

Speaker 1: 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: Well, hey everyone. Welcome to The Extra Mile Podcast for bar exam takers. This is Jackson and this is episode sixty-four. Today we are looking at a title I just love, Flights of Fantasy and Tangents of Terror. You just got to love the alliteration there. I hope this is going to be a useful discussion for you. As you may know, I've been playing around a little bit with Periscope, that app that let's you do a less formal kind of recording live. You get some interesting comments from people while you're doing it, but I recorded it and I wanted to use that for today's podcast. I thought that it would be a topic that would be of interest to many of you. Looking at what happens as bar exam takers get close to the exam. Really, two ways that they tend to go.

They start to come up with these flights of fantasy about things that they think are going to happen with the test and on the test, but they also go down the road of tangents of terror. I identify in today's session a couple of those flights of fantasy that I see happen over and over again, and a couple of the tangents of terror that occur, and offer some suggestions about that. Also, talk a little bit about whether it makes sense to take the February versus the July bar exam and talk a little bit about the writing styles and different approaches that you can use there. I think it's going to be a good session for you and a useful one. I hope that you enjoy that. Just want to remind you that we've got a lot of things going on right now. If you're new to the Extra Mile Podcast, stick around to the very end. We've got some special offers about our Facebook group and how to be part of that and some benefits there.

If you've not subscribed to this podcast, we'd love to have you do that. You can do it on iTunes or by going to our website at celebrationbarreview.com. Just click on the word podcast at the top. You'll see a link and you'll be directed to all of our past episodes and the show notes and you can subscribe from there. I'd also love to get your comments and your honest ratings and reviews. If you'd go on iTunes and put that review in, it would be great to have that. I know lots of you are listening and participating. We actually had more downloads in the month of January, in that single month, than we had had in all of the months combined before that, so we're exponentially growing this podcast. I'd love to keep doing that and love to get your feedback as to what you would like me to be talking about during these sessions.

With that in mind, I want to just jump right into our Periscope recording. It's a little less formal than usual, so you'll hear some starts and stops and things, but I think that what I'm talking about will make a lot of sense, particularly if you're taking the exam coming up in just a few weeks, so let's look at Flights of Fantasy and Tangents of Terror.

Well, hey everybody. We are live. Here we are. Welcome to Celebration Bar Review. My name is Jackson Mumey. I hope you can hear me and see me okay.

We are excited to have you here with us. For those of you that don't know me as you're coming online, I own Celebration Bar Review. For the last twenty-five years or so I've been preparing students to take their bar exams in the states of California, Florida, Georgia, Texas, New Jersey, New York, the multi-state and now the uniform bar exam. We've had great success over the years. As we reach this point, I'm about, I think this is about my fiftieth or fifty-second, fifty-third bar exam that I've led students through.

Today in Periscope, what I want to do is spend a few minutes and tell you about some things that are going on with the bar exam and things coming up. We're just a little more than three weeks to the next bar exam. If you're able to hear me and see me, I'd love to have you shout out and say hello. Also, right down here, right at the very bottom, see my finger? Right up there? Yeah, there we go. If you would just tap that, and forward that, and send it out. Share it with your followers that would be great. Love to have as many people following and watching us as possible. Today's discussion, which is always interesting to sort of think about as we get close to the exam, was prompted by a conversation I had with a student over the weekend, in which we talked about what I called the flights of fantasy, and she added and tangents of terror.

I loved that. The flights of fantasy and the tangents of terror. I wanted to talk about some of those possibilities. I want to talk about a couple of fantasies that bar takers have. There? Okay, good. I want to just talk about a couple of fantasies that I think bar takers have at this stage and a couple of the areas of terror for them. Let's jump in and see what we've got. I'm, going to talk about two fantasies and I'm going to talk about two or three areas of terror. The first fantasy that I think bar takers have as they get into the last month before studies, the first of these is that you'll know all the law. That's a fantasy. I've had conversations with students where they say to me, what I've got to be doing right now is learning all the law.

