteries eventually started to die, forcing many to handwrite the remainder of the exam.

If you practice under less-than-ideal conditions, then it is more likely you can adapt to the expected and unexpected distractions and stress that will occur during the actual bar exam.

In light of all these possibilities, I suggest that you set aside at least one block of time to practice essays (and, if your bar requires it, performance test writing) and another block of time to practice MBE questions (unless you are in one of those states that doesn't use the MBE; in that case, double your essay/PT prep). Then, locate a place where there will be a sizeable number of people who will be making at least some noise but where you will not likely be interrupted by someone speaking to you. Ideal places include a busy public library or a coffee shop.

Then, go to your chosen place and write an essay or a PT under timed conditions and then do 33 MBE questions in one hour. Try to do this on two or three separate occasions. Consider using at least one of the essay/PT writing sessions to practice handwriting the exam as well. Of course, be sure to do these practice sessions at the time of day when you would actually be doing the same thing for the bar examination.

Lastly, if your bar has odd rules for its exam, be sure to incorporate them into your anticipation of conditions practice. For example, the Virginia Bar requires that applicants take the bar examination wearing business attire. How would you like to fail because you weren't comfortable taking a test in a coat and tie (men) or wearing a tailored skirt or suit or heels (women)? Do not let yourself fail for a foolish reason and for lack of practice.

In summary, make sure you do a complete test under timed conditions and practice bite-sized portions of the bar exam under unfavorable conditions. It will make a huge difference during the actual test.

ADVICE FOR WRITING BAR EXAM ESSAYS

The proper way to write an essay will depend greatly on the jurisdiction in which you take the bar examination. Your jurisdiction will also affect how you should prioritize studying for the essay portion of the exam.

The first thing to look at is how much the essay portion counts toward your total grade. If it is less than 30%, then you can probably make it your lowest priority. If it is over 50%, then it should be your highest priority. If it is somewhere in between, then you should adjust accordingly.

The second factor is to determine what are the time and length constraints for responding to an essay. For example, when I took the Oregon bar exam, I was given 90-minute blocks during which to write three essays, which works out to 30 minutes per essay. This is not a lot of time to digest a 1/2- to 1-page long fact scenario and write a good essay. The Oregon bar examiners realize this and so have imposed page/character limits. If you handwrite the exam, you get three pages; if you type the exam, you get a maximum number of characters which works out to almost exactly one single-spaced typed page. In such a situation, issue-spotting and rule statements are most important, while analysis will be kept to a bare minimum.

In contrast, in a jurisdiction like California, you have 60 minutes per essay and no page limit. Thus, even if you take an excruciatingly long 10 minutes to read the fact scenario and outline your essay, you still have 50 minutes to write. This is why some of the sample answers posted on the bar website read like law review articles. With that much time for each essay, analysis becomes king. While it is important to spot all the issues and explain the legal rules applicable or potentially applicable to the

situation, if the analysis is lacking, it seems very likely – if not certain – that you will fail the essay portion.

Lastly, get your hands on copies of real essays that have been submitted and graded. Read a few (3-6) from varied subjects before you ever practice writing an essay so that you can get a sense for the preferred response format in your jurisdiction.

When I took the Oregon bar, the BarBri course book had copies of actual graded essays. These were invaluable for at least two reasons: (1) demystifying the process of what gets points from the bar graders and thus lowering stress and (2) seeing that some pretty bad essays earned passing grades which raised my confidence level.

In California, you can see copies of very good examination essays answers on the California bar website. These can be intimidating because many of them are extraordinarily well written. In addition, most bar preparation courses provide you with sample responses.

So, determine where you can get copies of sample essay responses to help you prepare for the bar exam.

Applying the Information

Now that you have gathered all of the background information necessary to get the “lay of the land” for your jurisdiction’s essay portion of the examination ... how to study?

As I indicated above, this will depend on the jurisdiction. So, I’ll describe two study formats: (1) jurisdictions where analysis is minimal (e.g., Oregon and states using the [Multistate Essay Exam](#)) and (2) jurisdictions where analysis is at a premium (e.g., California, Washington – which is an all-essay bar exam, etc.).

