

Speaker 1: [music] Welcome to the Extra Mile Podcast for bar exam takers. There are no traffic jams along the Extra Mile when you're studying for your bar exam. Now your host, Jackson Mumey, owner of the Celebration Bar Review.

Jackson Mumey: Hey, everyone. Welcome to the Extra Mile Podcast for bar exam takers. This is episode 48, and I'm your host Jackson Mumey. Glad to have you with us today, and hope that things are going well as you're digging into your bar exam studies. Hopefully for the February, or the July 2016 bar exams.

In today's episode we're going to be looking at an exercise that I like to offer to students. Particularly those who are repeat bar takers, and are struggling a little bit during this period of time when they're just not ... They just can't seem to get much traction for their studies, and they're just feeling like they're just going through the motions, not really making big steps or improvements. Also pretty appropriate I think for people who are struggling with just really unable to get started, and can't figure out why. We call this the cost-benefit exercise, and in today's episode I'm going to be talking about how you do that exercise, and how you evaluate it. The changes that it can make for you.

Also looking at the psychology of why people really sort of self-sabotage, why they hurt themselves. We talked a little bit about this when I interviewed Elena Ducharme from our Star Program. That was back in episodes 41 and 42, and I definitely encourage you to listen to those two episodes if you've not. I think you'll find today's episode to be really a helpful one. It's a really simple exercise that you can do, and really get some clarity about your studies.

Another part of what you'll hear me talk about in today's episode is part of what we discuss in our weekly live master class, which is how to make the next bar exam your last bar exam. In that class, which is a 90 minute free webinar, I talk about the four steps that passing students have to go through in order to reach that result. One of those steps has to do with really making a very clear decision about the costs, and the benefits to you of taking and passing the bar exam. This is just a deeper dive into what's covered in that webinar.

Now if you've not been with us on the webinar I really would encourage you strongly to do so. It's totally free. It's a 90 minute class. It's this Thursday at 3 PM Eastern, 12:00 Pacific Time. To register you can do it in one of two ways: you can go to our website at celebrationbarreview.com/webinar, or you can text the phrase, "NEXTBAREXAM to 33444," and register that way. There's also a link in the show notes to be able to register, and we invite you to do that. We keep the registration relatively small, because I like to have lots of interaction with the people that are participating. This is a class that could really make a big difference for you, whether you're a repeat taker, or first time bar taker, or perhaps you're someone who it's been a long time since you took a bar exam. Whatever your situation is I think you'll find this master class is something that can really help you out. Make sure you check that out. Put it on your schedule, and join us this Thursday at 3 PM Eastern.

I also want to invite you to subscribe as a regular subscriber to the Extra Mile Podcast. You can do that by going to iTunes, or by going to our website at celebrationbarreview.com. Clicking on podcasts at the top of the page, and you'll find the show notes, and the past episodes, and you can also subscribe from there.

Then finally I just want to invite you to be a part of our Extra Mile private Facebook community. You can do that again by clicking on show notes. You'll see the link for your invitation. This is a place where current, and past bar takers gather to talk about the bar, and to support one another. It's a great opportunity to get some insights about things that are going on in the bar exam world, as well as the things that we talk about here on the podcast. A lot of things going on. Lots of ways for you to interact with us. I hope that today's episode is going to be helpful for you. I know that the students that I offered this exercise to in the past have found it really pretty insightful, and useful, and really helps them get a clearer focus on their studies. Glad that we could share that with you today. Let's go ahead and dive in to the cost-benefit exercise.

Hey, everybody. Welcome to Celebration Bar Review. My name is Jackson Mumey. In today's short video lecture I want to talk about an exercise that I sometimes recommend to students when they're having some difficulty with just getting motivated, and charged up, and ready to study, and go out and take the exam. As I'm recording exam results have come in from around the country, and we're in that season now when people who have failed the exam have to make some decisions about whether or not to retake the test. I think this exercise is particularly valuable for people in that situation. Now if you're a first time bar taker it might be worth you doing the same exercise to help if you've got any doubts, or feelings of uncertainty about what's coming ahead of you, and whether or not it's worth doing the work. I want to just show you how this exercise works, and then invite you to participate, and see what results you get.

