

Episode 292: The 3 Burdens For Repeat Bar Takers

Well. Hey everybody. Welcome to the extra mile podcast for bar exam takers. This is your host Jackson Mumey, and this is episode 292 now, normally we release our episodes on Wednesday mornings, but this week, Wednesday morning will be the start of the multistate bar exam for many of you. And so we thought we would release a special episode.

[00:00:34] on the weekend before, in order to give you the opportunity to, check it out before you go into the test. So we're going to do things a little differently today and I wanted to just jump in and get right to the good stuff. we're glad to have all of you with us. If you've been traveling or traveling right now to your bar exam site, we hope that, your travel is safe and uneventful and that you are ready for a great exam.

[00:00:57] In today's episode, I'm going to talk about three burdens that repeat bar takers carry into the test with them and how to get rid of those, how to make sure that they don't follow you into the exam room, and I hope you'll stick around and listen or watch that. If you'd like to watch today's episode, you can do that@celebrationbarreview.com/292 or you can listen through Apple podcasts.

[00:01:19] IHeartRadio, radio.com. Any place where, podcasts are syndicated. So we'll hope you will, check all of that up. Before we get to today's message, I want to share with you a note that we got a few years ago from a successful, a Florida bar taker, and I thought it was a good one to use for this weekend before the bar exam.

[00:01:39] So let me just share with you what Jim told me in his email. You said, I want to thank you for providing me with the tools, the skill, and the confidence to pass the Florida bar exam. When I came to Florida with over 30 years of experience successfully practicing law and running a midsize law firm in Pennsylvania, the prospect of studying and taking the Florida bar was intimidating.

[00:02:01] That was especially true for me as I only have vision in one eye. The first dose of reality is when you explain to me the practicing law is not the same as preparing for and passing the bar exam. You're teaching on how to write an acceptable bar exam essay was invaluable. I found your materials were thorough and the accompanying lectures with your personal insights were spot on.

[00:02:21] Finally, while I was initially skeptical of your recommendation to learn photo reading, particularly because of my visual impairment, in order to assimilate the high volume of materials required to be mastered for success on the exam, your suggestion to utilize the photo reading process to study and pass the multiple choice questions on the MBE, the Florida multiple choice, the MPRE and the essays proved correct.

[00:02:45] I can't express how thrilled I am to be able to join my son and his law firm and assist him with his busy trial schedule. You made a proud father's dream, a reality. Jim came to us after having failed the bar exam doing traditional forms of study, and I thought it was instructive and useful to think about today because one of the things that Jim had to do as many repeat partakers have to do.

[00:03:09] Just to get rid of some of the burdens that they're carrying. he was able to do that, and on his first try studying with us, he was able to be successful on the exam. And that's what I want for all of you. And so without any further waiting, I want to go ahead and jump into the day's message. three burdens for Bard Sam repeaters.

[00:03:28] Well, as I'm recording today, it's the weekend before the bar exam. And truthfully, after doing this for 30 years, one bar exam starts to look pretty much like the next and the next and the next to me. But I thought it would be useful today to talk for just a few minutes about something that I see in here from particularly from repeat bar takers very frequently in this last weekend before their bar exam.

[00:03:52] And so I've titled this talk the three burdens for repeaters. You know, I think that bar repeaters carry a special burden when they go into the exam. Everyone is nervous. Everyone is concerned. Everyone is anxious. That comes with the territory. It's a high stakes test, but for people who've taken and failed the exam previously, there was an extra burden that comes along.

[00:04:16] With coming back to the test, coming back to take the exam. And today what I wanted to do was to focus on three of those burdens that I think repeaters carry special burdens and then suggest to you some of the ways that you can reduce that feeling of anxiety and apprehension or the burden that comes with these particular things.

[00:04:35] And so if you're a bar repeater, I hope you'll stick with me. If you're not a bar repeater, it may still be useful. You may find yourself having some of these same feelings as well.