But first, one thing that is the same no matter where you take the exam is that you need to write out lots of practice essays. I'd recommend *at least* 2 per subject and be sure to do more for your weaker subjects, which amounts to about 30 practice essays *at a minimum*. You should write these sample essays under varying situations, such as writing a Criminal Law essay immediately after studying Criminal Law for 3 hours and writing a Criminal Law essay a week later after not having studied the subject for several days. Write essays in blocks under timed conditions simulating your jurisdiction's examination.

As you become comfortable with the essay format and feel that you can get all your thoughts down within the time limit, you can switch to simply outlining responses rather than writing out full-length essays. But, **do not switch** to outlining only until you are highly competent with writing out full-length essays!

Minimal Analysis Jurisdiction

As I mentioned, the premium in a Minimal Analysis Jurisdiction is on issue spotting and setting forth the applicable rule(s) of law. Therefore, ability to spot issues is the most important thing.

When you are at the beginning of your bar preparation and are practicing essay writing, be sure to spend an overly long period of time ferreting out every possible and tangential issue from the fact pattern. Write out a basic outline containing all the issues you can find. You can use sample essay questions from other jurisdictions to do this as well, since issue spotting is the same no matter who gives the test.

Of course, during the first few weeks of your studies, it is highly unlikely you will be able to spot all the issues in any given fact pattern because you will not have memorized enough law to do so. This is OK; give yourself permission not to be perfect because, after all, no one is.

The key with the intense issue spotting practice is to learn how the bar examiners in your state “hide the ball.” In other words, you need to start learning which fact patterns are common for particular issues, which issues seem to always or almost always appear together, and how the differing “calls of the question” relate to the information appearing in the fact pattern.

If your jurisdiction imposes a page or character limit for essay answers, make sure you practice paring down your writing to get all the necessary information in to that length. This can be difficult, especially when writing an essay where the various issues have numerous subparts (e.g., constitutional law, torts, criminal law). During the first few weeks of practice, feel free to exceed the limit. The important part to begin with is to get all of the issues, rules, and analysis in written form.

Once you feel comfortable doing that, begin to edit yourself. Review examples of actual passing essays to see what information is necessary and is rewarded with points as compared to what information is superfluous and not point-worthy.

Practice writing as many essays as you have time to write and then thoroughly *review* – writing for its own sake is not enough, you must make time to review the essays and be sure you are truly learning or have learned the material – during the final two or three weeks before the examination. If you feel you have mastered writing complete essays, then review as many essay questions as possible to practice issue spotting.

Premium Analysis Jurisdiction

What I wrote in the first paragraph under “Minimal Analysis Jurisdictions” applies here as well. The first couple weeks are to learn how to issue spot – in my opinion, you should resist, during the first week or two of your bar prep course, the temptation to start writing out full-length essay answers. Writing out essays during the first week just induces frustration and anger. You are so [overwhelmed at that point](#) that writing

bad essays (and they will be bad during the first few weeks) may send you over the edge into self-doubting oblivion.

Unlike with the Minimal Analysis Jurisdictions, the trick with a jurisdiction that gives you a large time allowance and no page limit is to build up stamina. For example, if you spot 5 main issues (each with, *of course*, multiple sub-issues) in a fact pattern, then you are going to have to write a lot in one hour to provide a thorough analysis. In order to build up the stamina (mental and physical) to accomplish this, you will need to have practiced writing numerous full-length essays under exam-like time pressure.

Building up stamina is something which must be done *over time*. After all, you don't learn how to complete the IronMan Triathlon with one week of training.

I recommend the following steps:

1. Beginning in the second or third week of your bar prep course, make time to write out several essays per week. These essay responses should be as developed as possible. You will inevitably miss issues, get the law wrong, and make silly mistakes. That is okay, you are building up stamina. Write as much as you can for as long as you need to. Compare your answer to the sample answer. Be proud for the points you got, but acknowledge that you need to do a lot more studying.

2. About the fourth or fifth week of bar prep, you will likely have at least a few subjects fairly well understood. Likely, one of the subjects on the MBE will be at your command to some extent (e.g., Torts, Criminal Law). Whatever subject you feel most knowledgeable about at that time, select at least two essay questions from that subject and write answers to those essays under timed conditions. Write the answers back to back. Review by comparing your answers to the sample answers. Now is the time to start fine tuning your analysis and essay responses. If you missed any issues, make a note to review those topics. The key now is to start determining what analytical steps

you are missing and why your interpretation of the facts differed from the sample answer provided.

