INTRODUCTION

This is not a rule book. There are plenty of those. This book’s focus is on practical success training. You may use this book to help prepare for any bar exam in the nation or to master techniques that will allow you to achieve almost any goal you set your mind to. Read it while you are in school, and return to it when you begin a new job, try your first case, or even embark on a fitness mission. Many of the success steps are the same. And they work.

WHOM IS THIS BOOK FOR?
If you are in law school, this book is written for you and to you. It is an interactive guide. Think of it as a conversation with a mentor or supportive professor who is sharing advice, stories, worksheets, quizzes, and planning tools. It will discuss professional, life, and study skills that will help you with bar prep and beyond.

Knowing that what you do and how you think now will pay dividends of success for decades to come will help sustain you through the struggles and challenges of bar prep. Seeing the positive results that flow from hard work will make you want to take on new challenges. I hope the strategies inspire and propel you toward a lifelong cycle of success!

The book’s text and tips apply to all law students. Selected comments will address those who are struggling, but do not skip them even if you are doing exceptionally well. These notes have universal applicability.

If you are at the top of your class in law school, you may not need this book. (You are likely either already doing much of what is suggested or are getting reliable advice elsewhere.) But you will want this book to provide reassuring mentoring and help you maintain your success.

Most law students do need to take deliberate, affirmative steps to ensure bar passage. The sooner you know what to do and how to do it, the easier it will be to create and implement a plan. Let this book be your success manual.

In addition to law students, the following people will find this book helpful:

- Families, friends, spouses, and partners of law students. Many of you are or will be confused, even offended, by the behavior of your son, daughter, mom, dad,
husband, wife, partner, or friend. He or she may seem inordinately stressed out, or to have virtually disappeared. You may think, “How hard can law school be?” and “Isn’t the bar just another test?” (Law school is very hard, and the bar is not just another test; this book will help you “get it.”) As a key player in the support network of someone taking the bar exam, your help is critical. Learn how you can lend a hand, or back off, as needed.

• Practicing lawyers taking the bar exam in another jurisdiction. You may think because you passed one bar exam and have been practicing law that passing another bar should be easy, and that you do not need to prepare as thoroughly as other applicants. Wrong. In many respects, you need to set aside your practical knowledge, forget for a moment that you are a lawyer, get back into the mind-set of a student, and follow the exam advice and strategies in this book.

• Law school professors and administrators. This book will help your students and assist in improving bar pass rates. There is also a Teacher's Edition guide—containing lesson plans, syllabi, and an updated section on online bar support and mentoring—which will particularly interest faculty and administrators in Academic Support (ASP) and Bar Support.

• Prospective law students. This book will help balance the negatives you may hear about legal education and see that, despite the great challenges, enormous rewards await. I hope it helps you decide to go to law school. If you do, the text and tips will aid in both law school success and bar passage. The book will help you start good habits from day one.

• Experienced attorneys who work with new lawyers. This book will help you understand some of the concerns facing prospective law clerks and new associates. It may assist you to become a stronger mentor and be more effective in integrating new lawyers into law practice. Today’s attorneys face generational divides. Baby Boomers encounter challenges when managing new grads who are Millennials. Second- and third-career law students also face their own challenges, as well as awkwardness on the part of some seasoned lawyers who find it uncomfortable to supervise new lawyers who are older and have more life experience.

• Students working to achieve any academic goal, from high school to graduate school. Much of the stress and many of the challenges described here are not unique to law or the bar exam. Replace the words “passing the bar exam” with “doing well on final exams or midterms,” or “getting a high score on the SAT, LSAT, or other standardized test,” or “completing almost any professional training,” and you will find success strategies to achieve your goal.
NOTE TO 1L STUDENTS: YOUR FATE IS NOT SEALED AFTER FIRST YEAR

While it is true that opportunities for certain big-firm jobs may be fixed with first-year grades, bar passage is not. Too many students act as if bar passage were predetermined by one or another first-year grade. If first year did not go as well as you had hoped, do not withdraw or give up. Get help. Throw yourself in. Determine what went wrong and how to improve. Use your upper-division years as opportunities to make the changes necessary to ensure first-time bar passage. Read some of the many excellent books on success in law school. (Ask your ASP faculty or your school librarian for suggestions, and note selected sources in the Bibliography of this book.)

Be brave enough to confront the situation, and talk with a supportive professor or mentor. (I know; you don't want to appear stupid or weak by telling someone about your struggles. You hope they will just go away, next year will be better, and no one will have to know.) I am not suggesting you broadcast your concerns to the entire school, but that you find someone smart and empathetic who can help you recognize the changes you need to make. The key is realizing what you need to do differently. Once you do, making the necessary changes may not be that difficult.

