

# Episode 289: What to Keep and Release for the Bar Exam

Hey everybody. Welcome to episode 289 of the extra mile podcast for bar exam takers. This is your host, Jackson Mumey. Glad to be with you. Here we are in February, counting down to the February, 2020 bar exam. By the time this episode releases, we will be at about three weeks until the test. And so good luck to all of you who are getting ready for that exam.

[00:01:12] We know that this is precious time indeed, and appreciate you spending it with us. We come to you every week, about this same time to talk about all things far exam related. If this is your first time on the podcast with us, we're really glad that you found us. We provide these podcasts in video and in audio format.

[00:01:29] If you'd like to watch today's episode, you can do that by going to [celebrationbarreview.com](http://celebrationbarreview.com) forward slash two eight nine. That's the episode number. And if you'd like to listen to your podcast, you can subscribe to our episodes on Apple podcasts on iHeartRadio, Spotify on radio.com lots of places where podcasts are syndicated.

[00:01:50] So in any event, we are really glad you're with us. In today's episode, I'm going to be talking a little bit more about the subject that I started in last week's episode when we were talking about, what you have to do on the bar exam with respect to, the present and the future, sort of the natural brilliance model of how you learn and grow and particularly to learn new things.

[00:02:12] And today, I want to follow up on that by discussing the idea of what you have to keep and what you have to release in order to grow and learn the material that you need in order to be successful on the exam. Now, if you're taking the exam in three weeks, I think this is still pretty useful material, but absolutely, if you're taking the exam in July of 2020 or sometime in 2021 I strongly encourage you to watch today's episode or.

[00:02:37] particularly to watch it. but if you can't do that, at least listen to it. When I explain this model of natural brilliance and how the approach that we use that brings together the idea of the human potential movement and authentic assessment and testing, how those two ideas come together and what the practical implications are.

[00:02:54] So I hope you'll check that out. Now, before we jump into that specific message, as you know, since we started the episodes in 2020, I've been trying to do a, a student shout out each week. just to give you some sense of some of the communication I received from students who've been in the course and to, to share with you some of what they have to say.

[00:03:14] Today, I'm bringing you a message from Virginia. the woman, not the, the state Virginia, was a student of ours on the California bar exam successful on the bar. And, she wrote to me a while after she had passed the California bar, which as you may know, is the most difficult exam in the country.

[00:03:30] And she sent me kind of an interesting note, and Virginia said, I'm currently preparing for an administrative hearing as a precursor for our wrongful termination suit. The case involves a huge building project and it's full of complex numbers, and the hearing will be presided over by a city council. In a small city, it will be televised, live and open to the public.

[00:03:49] So it's especially important to state the cases clearly, directly and simply as possible. Virginia says, I'm a solo practitioner on a shoestring budget, so I'm doing the investigation and prep by myself. Opposing counsel is a full partner at a huge firm that represents cities in these kinds of cases with tons of associates and lots of resources.

[00:04:10] I have whiteboards all over my office and stacks of exhibits and blueprints, reports, et cetera. It's very fun, but it's also a little daunting, but I just looked at my case skeleton on the whiteboard and I saw this outline. Facts law. Application. She said, thanks. Thought you'd got a chuckle from Matt and thank you for teaching me.

[00:04:31] Now what Virginia is talking about there is that the writing style that we teach for the bar exam is built on this idea of facts and then the law, the legal arguments, and then the application. And sometimes people ask, you know, does that really work and the answer is yes, it works really well on the bar exam, but it also works in real life.

[00:04:48] You notice she didn't put up there a list of issue rule, application, conclusion. So good, good work Virginia, I know she did well on this hearing and I think it's important to recognize that the practical skills of being a lawyer are very much the skills you want to employ on the bar exam itself. And the more that you can incorporate those, the better off you're going to be.

[00:05:08] And the added benefit is that once you do become a member of the bar, you can continue to use those skills and to build on of them just like Virginia did. So, congratulations to you. Thanks for the nice note. And, we'll continue to provide these shout outs. If, if you've got one you want me to comment on, feel free to email me at [jacksonatcelebrationbarreview.com](mailto:jacksonatcelebrationbarreview.com) and you might hear your name in a shout out in an upcoming episode.

[00:05:32] Before we jump finally to the meat of today's episode, I do want to let you know that this episode is being brought to you by our free webinar training program. It's called Do Something Different: Make the NEXT Bar Exam Your LAST Bar Exam. This is a 90 minute on demand training program that will show you the four steps that you have to follow in order to pass your bar exam, and I encourage you to go through it.

[00:05:55] All you need to do to register is to click on the show notes. There'll be a link in the video and in the audio show notes for today's episode, or you can go to [celebrationbarreview.com/webinar](http://celebrationbarreview.com/webinar) for all the details. Now, once you're there, just click on the button and then you can schedule the day and time when you want to watch this information.

[00:06:14] But it's really important, I think, for you to go through it because you're going to hear from students who are repeat bar takers who did something different and what they

did and why it worked, and it's incredibly valuable information. You'll hear in their own words what was important. And I think it can be life changing for you, as you come forward to take the bar exam specifically if you're a bar repeater.

[00:06:35] So I hope that you'll take advantage of that. So again, go to [celebrationbarreview.com/webinar](http://celebrationbarreview.com/webinar) or just click on the link on the show notes page, and then we'll see you, online from this special training. All right. I don't want to wait any longer or keep you waiting. Let's jump into today's message where we talk about what to keep and what to release as you study for the bar and say, welcome back.

[00:06:58] This is the second in our series talking about the idea of natural brilliance and how modern test prep has really changed the way that we think about taking tests like the bar exam and bringing into preparation the concept of human potential. Now in our last episode, which we'll link to, I described a model created by, Paul Scheele at Learning Strategies, many years ago and continuously and really impressively, updated from time to time, including just very recently, to describe the nature of how people learn and how they grow.

