

Announcer: 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. And now your host Jackson Mumey owner of the Celebration Bar Review.

Jackson Mumey: Hey everybody welcome to the Extra Mile podcast for bar exam takers. This is Jackson, I'm so glad you're with us today. This is a really special episode of the podcast, I had planned to do a capsule review of the Florida bar results which as I'm recording just came out yesterday. I'm still going to do that but not in this episode and the reason for that is that we had just a remarkably inspiring wonderful story of one of our students that took the Florida bar who passed yesterday. He was willing to come on and let me interview him. I thought that that was actually a better episode for you all to listen to today.

We're going to do an interview with Andrew Biggart. I don't want to spoil too much of the surprise but I'll just tell you that Andrew had taken the Florida bar exam four times previously using the traditional approaches to study for the bar before he came to us and then passed on his 5th try. His story is really remarkable and I think you're really going to enjoy it. He's a very engaging, very likable guy and he's got some great advice, some great insights and tips. I just thought this would be a terrific episode, particularly for those of you who have taken and failed the bar exam, whether it's Florida or somewhere else, I think that you will really relate to Andy's story and what he went through and the accomplishment that he had.

I promise you I will get to the overall Florida recap, I'll just say for today as we're recording this, it looks like a train wreck in Florida, across the state. Results would appear to be very, very poor and this would be mirroring what we're hearing and seeing from a variety of other jurisdictions around the country generally. Now having said that I have to point out that our results are very good, but the overall numbers in the states do not look good at all. If you're one of those people that took the Florida bar exam or any bar exam in July of 2015 this certainly isn't good news generally and I'll have more to say about that as we get into the number and dig in a little bit more and have some more information for you.

I thought that you would really enjoy this interview today. Now if this kind of information and topic is something you're interested in, I invite you to subscribe to our twice weekly podcast episodes. You can do that on iTunes or you can go to our website which is celebrationbarreview.com, you'll see the link for podcast at the top and when you get up there to the podcast link you'll find all of the episodes up through and including this one along with show notes and a place that you can subscribe. I would encourage you to do that so that you don't miss an episode of the podcast.

I also want to invite all of you to a special free live master class that I'm holding on Thursday at 3:00pm eastern, which would be 12:00pm pacific time, in which we'll be talking about how to make the next bar exam your last bar exam. It's the four steps that every passing bar taker needs to know. This is about a 90 minute presentation with an awful lot of content and material, things that you can take action on right away. I think you're going to really like it.

I do keep the size of this master class relatively small, it's free but you do need to register and you can register in one of two ways. You can go to our website at celebrationbarreview.com/webinar. That's celebrationbarreview.com/webinar to register and claim your seat. You can also just text if you're on your phone or mobile device, text the phrase "nextbarexam" to 33444. Again test "nextbarexam", one word, to 33444 we'll register you right from your text message and then see you Thursday at 3:00pm eastern.

I think you'll really find some things that are very useful for you. We're going to be talking about some of the myths of the bar. We're going to be talking about some expectations that you should have, some ways that you can look for collaborators and then ultimately the next best steps that you can take. These are things that we have seen work over and over again and that worked for Andrew. I want to get into our interview with him today. I think you're going to really enjoy it. It's a little bit longer episode than we normally do but I think you will really find it insightful and inspiring. Let's jump into our interview with a successful bar exam taker Andrew Biggart.

Hey everybody welcome to hanging out with successful bar exam takers, this is episode 13 which would have been unlucky number 13 except it's really amazing lucky 13 and I am so excited today. As you may or may not know Florida bar results came out yesterday and we had a lot of successes but I'm not sure that we had any that were more intrinsically satisfying to me in terms of somebody just killing it against all odds and I think you're going to just love this story, love this guy. Andrew Biggart is our quest today. Welcome Andrew, I'm so glad you're here.

Andrew Biggart: I'm glad to be here.

Jackson Mumey: Yeah. Congratulations, this is amazing, awesome, incredible.

Andrew Biggart: Absolutely.

Jackson Mumey: I'd like you to just tell our listeners and viewers, tell us a little bit about your background. What happened and what brought you up to yesterday and the bar exam results in Florida?