So, if you have struggled in school, tackle your concerns head-on. Do not delay. The longer you wait, the more you will suffer. Break through the pride that is holding you back. I assure you: you are not the only one with challenges. But you will be the smart one if you seek help. Get on the success path today.

WHY WAS THIS BOOK WRITTEN?

Over drinks or coffee, most lawyers will tell bar exam horror stories. Many will describe the exam as a “hazing ritual.” Older lawyers took and passed it, so you have to also. Some will say they still have vivid bar-related nightmares. But dig a little deeper, and you will likely find that almost everyone learned a lot from the process.

Studying for the bar exam does not have to be the “torture” some refer to it as. You can choose to view it that way and be miserable for several months. You can even let it get to you so much that you never figure out how to pass, thus paying the price for years, if not decades, to follow.1 Or you can view the bar exam as an extraordinary opportunity not only to master a large amount of law and critical lawyering skills, but also to embrace the process of attaining academic and professional success. At the end of the day, you might even look back on the whole thing as a positive experience!

Are you balking? Do you think anyone who could possibly regard this grueling exam as having redeeming qualities must be nuts? I get it. And I may be nuts. But for more than two decades, I have helped thousands of people pass the bar, and I am convinced that training for this exam is a paradigm for succeeding in anything. So please, keep reading.
Throw yourself into bar preparation, and it will teach you indispensable life lessons. Among other positives, you will become more determined and more confident, you will learn to see the benefits of struggle, and you will understand that you can work hard enough to thrive in the face of virtually any challenge. I hope to convince you that embracing bar success can become an incomparably powerful turning point, one that will guide you to a lifetime of success.

**EVEN** _**TALLY THE FACT PATTERNS LOOK LIKE PUZZLES; THEY’RE CHALLENGING AND FUN!***

The teaching moment I most look forward to is about ten days before each bar exam when, inevitably, a student sheepishly inquires, “Is it really weird that resolving these questions has become . . . fun?” The minute one person asks this, other students pour forth admissions that they are also (finally!) starting to enjoy the practice tests. That makes me smile. (Even when I teach online to students miles away, they know I am smiling.) That's because it's now apparent that the students have worked hard enough, and they are ready. They are not weird at all; they are on target.

I hope that before your exam, you will also declare with conviction, “Bring it on! Throw any fact pattern at me, on any bar subject. I can break it apart and say something intelligent about the issues. I may not remember every detail of every rule, but the examiners are not expecting me to. The exam is a pass/fail, minimal-competency test. I am not writing an amicus brief for the Supreme Court. In the real world, I will almost always be able to look things up. (Most of the time, I will be required to look things up!) On the exam, I will be relying on what I know and the reasoning skills I have developed. I will read the facts they give me, think logically, and explain my reasoning in a straightforward manner. I can do this. I am ready to prove myself.”

Beyond the “hazing ritual” critique, many view bar exams as useless wastes of time and money. I will not dispute that the process is costly, but your effort and investment serve numerous important purposes.²

- The bar exam is empowering. If you prepare the way you should, you will develop more skills and possess more knowledge than ever before. Picture the powerful
athlete who has trained for the Olympic Games and is poised to run or swim when the starting gun sounds. That will be you when you are told you may break the seal, open your booklets, and begin the exam. Visualize yourself as strong and smart, ready to logically approach any fact pattern the examiners might throw at you.

- Bar preparation brings clarity. Studying for the bar provides an opportunity to review what was covered during law school, as well as to learn material that wasn’t taught. You spent endless hours focusing on minutiae, concentrating on the veins in the leaves on the branches of trees—or thousands of disparate legal rules—sometimes without ever seeing the forest. During intensive bar studies, you are given the opportunity to pull it all together. You will see connections and parallels in different subjects that previously had no link in your mind. Imagine a photo that is out of focus finally becoming clear. Law school blurs information, sometimes intentionally, to prepare you to handle the gray areas in people’s lives and problems. Bar review simplifies and clarifies. It boils things down to straightforward rules. Once you have completed the training process, you will just read the facts carefully, apply rules you have mastered, and draw upon reason to reach logical conclusions. Bar review lecturers do not “hide the ball” the way law professors do. You can enjoy a short respite from the mystification before things again become real-world murky.