Here's the approach that we want to use. This exercise is called the cost-benefit exercise, and it's something that you'll work on over a period of a few days typically. Not all day long by any means, but just as the thought occurs to you. Probably the best way to do this I think for most people is to just take out just something simple. Just a legal pad and a pen, and you're going to want to put on this pad something that looks like this ... A student did this where you've just got a line down the middle of the sheet of paper. On one side of the page you want to write down the cost of studying for the bar exam. Now that's a really broad term, and I'll explain a little bit more about what I mean in a moment, but just the cost on one side.

On the other side is the benefits of passing the bar. Then you might have heard of this technique. Sometimes it's called the Ben Franklin Decision Tree. It works in any particular area, but I found it very helpful for takers and here's why. What you're going to be doing in making a list, checking it twice, over a period of a few days of the things that are costs, or pain points for you in studying and

preparing for the bar exam. Then comparing that list to the things that are benefits to you of having passed the exam.

Here's one of the interesting things about human nature. We are unless we're psychotic ... We are basically risk-reward beings. That is to say very few of us will do something that's against our own self-interest. At least consciously, but unconsciously we do things all the time that are not in our own best interests. What we want to do is help make you consciously aware of what decision making is going on in your brain, so that you can make better decisions. The way that you do that is that you sit down with this sheet of paper, and on the cost side I want you to start writing down ... The reason I think it's better to write than type personally is it's just more visceral. In any event start making a list of all the things that are cost to you of taking and studying for the bar.

Now let me give you some examples. This is by no means an exhaustive list, and the list should be yours not my suggestions. You could start with the financial costs. The costs of sitting for the exam, the cost of travel to the exam location, the cost of a bar review. You could then turn to the things that you're going to lose out on while you study. "I won't be able to," for example, "Play my fantasy football league," or, "I won't be able to follow the latest episodes of reality television," whatever your show choice might be. Or, "I won't be able to go out on Saturday date nights as much as I used to." Maybe for some of you, "I won't be able to out to the bar, and get drunk as often as I used to." Whatever those costs are.

One of the really important parts about all this is that this is your list, and it's not really to be shared with anyone else. You need to be honest about it. Whatever those costs are. For some people the costs are much deeper than the superficial ones I've just given you. There are costs like, particularly for bar repeaters, "If I fail again I'm going to really destroy my self-confidence," or, "The risk of taking the exam, and failing is devastating to me. It will just close my doors everywhere, and I just won't be able to function." "The cost of embarrassing my family," or, "The cost of embarrassing myself in front of my family, or in front of my law school, or in front of employer who had the business cards printed up with ESQ behind my name and I failed the bar." I want you to be as specific as you can. What are those costs? Write 'em down.

Now you may think that you're able to come up those costs very quickly, and efficiently, and write 'em all down and say, "This was okay. 15/20 minutes." Here's the interesting thing. I would keep that pad with you in some form over the next couple of days, because typically what happens is that there are some things that pop into your head and you go, "Oh, that's another cost." "I won't be able to take that vacation that I wanted to take," or, "I'm going to have to really confront the fact that I'm not a very good writer," or whatever they might be. Things will just pop into your head. Write 'em all down. Don't edit them, don't try and determine if they're good reasons or bad reasons. Just write 'em down.

Now at the same time you want to flip over to the other side of the page, to the benefits of passing the bar. I talk about this in our webinar, *How To Make The Next Bar Exam Your Last Bar Exam*. Essentially if we ask you the question, "What would it mean to you to be able to say that you passed the bar exam?," I think you need to be able to answer that question, as well as the cost question.

The kinds of answers might be things like, "I'm going to earn this amount of money, because there's a job waiting for me as a member of the bar," or, "I'm going to have the pride of knowing that I did something that nobody else in my family had done, or that nobody that I could do." "I'm going to have the satisfaction of achieving something that was really, really difficult." "I'm going to know that now I've got the opportunity to do the kind of work in my community that I really want to do. Maybe in Public Interest Law." "I've got the ability to get new business cards that say ESQ at the end of my name." "I get the better office." "I get better working hours." "I'll be someone that my wife, or husband, or significant other really looks up to, or my children look up to." These are all benefits of passing the bar.