3. Rinse and Repeat. As you gain mastery of the various topics on the essay portion of your jurisdiction's bar examination, write out several essays in a row and analyze what you did right and what you did wrong.

4. Finally, at least once during your bar prep, do a simulated essay day. If your bar has a full-day essay session, do a mock version of it. If it is only a half day essay session, do a mock version of it. The key is to practice under conditions similar to the actual bar examination. (See the previous chapter.)

Mental Health Note: *if at any point you write three or four essays in a row that are terrible, take a break from writing essays for a few days. Concentrate on MBE and reviewing outlines. The worst thing you can do while studying for the bar exam is to get to a point where you are constantly telling yourself that you can't do something or that something is too hard. The bar exam is not harder than law school; you can do this.*

In addition to building up stamina, writing essays in a Premium Analysis Jurisdiction requires a much greater depth of knowledge than in a Minimal Analysis Jurisdiction. The greater depth of knowledge is necessary so that your analysis will be complete. If you have enough knowledge, your essays will often be extraordinarily lengthy and even one hour may not seem like enough time to write a response.

The only way to get this depth of knowledge is to study your bar prep materials a lot and know them cold. Honestly, though, this will not be accomplished by reading each outline 500 times. In order to truly learn the bar exam subjects, you need to *apply* the knowledge in practical ways, which include writing out and then reviewing numerous essays, developing issue checklists that make sense to you, and explaining concepts to yourself orally (do this where no one will hear you and think you are a raving lunatic).

In short, learn the information and then solidify it through application.

ADVICE FOR WRITING PERFORMANCE TESTS

To start with, there are two kinds of Performance Tests: the [Multistate Performance Test](#) (MPT) and a state-specific performance test, such as the California Performance Test (CPT). Both are essentially the same format, except the MPT is only 90 minutes while the CPT is 3 hours. Although I am unsure of exact totals, at least 33 jurisdictions (66% of them) use the MPT. If you plan on taking the test in a non-PT jurisdiction, consider yourself lucky.

I have passed both the Oregon and the California bar exams, so I have experience with both forms of PT.

The Oregon bar exam uses the MPT. I found the 90 minute format to be comparatively easy. There is only so much you can do in 90 minutes. In contrast, the 3-hour format of the California bar PT is onerous and, as a lawyer might say, overbroad as to time and scope.

The performance test is, allegedly, designed to test how you can think and write as a “real lawyer.” I’m not so sure this is true since no “real” lawyer would digest 3-5 cases, review an entire litigation file, and draft and finalize a memo in 90 or 180 minutes. At least, I hope no real lawyer would do this.

Still, since most performance tests involve some sort of lawyer-like task (e.g., drafting a memo, preparing a letter to a client, preparing questions for a witness), if you have any experience doing this as a law clerk, you will likely have an easier time with the PT than if you have never done these things.

As with all portions of the bar exam, the key to success on the PT is practice. To be successful, practice must be done in an efficient and useful way. Let me lay out the steps I suggest you to go through as you advance in your bar preparation.

General Preparation

Step 1: Before you do anything else, make time to read at least two examples of PT questions and answers. This will give you a sense for how the diverse information contained in the Library and File portions (discussed below) of the performance test materials get converted into a passing answer. For those of you taking the California bar exam, you can get some examples on the California Bar website. For those of you taking the MPT, you will probably have to rely on sample answers provided by your bar prep course. You can also get free copies of prior MPTs and grader point sheets from the [National Conference of Bar Examiners website](#). I would also suggest reading one or two sample answers from the Cal Bar website as well since the basic format is the same.

Step 2: At the proper time in your study schedule – say two weeks after you start, do your first practice PT. Do not write the answer out, but merely outline the answer. Then read the sample answer and see how much of the information you gathered and how closely you put the information and analysis in the correct order. You probably missed a few things. That’s okay, make a note of what you missed and take the time to figure out why. This is the key: self-knowledge and understanding of your errors. You can plow away and write 30 sample PTs, but if you never review and learn, you will have much less success.

Step 3: Next, at the proper time in your study schedule – maybe six weeks before the bar exam, write out an entire PT. I would suggest doing a maximum of five sample

PTs in their entirety. I think I probably did five when I took the Oregon bar and three when I took California.

For me, writing out an entire PT is soul-killing. The PT has nothing to do with memorization or knowledge and everything to do with how you spot relevant pieces of information. So, once you can do that, there really is no need to practice writing them out.