[00:07:35] And, we're going to cover a little bit of that if you haven't seen that particular video. but today what I want to do is expand our discussion into something that's a little more concrete. What we're going to look at today are really four things. What you need to keep. And what you need to release and then what you need to achieve and what you need to avoid.

[00:07:57] When to look at four quadrants of the natural brilliance model, and each one of those ideas keep release, achieve, and avoid. Have a corresponding place in the model. And I want to do that to show you how you actually study for the bar exam, what specific things you want to keep, what you want to let go of, what you're trying to achieve, and what you need to avoid as you study.

[00:08:18] And I hope that you'll find that to be useful. Now to begin with, I'd like to go back and just briefly review what we discussed previously about the natural brilliance model and how it really brings together the two movements of human potential and authentic assessment. So you see on the screen there, my very poor drawing of my version of a Venn diagram.

[00:08:40] Essentially what we were looking at here. Was this idea of the human potential movement, which came out of the work of people like Paul Sheele, but names that you would recognize like Tony Robbins, Oprah Winfrey, Jack Canfield, and others. And this movement essentially said that we already contained within us a personal genius.

[00:08:59] We have great ability and great resources that we are not some empty bucket to be filled up, but we already have incredible abilities and talents that reside within us. On the other side of the diagram, we had what I call the authentic assessment movement. This is the testing movement that began, about 30 years ago or so.

[00:09:19] It was the work of Grant Wiggins and, the, the work of project zero and Howard Gardner at Harvard and others. That really looked at this idea of testing what you knew

rather than what you memorized or what you could recite. Now those two movements together, I think came together in an unusual way to create this idea of the human potential test taker, approach.

[00:09:44] And it's essentially where celebration bar review lives down in this center point. And it's important to you because if you've had trouble on the bar exam previously, I would suggest it's because you've been in a paradigm, a model that doesn't reflect any of this, that still acts as though you're being tested on an exam that's long since gone away and completely neglect what you really already know.

[00:10:09] So we talked about that, previously. And then, we created, my very, again, poor drawing of Paul Scheele's model, and I'll show you what his model actually looks like. It's much more, professional, but the basics of it were that we have the present in the future, and then I called it lack and abundance.

[00:10:26] But you could also call this negative. Down here and positive up here. That's what Paul calls those two things. I called them lack and abundance because I think it's easier to think of what I'm lacking and what I have an abundance of, but essentially it's a negative deposit of scale that runs this way.

[00:10:43] And then we go in the present to the future. And our goal is that when we're learning something new, typically we tend to think of, I'm down here, I have a lack of material in this lower. Left hand quadrant and I want to move to the upper right hand quadrant where I've achieved in the future an abundance or a positive.

[00:11:02] And while that would be very nice to be able to move in a nice, clean, straight line, that really isn't the way the human brain is wired to work. And the reason for that is that we have in this upper left hand quadrant of positives and present. We have some things that we want to hold on to. There are some good things in our lives when it comes to studying for the bar, and we're going to talk about those specifically today.

[00:11:22] And those are what we call the keepers. So in this section up here, what we really want to do is to describe what it is that we need to keep. Now in the lower right hand quadrant in the future, there are some things that we want to avoid. the things that might be bad, and if we make a change, we're always evaluating, would that change help me?

[00:11:45] Would it allow me to achieve something? Which is what the upper. right hand corner is, and in doing that, that is an important part of what we, we want to do. So in the lower left hand quadrant, we would call that the release. This is what we want to let go of and we're moving to what we want to achieve.

[00:12:05] But at the same time, there are things we want to keep. And then there are things we want to avoid. And the whole process of doing that is not a straight line from one quadrant to the other, but in fact it's a circular or actually a figure eight to be more precise. That helps us keep some things and release some things, achieve some things, and avoid some things.

[00:12:24] So we're going to talk about today is what those items specifically are. Now you recall if you watch the, the last discussion we talked about some of the features of traditional test prep versus modern test prep and some of the underlying assumptions of between those two, and I'm not going to go over that in any detail.

[00:12:42] I simply want to point out that the goal of modern test prep is to bring us back to this natural brilliance model is to keep some things. And then avoid some things, and at the same time, release and achieve. And so in doing that, that's what we're looking at and where we want to go today. So now with that very brief background and review in mind, let's talk about the specific things that you as a bar taker have to do, the choices you have to make.

[00:13:11] And I want to start by talking about the things that you need to keep. And the things that you need to release, and you may have some things to add to this list on your own, but I think it's worthwhile as a starting point and these are all choices that you get to make. So on the keep side, I think that the first thing you want to keep is your legal knowledge.

[00:13:29] I think it's really critical here that you keep and hold on to what you already know. Many people come to the bar exam and they say, well, I don't know anything. That's not true. You knew enough to get into law school and you knew enough to graduate from law school regardless of what it was. You also knew enough, to go through and for many of you to enter into practice, and you may not be an active practice now, or maybe you're an active practice somewhere else in changing jurisdictions, it doesn't really matter.

[00:13:57] The point is that you have legal knowledge and whether or not that knowledge was a few months ago or a few years ago, it still resides. Remember that are. Our goal and our thought process in the human potential movement is to look at all that you do possess, not what you don't possess. And we know that in the non-conscious brain you have everything that you've learned, so you have legal knowledge.

[00:14:21] It's all there. You obviously want to keep that and you don't want to destroy that or shredded or get rid of it. And I think that part is obvious. Let's stay on the keep side for just a minute and look at a couple of other things that I think you want to keep. The second thing I would say that you want to keep, use your common sense and really, you know, this is such an obvious point, but, so often what happens is that when we get to a, something like a bar exam, we lose our common sense.