[00:04:45] The three burdens of repeaters that I think come in to play here are **first a lack of confidence**. This is huge. When I talked to bar takers right before their exam, I find that even the ones that have worked hard, that have done all the things that they're supposed to do, that have really put themselves into the process, suddenly lack confidence and they lack confidence first of all in themselves.

[00:05:10] You know, it's easy to lose confidence in yourself when things have not gone well previously. Suddenly you start doubting and second guessing and trying to rethink everything that you've done. Everything that you've learned, every way that you prepared, and this lack of confidence in yourself becomes a real problem.

[00:05:27] It can grow, it can become exponentially more powerful, and it starts to take over. As you lose confidence in yourself. the parade of horrors, on the exam can be absolutely extraordinary. And I've watched people literally talk themselves out of success because they've lost confidence in themselves.

[00:05:48] Now, if you're there today, if you're starting to say, well, maybe I'm not good enough. Maybe I'm not strong enough or smart enough, or talented enough, or a good enough writer or a good enough test taker. I want to stop you from doing that. It's absolutely not true. Let's just take some empirical information for just a moment.

[00:06:07] Very few people ever get to the point where they can take the bar exam. To get there, you had to get out of high school and get into college from college. You had to get into law school. and from law school you had to get out of law school. Now, if you're someone that, went to, a state accredited or an unaccredited or a correspondence law school.

[00:06:25] You probably had to go through additional testing and additional work. I'm not even going to talk about Kim Kardashian here, but you get the idea. Most of you had to do enormous amounts of work to get here. And along the way, you had to take a lot of tests. You had to take multiple choice tests. You had to take essay tests, you had to take fill in the blank tests.

[00:06:44] You had to speak up in class, you had to do papers. You have ability. If you didn't have the ability, you would not have been in a position to take the bar exam. Sometimes I suggest to students when they're feeling this way, that they go back and think about their friends from kindergarten and first grade, if you can remember them.

[00:07:02] And then I ask, how many of those friends are currently members of the bar anywhere? And the answer is almost always none. You know, you've almost always come from. extraordinary position in which very few people would be taking the bar when you were children, up to the point where you're just one of a handful of people in a position to do that regardless of the outcome.

[00:07:23] And I also know that this is true for foreign trained attorneys. in many cases, you are very rare, among your peers to be someone who is now taking a bar exam in the United States. And the point that I'm trying to make here is that for you to lose confidence in yourself really flies in the face of everything you've done to get to this point.

[00:07:42] Something else that I suggest to people when they get to this lack of confidence in themselves is to think about something in their past experience outside of the bar exam in which they've been successful. Maybe it's in your family or raising your children, or maybe it was a moment in sports when you were in high school or college.

[00:07:59] Maybe it's some work that you did that was particularly notable and you received an accomplishment or an achievement or recognition for it. I want you to focus on that moment, in this final preparation leading up to the bar exam, because that's a good way to remind yourself that you are in fact, capable and competent.

[00:08:18] And having that, awareness of your own ability and your own, accomplishments, I think goes a very long way to helping remind you that you should be confident about yourself. Who you are is extraordinary. You are one of the smartest people on the planet. You have enormous capability, and you have in many cases, overcome extraordinary odds just to be sitting at the bar exam table. Don't forget about that and don't lose sight of it.

[00:08:45] The second thing that I think people lose confidence in or have a lack of confidence in is in the system itself. And I certainly understand this. There was a great deal about the bar exam system right now that would make me think it's not very good and we should not feel very competent about it.

[00:09:00] I know that with some of the actions, in the past few years, bar exam results being released incorrectly, bar topics being given out in California, inadvertently before the exam. The quality of the graders in many States where they're hired literally on a task basis and they're not professional graders or academics, all of those things can make us feel like, wow, the system just doesn't work and we shouldn't be very confident in it.

[00:09:26] And while I think there's a lot that we should be concerned about in the bar exam system overall, I think it's also important to take a deep breath and remember that the system generally works pretty well. What I mean by that is that while we still don't see a lot of, success, the kind of success for first time takers that we had 25 or 30 years ago.