- The bar sharpens your ability to reason. Ideally, you will be applying the rules you have learned (and by the exam will have memorized) to hundreds if not thousands of different fact patterns. You will not be delving as deeply into the complexities and subtleties of law as you did when studying appellate cases in school, but you will be reasoning through a far greater volume of factual scenarios that extend into many different areas of law. Your brain will become a power tool. Once you know your stuff, you can go into the exam looking forward to those new fact patterns. They will have become fascinating puzzles that you have the ability to solve. Train well, and your mental muscles will welcome the challenge.

- The bar exam levels the playing field. There is, of course, a hierarchy of prestige among law schools and class rank within particular schools. Nonetheless, this objective measure certifies that every passer, regardless of race, gender, or alma mater, possesses the requisite competency to practice law. This opens up access within the legal profession and is particularly important for graduates of third- and fourth-tier law schools. And, despite the criticism of bar exams as being barriers to entering the profession, they are an undeniable equalizer for every lawyer who can honestly say, “I passed the same damn bar exam you did.”

- Bar preparation can help you master the critical skills of organization, calendaring, and concentration. Some people have these down by the end of elementary school; most of the rest of us are still working on them. The more effective
you are at these, though, the more successful you will be as a professional, and quite likely in life generally. Our complex world has simply foisted great time-management demands on us all.

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**CALENDARING**

A 3L student asked to meet with me the following week to go over an exam. I noted the time and date of our appointment, and as he walked away without writing anything down, I asked him if he would remember. He laughed and said he had never kept a calendar and so far had done just fine. I told him he should start. He chuckled again and said, “I’ll be there; you’ll see.” He kept his appointment with me, but several months after the bar, he phoned to tell me that he had missed a meeting with colleagues at his new job. The partner indicated his displeasure, noting that he might well have been fired if it had been a client meeting. He said I was right about the need to calendar and wished he’d gotten into the habit earlier.

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- Bar study gives you a reprieve from, and helps combat, the endless pressures to multitask and hop superficially from topic to topic. Developing a sufficient command of the law so as to readily analyze numerous new fact patterns demands significant mental engagement. While not as deep as the level of reflection required when called on in class or writing a law review article, your thinking must be more like that exercised when analyzing a novel than when skimming Twitter, Instagram, or Facebook posts. It is important, and it is good, to give yourself time for real reflection and learning. Too many of us are used to reading on when something does not make sense, hoping that context clues will help us understand what we really do not. Part of being a professional is having the integrity and persistence to figure things out, to drill down until you truly understand whatever issue you are wrestling with, and to help others do the same.

Again, I am not unmindful of the many and varied criticisms of bar examinations and the calls to reform or do away with these tests altogether. By all means, once you pass the bar, lobby for any changes you believe are needed. However, because bar exams are fixtures for the foreseeable future, I find it far more productive for applicants and
educators to focus on their benefits than to complain about them. Applicants, use your bar preparation as a time to embrace the qualities of a trustworthy and thoughtful professional. Educators, recognizing that graduates today have more debt and face greater difficulty finding suitable employment, let us offer more energy, more resources, and a greater focus on helping students pass these exams.

Many concerns about bar exams are warranted; yet even within these, one can find learning opportunities. Take the claim that bar exams are outdated; stated otherwise, “No one needs memory in the digital age.” Applicants spend time being angry that they have to memorize rules they will be able to look up on their tablets or smartphones when practicing law. My response: even one minute spent stewing over this is a colossal waste of time and energy. Why? First, you will walk into that exam with only your brainpower and a laptop or pen, with no access to outside resources. Accept it. Bar exams will not be eliminated any time soon, and, aside from the performance-test portion, they are closed-book. So stop thinking about it until after you pass. Also, despite our smartphone culture, you will not always have ready access to needed information or time to look things up “in the real world.” (I hate that expression. There is nothing unreal about school or bar prep. It’s real, if you take it seriously.) Second, it is wonderful training to be free for even a short while from our dependency on machines. Even when you can readily look something up, the human brain sometimes makes subtler and ultimately more useful connections than machines. Machines do not reason. They tell you a rule, but you have to put the rule in context and apply it to particular facts. You also have to know when and how to gather additional facts. A scene from the James Bond movie Skyfall depicts such a moment when human thinking trumps a computer’s ability to search for information. The much-younger Q is working frantically to find the location of the villain. Although equipped with the most modern, sophisticated software and programming savvy, Q does not obtain the answer that the older Bond does as the result of having connected the dots using memory and reasoning.

HOW WAS THIS BOOK WRITTEN, AND HOW SHOULD I READ IT?