[00:14:48] We start acting like we're zombies. Instead of thinking about problems as being real problems that exist in a real world. Your common sense as part of the skillset that a good lawyer has to have. And I think it's something that the bar examiners reward in the way that you answer essay questions. And definitely the way you handle performance tests, if that's on your exam.

[00:15:10] So to me, common sense is one of the things you absolutely want to keep and you don't want to get rid of it as you're moving forward. So you want to hold onto that skill set you've got that tells you what makes sense and what does it. Another skill I think that you need to keep, as you go forward is your analytical skill.

[00:15:27] And this is important, I think because what often happens is that when we are in the world of law, we tend to be analytical. Now maybe you've drifted away and you don't practice law, or maybe you never practice law and you've kind of lost touch with some of that analytical side. Well, I think you want to hold onto whatever you've got there.

[00:15:45] Whatever helps you analyze a problem to look at it objectively and just passionately. That analytical piece, that analytical skillset is something that you want to keep as you study and take the bar exam, not something that you want to shred and destroy. And I think, again, so often what happens particularly if you look at something like a, a pre-prepared template to write an essay, is that it completely removes all analytical sense.

[00:16:11] It's just, here's a series of issues. I'm going to write about those issues even when we know that analytically they're not really in dispute. And so I think you want to hold and keep that analytical point of view, as you study and as you take the exam. And the final thing that I would say, although I'm sure we could add many more to this list, but the fourth thing that seems to me that's important to keep is the desire to learn and to grow.

[00:16:37] You know, one of the great things about being a grandparent is you get to be around your little grandkids sometimes. And I am always amazed when I'm around little kids and we've got, an eight year old, a six year old, and a one and a half year old. And all three of those kids really want to learn.

[00:16:53] They love learning. They love learning about everything. Whether it's how a frog eats another frog. That's what my granddaughter told me about the other day. Or if it's about just the colors, that's what our one and a half year old is learning about. Or if it's how to build something that's a Harry Potter Lego toy.

[00:17:10] That's what our eight year old is learning. Children love to learn, but somehow in our, educational environment, we have sucked the joy out of learning, haven't we? I mean, think about it. There was a point where you just love to learn. And then somewhere along the way, you had a teacher that just, destroyed that in you.

[00:17:26] Or maybe it was a family member friend. And slowly, piece by piece in our legal system and our legal education system, we made learning just a horrible, awful experience. You know, I had the opportunity the other day to talk to a a one L who's just finishing up their first semester of school and like many one else, she was so excited and so enthusiastic and had so much to talk about that she had learned.

[00:17:51] And you know, I thought to myself, the real tragedy here is that if I come back and talk to her in another year or two, she's going to be jaded and cynical. She's going to be burned out. She's going to say, this is stupid and crazy. What am I doing? Why am I spending all this money? You know, somehow we manage in three years of law school or four years of law school to literally suck the joy out of learning.

[00:18:12] Learning the law is exciting. I say that as a law professor and somebody who obviously likes to learn the law and to teach the law, but you know, there's no reason. There's nothing inherent about it that should make it so awful that we say, Oh, this is the

worst thing you could ever do. So one of the things I think you have to keep when you're studying for the bar is this desire to learn and grow.

[00:18:32] I talked to students who come to me after being out of law school 30 years or more, and it's really interesting. Some of them approach the process with real apprehension and dread. But a fair number of them come back and say, you know, this is exciting. I'm getting to stretch my brain. I'm getting to learn things that I'd forgotten, or things that maybe I never discovered and they love to learn.

[00:18:52] Again, learning is a privilege. Learning is a, I think it's an absolute luxury in this day and age, but it's also a necessity. And so you want to keep that desire to learn. Don't let anyone burn that out of you. And if the way you're studying for the bar has been literally drill and kill. Really what it's killing is your desire to learn.

[00:19:12] And there's something wrong with that and you don't need to accept that. Nor should you accept that in my view. But instead, you should fight to continue to learn and to grow. So those are four things that, in my view, you want to keep your legal knowledge, your common sense, your analytical skills, and your desire to learn.

[00:19:30] Now when we talk about what you keep in the present, we also have to talk about what you're willing to release. In other words, what is in the present negative, that you want to get rid of. We're moving again from the Lac, up to the, the, the abundance. So there are some things that I think we have to be willing to release.

[00:19:50] And this list could be very, very long as well. But I want to give you just a few ideas here. The first thing I think you want to release or your law school habits. You know, most of us created these habits in law school regardless of when we went to school. It could have been recently or many, many years ago, but we created habits around how to study, how to take notes, how to process information.

[00:20:13] Now. I think that depending on when you were in law school, that technology has changed a whole lot of things. I took notes on using a very, primitive method. It was called pencil or a pen and a piece of paper. I know that today there are many other ways to do that. No matter what methodology you're using or technology you're using, however, there are some habits that you've grown into or that you have from law school.

[00:20:36] One of them might've been to take copious notes, and then make extensive outlines and then, work through those outlines in detail. Maybe you learn to study in a study group. Maybe you learn to study by looking at old exams that the professors gave. Maybe you learn to study by just record.

[00:20:54] Recognizing that for some classes and some professors, all you had to do was show up in the class and participate. There were a whole series of things that were habits that you created and you might say, well, what's the big deal? I mean, why wouldn't I want to hold onto those? Well, the reality is that none of those habits applied to the practice of and taking of the bar exam.

[00:21:14] Law school and the bar exam are two very different things, and one of the mistakes that people often make is they think of the bar exam as the ultimate law school test. It is nothing like that. The bar exam is actually the entry level practice test, and that's a very different thing. You could be brilliant at law school and totally ineffective when it comes to the bar exam.