Andrew Biggart: I graduated the University of Florida in 98 and went on to a few different career paths. I owned a restaurant in Gainesville for about five years, I toured around the country with a little pop singer named Aaron Carter in 2002 and then I did

tech support for Dell over the telephone. I would take incoming calls and walk people through the disasters that they had made their computers into. I was really unsatisfied and a lot of my family are counselors so it seemed like the next big thing to do, because I just didn't have enough debt in my life.

Jackson Mumey: Folks this is why dealing with Andy was a challenge, okay? Not in the fact that he's a Florida and a Tampa Bay fan but we're not going there because I've been humiliated already before we got online. Okay go ahead. So you decided "Hey I'd like to get more in debt and I'll go to law school."

Andrew Biggart: Correct.

Jackson Mumey: Okay.

Andrew Biggart: I just applied to one school because it was close to where my sister lived. I got in and went through the next three years and then May of 2013 when I graduated my first bar was July of '13. It took five attempts before I finally got everything, passed everything. I never really said it out loud but I'm sure you could just see in my face, in my gestures that I was just a broken sad sack of a man and I just didn't know if I had the heart to keep going if I didn't make it through this time.

Jackson Mumey: Yeah, I recall that when we first started talking and you and I did video chats, Skype chats you were kind of hunched over and slouched down, kind of like I'm feeling as Saints fan this morning. You were beat. I mean you were beat, beat, beat. After four tries of failing what was your thought process? What were you thinking at that point, going in to start studying for a fifth time?

Andrew Biggart: I felt like if Groundhog Day was a horror movie and I was the main star. I just felt like every time at look something, I know this, I know this, I know this. I could off elements of a list, I could give you case names but for some reason I was never able to take all this material and put it into anything that would stand up. You saw three weeks before the bar that contract essay and I thought you were going to fall on your own sort sword or something. I think I had hurt your feelings as much as I ...

Jackson Mumey: It wasn't the best piece of writing I've ever seen, okay. Yeah. Okay, so when we would talk the wall behind you, besides having way too much Tebow Gator stuff, but back in the study days, the wall looked different, didn't it?

Andrew Biggart: Yeah.

Jackson Mumey: What was up on your wall?

Andrew Biggart: It looked like it was like a cross between the Unabomber's cabin and like a kindergarten room with a bunch of crayon drawings of Disney characters. I had all these off the walls diagrams, flow charts, visual aids I would call them and I

think it was our first meeting that you told me to rip them down and don't ever do that again. That's what I did and I think it helped.

Jackson Mumey: You've been working under the assumption that the way to do this was to memorize elements and rules and then be able to recite those back on the exam. Is that right?

Andrew Biggart: Yeah I had so many mnemonics and so many ridiculous poems in my head that I could recite them but if actually tried to put them into some sort of context it would just be gibberish. It was no help to me.

Jackson Mumey: So you're putting all this energy and time and effort in, you've taken the bar exam a bunch of times, you're not passing the exam, did you feel like "Maybe I should just give up." at that point?

Andrew Biggart: I never actually ... I felt like it was a hopeless ... I thought it was bad this time but I never actually said "I'm giving up, I want to do something else.", I just said "Great, now I've got to wait six more months.", or "Now I've got to take it again." I've never given up as much as I was miserable. I couldn't just walk away from all the effort I'd put into. I was 35 when I started law school and now I'm approaching 40 in a couple of months and it wasn't the time to change courses in midstream.

Jackson Mumey: Yeah and one of the things I want to point out to those who are listening and watching this, that what Andy did was that number one he made himself teachable, but number two in spite of all that, in spite of all of the failures and the difficulties and the other things, he had the same sense of humor, the same openness, the same positive approach no matter how bad it got. When we were talking about his work the early essays were not good and he's shaking his head saying "No, no they weren't good." But the reality was that you kept your head in the game all the way through. What was that process like from your standpoint? I mean I know for me going through essays and reading and conferencing that I know what I'm trying to accomplish. What was it like for you to go through and do that with me?

Andrew Biggart: It wasn't only trying to learn the method that you were teaching me, it was unlearning IRAC because that I had been drilled in my head for three years, IRAC, IRAC, IRAC. Somewhere along the line I got the impression that I had to cram in every little nook and every piece of knowledge I knew about something and I would go off on these ridiculous tangents. I think you said one time, if you asked me the time I would spend three days building you a clock or something instead of just saying it's 12:00pm. I had to first unlearn the IRAC and then learn and not only understand it but see how it was a natural flow of things when it came to writing out the answer.

