

Passing The Bar
By Paul Pfau

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The prospect of both preparing and then performing on the California bar exam at a standard high enough to pass may seem for many candidates to be one of life's more daunting tasks.

It is an enduring pressure-packed ritual where the outcome for many seems difficult to achieve and perhaps entirely too dependent upon trusting troublesome bar review choices that lead to the desired result.

Having tutored both repeat and first-time bar candidates over the past 18 years, there are a number of fundamental considerations that I strongly advise in preparing to take and pass your next exam. I integrate all of these factors into the tutorial programs I design for the applicants I work with at Cal Bar Tutorial Review and recommend that you use them as well regardless of the program that you choose to work with. They will assist in eliminating many of the typical pitfalls that lead to disappointing bar results in late May and November in addition to giving you more control over the development of a more efficient and effective bar preparation program. And with better preparation comes greater control over your bar performance.

I. AVAILABLE NET STUDY TIME

First, be sure to precisely determine how many "available net study hours" you have for every week of your bar preparation. This means that you evaluate a typical day's amount of study time and factor out all of the elements that detract from your ability to devote "100% of concentration time" to your study. For example, be sure to subtract all of the "necessaries" of any 24 hour period - such as eating, sleeping, and working time - in addition to the time you spend with your formal bar review program (including your transportation to and from class). Also, be certain to discount whatever time remains for study if you have habits that take away from your concentration (And most do! it is virtually impossible to study at 100% concentration" 100% of the time). If you do this, you will have a better understanding and appreciation of the "Real Time" that you will be devoting to your bar review aside from the time you dedicate to class. This is crucial in understanding how many essays or PT's or MBE's you actually have time to do, how much time to devote to substantive review, and so on. Most importantly, it will help to accomplish two other things:

- (1) Reduce the anxiety that inevitably comes when you do not complete your unrealistic goals.
- (2) Give you a fundamental appreciation for the use of your time as you perform on the exam. The evaluation of your "available net study time" should be revisited every day; in other words, stay on top of effectively managing it!

II. STRATEGY

Second, develop a strategy for bar preparation reflective of your "available net study time" and that works to apportion the total time that you spend with each of the three sections of the exam in a balanced way. Remember that each section is worth a different point total or percentage toward your ultimate goal of passing the bar. In other words, the essay represents about 40%, the MBE about 34%, and the PT about 26%. It is roughly appropriate, therefore, to devote similar amounts of time to the development of your examsmanship skills for each of these different sections of the bar. There is always some variation in emphasis, of course, dependent upon the strengths and weaknesses that you may have in specific subject areas. Generally, however, try to ensure against a strategy that is more "free-for-all" than balanced. Give thought to the amount of time you actually have and use it constructively in designing an overall strategy for all three sections of the exam. Avoid the typical pitfall of spending an inordinate amount of time in substantive review or with some other perceived weakness. Remember that your goal is to achieve at least a total of 1,440 points and that this can be optimally accomplished by doing well on all three sections of the bar. In contrast, "maxing out" on any one area will unlikely make up for a poor showing in another.

III. PROCESS

Thus far, we have essentially considered the pivotal element of time - your "available net study time" applied to a balanced strategy - in preparing for the bar exam. Next, consider what you do with your time in preparing to pass the bar on your next attempt. I call this "process" and it should be the central cornerstone that anchors your bar review.

In essence, "process" leads to the development of precisely honed test-taking skills for each of the three sections of the exam and prepares you to utilize them both consistently and successfully. In determining what "process" you will use, be sure to first understand the nature of the three tests that comprise the bar. In essence, they are all "speed exams", where the goals through focused reading comprehension are to efficiently identify basic legal issues in a limited time period and then resolve them by consistently selecting the "best answer" for the MBE or in "lawyer-like" discussion for the essay and PT.

Your goal, and the "process", you therefore choose to achieve it, should be to precisely improve your speed exam test-taking skills. If you elect to take a bar review course as a part of your "process", investigate how and what it will specifically teach you to improve all of these skills, including substantive review and exam technique. It is one thing, for example, to simply write essays and be rewarded with a single grade and generalized descriptive comments. Beyond this limited feedback, how will (their) "process" then assist in curing your writing or MBE difficulty? Are there specific methodologies that you will be taught to progressively lead to your development as a more effective issue-spotter and writing stylist or MBE taker?

Generic answers to these and similar questions should not be good enough as you evaluate the various bar review programs that will work to fulfill this vital "reprocess" element of your bar preparation. There are fine courses out there, but preliminarily request to see the course materials and discuss with the writing or MBE instructor that you will work with how your test-taking

skills will be concretely identified and successfully developed. It is always a good idea, too, to discuss the course with former examinees of it.

This serves to provide you with at least two additional perspectives: first, to inform you about the program from one who recently stood in your shoes, and second, "what it took" for that candidate to pass the exam. This last point can always be helpful in assisting to de-mythologize the bar review process and add to your understanding trouble areas to avoid during your preparation.

IV. POSITIVE ATTITUDE

Finally, remember that as important as examsmanship technique is in preparing you to pass the exam, so too are matters of the "heart and mind" in developing an entirely positive attitude about your chances to pass the bar. These "intangible factors" are crucial in providing the self-assurance and sense of control during your bar review process and as you take the three-day exam.

In this regard, there are a multitude of these intangible considerations that I have found through my 18 years of tutoring to be fundamental to success. Most rely on the application of your common sense: You must be sure to work hard, be disciplined, a good listener, and be willing to avoid old comfort zones that fail to adequately challenge your standards and adopt new ones that will. Above all, however, you must be committed to pass the exam and not merely to take it. There is a worthwhile quote that I will leave you with - author unknown - in understanding that the fundamental commitment to your goal to pass the exam will decisively lead to success. I have worked with many multi-exam repeat bar candidates over the years and if there is one common denominator that is shared by those that go on to pass the bar it is this:

Until one is committed
there is hesitancy, the chance to draw back.
Always ineffectiveness.

Concerning all acts of initiative (and creation),
there is one elementary truth,
the ignorance of which kills countless ideas and splendid plans;
THAT THE MOMENT ONE DEFINITELY COMMITS TO ONESELF, THEN PROVIDENCE
MOVES TOO.

ALL SORTS OF THINGS OCCUR TO HELP ONE
THAT WOULD NEVER OTHERWISE HAVE OCCURRED.

A whole stream of events issue from the decision, raising in one's favor all manner of unforeseen incidents and meetings
and material assistance,
which no man could have dreamt
would have come his way.

I have learned a deep respect for one of Goethe's couplets:

"Whatever you can do, or dream you can, begin it. Boldness has genius, power, and magic in it"

All the very best to you in passing your next exam!

PAUL PFAU