[00:21:35] In fact, I remember one of my most brilliant professors at Georgetown was a man who by the time he had reached his late twenties had a MD and a JD both from Yale. He was brilliant. And he talked to the board. I mean, remember this was the time of, this was the years when you didn't actually have technology, but he just simply turned his back on the class and he just wrote and muttered to himself on the board.

[00:21:56] He was brilliant, but he was totally unaware of what was going on. And I remember at one point someone asked him, how do you file a motion, in an evidence problem, that we were looking at? And he said, I have no idea. I've never seen a courtroom. I have doesn't connect with me at all. Well, he'd never taken the bar exam.

[00:22:14] He wasn't interested in the practice of law. He was only interested in the intellectual aspects of it. And there's nothing wrong with that. We need intellectual people, but we also have to recognize that the bar exam doesn't reward that as much as it rewards all those things I talked about on the keep side, legal knowledge, common sense, analytical skills and so on.

[00:22:32] So some of the law school habits that you designed and created for yourself, maybe things you literally need to release. I also know that there are some, emotional, baggage that gets connected to law school. Maybe you had a particular instructor or professor that was really wonderful and you love that course, and that would be great, but you probably had some that were horrible and caused you to hate that particular subject.

[00:22:54] And I hear this all the time from students who say, I'm no good at, and they fill in the blank. And when I probe that just a little bit. They say, well, you know, I didn't do well on that in law school. And then I say, how long ago was law school? Oh, it was 15 years ago. 15 years ago. Maybe you ought to let go of that by now and, and move on.

[00:23:12] And so there are some law school habits that I think you have to get rid of. I certainly think your approach to study needs to be different simply because if you're in a course like ours, we're not using those methodologies. To help you get prepared. And so trying to combine that old methodology of memorize and recite with the new, application of the test.

[00:23:34] Simply doesn't work. So I think law school happens. It's something you have to be willing to release, and I want to be even more specific about that when we talk about law school habits, probably the most pernicious, and I think the most dangerous, is the writing style for essays, and it's called Iraq issue rule application.

[00:23:49] Conclusion. You've heard me talk about IRAC in many other places, if you're a follower of our videos and podcasts, and essentially the Iraq style of writing was something



that was developed at Harvard law school in the late 18 hundreds, early 19 hundreds. It was a, particular, approach of, a couple of professors at Harvard law school.

[00:24:10] And it became something that as they taught more people who then became instructors and professors and they taught more people and more people. We had the Amway version of essay writing and everyone was an Iraq writer. Well, Iraq riding has its value for law school, but it is not a writing style. In the practice of law.

[00:24:29] And I would challenge those of you that believe differently to look at the, legal work that you see, the memos that are written, the briefs that are written for the court, look at any kind of legal writing letters to clients, letters to opposing counsel. Virtually none of that is done in Iraq style.

[00:24:49] It's simply not what occurs. And it hasn't for many, many years. Iraq writing is peculiar to the law school environment. Now. Interestingly enough, most of the big box bar reviews, in fact, I would say, well over 95% of the bar reviews in America still teach IROC writing for the bar. Why? What's actually very simple?

[00:25:08] It's easier to let people do what they've already been doing than to change what they're doing. It takes more time, more effort, more energy to turn and change that tide. And so it's frankly a business decision, not an educational decision. Go ahead and do Iraq writing. A certain number of you will pass the exam.

[00:25:26] This is the thinking of a, a big box bar review, and we have to do less work because you already learned how to do Iraq style writing. But I would contend that if you release that yourself from the Iraq structure, which is literally issue spotting and then rule memorization, and then trying to apply some rule to some, a memorized, a piece of problem, and then Regina conclusion.

[00:25:50] All the while, totally ignoring the facts of the problem. You're really putting yourself as a disadvantage. And if you're a repeat bar taker and you used Iraq previously, I think this was one of the most dangerous mistakes you can make. If you don't release your writing style and change to something different, you're going to have continuing problems on the exam.

[00:26:08] So Iraq writing to me is one of the absolute key things you have to be willing to release. And if you're not willing to release that, if you're determined to use Iraq writing that, I would tell you that I will eventually see you. There will come a point in time when you've hit your head against the wall.

[00:26:22] So often without success that you say, you know what, maybe I should go check this out and then we can have a conversation. But right now, if you want to avoid that pain, stop using Iraq on the bar exam. There is nothing in the literature of the bar examiners in any jurisdiction that says this is what they are looking for at as a complete myth, and it's untrue and you just don't want to do that.

[00:26:44] So I don't know that I can say it any more plainly than that. A third thing that I think you have to release, is your insecurities. You know, we are insecure, aren't we? about

so many things. I'm insecure about my writing and my spelling apparently, because I can't get the letter u in there.

[00:27:00] But our insecurities about studying, about taking the exam are big deal. You know, the bar exam is one of those places where you are evaluated. You are good enough. Or you're not good enough. It's a binary switch. And so all of the messages that we hear throughout our life about being good enough or not being good enough really come out when we take a test that measures our worth and it opens the door to a career or it closes the door to a career path.

[00:27:26] And so all of the insecurities that you have suddenly become on much brighter display. Oh, I'm not good at Multiple choice test taking. I'm not good at essay writing. I'm not good at memorizing the law, right? I'm not good at all of those things, and they're suddenly in a white hot light, and you are very much aware of what you're not good at, but you know, the truth is if you don't let go of those insecurities, you'll never going to grow a from that lower left quadrant to the upper right quadrant.