Now, depending on what course you're in or how you're studying, all the law could mean literally twenty-five pounds of hard copied books. It could mean hundreds of hours of lecture. It can mean thousands and thousands of words. It can mean many, many, hundreds of questions and answers. Knowing all the law is simply impossible. It's a fantasy that you're going to learn all the law, even if you've been studying that way, which is not what we would recommend in the first place, but even if that's been your approach, this idea of being able to know it all is crazy. It's a fantasy. It's not going to happen and it's not necessary. You know, I often suggest to people that if they think they have to know all the law to pass the bar exam, all you really need to do is go talk to some people who are members of the bar in the jurisdiction that you want to be in.

You will discover very early on that most of those people, they're probably pretty bright, but they don't know all the law. They never did know all the law. They're not likely to know all the law and it wasn't a necessity for the bar exam. Where that idea got started, I'm not sure. I think many years ago to make it look

more impressive, people started saying, well you got to know all the law, but I don't think that's really a necessity. Year after year, exam after exam, I work with people that I would say clearly didn't know all the law. They knew enough law. There's a distinction between knowing enough law, knowing no law, which I would say is also a fantasy on the other end, but knowing all of the law definitely is fantasy number one. If you've been pursuing that realm of inquiry and thought, I think you're making it harder on yourself.

The second of our fantasies or flights of fantasy that bar takers are on right now, has to do with essay writing. This is the approach, the fantasy that when you write your bar exam essay, that the grader is sitting there in a very quiet, secluded, thoughtful posture, no distractions, nothing else going on. That they are well trained. That they are an expert in the law. That they have a great deal of experience and that they want to help you and they're going to connect all the dots in your answer. Sounds great, doesn't it? This is a complete fantasy. It's a little bit like saying the Victoria Secret Angel is going to come and sit here on my lap while I do this Periscope. I mean, this is not going to happen, okay? The reality of the bar grader, as I said in some other lectures that I've done and podcasts, is quite the opposite.

It's generally someone who's getting paid very small amounts of money. Three dollars and ten cents per grade or per essay book to grade them. They're often not professionals. They're not educators. They're not law school professors. They're not judges. They're not retired judges. They're not bar examiners. They are not partners, or even associates in law firms. They are people that have taken and hopefully passed the bar, at least on their second try. Some jurisdictions don't even make that requirement. The reality is, the grader, the reader is not someone who's able to sit there and quietly read and think and then fill in all the missing spots. Yet, the fantasy for a lot of bar takers is, I'm just going to write a bunch of stuff down and if I leave gaps or problems, the reader is going to solve those for me. The reader will know the facts. The reader will have a sense of what to be doing and how to fill in these particular mistakes and make it work for me. They're not going to do that. As a result, you write in a way that's really sloppy and messy. You don't want to do that.

Our second real fantasy that bar takers get into is that they start thinking that somehow the grader is going to be the one that's going to fix the problems, connect the dots, solve the jumps in logic, and so on. That isn't going to happen. The reality is that what you need to do is to write explicitly and clearly in a very straight forward manner. It doesn't mean just reciting rules and elements. I've talked about that in lots of other places, but the purpose of the bar exam is clearly to show how you're able to practice law. That's all it's doing. It's not saying that you've got the capacity to dump prodigious amounts of information on the reader. They're not interested in it and they're not going to accept it. In fact, in some jurisdictions there's a word count or a character count and your answers just can't be that long.

I think you want to be careful about that second fantasy, that the reader's going to do a lot of work on your behalf. They're just not. You need a writing style that recognizes and takes that into account. Well, if those are a couple of the fantasies that people have going into the bar exam, there are a couple of things that create tangents of terror, as well. Let me just talk about a couple of them. One tangent of terror that seems to pop up its head every year at this time is this notion that the examiners actually actively want you to fail. They know you by name and they want you to fail. Now, if you're in a jurisdiction like Florida, which takes particularly weird pleasure, I think, in tormenting bar takers with character and fitness checks, and letters, and hearings, and just making life miserable in general. It's easy to feel that you're being abused in a sense by the bar examiners, but the truth is that they don't really care about any individual as an individual.