Once that clicked in my head I was finishing the essays without running out of time. If you remember I had a problem with the laptop where I hadn't written

anything more than an envelop for 15 years, all of a sudden I'm being told I can't use my laptop.

Jackson Mumey: Yeah, let's talk about that because that was a big deal. We're getting started into the study and I get an email from you saying "Oh my, I think I've got a problem. The problem is I didn't file the application for the laptop on time and now they're telling me I've got to hand write." Correct?

Andrew Biggart: Yeah, I'd registered but I didn't download the sample file.

Jackson Mumey: Yeah, great. Thank you Florida bar examiners. So you said "I'm going to hand write." and I said "Great." I didn't say great, I said "Oh, that's awful."

Andrew Biggart: No you said "This is a disaster."

Jackson Mumey: Yeah actually I think that's what I said. It was a disaster, and then I saw your handwriting and then I said "Oh my god it's a colossal disaster of a magnitude beyond belief."

Andrew Biggart: It's a third grader's handwriting.

Jackson Mumey: Yeah it was pretty awful. So there we are, handwriting, trying to learn a new writing style. And just to be clear, this is the first time you were working with me, you failed the bar four times, you've been studying with the big box guys. We're dealing with all of this and in addition to that your studies really kind of start and you're not really digging into this work until what? About three weeks before the exam, is that a fair statement?

Andrew Biggart: I think I did the first essay the first week and then there was probably a good two week ... After I did the first one it was kind of like I'd been kicked over and I was trying my best to get back up but then we started doing one every other couple of days and ...

Jackson Mumey: And so just to put this in perspective folks, Andy is handwriting, he's got a limited time to study and he's failed the bar a bunch of times with other people. Four times through the exam with a different mindset, a different approach. Now before we came on the air you asked me what percentage odds I would have given you for passing and I said "About 30%." I thought it was very, very tough.

Andrew Biggart: That's 25 more than I thought you would give me.

Jackson Mumey: Yeah, but here was the thing, the trend line was going up everyday. Every piece of work was getting better and better and better, and your attitude was unbelievably positive. In spite of all of those challenges you were just bearing down, you weren't giving up, you weren't rolling over in the corner and crying, you were just getting in and doing the work, you may have after we got off the

line but during our conversations you were engaged and we were talking and working. You could see the improvement. Tell me about going to the exam then and what that process was like and how it felt after you'd just done this really intensive study. You know you're handwriting rather than typing, what was that like?

Andrew Biggart: Well, considering I pretty knew all the ushers by name, they all greeted me, they said "Welcome back". Obviously there's going to be a little bit of nerves there but I really felt pretty good going into it. My biggest fear were about the business and partnership multiple choice questions on there. I felt good, I felt like you had adequately prepared me for every other subject, because I had already passed the MBE the year before I was able just to study on Florida. But I went in there and like you said we started late in the process and I still walked in there feeling pretty good, pretty confident. As soon as they said "Go", there was a guy three tables over, I think he lost consciousness. I heard a big bang on the table and we look over and he's doing this. I felt like the confidence had been instilled in my as well as every other tangible part of the study program like the facts and the technique and question analysis.

Jackson Mumey: Yeah. There were some twists in this exam. There were some subjects on Florida multiple choice we hadn't before. They did some things differently than they'd been doing. How did you deal with those weird moments in the test itself? Did they ...

Andrew Biggart: I recognized them as new but they weren't new to me. I can't just ignore or do one subject a lot more than another or not pay attention so I felt like I'd adequately spread my time over all the subjects. It also helped that I worked in a family law firm for about a year. It was like "Yeah, okay these are different but I'm not going to let it scare me." It still looks like the others, it's got questions with three wrong and one right answer.

Jackson Mumey: Yeah absolutely. You finish the exam, you're done, now you're in this waiting period. What are your thoughts as you're waiting for the results?

Andrew Biggart: I think they extended the deadline two extra weeks than usual because of the number that had taken the exam.

Jackson Mumey: That's right, they did.

Andrew Biggart: I was thinking this was going to come out around the 7th because I actually finished the multiple choice with enough time to go back and check them and still enough time to leave before they called time, which usually goes against everything I'll do but I just had enough of it so I didn't hear them announce the date of the grade to be announced I found it was [inaudible 00:19:14] 21st which is like I can't catch a break. The longer it went the worst I started to feel about ... Because I couldn't remember what the answers were. I remember during I went out to the car, I was lucky enough to get parking space out front

and I took pictures of the essays and sent them to you and the next thing I see on Facebook is Florida is a bear it's not pretty. My hand almost fell off but you know what, I still felt good after because I approached ... I followed your rules and it didn't [steer me wrong.