[00:27:55] It just won't happen. You have to be willing to let go of some of that and be willing to fail as you study and as you practice. I consistently remind students that it's okay to fail in practice. That's how we learn. It's failing on the exam. That would be unacceptable. And even their failures can be helpful.

[00:28:13] They can be instructive, but if we are so insecure that we're unwilling to take a risk, then we have a real problem. And a great deal has been written about this. It's sort of the, a mindset that a lot of people come to life with, which is, I can't afford to fail. And because they can't afford to fail, they never take.

[00:28:32] The small risks that they have to, to grow. And so the mindset becomes very passive and ultimately very self-defeating. So I think you have to be willing to put your insecurities out, outside, release them and be prepared to be a little bit bad when you right away. That's different than Iraq. It's not going to be good the first couple of times.

[00:28:52] That's all right. It's part of the learning process. Remember, you want to keep that desire to learn well. That means you have to be willing to grow and to occasionally not do as well as you'd hope. I think something else that you have to release is the feeling of failure. You know, if you've taken the bar exam and you have not passed, it is easy to start thinking that it's not a question of whether you passed.

[00:29:16] It's whether you are personally a failure or not. And very often I talk to people who have, I think, conflated those ideas. You failed an exam. That does not mean that you're a failure. And I often say to people in that situation. If you go back and consider the people that we are friends in kindergarten and first grade and second grade, how many of them are practicing members of the bar?

[00:29:38] And the answer almost inevitably is no one. and I say, well, how many of those people would be very jealous or envious of you that you went all the way through law school and you're now in a position to take the bar exam? And the answer is almost always, well, I think they all would. so how is it that you're a failure?

[00:29:55] Well, we're a failure because we get into the imposter syndrome. We start comparing ourselves to other people and we say, well, that person took the bar and passed on their first try, but we have no idea what happened. We have no idea what they did or how they did it. We just hear about that. Or we hear about someone who's passed the bar after a number of, of failures, and we say, Oh, if I were just lucky, like they were, you know, something good happens to me like that and we continue to beat ourselves up over our own failures.

[00:30:22] But the reality is that we said that this was all about the choices you make and one of the choices you have to make is that you have to be willing to release feeling like a failure. If you go to the bar exam feeling like you are already defeated, like you are a failure, I can assure you you will get a failing result.

[00:30:38] It happens consistently and it's happens over time. And it always happens. On the other hand, if you go to the exam feeling like you're a winner, feeling like you're successful, well, it doesn't always mean you're going to succeed, but the odds are much, much greater. And I see far more people who are successful with that feeling than I ever see anyone.

[00:30:56] In fact, I can't remember a single person in 30 plus years of teaching who told me that they were going to fail the exam. They felt like a failure and then went in and passed. It just doesn't happen. And so I think that you have to be willing to release that feeling of failure that you've got. Now, there are some great tools to help you with that.

[00:31:13] Things like meditation or the Paraliminal recordings that we've got with learning strategies, and I really encourage you to check those out because there are great ways to get past that blockage or that internal dialogue that you might be having about being a failure. The thing that I want to add to this list of items that you need to release, and as I said, I think the list could be much longer, but this final item is the need to know at all.

[00:31:37] Oh, that is such a big thing. You know, I think that a lot of people feel like in order to pass the bar exam, they need to know everything. They need to know all of the law. They need to know all of the rules. They need to know all of the elements. They need to know all of everything. But you know, the truth is it just isn't.

[00:31:53] So you don't need to know it all. The exam doesn't require perfection. It requires that you get about 65 or 70 questions correct out of a hundred on the multiple choice exam. It requires that you get. Better than the mean, on an essay or a performance test, you can have imperfections. You can make mistakes.

[00:32:10] You can be in a situation where you don't know it all. I've been doing this a long time. I've been making this my life's work. I wouldn't even begin to claim that I know most of it or enough of it in some cases sometimes, certainly would never say that. I know it all. And it's just not necessary to know it all.

[00:32:29] When you set a standard that's that high, what you're doing is giving yourself an out, an escape hatch for failure. When you say, well, I have to know it all, or it really isn't, going to be successful, what you're doing is telling your non-conscious, we're not going to

pass. I know I'm not going to pass and the way that I'm going to fail and be able to live with myself as I'm going to say, well, I just didn't know enough.

[00:32:53] I didn't know at all. And therefore I fail because that's easier, truthfully to discuss than to say, I gave it everything I had and I fell short. And so what happens is we create this false, the standard or benchmark, and then we know we can't meet that benchmark. And so when we fail. Well that was expected, but it was because we didn't know at all.

[00:33:15] So I need more time to study, or I need better materials, or I need to a better tutor, or I need to write more essays or do more practice questions. Well, maybe you need some of those things, but you certainly don't need it all. You don't need to know it all and no one expects you to know it all. You do not have to be perfect.

[00:33:33] So you have to release that, idea that you have to know at all if you're going to be successful. All right, well, let's put these back into context again. When we talk about what you have to keep and release, we're really talking about what happens in the present and it's the choices that you make. The present positive is what you keep.

[00:33:54] It's the good that you now have. These are good things. We want to keep those. When we think about what we want to release that is the present negative. It's the things that we have to let go of. Now. It's the unwanted things to let go of, but that's only half of the story. So what I want to do next is talk to you about the future and what we want to achieve and what we want to avoid.

[00:34:18] All right, so now we've talked about what we wanted to keep and release, but now it's time to talk about the future. And when we think about the choices in the future, there are really two ways that we want to consider this. In the upper right hand quadrant, we want to talk about desired outcomes, what it is that we want to achieve when we're studying and taking the bar exam.

[00:34:40] And we also want to discuss. The potential unwanted futures, the things that we want to avoid. So I want to go through those again with the idea of the bar exam specifically and give you some ideas. And certainly you may have some things to add for yourself. Let's start on the positive side. Remember, when we talk about achievement, this is one of the areas that we would think of a future positive.