No one knows who you are as your exams are being graded. You've got the multi-state, which is a scantron sheet. Doesn't matter, you're just a number and the machine doesn't care. When it's time to read your essays, as I said, the essay grader doesn't know who you are. They're not reading all of your essays across all four, or five, or six essays. They're reading all essay question ones from a group of people. Then, someone else is reading essay questions to and so on. There is no crossover whatsoever. They don't have your name. They don't know anything about you. There's no incentive for them to give you an advantage or disadvantage. They're literally neutral. Yet, I think sometimes what happens is the bar takers get into this mindset that the examiners really are actively, eagerly, trying to because you to fail.

Now, there's lots of pressure in the world to get that process of getting your work out there and having it affected and evaluated appropriately, but I think that the reality is that the examiners are just trying to do a neutral objective task. Now, I'm not always happy with the way they do it. The past rates, and the other things that are going on would certainly indicate that the exams are tougher and it's a harder environment out there, but I don't think you want to get yourself in the mindset that you've got this tangent that they're actually out to get you. I hope that makes sense. Don't go in with that kind of a chip on your shoulder. It's not necessary and it's not true. It's sort of a reverse fantasy, if you will.

Another tangent of terror that I think comes up more than not, is that somehow the exam has suddenly overnight, in this first day of February, it has changed. It was something back in January. It was something different back in December, or October, or November, but now it's different because this is the month of the bar exam. Well, that's ludicrous. Nothing has changed. The bar exam, for those of you who are taking it in February of 2016, your bar exam was written months, and months, and months ago. It was locked up in the vaults. It was printed and published and set aside and nothing has changed in that period of time. The bar exam formulas, the formula for scoring, the subject matter, the information on the exam, none of that has changed. Yet, every single time that we get to this

point, I find a certain percentage of students who suddenly act as though the exam has changed. That now the exam is testing something new or different than it was doing when they started their studies. That somehow they have to change their writing approach or their study approach at the very end, in order to hit this moving target.

The reality is not that at all. The exam is actually pretty stable. Even the people who are like, oh, they added federal civil procedure to the multi-state last year. Yeah, it wasn't that big of a deal. It didn't actually change much in the way of overall scoring. We knew about it going in, so people studied for it. It's nothing new. It's not a big surprise. I can tell you very confidently as we sit here today, twenty-two days until the bar exam, there are no surprises that we expect on the bar exam anywhere in the country. There's not going to be anything new or different on that exam. Don't study as though there's some strange mysterious change force out there that would cause you to do something differently. If you've been studying in a particular form and fashion, you should stay with that. I think that it's important that you not run down those tangents where you start saying, oh, I've got to do all this. I've got to become super conversant in [inaudible 00:15:27] because everybody says that's what's going to be on the test. Nobody knows. Nobody knows. I think that's part of it.

Good question, is it Viran? Viran? Difference between February and July exams. You know, there isn't much of a difference between the two exams. Sometimes people think, well, the February test is going to be easier or hard, and I hear it both ways, or they say, February's going to go and test a different way than they will in July. Absolutely not. If I set out ten tests for you and I said, half of them are from February and half of them are for July, you tell me which ones go together. You couldn't do it and it doesn't matter what jurisdiction you're in. You absolutely couldn't do it. There is no difference in the exams. Now there is a difference in the exams. Now there's a difference in pass rate, but that has to do with who's taking the test, not the test itself. That has more to do with the fact that there's more repeat bar takers typically in February than there are in July, so typically there's a lower pass rate in February than in July. Beyond that, when people start saying, well I should take the February test instead of the July test, why? There's no reason. There's no difference at all.

Those are some things that I think come up that surprise people and send them down sort of the wrong paths. A couple of fantasies. A couple of tangents of terror. I could come up with a lot more, but I thought for today that was a good couple of things to think about. What should you be doing for the next three weeks if you're taking the exam? You should be in a steady course of study. Working probably six to eight or nine hours a day, no more than that. We recommend three hour study sessions. Doing one in the morning, one in the afternoon, and a brief one after dinner at night. Working to minimize what you don't know. Literally, closing the gaps of the things that are causing you trouble. Not trying to do your studies all over again from the start.