Jackson Mumey: Okay, great. Now, you know normally when I'm doing these hangouts I'm talking to people, in some cases 10, 15 years after they passed the bar, in your case we're talking less than 24 hours. This is really fresh stuff in your brain, tell the people watching and listening what it was like yesterday morning when you went online. Walk us through that.

Andrew Biggart: I woke up and I knew it was the day. I thought the results would be coming at noon so I was doing everything I could to try to sleep as late as possible to make the time go by because if I had to find something to do until noon I would probably would have repainted the walls or something but then I went ahead and checked around 10:00 and I was on the very last page of my section, there were four pages of numbers and all that stuff. I stared at it and I got to it. I just looked and I just looked and all of a sudden I couldn't read [what numerals, where I didn't know what ... I was looking at one of the things from the bar to the screen, I was doing like every little number, there's only five numbers but I was still comparing every one of them like it was hanging chad, I was going nuts. Finally I got to my number and I see Pass. I'm secure in my own manhood to say that when I called, you know I've got to call mom first.

Jackson Mumey: I wasn't the first phone call? I wasn't it?

Andrew Biggart: You were the first email.

Jackson Mumey: Okay fine.

Andrew Biggart: But when I called her I didn't expect it, I got emotional when she picked up the phone. She knows it's me but she can't hear anything except like (gasps) in the background and she's like "Oh don't worry we'll do it again next year.", I'm like "No I passed." and she just screams and blows out my eardrum, I almost dropped the phone. I won't say how old she is because she'd kill me but she is not a person you would expect to be jumping around the room like Michael Jordan or something. She was just ecstatic.

Jackson Mumey: I got to add something here because I don't even know if you know this, your mom was the person that actually initially contacted me on your behalf and mom told me that her son was this bright really terrific young man who had just been beaten and beaten down. It was wrong and unfair and it was breaking her heart as a parent and she had decided, I guess on her own, that she was going to go out and research bar review companies and she was going to find one and at least send you on the task. She put me through my paces, she asked me question after question after question after question, it was very impressive.

And then she said "All right, I think you'll do. Now I'm going to talk to my son and he may call you because he's too", and this was I think after results had come out after the previous bar, "he's too distraught really to even have a conversation right now."

Andrew Biggart: Yeah. That sounds about right.

Jackson Mumey: Yeah, and I said to her, and I recall this very clearly, I said "Look, I'm a parent of a lawyer bar taker, I've been through this. I get the enormous frustration as a parent of seeing your kid in this predicament", although I was fortunate our daughter obviously she passed the bar, but I understood emotionally I think intuitively what that's about. I remember saying to her "Listen I'm going to get your son through this." That thought remained with me as we talked and as we were conferencing and working I'm thinking "Oh my god what I'm going to tell mom.", you know "Your son is a hand writer. He started too late, he's rooting for the wrong football team.

Andrew Biggart: Never mind that on that one.

Jackson Mumey: I just didn't even know where to go with all that but one of the first things I thought of yesterday when I got your email was "I'm wondering how mom is feeling about all this." I'm really glad that she was the first phone call, that's got to be awesome.

Andrew Biggart: Yeah. We met for lunch immediately after that and I was still sitting there like I was still under ... during lunch I barely spoke and she's bouncing in her sit and I'm just staring off into space because that had not sunk in.

Jackson Mumey: Yeah.

Andrew Biggart: Actually the funny story is she kept pestering me to call you and tell you and a couple of weeks went by and I kept like ... It's kind of a whole thing, "No we've got to go Target instead of going to the mom and pop place." I'm like "They've got to know ... I was convinced that I would just keep using a company who shall remain BARBRI. My brother in law was actually kind enough to send me on a trip to Key West. He's like "I got you a room just go for four days, relax." On the way back I had a small accident where ... She has a very low car, I'm used to driving her Porsche , she had Porsche and I hit the side of the median and busted two tires and they had eight hours one way to get me and on the way back up was when she convinced that "You need to call Jackson and you need to do it today." I may be embellishing here but I think she said something like "Or I will murder you in your sleep and cut you out of the will."

