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Hi, and welcome to Celebration Bar Review. I was looking at some Google information the other day. I noticed that probably one of our most hit on web pages on Celebration Bar Review's website is the page that says if you failed your bar exam. Someone had typed in a search inquiry that said something to the effect of, "I feel like I have failed my bar." I don't think it was one of our students. But I thought it was an interesting question and it got me to thinking how do you know if you've failed or passed your bar exam before the results come out? For some jurisdictions like California and New York, it takes months and months and months to get the results. In other places, it might only take six weeks or so but still it's a long time and it can be a troubling time.

I wanted to share with you some general thoughts about what you might take coming out of the bar exam and how you might interpret that. Let me first say that I think that there are a group of people who chronically under promise and over deliver. You know what I mean. They're the people that always are sort of putting themselves down as if to say, "I'm not smart enough. I'm not talented enough. I'm not good enough," and then the results come out from school and they're at the top of the class or they got the greatest job or whatever it might have been. I think they're genuinely modest, humble self-deprecating kinds of people.

If you're thinking that you failed in all honesty know that you're one of those really successful people, the best advise I can give you is to chill and just relax. You probably didn't fail and you know you probably didn't fail. If you want to tell the rest of the world that it feels like you did so that when you pass, it will be a great accomplishment and achievement, go for it. Nobody beat you and I have to know that one's a secret. But that's not the majority of people. There are a number of people who take the test, come out of the test and over the ensuing weeks really begin to do some post-mortems. I've taped some video messages about post-mortems in other places and I invite you to watch those.

But I want to talk about what kinds of things might be really be indications that you did fail the bar and then what to do about it. Here are some things that historically we see when someone has failed the bar. For example, on the multi-state exam, if you did not get to at least 185 questions out of the 200, in other words, if you left more than 10 questions in each section or each morning session and afternoon session where you literally did not get to them, I mean, you just had to mark your bubble sheet, that's not a good sign.

If you had difficulty in practice doing multi-state exams and you got into those 100 questions in the morning, 100 questions in the afternoon and you were only getting through 75 or 80 of them in each session and you did that on bar exam, the odds are good that your multi-state score is not high enough to pass. Typically, it's going to take about 125 to 130 overall questions correct out of 200 for a passing score. If your practice scores were nowhere near those numbers and you felt like you were guessing substantially on the exam, that's not a good sign and it could be a sign of failing.

Now, in some jurisdictions, we have what we call percentile or compensatory models. In a jurisdiction like Florida, you can actually pass the multi-state and bank that score. But in many places, a lower score in one part of the exam is offset by a higher score in the other. In and of itself, in most jurisdictions, just failing the multi-state would not be enough to fail the bar unless your score was so low that it brought you down. Now, if you had trouble reading the questions, if you had trouble understanding the fine line distinctions, if you're trying to memorize a lot of information, that certainly would put you at a disadvantage on the multi-state.

I would say that if that's the way you felt about the exam, you should seriously consider studying in a course like ours that uses released questions rather than made up questions like most of the big box bar review companies. You should work for and work on a course that gives you enough practice opportunities and enough learning opportunities that you can distill the multi-state into manageable pieces. I think for too many people, they try to incorporate too much of the subject too broadly. They try to know everything there is to know about torques, contracts and property and so on, and it's just not necessary and it's not helpful.

If you have difficulty reading in English, if English is not your first language, you just had trouble getting through all of the questions, that's a bad sign. You need to work on your English level skills. You know that if that's your situation. I would say that's the first and probably the most objective place that most people could look at how they did on the exam. If you felt like the exam was very difficult and there were a lot of questions that you might have known the answer but you had to guess on some of them, that's normal. That does not mean you failed the exam.

That's typically the way most people come out of the test. It's a criteria or a hallmark of a test that is built around fine lines, small distinctions, but they are repeatable principles. That is to say that once you've seen those principles, you'll see them tested over and over and over again. A course that identifies those principles for you tends to be more effective than one that tries to wow you with all sorts of algorithms and computer blah, blah, blah. For the most part, it doesn't really make much of a difference starting with multi-state.

What about essay tests? If you're in a jurisdiction that offered essay tests? How do you know if you've passed or not. Well, there's some basic criteria again that I think you want to look at. First, did you write an answer to every question? If you absolutely skipped one answer, the odds are very good that you failed the exam. Second, how much did you write on each essay? In general, when we're talking about one-hour essays, the word count that I look for with my students is about 1,100 to 1,500 words typewritten in one hour. If we're on a 45-minute essay jurisdiction, I'm looking for about 800 to 1,000 words. If you're in a 30-minute jurisdiction, cut down again, probably more to the 500 to 800-word limit.

If you were a hand writer on your essays and you know that your writing is nearly illegible, you're in trouble. I'll just tell you that right upfront. More and more these days, I find that the bar examiners in all jurisdictions simply aren't taking the time to wade through illegible writing trying to try and decipher it and interpret and figure it out. There's just too many pieces of paper. There's too much to do and too short of time to do it and in general, the examiners simply don't respond well to illegible writing. I know that some of you took courses where they said that's okay, just underline, put in the buzz words and the terms of art, capitalize the important words. I got to really bad piece of news for you here. That is pure urban myth. It does not change your bar results. It doesn't improve them in the least.