I've had several calls last night and today from people that said, I'm just getting started studying for the exam in twenty-one days. One person said, what can you do to ensure that I will pass? Not a thing. Twenty-one days to go, I can't do anything to assure that you'll pass the bar exam. I mean, it's sort of that sense of you know, whoa. The fantasy is, I can just throw a bunch of energy at this thing and it's going to fall all together. Probably won't happen that way. Be realistic. Do what you can do, improve what you can improve, and be okay with it. I think that's the best. Now, if you're not taking the exam in February, this is still important stuff to be thinking about. We'd like to take you on a little deeper dive to get ready for that exam by going to our master class. It's free. It's a ninety minute class. We look at how to make the next bar exam your last bar exam. You can check that out on our website at celebrationbarreview.com. There's a button on that front page that says reserve your free seat.

In that, we're going to dig in and go a little bit deeper for you as well. Definitely an opportunity to then check in and see some things that we teach. The writing style, there was a question about using IRAC, which is a particular writing style versus something else. We don't use any of those writing styles. We use a proprietary style that's been very successful over the years. We'll talk about that in the webinar as well, so I invite you to check that out. Again, the URL is celebrationbarreview.com. On the front page there you'll see a button that says reserve your seat. Just click on that and we'll get you set up to be able to sit in and go through this course. Find out a little bit more about the things that because problems for bar takers and what you have to do. What we call the four steps that passing bar takers all know.

Glad to have you with us. Thanks for being here. Appreciate you spending the time. Have a productive and good study day. We'll be back later in the week. We'll do another one of these Periscope sessions with you. That's all for now. Take care everybody. Bye, bye.

Well, I hope you found today's podcast valuable. If you did, I'd like to invite you to subscribe to the Extra Mile Podcast. You can do that in one of two ways. You can go to iTunes and subscribe there or you can go to our website celebrationbarreview.com, click on the podcast link at the top of the page, where you'll find our show notes and all the past episodes and you can subscribe from there. Now, if you'd like even more of The Extra Mile than we offer in these podcasts, I want to also invite you to join our private Facebook group called The Extra Mile. This is a community of current and past successful bar takers who've come together for advice, support, information, and some terrific resources. We've put together The Extra Mile as a monthly paid subscription offering.

I want to just share with you some of what's involved and some of the benefits you're going to receive when you join the extra mile Facebook group. First, and I think most significantly, you'll receive access to our popular economical Bar-U course as part of the membership. Bar-U provides digital lectures and outlines

and selected questions for seven state bar exams, California, New York, Florida, Texas, Georgia, New Jersey, in addition to all of the uniform bar exam jurisdictions and the multi-state bar exam. Now, membership in Bar-U alone would normally cost you about a hundred dollars a month, but it's free with your paid subscription to the Facebook group. I think you'd find this a great way to just have access to substantive current material, lectures, and outlines for all of the subjects that are on the bar exam.

In addition to that, members of our Facebook group receive access to our online writing workshop course that contains four lectures on essay writing, plus sample question and model answers. That course sells for 99.95 all by itself, so definitely a value when you're part of the Facebook group. All of our Facebook group members will receive free seats for three brand new master classes we're doing this year. These are being offered to the public actually for sale for fifty dollars per class, but they're free to our Facebook group members. The topics of these new master classes, which are presented in conjunction with our partners at learning strategies will be on abundance for life, and living the law of attraction, and rapid reading made easy.

They're three topics that I've extensively taught as ways to enhance and improve your bar exam scores and your study, and I think you're going to find them really valuable. In addition to all of that, our Facebook members will get my proprietary exam predictions for each exam, and you'll receive our exclusive video countdown leading up to the upcoming bar exam. On top of all of that, and maybe even most significantly, you'll get the support and the advice that comes from a community of people who really want to see you succeed on the bar. Our past bar students who've been successful have generously agreed to come on and offer their insights and advice. I come into the site on a daily basis to offer additional resources and to do Q&As. Really encourage you to check this out. In the show notes you'll find the link to check this out. Sign up for this Facebook group.

One other thing about it, there's a five day free trial. You can actually sign up and not have anything charged until you've been able to experience it for yourself, but when you take all of the benefits together, it's several hundred dollars worth of resources available for only seventy-seven dollars a month. There's no requirement to continue the subscription. It's every thirty days until you cancel. Really invite you to join us there on The Extra Mile. Well, that's it for today. Thanks for being with us and we'll see you on the next episode.

Speaker 1:

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