The real reason to practice writing PTs is to make sure you can get the job done within 90 minutes or 3 hours. In other words, you need to practice writing out entire PTs only until the point when you know the time pressure is no longer an issue for you. Then, you can just review PT tests periodically and do outlines to make sure you can spot all the relevant facts and legal authority. That said, if you have done five sample PTs and still are having trouble finishing within the time limit, then make sure you practice a few more.

Okay, so now I have given you the high-altitude overview. What about the neighborhood map? In other words, how do you write one of these things?

How to Write a Performance Test

Here is my approach. Think about it, try it once. If it works for you, great; if not, try to figure out why not and then modify it to suit your style.

The PT consists of a File and a Library. The File contains the assignment memorandum, format guidelines, and the facts you need to complete your task. The Library contains the various legal authority (statutes and cases, usually) you need to interpret those facts.

First, read the assignment memorandum in the File.

Second, skim (spend a max of five minutes) the entire Library, looking for anything that might be useful (e.g., multi-pronged tests, key words in statutes, etc.). Put a check mark in the margin next to these useful bits.

Third, skim (again, max 5 minutes) the entire File, noting facts that seem to relate to the assignment memorandum and the Library. Put check marks in the margins again by these apparently important facts.

Fourth, read the assignment memorandum and the format guidelines memo (if there is one) carefully. Write down the major topics in basic outline format on a separate sheet of paper. [Note: Some people who type the exam will type the outline into their computer and then fill in the written portion of the PT. Although I typed both of my bar exams, that system did not work for me. If it did, I probably would have used it as it seems to increase efficiency and permit more time to write.]

Fifth, read the Library carefully and fill in your outline with the various legal tests and statutory language that is relevant to the topics you generated by reading the assignment memorandum. If necessary, re-write your outline on another sheet of paper.

Sixth, read the File carefully for facts applicable to the legal authority you have culled from the Library. Write in the appropriate place in your outline the basic fact and a citation (i.e., the page number so you can find it again) to that fact.

Seventh, review the outline and make sure it makes sense. If anything seems confusing, find the needed information to remove the confusion so that you can write a cogent response. [By now, a maximum of half your test time should have expired.]

Eighth, with your outline complete, start writing. If, as you write, you realize that you have left something out, I would suggest you make a note of it but then finish writing

your entire PT so that you get a complete response. Then, if you have time left, you can search for whatever information was missing.

Pro Tip: When you start writing, be sure to write your conclusion first. That way, if something happens and you run out of time, it will look like you concluded your response, which should help you get a few extra points.

ADVICE FOR TAKING THE MBE

Here is a secret the bar examiners don't want you to know: The MBE is really a test to determine how well you take a test!

The MBE is not a test that tests only knowledge. If bar examiners wanted to test knowledge only, then the essay portion would be sufficient. After all, if you cannot explain something in writing, then (absent some sort of disability that leaves you unable to express your thoughts in writing) you likely do not understand it.

Now, I will admit that if you do not know the underlying law, then you cannot pass the MBE, so some knowledge is required. But, even if you have sufficient knowledge to write great practice essays, you may still struggle with the MBE. I know it was that way for me. That is why I think the MBE is really more about learning to pierce the veil of the MBE question-writing format than about how well you understand the legal subject areas tested.

A test to test your test-taking ability

What do I mean by this?

In my opinion, the MBE is designed to trick you. The answers to many of the multiple choice questions turn on minor distinctions that the question narrative or fact-pattern makes as opaque as possible.

Both times I took the MBE (in Oregon and California), I left the testing center with an [uncertain feeling](#). I did not necessarily feel like I failed, but I had no idea if I passed. I thought I had answered many of the questions correctly, but I also thought that I had gotten many of them wrong.

The important thing, therefore, is to practice on as many questions as possible. Thousands of questions would be ideal, though not always practical for some. Therefore, take the time to review all questions you get wrong so that you can learn from your mistakes.

When I studied for the Oregon bar and used PMBR (now called Kaplan), I did about 1500 of the questions. When I studied for the California bar, I completed every single one of the [Adaptibar](#) questions (I believe 1250 at that time) and then did a few hundred of the BarBri questions as well.

When I first started practicing MBE questions, my pass rate was between 25% and 40%, depending on the subject area. By the time the examination rolled around, I had a pass rate on the practice questions in excess of 80%, so I figured that I would be able to pass the real thing. Since I passed the bar exam both times I took it, I assume I at least did average on the MBE, though I suspect my actual score was above-average.