Jackson Mumey: Okay. That's my kind of person, I like that. Yeah yeah. Yeah, I think it's useful for people who might be thinking to themselves "Gee should I take a small course, isn't it better to just follow the herd, the crowd? Take the big guys and live with their ... I don't know on this bar exam I think we're going to see a 55%, 60% pass

rate. I think it was a train wreck for the big guys. So, you were in that spot, what was your thought process? What could you offer or share with people that might help them if they're in a similar circumstance today?

Andrew Biggart: The big box, the Kaplan the BARBRIs even the Themis' I think which was started by BABRI.

Jackson Mumey: It was.

Andrew Biggart: They're all great courses because they flood you with material and it's overwhelming the first but it doesn't replace the one on one attention that got me through it. I did watch some of the videos four or five times and I would get barely anything new out of it but talking to you, you would actually say "Look at this paragraph", before the laptop went out you would sort of, "Look here, this is where it needs to go, this is what you're doing wrong, here's how you fix it." It wasn't just "Oh let me hit the rewind and hear what he just said all over again." It was one on one help. I had a tutor that's, I won't say his name because he's a pretty big name but, he even didn't .. I went one on one to him and still wouldn't get what I needed from him. It wasn't until your method clicked in my I understood what you were doing with it that it made writing all that much easier which isn't to say it was a cake walk, I finished every essay early and I'd never done that.

Jackson Mumey: Yeah. Sometimes people say to me "Well you know I've got to do IRAC and I've got to issue spot and I've got to do all those things.", and obviously I teach a very different approach and Andy you're I think a testimony to the fact that you don't have to do IRAC and in fact you can succeed even against some pretty stiff odds. What a great feeling this must be today, you wake up, you've passed the Florida bar.

Andrew Biggart: [crosstalk 00:27:47]

Jackson Mumey: Okay, all right even better. Your football team wins a ridiculous game against the Saints on Sunday. It's all good in your world. There you go, I knew he was going to show me the Bucs hat.

Andrew Biggart: Go Bucs.

Jackson Mumey: I am so thrilled and excited for you and pleased for you. What advice, as we start to wrap up here, what advice would you give somebody who's taken the exam, they failed and they're listening to this or watching this and are thinking "Oh man, I don't know what to do."? What would you tell them at this point?

Andrew Biggart: If it's really the path they want to take, if they really want to be on a journey and pass the test then as long as you're are taking away why you screwed the previous time and you can build on that and not get too hard on yourself and more importantly forgive yourself and not beat yourself up all the time, then

eventually it won't be about the studying as much as it's about just putting the blocks in the right place and coming up with a coherent answer, [crosstalk 00:29:02] this babble everywhere.

Jackson Mumey:

Yeah, that's great, super. Andy I just want to congratulate you, I'm sure that everyone that's listening and watching would join me in congratulating you. I know you're going to be a terrific member of the Florida bar. I think you're going to be a real credit to our profession and to the practice of law in the state. I am so deeply honored and proud that I got to work with you on this and just really, really please for you. I've said it before in some of these hangouts with other people but the greatest part of teaching for me is these moments when people pass and you get to see their excitement. This is really special for me to be able to join you 24 hours after the fact and be able to let you tell your story to the world. Congratulations, thanks for joining us today. We'll look forward to checking in with you periodically and seeing how your legal career is coming and just wish you all of the best and thanks so much for being with us on today's broadcast.

Andrew Biggart:

I want to thank you for sticking with me and I know that coming to Jesus speech you gave me that one time was not a lot of fun for either one of us but I think it was the fire that needed to be lit to get me going, because the next time when you called and you said "How are you?", I'm like "Anxious.", you're like "Don't worry you got a lot better.", and it was riding on cloud nine. I think you are owed as much credit for sticking through it as anybody else that has taken it four or five times. Unfortunately it's not as crazy as I've ever seen but you can do it if you forgive yourself and keep trucking.

Jackson Mumey:

Cool, that's great. Well listen, it's been great having you on with us and we thank Andrew Biggart for being with us today, terrific guest, congratulations. We'll see you on our next episode, we'll be talking to some more passing Florida bar takers and letting them share their stories with you as well. Thanks again, appreciate you all being here, bye bye for now.

Well that wraps up today's episode. Thanks so much for listening. If you'd like to be 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 and invitation. We'll see you along the Extra Mile.

Announcer:

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