[00:09:47] Most people do pass the bar. They don't pass it on their first try. And that's one of the big differences in the world today versus 30 years ago when I started today, it takes people four times on average to pass the bar. That's interesting because what that means is it's a two year cycle for an awful lot of people.

[00:10:05] And of course in jurisdictions like California and Florida and New York, Texas, we see a very low pass rates even for first time takers. And so we know that a lot of people don't pass the bar. But ultimately most people do. And I think it's important to remember that most people will get through the bar exam.

[00:10:22] In fact, our website is filled with testimonials and videos from people who've passed, in some cases, people that took as long as 30 years, but they got there. And my point is, you will get there too. Don't lose confidence in the system. Now you might be saying, well, I don't have a problem with confidence about the bar exam system, but I'm wondering about my bar review.

[00:10:43] And I understand that. I think that there are two very different approaches to bar review these days. There is the big box bar review, which still is teaching people, and preparing them as though they're taking a test from 30 years ago. And then there is a movement that I think we're at the forefront of its celebration, and that is the human potential movement and authentic assessment.

[00:11:03] And I think that when you compare the two, it's pretty clear that for repeat bar takers, the approach that we're taking works much better, dramatically better than what the traditional approach to memorize, recite and cram does. And we've talked about that in lots of different places. We'll continue to keep talking about it, but the point I want to make is that if you're using a system like ours, you should be very confident in as a repeat bar taker.

[00:11:25] You are far ahead of the odds in terms of your odds and chances of passing this upcoming bar exam. And even if you're taking a big box bar review, look, you still have a chance of passing the bar. Don't give up on the system. Don't give up on the preparation. Don't give up on yourself. Don't lose confidence in any of that, particularly at the last minute.

[00:11:46] If you selected a big box bar review, that was a choice that you made. Finish out this exam. Take it. Do the very best you can using that technique. If for some reason your

success or your results are not favorable, that sounds unfortunate, but at that point, then consider what your options are and think about doing something different.

[00:12:05] If you do that, then I think you can continue to regain confidence. Not only in yourself, but in the system. There are tools out there that will help repeat bar takers past. We've used them, and if you didn't have the opportunity to use them this time, okay, let's hope that you pass anyway. But if you don't recognize that there are tools out there and that the system can work for you.

[00:12:25] In the meantime, those of us who are in the bar review industry will continue to innovate. We'll continue to press for the changes that we think are needed, as our legal educators around the country trying to press for a better bar exam. And in many ways, the uniform bar exam is one manifestation of that.

[00:12:41] It's a much fairer test. It's a much better test that offers a lot more opportunity to people, and it didn't exist 15 years ago. So. Progress comes slowly, but progress does occur. So that first burden of lack of confidence, I think is something that you can deal with. It's real. It's there, but I don't think it has to overwhelm you.

[00:13:01] **The second burden that I think a repeat bar taker has is the burden of lost hope.** I understand this one. I understand how easy it is to lose hope when you've tried and failed, tried and failed, tried and failed maybe multiple times, and so. If you've lost hope, I know that one of the reasons for that is because of your past results.

[00:13:22] It's because you tried and it didn't work. And the problem I think that comes here and the burden that comes with this lost hope from past results is that we have a tendency to apply past results into future anticipation. That is if you failed a bunch of times, you expect to fail going again the next time.

[00:13:42] And that's true. Unless you're doing something different. And that's really the point I want to make. If you're doing something different than what you did before, no matter what that thing is, then I think you'll have a reason to be hopeful. I don't think you need to lose hope now. If you have prepared exactly the same way that you did before and that previous way did not work over and over and over again, while you're delusional to thank you, it will change.

[00:14:05] I doubt if you've lost hope, you're just not really paying much attention. But if you've been paying attention and trying to modify what you do in whatever way you've done it. Then you have reason to be hopeful. Your past results are not necessarily an indication of what will happen in the future, and yet we tend to have that fallacy, don't we?