Practicing

So, you plan to do in excess of one thousand MBE questions?

Good.

Now, how do you organize all this practice?

If you are enrolled in a bar preparation course and intend to follow the schedule you have been given, then just follow the schedule and you should get sufficient practice. If you are going to modify the bar prep course schedule or have created your own study schedule, then my suggestion is to do 25-40 questions (more is ideal) for each subject whenever you have set aside time to do MBE questions.

So, for example, if you have set aside 2 hours to study Constitutional Law MBE questions, then do as many questions as you can in 90 minutes, and then take the last 30 minutes for review. Since the MBE is geared to finishing about 33 questions per hour, you should initially get through at least 40 questions in 90 minutes and should be at about 50 questions per 90 minutes when you approach exam time.

The important part of the practice is the **review**. I cannot stress this enough.

Let me repeat: The important part of practice is the **review**.

When you get a question correct, skim the answer explanation to make sure that you got it right because you understood the question, not because you got lucky. If you got lucky, then follow the “review protocol” explained below.

For the questions you missed, follow this error review protocol:

- (1) read the answer explanation carefully;
- (2) review the text of the question to see if – bearing the explanation in mind – you understand where you went wrong;
- (3) determine if you were tricked by the question or if you simply did not know the rule, test, or theory being tested [if you were tricked, spend a minute understanding what exactly tricked you; be on the lookout for such tricks in the future]; and
- (4) if you did not know the rule, then write a *flashcard* so that you can review that rule repeatedly in the coming days/weeks before the bar exam [don’t overdo the flashcards; you probably should try to limit the new ones to 5 per review session].

Endurance

You need to follow the same system every time you practice the MBE questions. Consistency creates familiarity which leads to proficiency and therefore bar passage.

As you review your study outlines and checklists, be cognizant of the areas with which you are having problems while studying for the MBE. Slow down when you review these portions of your outlines and checklists so that when you come across this area of law during your exam practice, you will engrave the concepts into your mind and have full command by the time the exam rolls around.

As another component of endurance, make sure that you follow my suggestion from the earlier chapter to take a full-length MBE practice test under timed conditions.

This means a 200 question test, broken up into a 3-hour session for the first 100 questions, a one-hour lunch break, and then another 3-hour session for the second 100 questions. Make sure you do this at least two weeks before the real bar exam to get used to the time pressure.

And, of course, make sure you review all of your answers.

THE LAST FEW WEEKS

The final two or three weeks before the bar exam are critical. This is when everything you have been learning finally comes together and you will realize that you have learned enough to pass the bar exam.

Most bar exam preparation courses end two or three weeks before the bar exam so that you can use those final two weeks to focus on memorizing and practicing everything that you have been taught by your bar prep provider.

Switch into memorization mode

During your bar exam preparations leading up to the final two or three weeks, you have been attending bar exam lectures (either in a classroom or virtually); have been getting familiar with bar exam subjects, including subjects you may not have taken during law school; have been creating bar exam outlines and flashcards; and getting familiar with the structure of bar exam testing, including practicing essays, performance tests, and MBE questions.

All that information can be overwhelming at times. Just finding the time to make your outlines or flashcards or to review lecture notes can be difficult, especially when you're spending half of the day listening to a lecture.

When your bar prep classes are over, you will have an additional three or four hours each day in which to study. You will be amazed at how much you can learn during this extra time.

Upon entering the final weeks before the bar exam, you should have all your study materials completed or nearly completed. In the final weeks before the bar exam, you need to concentrate on memorizing your notes, outlines and/or flashcards. If you

already have a subject wired, limit review of that subject to maintenance review only and focus on subjects with which you are having more difficulty.

Continue practice testing

Practice testing is critical to help you solidify what you have been learning. It is also important because, as mentioned earlier, it helps you get used to the time pressure of bar examination.

If you have not yet taken a full-blown bar exam practice test, **do it now**. Select one day during the second to last week before the bar exam during which you will do a practice bar exam.

If you have already done a full-blown practice bar exam, you still need to continue with mini practice tests. That is, you should write a few essays under timed conditions with no notes, take blocks of MBE questions under timed conditions (e.g., answer 50 MBE questions in 1.5 hours), and write out at least one performance test under timed conditions.