This text is based entirely on my experience teaching in law schools and bar review for more than two decades. (All the stories are real, though I have changed the names, genders, and other features of certain students to protect their privacy.) I consulted nothing other than my own prior writings until I completed my first draft. After that, I undertook limited research into studies and publications relating to bar passage and found that much of my experiential knowledge is confirmed in the scholarly works addressing this subject. (References to selected bar-related sources can be found in the Bibliography.) As law school faculties embrace bar support, more research opportuni-
ties will arise. In the Teacher’s Edition supplement, I suggest a number of inquiries that merit further research.

Most law student readers will start with Part I to plan for a successful exam outcome and then read Part II on repeating the exam for a hefty dose of preventive medicine. If this is your first bar exam, do everything in your power to avoid the enormous burdens of having to retake the exam. (It is critical to be able to honestly look at yourself in the mirror and know you did your very best, no matter what. You never want to say, “coulda, woulda, shoulda.”)

Readers who are repeating the bar exam might start with Part II for specifics on the unique issues you face, and then read Part I to guide you to success on your next exam.

**TERMINOLOGY NOTES**

*Traditional and nontraditional students.* The term *traditional law student* in this book refers to those students who enter law school in their twenties, either just out of or soon after college. They may be working part time, but are generally not working full time. Law is typically their first career. The term *nontraditional student* refers to students in their thirties to sixties. They are often working full time or caring for young children, aging parents, and sometimes both. Law will likely be a second or even third career for these students.

These terms have limited value and can be both over- and under-inclusive. A twenty-five-year-old traditional law student may have a parent dying of cancer or other grueling family demands. And a fifty-year-old nontraditional student may be financially stable, have grown children, and have a spouse or partner who takes care of nearly all of his or her needs. Neither group has it easier. Everyone struggles with something. (And these days, most every student is oppressed on some level by the weight of financial worry.) Acknowledging their limited usefulness, the terms are still helpful to reveal common denominators with certain groups of students. I will highlight those. I will also occasionally provide notes to particular subsets of nontraditional students, such as those with young children. I do encourage all readers to review all passages, even those targeted to people in “different boats.” You might be surprised to find that your own challenges are similar, and that the advice helps.

*July and February Takers.* This book refers to first-time bar exam takers as *July takers.* If you graduate in December or for another reason are taking a February bar as your first exam, just replace *June* with *January,* and *July* with *February.* Yours will be a winter rather than a summer time line, but what you do during the months prior to your exam will largely be the same. (The bar exam is offered twice annually, and although there are myths about one exam being harder or easier than the other, they are just that: myths.)
This book assumes that most readers will take one bar exam at a time. But many students take (and you may be taking) two bar exams in the same administration. For example, applicants may sit for the New York bar on Tuesday and Wednesday and the New Jersey bar on the same Wednesday and following Thursday (the multistate bar exam [MBE] counting for both exams). Anyone taking two bars may find helpful hints on endurance and stamina in references to three-day bar exams, such as in California. Just being “on” for three days straight is exhausting. And, while many state bar exams require a knowledge of state law and federal and modern-majority rules, taking two bars often requires knowledge of state law in two states as well as knowledge of federal and generally applicable modern-majority principles. (You will want to pay particular attention to memory strategies so that you can learn and easily recall the multiple layers of and distinctions between these rules.)

1L, 2L, 3L, and 4L. The first year of law school is often referred to as 1L, while 3L and 4L refer to the last year of law school: 3L for students in a full-time program and 4L for students in a part-time program. (This nomenclature was popularized in the 1977 novel One L: An Inside Account of Life in the First Year at Harvard Law School by Scott Turow.)

Intensive bar review, early start, and bar planning. I use the phrase intensive bar review to refer to the two months prior to the bar exam when law students traditionally hibernate, do nothing but study, and, typically, prepare with the assistance of a commercial bar review course. Early start refers to the last year of law school, especially the four-to-five-month period before formal bar review courses begin. Early-start work may be done independently, in law school extracurricular programs or curricular bar support classes, or with a review course. Early start is essential for many students—especially nontraditional students who are working or have significant family obligations while studying for the bar, as well as traditional students who have struggled in law school. Bar planning refers to a range of actions, from gaining familiarity with the exam to researching and enrolling in a suitable bar review course. Bar planning ideally begins on day one of law school orientation.