[00:14:23] Whatever happened in the past, our brain takes it and says, well, that's what will happen in the future. I have this conversation with my students a lot. At the end, when they start to get frightened and nervous and they say, well, I'm not feeling as hopeful as I wanted to or as I thought I would, and I remind them of all the things that they're doing differently.

[00:14:40] They're photo reading. They're using selective intuition. They're using fact-based analysis or fact-driven analysis in their essays. They're approaching performance tests

differently. They've used mind maps to take their notes. All of those things are very different. Perhaps they use Paraliminals or meditation to improve their state of mind.

[00:15:00] All of these things combined to mean a different approach to study, and that should lead to a different result. It doesn't guarantee a different result. But here's what does guarantee the same result if you do exactly the same thing over and over and over again. So if your approach to studying for the bar has been to memorize and recite and cram, and this time you memorize, recited, and cram.

[00:15:22] Well, statistically, you're probably not going to be successful, but if you change some part of that, then you gave yourself a chance to be successful. And so I would not focus on the past. At this point. I would focus on what you've done to get ready for the future, and as you get ready to take the exam in a few days, if you're listening to this right now, as we're releasing, then.

[00:15:44] Remember all of the things that you've done differently, all the way that you've worked. Maybe you put in more hours to study this time. Maybe you, changed up, your, your jurisdiction. I mean, there's all sorts of things that can change the past results and turn them into something different. And that's the key.

[00:15:59] And if you are not successful on the exam, then think about doing something different. That's why we named our webinar do something different because that's the foundation of what causes people to go from failure to success. I also think people lose hope today because of the current climate. and there's no way of getting around this.

[00:16:19] These are hard times right now, if you are a believer in the rule of law, and I'm not talking the politics of this, I, I honestly don't care what your politics are one way or the other. But I think the point is that in the current climate, in the current, culture in which we live, it is easy to lose hope.

[00:16:37] You may lose hope because you think half of the country has lost their mind. That part of the country thinks the other half has lost their mind. And in this culture of lost hope, it's easy to be consumed with the idea that no one can win. No one can gain. Nothing good can happen. I understand that, and as we're talking today, in February of 2020 we're in the midst of a political year.

[00:17:00] There's a lot of noise out there. I think it's important that as you consider taking the bar, and I've heard this from students who've said, I don't know what difference it will make. It doesn't seem to be important anymore to be a lawyer, to be part of the rule of law. I want to just remind you that this is a noble profession.

[00:17:19] It's a high calling. It is a profession to which I am very proud to be a member of which I would hope that you would feel the same way. And I think it's important as you go to the bar exam to drown out the noise, shut it up, put on your noise, canceling headphones mentally and just close it all out. All the other things that are happening don't matter.

[00:17:39] Right now, your job is to pass the bar exam. It is not anything beyond that and for that period of time in which you study and take the exam, that should be your primary focus

as it relates to the law. Once the exam is done, once you're a member of the bar, then engage in whatever form of, activism that you think is important and valuable to you.

[00:18:00] But for right now, don't get consumed with this. And it's really been interesting to me watching students over the past couple of years who have more and more come to me already discouraged because of the climate around them. The discussion, the distaste for lawyers, the, the feeling that the rule of law may not matter anymore and that has taken away hope. And I think it's important to get back that hope to believe that what we do matters and that to being a member of the bar matters. The worst thing that I hear from students sometimes at this very end of their study is when they say, well, it really doesn't matter if I pass the bar or not.

[00:18:36] I mean, really, who cares? Well, I care. There's a client out there waiting for you. You don't know them yet, perhaps, but they're waiting for you and perhaps you're the only one that can really help them and they need you to pass the bar. Don't lose hope, and then take away their hope as well. And I encourage you as you go to this exam to recognize that you are doing this, not just for yourself.

[00:18:59] And not just for your family or your business or your associates or your Waffer, but you're doing it because our society needs good kind, gentle members of the bar. People who have struggled and understand what it means to struggle, to achieve something of value that makes you incredibly valuable and incredibly important.

[00:19:19] Please don't give up on yourself. Please don't lose hope.