[00:35:03] And so the first thing that I think we want to achieve is a better expression of skills. We want better skills. We want to be able to express ourselves a better as a writer. As a multiple choice test taker as a better a developer of a performance test. So one of the goals, as we look at the future is to achieve better expression of the skills that we have.

[00:35:30] Now this means taking some of what we learned before, some of what we know, but now learning to do things in a new way, learning to write a better essay using application instead of Iraq, learning how to use photo reading to help us develop a better understanding of the material in a performance test or how to answer a multiple choice question more effectively.

[00:35:51] Those are all examples of skills that you develop. when you are getting ready for the bar exam and you want to achieve and improve, The expression of any of those skills. So one of the things, a good bar review should do obviously, is to help you achieve skills. And I want to go back to something that I said in the previous lecture on this.

[00:36:11] You remember, I use the analogy of a bucket that was empty versus let's say a waterfall. If the bucket that represents your mind is empty, a traditional bar review would say, we have to fill that up. And then eventually it'll tip over and it will all spill out. But remember that modern test prep says your brain is already abundantly full.

[00:36:30] It's like an overflowing waterfall and all we have to do is direct that a water flow into the right area, that mental flow to give you the results that you need. I think when we talk about skills, it's important to recognize that we're really doing. Two different things here. We are certainly giving you some new skills in many cases, but really what we're doing is redirecting the abilities that you already have.

[00:36:52] In other words, we assume that you're already capable of writing effectively. You just need a different way to formulate that writing. We also assume that you're already capable of identifying correct answers and multiple choice questions. You just don't know how to develop that skill and to, transfer it and actually focus it.

[00:37:11] So you're a little bit like someone who's got this amazing, well, let's say you've got a Ferrari, but you don't know how to drive it. What we've got to teach you how to put your foot on the accelerator and the brake and steer and do all those things. And then you can put. the amazing power of that vehicle behind you.

[00:37:26] And that's really what we're talking about here in achieving a better expression of skills. Something else that I think you want to achieve as you look towards the future is that you want more efficiency in your study. You know, you know, this might surprise some of you, but I think that one of the things that we see most often is the people really don't recognize what it takes to study efficiently for the exam.

[00:37:50] You're going back to this idea that you have to know it all. I think a lot of folks believe that they've got to spend massive numbers of hours memorizing, you know, drill and kill. They've got to learn everything. They've got to create, tons of outlines. It's not an efficient way to study in our courses we talked about last week.

[00:38:07] You need about 250 hours of study. That's about half of what a traditional bar review requires. And the reason is it's just more efficient. You can achieve efficiency in your study. How well one tool is to use photo reading. Something that we recommend that allows you to read an outline for a bar exam subject in 15 minutes instead of 10 hours, which means you can read it a whole lot of times and still have time leftover.

[00:38:31] Another form of efficiency is creating mind maps rather than trying to take traditional notes. The reason is that mind maps grow. They're dynamic and they allow you to build as you're learning, they are a more efficient style of learning, and there are a lot of other efficiencies that are built into a course like ours.

[00:38:46] They're all predicated on the idea, however, that you already have, all the information that you need, and we're just focusing it. We're helping you pick out what you need. If you really think about something like amazon.com it's not only that they have everything where at least it seems that way. It's that it's so easy and efficient.

[00:39:03] It's frictionless. I just go to the Amazon website. I type in what I'm looking for and Presto, there it is. It's a very efficient model. Well, your non-conscious brain is every bit. In fact, I would claim it's far more efficient than the Amazon website and all you have to do is ask the right questions and you can get the information that you need.

[00:39:21] The problem is that some of us behave as though we don't have a search bar and we don't ask the question and therefore we stumble around in the dark metaphorically trying to figure out what to do or how to study. And so our, our study efficiency becomes. Really poor. So one of the things I think a good bar review needs to do is to help you study efficiently.

[00:39:41] And sometimes that's a time efficiency. Sometimes it's an effectiveness, efficiency, right? I don't need to go over the same material over and over and over and over again. I learn it once and then I build on what I've learned. That's a very different approach. And as we've talked about elsewhere, we use a model called space or step repetition that is designed with efficiency in mind.

[00:40:00] It builds on the work again of Howard Gardner and others in the, essential schools movement and the, modern, authentic assessment movement to say the learning takes place most efficiently when it is built on steps and methods rather than in memorization or cramming. So that's what we mean here.

[00:40:21] Another thing obviously that you want to achieve. Probably the thing that you want to achieve as a higher score. You want to pass the exam. This is our goal. Obviously we want to improve your score if you're a repeat bar taker and we certainly want a passing score for everyone who's on the exam. But how do you get those two things?

[00:40:39] Well, you achieve them through everything else that we've been discussing. By improving your skills and making better use of them by being more efficient in your studying, by using the techniques that you need to be effective on the exam. And certainly our goal here is to achieve a desired outcome of passing the exam, or at least getting a higher score and moving your way closer to that passing level.

[00:41:00] And I think it's important to recognize that this is what a bar review should do. Now, a lot of our reviews somehow miss that point. They think that their, their goal should be to help you achieve. I don't know, you know, signing up more people for their course, you know, spending more hours in their class, filling in more, fill in the blank outlines.

[00:41:19] I, I don't know. It's hard for me to figure out sometimes what it is they want you to do. And the reality of that is that a lot of people take those courses, realize that they're not successful and go back and take them again, and they're still not successful and they keep doing it and they really not achieving anything here.