STATISTICS AND PERCENTAGES
This book occasionally refers to bar statistics, but you are not a statistic. I teach some students who have a 99 percent chance of passing based on the most reliable indicators of bar passage, law school GPA, and, to a lesser extent, LSAT scores, and I teach many others whose chances of passing are statistically much lower. Students who are nearly certain to pass often feel just as much anxiety as do those who are statistically much less likely to pass. But there is one critical difference. The nervousness of those more likely to pass is countered by a belief that they will ultimately pass, whereas bar applicants from pools with typically lower pass rates harbor deep concerns that they
may not. Thus, a primary mission of this book is to change attitudes along with study approaches—to give bar applicants, no matter their statistical chance of passing, more tools and more confidence. But let me be very clear: this book is not about bestowing false confidence or giving hollow pep talks. It is about the determined belief that if you work hard and sensibly, and remain doggedly motivated, you can trust that you will succeed.

WHEN SHOULD I START BAR PREP?
If you are approaching law school graduation, success is nearly yours. You can practically taste it. The bar exam felt so far off in 1L. Now it’s here. Commencement may have seemed to be a strange term after high school and college. After all, you were celebrating the fact that you were done with this part of your education. But after law school, not only are you not finished, you are facing the biggest test you will likely ever take. So expect law school graduation to be anticlimactic. If you are burned out by or before graduation, find a way to recharge your batteries. (Bar review usually starts right away.) You will need to be in the highest gear you have ever been in to give June and July your all.

TAKE OFF TIME IF NECESSARY TO GEAR UP FOR BAR REVIEW
A student e-mailed me about a week into intensive bar prep: “I hate bar review. I am fried. I cannot seem to get back any of the energy I had even last year.” We talked. I urged her to take some time off, clear her head, and return ready: “The bar is the last lap in the legal education marathon. Picture Olympic runners, how tired and wiped out they look. Yet their jaws are somehow set, their steely determination far stronger than their fatigue. The sweat drips; you know they are aching as they move toward the finish line. Then, pure elation when they break through that ribbon! This is your last lap. Of course you’re tired. You have every right to be. Take a short break. Change your scenery for a day or weekend. Or take a mental break with a movie marathon and lots of popcorn. Do whatever you need to get back into high gear with the energy to finish the race. Break out of feeling trapped in slow motion. You did not start this to give up. You owe it to yourself to cross that finish line. So step away from the stress for a moment. Get off the treadmill, rest and recharge, and then get back up and ready to run!”
If you are beginning 3L or 4L, get a head start. Use the tools in this book, and take practice exams. Your school may also have a bar support course or extracurricular bar-prep program. Starting early will help prepare you to get the most out of bar review and significantly increase your chances of passing the bar exam the first time around. (I compare early start in bar review to priming the pump to get the water flowing in a well, or painting a base coat before adding layers of color.)

If you are still in 1L or 2L, you are doing yourself a great favor by reading this now. If you are working or have significant family responsibilities, planning ahead is critical. And if you are a full-time law student, you will serve yourself well by cementing the good habits you will need and making the necessary improvements to your skills before it is too late. Focus also on physical, mental, and financial readiness. Put money aside in a bar fund if at all possible, starting on day one of law school. By knowing what to expect and planning for it, you will free up an enormous amount of energy, likely do better in school, and possibly have more time in 3L for internships and other extracurricular activities to round out your resume.

Wherever you are in the process, the bar exam is a light at the end of the tunnel. It is the main event. When you get there, you will need to give it your all, just as you will when you are trying your first case if you are a litigator, starring in a Broadway show, or climbing an enormous mountain peak. (I refer to the bar exam as the “law student’s Mount Everest” so often that one former student sent me a copy of “The Man who Climbed Everest,” addressed to his favorite “Sherpa,” after he passed it.)

Do not dread this process. But do not underestimate how much it will take. Climbing this mountain will be tough, but exhilarating. Use every last ounce of energy. Don’t hold back. Learning to commit 100 percent, with total focus, marshalling all your resources and working really hard to achieve what you seek will serve you well for the rest of your life. It will help you achieve future goals that you set your mind to.

When you express doubts or bitterness about having to take yet another test, remember: you do not just wake up one day and decide, “I’m going to take a bar exam.” You earn the right to sit for the bar. When you walk into the first session of the first day of your bar exam, know that you worked for your seat in that room. You sweated and sacrificed. You made an enormous investment. To even be allowed in the door, you toiled—in both high school and college. You went through countless application mazes. You took SATs and LSATs. And you survived the trying and competitive years of law school. You earned your Juris Doctor (J.D.) degree, and you earned the right to take this test. And you are fortunate to be there; you are among the most educated people in the world. You are working for a license that will give you possibilities that many people will never even dream of, let alone attain.