If you went into the exam and you thought that all you had to do was recite a bunch of buzz words and make sure that that was legible even if everything else was not, the odds are not in your favor. Good bar writing, no matter what the jurisdiction is has to communicate that you understand how to use the law. If all you've done is recite some memorized terms, you haven't demonstrated that still, and anyone that tells you differently is really, I think, praying on the naivety of the bar taking community and that's a shame, it shouldn't happen. If that's something you did on your essays, I would say in general you're probably in trouble.

What if you wrote nicely or type wrote your answer, but you don't feel like you knew the law] in one or more of the subjects? Well, in general, that's not a criteria that would cause most people to fail. In fact, I would say if you ask all bar takers that had to do essays, did you know all the law and all of the subjects, you would find very few, in fact, only the delusional who actually knew all of the law. Most people will have to make some reasonable guesses about the law in different subjects. If you felt that way, don't let that make you think that you failed the exam.

Now, if you had absolutely no idea what the law was at all in a question, I mean, no idea, and all you did was try to spot some issues or throw out some buzz words, well, that answer is probably going to get a below average score. By itself, that's not enough generally to keep most people from failing. But if you also had problems on the multi-state, if your handwriting was illegible, if your answers were generally too short in other essays, yeah, you're in trouble.

What if you went into the essays and you thought you did reasonably well but your concept was you're going to spot issues? Well, this is where issue spotters live a life of purgatory. In general, issue spotters have to write more words, have to put more supplement paper in the hopes that some of them is right. In general, I think if you wrote about what was in dispute or in conflict, even if you didn't know the law, if you didn't memorize the rules but you could write about how you would use the law to identify and make arguments which is a skill that lawyers are required to demonstrate, then you probably pass.

But if all you did was memorize and recite and you tried to spot issues, well you're on a fairly narrow ledge there. Unless you got a lot of words on the paper and you did a really extraordinary job of getting a lot of information down for each and every essay, the odds are against you being successful on that part of the exam. Again, remember, you have to keep all of these in the broad context of multi-state and other parts of the exam but by itself, that's generally not a good sign. If you were an issue spotter and you tried to memorize a lot and you recognize after the exam that you may have missed a lot of things that you probably didn't write about, everything that was important, that's not a great sign. It doesn't mean definitively that you failed but it's not something you're going to be very comfortable with.

What about performance tests or other pieces of writing? Well, in general, in most jurisdictions, these don't count for enough on the exam to be a determinant of whether you passed or failed. I would say the same is true in a state that's got state multiple choice questions. However, having said that, you still needed to do a competent job. If you skipped a performance test or you wrote in a multi-state performance test a one-page answer, you're in trouble. If in a state multiple choice exam you didn't get through all of the multiple choice questions, for example in New York you ran out of time, or in Florida you didn't do all of them, that's also a bad sign because it can't do anything to help your score and it can hurt you.

Now, if you feel like you did really well on the performance test or on the multiple choice section, that's a good sign. That's a good thing. But in and of itself again, it's not enough generally to keep you or [inaudible 11:28] to pass. In general, I suggest to people that they kind of set those third level parts of the exam to the side. They're generally not the determinants of success and failure of the exam. What if all your friends came out of the exam and they told you that they had see X, Y, Z, and you didn't see any of it, that's meaningless. It doesn't mean that you passed or failed. It mean that you've got brilliant friends or your friends are frankly idiots. It has no bearing on whether you passed or failed and you should avoid that at all cost.

Having said all that, what do you do with you've done that sort of more objective analysis of your performance, you're waiting for the results and you don't feel like you passed? I would say that one of the things that's best to do is start exploring what your alternatives are now. That might be why you're watching this video. I would suggest that you think long and hard if you don't pass the exam about what you can do differently next time and what you did on the prior exam. One of the keys in my video is to start studying earlier, by and large, most people don't give themselves enough time to study.

Secondly, I would say that if you had trouble with your writing, this is the time to get into a course where you get into a course where you get personalized writing assistance. I don't mean the writing assistance that comes from an anonymous mentor, someone who's struggling to find a law job and agreed to grade essays for 10 bucks a shot, that's not good teaching. If that's all you're getting, you're overpaying for him. I would say you're much better off to find a course like ours like where you've got some idea of who the teacher is and someone who actually knows how to teach writing and that you get personalized feedback from your work.

I hate to see people come in and make the same errors over and over again. I have people that come to me who failed the exam multiple times before and they come in and say, "I'm not going to do the mentored course, I'm just going to take the basic materials." Well, there's information there and it will help, it will improve but the really best way to do this is to make sure that you get the feedback on your work. Now, I know lots of people don't want feedback on their work because it's painful, it's hard to hear, but truthfully it's how you'll improve.

If you had trouble with the multistate, then you need to get into a course that will take you through a licensed set of questions, not just made up questions or just a computer program. It's just not enough. You need a course that will structure your study, that will give you a study guide, a list of assignments, a way to go through it, a timeline, time frame. All of those things make a big difference. If all you do is go back and repeat what you've done before, the odds are that you won't be successful, in other words, you'll get the same result over and over again.

Now, if when you get your results, if they're not successful, I invite you to contact me, whether you took our or not, I'll be glad to talk with you about your results, about what could be done different about some things that you might consider. If you get your results and you pass, congratulations, that's a great result. Feel good about it and know that it's over and done. If you're worried about passing and you're just not sure what's going to happen and you want to talk with me beforehand, sure give me a call. I'll be glad to talk with you and give you my sense of this.

But I hope that this video helps give you some criteria that you can use as you think about what's coming up. I would say overall, simply try and be at peace with what's happening. Results will be out soon. When they come, I hope that they're favorable for you. Thanks very much for watching and best wishes.