[00:41:34] There's no desired outcome that they're reaching. They haven't really moved from the release of the unwanted things up to the desired outcomes. There's no achievement that occurs. And so this has to be the thing that you're really trying to do. But doing it without, going through the process of keeping the good that you have and then avoiding what you don't want is simply not going to work.

[00:41:56] And it's not just on the bar exam. You could apply this to many other settings and situations, but ultimately, if the thing that you're trying to achieve requires that you hold on to some things and let go of some things, you got to do both. You can't do one or the other. And so if you're using the empty bucket approach, then it's hard to get a higher score because the bucket's got a big hole in it.

[00:42:17] It's going to keep leaking, and the more you put in while something else is going to leak out, and you're never going to get that result that you want instead of the empty bucket or the leaky bucket. If we assume that there's a waterfall and there's an unlimited amount of, resources there and all we really have to do is figure out how to focus those resources where they pay the biggest dividends.

[00:42:38] Well, suddenly you take that water and you turn it into a hydroelectric dam, and you create enormous energy and enormous power, and you can accomplish anything. And that's why we see people who pass the bar exam after years or decades of failure. We see people who increase their scores by remarkable numbers.

[00:42:55] It's not magic. It's not hype. It's not voodoo. It's simply working through this idea that you already have the capacity and we're up. We're releasing that capacity instead of assuming you have no capacity and we've got to keep filling you up, even though we're leaking out more than we can put it.

[00:43:12] Alright. So those are some of the things that you have to achieve. Maybe you've got some specific things in your own world and in your own life that you'd like to achieve as you study for the bar. And by all means, add to that list. But then the last thing we've also got to consider is that in the future, there are some potential unwanted outcomes.

[00:43:29] There are some things that we want to avoid, and I want to be explicit about some of those for bar takers, because I think it's important to keep them in mind. The first and the most important to me is to avoid repeating. Past mistakes. Yeah. You know, it's just, it's just horrible to watch people make the same mistakes over and over and over again.

[00:43:54] Perhaps you've had a friend or a family member or a loved one who you just watch them. walking into one bad relationship after another, or making one bad financial decision after another, or making one bad a job decision after another, and they just keep doing the same thing over and over again. And you think to yourself, why don't they wake up and see the mistakes that they're making.

[00:44:15] Problem is it's really hard when you're in the middle of all of that, isn't it? To know if you're making a mistake. But here on the bar exam, we have something that we don't get in life so often, and that is an objective measure. If I keep taking the exam and I keep failing the exam, and I've been preparing to take the exam the same way every time.

[00:44:33] Well, what's wrong with that picture? Clearly, it's the way I'm preparing. It's not that I'm stupid or that I'm incapable. Remember, the human potential movement says, you're a genius. You can do anything, and those aren't just words. That's real. That's absolutely, the reality of our universe. But if I keep making the same mistakes and keeping myself from being successful, then really it is on me at that point.

[00:44:56] And so if you're repeating the same mistakes and expecting a different outcome, you know, that's not going to happen. You've heard that over and over again. But there is a point at which you have to decide that you're willing to risk, letting go and, and certainly moving on to get the desired outcome you want.

[00:45:12] And so you have to release those unwanted things like. Doing Iraq and memorizing, reciting, and cramming and so on. Because those past mistakes have not worked for you. And I know you can rationalize it and say, but there are people who use Iraq and they memorize them. They cram and they pass. Yes. A very small majority.

[00:45:30] Very small. Most people that take the bar exam have to take it multiple times to pass. Why? Because that traditional model isn't very good, and that's why people fail. And so if you hang onto that, even when your own experiences that you keep failing, well, I think that's on you. I think that's your fear of moving into the future and that unwillingness to, avoid a, a future mistake is causing you to repeat the mistake over and over again.

[00:46:01] I think something else you've got to avoid is wasting time. Now, there's a lot of different ways to waste time. You can waste time by procrastinating and not getting on started with your study or picking a course or moving forward. You can waste time once you're into a course, by, being compulsively obsessive about a trivia, things that don't really matter.

[00:46:20] You can waste time by over studying, doing things that you know, aren't very effective and are certainly inefficient. You can waste time by bemoaning your circumstances and complaining, and being on social media, you can waste time and hundreds of different ways. But ultimately if you're going to be successful, you have to avoid wasting time because then you have a limited amount of time to study and you certainly have a limited amount of time in the actual taking of the test.

[00:46:47] And so wasting time is one of the things. Then I think as we look to the future, you have to be willing to avoid. You have to give up that notion. and you certainly don't want to waste your time as you study, as you prepare and as you take the exam. I think that's a pretty obvious item. And then the last thing I want to talk about avoiding, is I think, you need to avoid this idea of being unable to move on.

[00:47:14] You know, I, I hate to see when people are stuck in the past. they, they get to that. A stage move. There we go. There's the word. they get to that stage where they just aren't willing to let go of the past. It's, it becomes a constant problem for them and they relive it over and over and over again.

[00:47:37] You know, I know that it is crushing when you, you don't pass the bar exam. I've worked with so many people who've come to me after that moment, and it is heartbreaking.



But the truth is, the ones that continue to live in the past are the ones that continue to fail. It's only those that are able to move forward who say, okay, what do I have to do differently?

[00:47:58] What does it going to take? Do I need to add new skills? Do I need to create more efficiency? do I need to, learn new analytical skills or build on the ones that I've got. Those people do the best. The people that stay stuck, that keeps saying the same things and keep repeating the same things. They repeat the past mistakes and they live in the past.

[00:48:19] Those are the people that typically don't pass the exam. And, you know, sometimes being unable to move on means being a victim. the bar exam is unfair. The examiners are unfair. The bar review companies don't treat me well. My law school didn't prepare me properly. The list goes on and on and on.