It is possible that you have already written out numerous performance tests and essays. If you're to the point where you don't feel that writing out a complete answer is of any value to you, use your time to practice outlining answers so that you continue to hone your issue-spotting skills.

Adjust your sleep schedule

It is my belief that you should generally study for the bar exam during the hours in which the bar exam is administered in order to train your body and mind to perform at peak levels at the proper time. In short, your bar exam studies would ideally occur between 8:00 a.m. and 5:00 p.m.

Based on what I know of reality, however, many people study late into the night. If this works for you, great. Unfortunately, you can't take the bar exam at 10:00 p.m., so you will need to adjust your sleep schedule in order to be awake and alert during the two or three days of the bar exam when you will be expected to perform during "regular business hours."

Unless you are one of those rare people who can fall asleep at any time of day, you will need to start adjusting your sleep schedule now so that waking up at 6:00 a.m. and being ready to start the bar examination at 8:00 a.m. won't kill you.

Probably the easiest way to adjust your sleep schedule is to begin going to sleep 15 to 30 minutes earlier each day until you're going to sleep at an appropriate time, such as 10:00 p.m., to allow yourself to wake up around 6:00 a.m.

Confirm your examination arrangements

Now is not the time to be worrying about how you will get to the bar exam testing site or what hotel you will be staying in. If you do have these worries, get them out of the way as soon as possible so you can concentrate on memorizing and practicing.

If you are not staying at a hotel near the bar examination site, make and/or confirm arrangements for getting to the bar exam site each day. Will you drive yourself? Is a friend driving you? Do you have a backup plan if someone gets sick or your car breaks down? If you are taking public transit, do you know the route you will take and any transfers you need to make? Figure this all out now.

If you will be staying at a hotel, consider packing your suitcase now with all the clothes and supplies (pencils, pens, erasers, watch, earplugs, etc.) you will need for the test. Then, double-check your suitcase the night before you leave for the hotel to

make sure you didn't forget anything. Consider what sort of snack foods you will want to have with you at the hotel, and make a shopping list for those foods.

If you will be using a laptop to take the bar exam, install and *test* your bar exam software. If for some reason you have a compatibility problem with the software, you will still have plenty of time to fix it or buy a new computer.

Finally, if you are going to be taking the bar exam somewhere you have never been before, check out Google Street View on Google Maps to get the “lay of the land.” You can take a virtual tour of the area around your hotel and the testing center. If you will be walking to the testing site from your hotel, you can trace the route on the Street View.

Keep stress down

The overriding goal of my blog, Bar Exam Mind, is to help you reduce your bar exam stress. If you have a particular concern that is causing you stress or anxiety, search [the blog](#) and you should find an answer.

Keep in mind that any stress you might be feeling right now should be reduced as you continue to memorize and learn more thoroughly the bar exam information.

If you need additional help reducing stress, consider using visualization to help you. For example, you may want to visualize walking into the bar exam testing site and remaining calm.

You might also consider saying affirmations to yourself when you wake up in the morning and when you go to sleep at night. For instance, you might repeat to yourself or tell yourself while looking in the mirror:

- I have total recall of all necessary information;

- I am calm and focused. I have plenty of time for everything;
- I communicate clearly and effectively; and/or
- I am a [*month*] [*year*] bar passer.

And most of all, don't forget to take breaks. Take a day off each week. Take a short walk during lunchtime on the days that you do study. Hang out with your friends in evening. Exercise. Just do something for an extended period of time but does not relate to studying for the bar exam.

TIPS FOR BAR EXAM TEST DAYS

This chapter contains a list of bar exam test day advice. Everyone is different, so read through this chapter, take what you think is helpful, and forget about the rest. We've all heard the story about the woman who was in labor for the last few hours of the bar exam and passed, so do what you need to do.

Where to stay

I am a believer in staying at a hotel near the testing site. If the bar exam is being held at a convention center with an attached hotel, try to stay at a different hotel. The hotel you choose should be reputable enough to guarantee a clean room and responsive staff if there is a problem. It should also be close enough to the test site that you can walk or would be able to walk to the site if, for instance, your car will not start.

Will you fail the bar if you stay at the same hotel as the majority of takers? Not if you have studied. However, staying at a hotel with a bunch of stressed-out people, some of whom are only now starting to realize that they did not study enough and are likely going to fail, is not pleasant.