Oftentimes what happens is that people, bar takers, get myopic. They stop thinking about what the benefits are. Who would benefit from you passing? Your family would, your employer, your community, maybe your law school. Many others. As you start thinking about what it would mean to pass the bar, you want to write down all of those items as well. Be comprehensive with that list, and be honest. There's no right or wrong answer here. You might say, "That doesn't sound very altruistic of me that I want the big corner office, I want to be a big time lawyer." No, that's okay. You do what you do. There's no judgement involved in this. Just make the list. Again keep the list with you for a few days, and see what pops into your mind. See what comes out where you say, "Oh, that would be cool. If I were a lawyer I could've done ... I could've helped that person," or maybe, "I could've been more engaged in this situation," or whatever it might be.

Now after you've had a couple of days to ruminate, and think about this, and you've got your list put together, you take that list and now comes the really interesting part. You see most of us will, as I said at the beginning, make consciously or unconsciously rational decisions. That is if the items on the cost side of your list are greater, are more important to you than what's on the benefit then you won't study. You won't do the work. You will self-destruct basically on the exam. Why is that? The self-conscious does that kind of analysis and it says, "Look. It's pretty clear. It's worse for us to pass than it is to put up with the pain that it would take, and so I'm just not going to do that. I'm not going to ... We're not going to engage in that work. We're not going to study when we don't want to study. We're not going to write that other essay when we really don't want to do it. We're not going to submit ourselves to being ... To having our work evaluated or critiqued." We do these things that we would describe as being self-negating or sabotaging, and it blows you up. Then you fail,

and you fail, and you fail, and you fail and you say, "I can't understand why I fail. I want to pass." Really? How much do you want to pass?

Sometimes what I give to people as a way to explain this balance is to say that if they got a ransom note, one of those where you've clipped out all the letters from the magazine, and there's a picture of their favorite pet, or God forbid their child, or someone that's important to them and it said, "If you don't pass the upcoming bar exam you're never going to see Fluffy again." Suddenly the benefits of passing the bar become pretty huge, and now that moves way up on the list. The benefit outweighs the cost by so much that you would do anything to pass the bar. I think that's obvious to most of us. The problem is that we don't live in those massively urgent movie scenarios. We just go through our lives, and so if we're not consciously aware of the benefit then it's hard to drive past the cost.

Make no mistake. There will be costs associated with studying for the bar exam. Financial, time, emotion, many things. The benefits can also be enormous when pass, and so it's one of the reasons I encourage people to listen, and watch our hangouts with successful bar exam students. When you see the looks on their faces, you hear their voices, you hear their stories, and the things they've overcome. It's incredible, and it's awesome, and you think, "Wow. That person really had some motivation and some drive," and that's exactly the point. It's the motivation and the drive that move them to the next level that got them to overcome the hurdles of studying for the bar exam.

Listen. In this environment with the bar these days: the test is tough, the exam grading is tougher, I've talked in other places about what I think is going on. I don't think students are stupid, or ... I don't think the test is so much harder that you can't pass it, but the truth is I think the examiners have very deliberately, across the country, set a threshold that basically wipes out those people who are just playing at trying to pass the bar. The people who are doing it on a lark, or doing it for a hobby, or doing it because they didn't have anything better to do. Those days are long gone. You need to be all in to pass the bar exam these days. I think one of the great ways to figure out if you're not all in, why not, and then how to get all in is to do this cost-benefit ratio.

Once you've figured it out, once you've looked at it, really asked yourself seriously what has to change? ... Do I have to reduce costs? Do I have to increase benefits? Or maybe as some people have done when they do the exercise they say, "You know what? The costs really outweigh any potential benefit, and it's not worth it to me, and I'd be happier doing something else with my law degree." That's a legitimate response to have as well, and so I just encourage you to think about those things, and work through them.

If you're in our course we invite you to do this exercise, and then talk with me about it. Students do, and I think it's really helpful. If you're not in our course hopefully there's someone you can talk with about it, because I do think it's

helpful to just get that feedback. Even if there's no one you can talk to just having the conversation with yourself, doing the exercise will give you insight that I think you probably didn't have before. That's what makes it such a powerful tool. I hope that's helpful to ya, and wish you well as you do cost-benefit exercise, and thanks for spending this time with me today. Good luck to you.

That wraps up today's episode. Thanks so much for listening. If you'd like to part of our Extra Mile for Bar Exam Takers private Facebook Group just check the show notes. You'll find a link in which you can request an invitation, and we'll see you along the Extra Mile.

Speaker 1: [music] Thanks for listening to the Extra Mile Podcast for bar exam takers at www.celebrationbarreview.com.

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