[00:48:36] There's always someone that's victimizing me and therefore I can't pass. My family wasn't kind to me. They didn't help me out. I didn't have enough money. I didn't have help with childcare. I didn't have support at home. The list is really endless. But the truth is, at some point you have to just move on.

[00:48:53] You've got to give that up and move to the next level and again, it is a choice that you make to do that. I think when people tell me that they don't have a choice is when I feel most disappointed because when they wreck, when they give up the idea that they have agency that they have a choice, then they're really.

[00:49:12] Giving up to the exam. They're saying, I'm just a victim. I just get blown around by the wind. And the result is what it is. That's a terrible way to approach the exam. You always have a choice. And I think this is one of the things about the human potential movement that's always been so exciting to me, is that it recognizes, and it, embraces and it affirms that we have choices in life and we can choose the outcomes that we want.

[00:49:36] You are not a victim of anything. you may have had bad things happen to you for sure, but you're not a victim of those things. And history is full of people who have bad things happen to them, but overcame them. Why? Because they refuse to assume and to, act as though they were stuck in that moment.

[00:49:53] So if your results have been unsuccessful on the bar exam, yes, it hurts. Yes, it's awful. And I have great empathy for you, but I also know that you will never be able to be successful until you're able to move on. And so you have to be willing to release that unwanted, circumstance and that sense of, being stuck in the past.

[00:50:15] So you have to avoid, the cycle that goes on. All right. Well, as you can see, when we talk about the future, we've got some desired outcomes, things that we want to achieve, and we've got some potential unwanted futures, things that we want to avoid. The negatives. Now, when we put. All four of those items together, we're going to see a very different pattern and let's take a look at that now, right?

[00:50:40] So now I want to give you the entire model that Paul has created, and I want to thank him for creating this model and give him credit for this. You see that what we've got

now are all the pieces that we just looked at. We have our present positive and present negative. We have our future. Positive and our future negative. And you see that there is a circle eight that goes in the middle around the word choices. So what we've done within that circle is to talk about the concept of what you keep and release what you achieve and avoid. And you notice that there are arrows that move around it.

[00:51:14] So when we talked about the items that we wanted to keep, our legal knowledge or common sense, our analytical skill. Our desire to learn and grow. That's where we start. Let's start with that basis of things that you already know and can do around the bar exam, and then you also have to decide to release some things as you begin your studies, releasing things like your law school study habits or Iraq writing, releasing your insecurities or your feeling of failures, releasing the need to know at all.

[00:51:43] As we take what we keep and we make choices about what to release, you'll see that the arrows lead us up into the future towards our desired outcome. What is it we want to achieve? Well, we want to achieve better expression of our skills on the exam. We want more efficient study. We want higher scores.

[00:52:01] Ultimately, we want to pass the exam. So there are all of these desired outcomes that we're looking for and we start to move through those. But as we move towards those, we also want to avoid some unwanted things in the future. We want to avoid repeating past mistakes or wasting time or being unable to move on, and so the cycle repeats itself in order to do that.

[00:52:23] There's some things we keep, some things we release and so on. What'd you notice in the middle of that is the word choices. And I want to keep emphasizing that all of these are choices that you get to make about your studies. And as you're preparing for your bar exam, remember that they are always your choices.

[00:52:40] Nothing is forced on you. Nothing is required of you. There is no circumstance in which you have to meekly accept, these areas. What you do from here, the choices that you make, what you choose to keep and release. What you choose to achieve and avoid is ultimately up to you. And I think that when you find a partner as a bar review study provider that helps you make good choices, you see the results become much more satisfactory.

[00:53:10] When your bar review doesn't help you make those choices or in fact, tells you you have no choices, I think it's pretty easy to see how you end up, in a negative cycle of unsafe, unfulfilling, and unsuccessful results. So that's really what we're talking about here. It's the natural brilliance model.

[00:53:26] It's the way that the human potential movement intersects with this idea of what testing is like on the bar exam these days in order to help you recognize that there are choices available to you and one of those choices. That we think is important is what bar review course you select. And so we invite you to contact us.

[00:53:43] There's a link here for an opportunity for a free consultation with me about your bar studies, and I'd be glad to talk with you and help you explain or help you see how these

choices might fit into your particular circumstance and a situation. And I invite you to consider that as you prepare to take your upcoming bar exam.

[00:54:02] Ultimately, I think when you make the right choices, what happens is the desired outcome, passing the bar exam becomes much more likely than when you ignore those opportunities and you get stuck in a cycle of failure. And that's obviously what we want to avoid. So I wish all of you great success in the future.

[00:54:20] I hope that you allow your natural brilliance to come out. That you allow the potential that resides within you to really express itself to its fullest. And in doing that, I know that the result for you is going to be successful. Well, that's it for today. I hope that you now see that you have some choices available to you, choices about the positive and choices about the future, and things that you can do.

[00:54:42] And you can draw from both the positive and the negative in the present and the future in order to decide what to keep and what to release. We'll be back to you again next week as we get even closer to the February, 2020 bar exams. I hope everybody has a good study week. Want to just remind you that if you're taking the exam in July, 2020 or anytime in 2021 our free training webinar, Do Something Different:

[00:55:06] Make the NEXT Bar exam Your LAST Bar Exam<sup>®</sup> is for you and it's completely free and available on demand. You can watch it the day and time that meets your schedule and all you have to do is register right here on the show notes or by going to [celebrationbarreview.com/webinar](http://celebrationbarreview.com/webinar). Okay, everybody have a great week.

[00:55:24] We'll see you again next week and keep studying and keep making progress along the extra mile. Thanks for listening to the extra mile podcast for bar exam takers at [www.celebrationbarreview.com](http://www.celebrationbarreview.com).