When I took the bar in Oregon, the test site was a horrid old hotel near the Portland airport. The rooms were small and noisy – my room had an air conditioner that sounded like an out-of-tune V-8. I could hear people pacing the hallway outside my door in the middle of the night. They were reviewing their notes and muttering to themselves. It was utter insanity. Add to that a decent level of stress and anxiety, and I probably only slept 3 hours the first night of the exam.

Not good.

Flash forward a couple years to the California bar. I took the bar exam in downtown San Diego. Fearing a repeat of my Oregon experience, I did not want to stay at the “test hotel.” I looked for nearby hotels in downtown San Diego, but all were either full or exorbitantly expensive. With some trepidation, I booked a room at the test hotel. It turned out to be fine. With the exception of a few police sirens and the surprisingly loud San Diego Trolley rolling by late at night, there was little noise.

So, stay at a hotel, preferably one near the test site, but not, if you can avoid it, the hotel designated by the bar as having the “special bar exam discount rate.”

Don’t impose on yourself the added stress of worrying about getting stuck in traffic or about your car breaking down . . . stay in a hotel, even if you think you can’t afford it.

Arrive early to your hotel

If check in time at the hotel is 2:00 p.m., try get there around 2:00 p.m. Then, set up camp in your room. Make sure everything is comfortable. Unpack your clothes and arrange them.

You should not study anymore. You know enough.

If you are in an urban area, get out of the hotel and explore. See a movie. Maybe a friend, spouse, significant other, or relative (anyone who is *not* taking the bar) can drop you off at the hotel and stick around to see a movie and have dinner with you. This will help ease your mind.

By 7:00 p.m., you should be alone. Take a few moments to plan out tomorrow (the first day of the exam) and arrange everything you will need. Double check and then forget about it. Watch TV or read some fiction until 9:00 or 10:00, and then turn off the lights and sleep.

Some of you will have a hard time sleeping. I don't think I ever got more than 6 hours of sleep on any exam night. That is why it is important to lie down and try to sleep. Don't stay up until 3:00 a.m. because "you're keyed up." You may be able to survive the first exam day on adrenaline and coffee, but the second day or third day may become a struggle.

What to bring to the testing site

This will depend on your jurisdiction. Most jurisdictions will allow you to bring a laptop, pens, pencils, and a watch, and oftentimes a pillow to use as cushioning for the extremely uncomfortable chairs that seem to plague bar exam administrations.

Some jurisdictions will allow you to bring in food and drinks. This was the case with the Oregon bar at the time that I took it. The California bar examiners are much more uptight: no food or drink inside the testing area! You must place all of your testing supplies in a tiny plastic bag and leave your backpack or other bag outside of the actual testing area. Nevertheless, you may bring food and drink if you leave it in your backpack. Therefore, if you get hungry or thirsty, you must stand up, exit the site, and go to your backpack in order to eat or drink.

Moral of the story: Read your jurisdiction's rules and bring what you need.

In addition to any snacks (such as almonds, walnuts, energy bars, bananas, etc.) or drinks, you need to bring all the tools necessary to take the bar examination.

Therefore, you will need to bring your pens, pencils, laptop computer, and watch or clock (for keeping time).

And don't forget to think about what you will wear on exam day. If you are taking the bar exam in a cold climate, dress in layers so you can cool down once inside the heated exam area. If you are taking the exam during the summer, don't forget to

bring a sweatshirt or light jacket in case you get seated directly below an ice cold air conditioner vent.

Taking breaks

Please do not underestimate the power of taking breaks during the examination. Unless you are an automaton, I suggest getting out of the testing room in order to relax and clear your head. I recommend leaving the testing area for two to five minutes at least once per hour.

For example, after you complete each essay or couple of essays, you might consider getting up from your spot, walking outside of the bar testing room, getting a quick drink of water, eating something, or going to the bathroom if necessary, before returning to your seat and working on the next essay.

I made sure to take breaks both times I took the bar exam. A little break like this serves two purposes: (1) it allows you to stretch your legs and replenish your body's energy reserves and (2) allows you to take your mind off what you just worked on and change to a new topic.

Also, if you are working on an essay or PT and are drawing a total blank and there is no other task to move on to, get up and take a break. If you can get near some windows, look out at the trees, grass, buildings, cars, people . . . whatever is outside. Take deep breaths to help get oxygen to your body and brain. This should help clear your head and get your mind working again to enable you to respond to the question at hand.