[00:19:23] And then **the third burden that I think exists for repeat bar takers is doubt about your career.** You know, when you lose confidence and you've lost hope, it's easy to say, you know, maybe this just isn't the career for me. As I said, I've been doing this for over 30 years.

[00:19:39] I've worked with tens of thousands of people. I would say in all those years, I've only met a handful, and I literally mean a handful of people that I thought were ill suited to become lawyers. I've seen people with all kinds of different skills and abilities. I've seen people who are wonderful, at different aspects of, of the profession.

[00:19:56] I've seen people who are incredibly brilliant, but not very good at working with people. I've seen it the opposite way around, but all of those people have a place and a role to play in our profession. I don't think that if you've come this far, if you've gone through school and you went through law school and you've been doing the work of a lawyer or practicing or working to be a lawyer, I think it is wrong right before the bar exam to suddenly doubt whether or not this is the right career for you.

[00:20:23] Now, I will say most everyone that I know in the profession of law has moments of doubt about their career, moments of discouragement, moments of frustration. But that's not the same as saying, maybe I'm in the wrong career altogether. I also know lots of people with law degrees and members of the bar who are doctors and engineers and teachers and parents and stay at home moms and dads.

[00:20:47] There are lots of great things you can do and certainly lots and lots of entrepreneurs. I love the way I use my law degree as a teacher. I don't have to go out and practice law to feel like I'm being a member of the profession, but I don't think that it's good for anyone to doubt right before the exam, whether or not this was the career for them.

[00:21:05] I'd like to remind you that you've made an investment in yourself and that investment leading up to this point has come in several different forms. You've invested certainly your money to go to school, to take the bar exam to, to, to go through all of the work and the preparation there. You've certainly invested time your time and your family's time.

[00:21:25] Most of you who have studied for the bar, I've had to miss out on some events in your family life because you were studying for the bar. There was a price you paid for that. And it's certainly, there's an investment in terms of the effort you've made, the hours you put in that is a, an extraordinary investment in yourself, in learning and growing and challenging yourself.

[00:21:45] Maybe taking an exam years after you pass the bar somewhere else. Those are major investments. And the reason we make investments, whether they're monetary investments in the stock market or their investments in ourselves through professional education is because there's a longterm value to the investment.

[00:22:03] You don't always see the return on the investment immediately, and I know that's frustrating when you've taken the exam and not been successful. We all want to pass, we want to pass on our first try, but it doesn't make the joy any less. When you finally do pass. No. I've done lots and lots of video interviews with successful students.

[00:22:22] We've got them on our website, and I asked students who've taken the exam in many cases, over a period of multiple years, some cases, 10 or 20, or even 30 years. Did it diminish your feeling of accomplishment when you finally did pass that it took so long? And the answer on equivocally was no, it actually made it sweeter.

[00:22:40] You know, it's a longterm investment. I hope for all of you, it's a short investment, but the reality is when you get there, when you pass, when you get your life back. It is worth every bit of it. And I don't know anyone who said to me, you know what? I'm sorry. I started this process now that I've passed. I don't know a single person that said that, and I don't think you'd say that either.

[00:23:01] So don't give up on yourself before you get to that circumstance. You've made an investment. It's a longterm investment. Stick with the investment. Continue to work, continue to move forward. And then I think if you're doubting about your career, it's really a form of doubt about the future. And as I talked about this current climate, I also think it's important to say that sometimes it's easy for us to begin to doubt whether or not we're going to be okay in the future.

[00:23:28] You know, one of my mentors, Paul, Scheele, at Learning Strategies, is fond of saying, just take a moment and breathe. And as you think about where you are right in this

moment, you're okay. And five minutes from now you'll be okay and five minutes after that you'll be okay. And the reality is your, you are okay.

[00:23:49] For most of you taking the bar exam will not change you being okay. The day after the bar exam, you'll be okay. The day of the results, you'll be okay. I don't know many people who will find themselves homeless or unable to eat or unable to work or unable to move forward with their lives. After the bar results come out, you'll be okay.