During the MBE, I always took at least one break around the 50-question point. I would recommend doing at least that, though a break after each third of the test (at 33 and 66 questions) would probably be ideal because you would be getting up and

stretching each hour. If you don't feel you have the time to take two breaks during the MBE, make sure you take at least one.

Finally, for those of you who feel you absolutely cannot spare five minutes to get up and leave the testing area, at least take a one-minute mental break. Sit back, close your eyes, and think about something other than the bar exam: the ocean, your favorite food, your significant other, nothingness, etc. Just try to focus on something else and relax.

Refocusing during the exam

I don't think humans are meant to sit and do anything for three hours straight, much less stare at black squiggles on a computer screen or paper while sitting still. But, if you are able to focus for that long, then by all means, do it!

For those of you who are like me and whose attention can drift more easily, here is my suggestion: If you find yourself losing focus during the bar exam, then lose focus. What I mean is, turn your attention to something else for 2-5 minutes. You can do this by taking a quick drink or bathroom break, as already discussed. Or, you could just stare up at the ceiling or at your fingernails. (Just be careful not to start accidentally staring at someone else's answer sheet!)

You can also try a mini-[meditation](#): Close your eyes. Breathe in and out slowly. Focus all of your attention on each breath. Do this 10 times. You should feel much more focused.

Losing focus is your mind's way of telling you: "I'm freaking bored!" So, change the subject of your attention for a brief period, and you should be refreshed and ready to go . . . at least for an hour or so when it will be time for another quick break.

Lunchtime

The day of your arrival at your hotel, you should locate a two or three restaurants near the test site that look like they serve a good lunch. You need to choose multiple restaurants in case one is extremely crowded.

When you get lunch, I would advise ordering something that is fully cooked and avoiding any cut fruits or uncooked vegetables unless you are eating a washed, unsliced apple or a banana or something similar. Call this paranoia, but it would be awful to fail the bar examination because you're in your hotel room vomiting continuously due to some sort of food borne pathogen.

An even better option would be to bring food from your home and keep it in your hotel room and then return to the hotel room for lunch. (You might also consider pre-ordering breakfast and lunch room service so food is waiting at the hotel room in the morning before the exam and during the lunch break.)

I brought my lunch for the first day of the Oregon bar exam, and I think it was a good idea. The benefit is that eating lunch in your hotel room by yourself allows you to stretch out on your bed and relax while avoiding the crush of anxious bar examinees in the restaurants who are wolfing down a sandwich and convincing themselves by speaking out loud that they just failed the bar exam because they did not know a single answer during the morning session. Avoid such people, talk and thoughts.

My choice for lunch out during the bar exam is a grilled chicken sandwich or chicken burrito, a banana or an apple, a couple glasses of water, and a cup of coffee (to keep the energy up).

NOTE: If you are a vegetarian or a vegan, you will need to be especially diligent with preparing for your meals. Make sure you have that figured out well in advance so that it does not become another source of stress during the bar exam itself.

Nighttime

After you complete the afternoon session of the examination, go back to your hotel room and relax for at least 30 minutes. If you're a bit stressed out about your answers, feel free to run through them in your mind, but do not obsess about them. Once the 30 minutes is up, try to completely forget about the test that day.

Your mind needs to relax so it can be ready for the next day.

Go out and get some dinner (same rules for food choices apply from lunchtime). If you are a drinker, treat yourself to a glass of beer or wine, but no more than one. If you're staying in a hotel nearby attractions such a mall or a waterfront or a movie theater, take advantage of them.

Be sure that you are back in your hotel room by 9:00 p.m. Organize the supplies that you will need for the next day of the exam. I would advise not reviewing any notes, outlines, or flashcards. If you feel you simply must do some review, I would advise doing it before 8:00 p.m., that way your brain can have a chance to slow down and relax for a couple hours before you go to sleep.

Then, be ready to do it all over again the next day!

CONCLUSION

I hope you found *Bar Exam Basics* to be helpful for your bar exam preparations. Whether or not you implement some or all of my suggestions, I am sure you will do well on the bar exam.

Please let me know what you thought of this book by writing a review of this book on [Amazon.com](https://www.amazon.com) or by sending me a comment via my blog's contact page at www.barexammind.com/contact.

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Good luck on the bar exam!