[00:24:12] Could you be disappointed? Sure. Could you be frustrated? Absolutely. Could you be angry? Not surprising. Could you be elated? I hope so. The reality is that the future is unknowable, but right now you're okay. And if you're doubting whether or not this is the right thing for you to do, it's the right career.

[00:24:30] Recognize that right now, in this moment, this is your career. And you're okay. And after you take the bar exam, it'll still be your career and you're okay. And when you understand that, it makes it much easier to just deal with what's in front of you right now. Don't go to the bar exam thinking about what the future is going to be.

[00:24:50] Concentrate and focus on the task at hand. Answering the questions in front of you, doing the work, staying out of the drama, staying out of the noise, keeping your head in the game. If you do that, you're okay. And as long as you keep doing that from section to section, question to question, performance tests to performance tests.

[00:25:10] Then you're going to be okay. You don't need to have a doubt or worry about your career while you're at the bar exam. It's not necessary. It'll work itself out. There is room in our profession for good attorneys. There always has been. I believe there always will be. Once you have passed the bar, then you can deal with those questions, but you don't need to worry about them before the bar exam.

[00:25:32] Well, those are three burdens that I think repeat bar takers have. There are many others I'm sure that we could talk about, but as you consider those burdens, if you're a repeat bar taker, I want to assure you that you can be confident. You have earned your seat at the table and you can be ready to take the exam.

[00:25:49] You don't need to have lost hope. You should be hopeful. What happened in the past is not what will happen now. If you've done different things to prepare, you can be confident that you can move forward, and regain the hope that you needed to be successful. Going to the exam, hopeless will result in bad, outcomes.

[00:26:08] Going to the exam hopeful gives you a great opportunity for success. And finally don't focus and fixate on your career and what you've invested or what you think the future is. The next step in your career is to take this exam, focus on that, put your attention there, and relieve yourself of that particular burden.

[00:26:28] I wish those of you headed to the bar exam this week, traveling safely and mercies. I hope that it's a great exam for you. Wherever you're going, whatever test you're taking, and however you prepare. I hope that as you prepare and take this exam, you remind yourself that you are unique. You are talented.

[00:26:46] You are a gift, of the universe, and you are wonderful. And you can do this and you have all the potential in the world, in your head, in your brain, ready to be used, and I encourage you to relax and let that wonderful, incredible ability of yours shine as you go through and you'll see a great result when it's all done.

[00:27:06] Well, that's our message for today. I hope it's been helpful for those of you who are taking the exam in February of 2020 we wish you all the best on the exam. We hope that you'll be able to get rid of any of those burdens that you're carrying into the test room. If you're taking the exam in July of 2020 or later, I do want to let you know about a very special free training that we offer.

[00:27:25] It's called Do Something Different. I mentioned it in the discussion about burdens, and this is a look at the steps that repeat bar takers follow in order to be successful on the exam. You'll hear from them in their own words with video testimonials and clips about what they did, and we'll take you step by step through the process.

[00:27:43] Now this training webinar is completely free and all you have to do to register is go to the show notes on the video or the audio a page and click there to register. Or if you want more information, you can go to celebrationbarreview.com/webinar. The training webinar is set up in an on demand format, so you can watch it at 7:00 PM your time every night or on demand, at any time that works best for your schedule.

[00:28:09] And so I really encourage you to check it out. There's no cost. You have the opportunity to watch at your own convenience, and there's the opportunity to send messages to me through the webinar directly, and I'll be glad to respond to those. This webinar has been life changing for people like Jim that I talked about at the beginning of today's episode and for thousands of other people, and so I hope you'll check it out.

[00:28:30] Just click on the show notes and register or go to celebrationbarreview.com/webinar. All right, well, we're not gonna release an episode on Wednesday. we will be back to you a week from Wednesday after the bar exams. We'll talk about the feedback and what we've heard from the test sites around the country.

[00:28:47] And again, we want to wish everyone that's taking the exam, great success and the wonderful testing, and we will see you all along the extra mile next week. Bye bye.