

Getting a  
**jump**  
on the **Bar Exam**

Bar Exam Workshop for People of Color  
“Demystifying the Bar Exam”

Presented by  
**Rod Fong**

Assistant Dean for Bar Exam Services  
Golden Gate University School of Law

## Demystifying the Bar Exam

Asst. Dean Rod Fong

### Introduction

It's difficult to avoid the numbers. State Bar statistics show that students of color pass the bar exam at a lower rate than white students. What you don't see in the statistics are the reasons for the disparity and the ways to change them. The numbers do not tell you which students passed or not, how they did in law school, whether they enrolled in a bar review class, what they did or did not do to prepare for the exam, how many practice exams they wrote, nor how many practice MBE questions they attempted. There is a lot of information missing in the numbers. This workshop is all about explaining those numbers and turning those numbers around.

It used to be that law schools would screen students in the admissions process believing that if good students were admitted, they would pass the bar exam. Professors went as far as boasting that "we don't prepare you for the bar exam". ABA Accreditation Standard 301-6, enacted in February 2008 has changed all of that. Now law schools are required to prepare you to pass the bar exam.

How law schools go about improving its bar passage rate varies from school to school. Some choose to do it at the admissions stage where only those students with a good chance of passing the bar exam based primarily on LSAT scores are admitted. Others choose to "add value" to the students education by focusing on curricular changes, pedagogy, and enhanced academic support services.

Taking a cue from the success of academic support programs, we know that we can also increase your chances of passing by enabling, empowering, and encouraging you to do well.

- We will enable you by "demystifying" the bar exam, the bar review process, and all the hype and stats surrounding the exam.
- We will empower you to prepare for the bar exam by assessing your strengths and weaknesses, teaching you test taking techniques, ascertaining your preferred learning styles, developing a personalized study plan, reawakening your common sense, and getting you to believe in yourself.
- We will encourage you to begin your bar preparations early.

We will show you the way. But you must take the journey. Being here at this workshop is the first step.

**"A journey of a thousand miles begins with a single step." Confucius.**

## BASIC INFORMATION ON THE CALIFORNIA BAR EXAM

The bar exam extends over three days.

	Tuesday	Wednesday	Thursday
Morning (3 hours)	3 essay exam questions	100 MBE questions	3 essay exam questions
Lunch Break	approximately 2 hours		
Afternoon (3 hours)	1 performance test question	100 MBE questions	1 performance test question

The exam is given twice each year on the last Tuesday, Wednesday, and Thursday of February and July.

Bar Exam		
Written Components 65% of Bar Exam		Multistate Component
6 Essay Exams 60% of written exam <b>39% of Bar Exam</b>	2 Performance Tests (double weighted) 40% of written exam <b>26% of Bar Exam</b>	200 MBE Questions <b>35% of Bar Exam</b>

## WHAT IS TESTED ON THE BAR EXAM?

<p>The 13 subjects that <b>could be tested</b> on the California bar exam are:</p> <ol style="list-style-type: none"> <li>1. Business Associations *</li> <li>2. Civil Procedure (+ Cal civpro *)</li> <li>3. Community Property</li> <li>4. Constitutional Law</li> <li>5. Contracts</li> <li>6. Criminal Law and Procedure</li> <li>7. Evidence (+ Cal evidence*)</li> <li>8. Professional Responsibility</li> <li>9. Real Property</li> <li>10. Remedies</li> <li>11. Torts</li> <li>12. Trusts</li> <li>13. Wills and Succession</li> </ol>	<p>Of these 13 subjects, the 6 that <b>will be tested</b> on the MBE are:</p> <p>MBE (6 subjects):</p> <ol style="list-style-type: none"> <li>1. Constitutional Law</li> <li>2. Contracts</li> <li>3. Criminal Law and Procedure</li> <li>4. Evidence</li> <li>5. Real Property</li> <li>6. Torts</li> </ol> <p>Go to <a href="http://www.ncbex.org">www.ncbex.org</a> for a list of topics tested within these subject areas.</p>
	<p>* new areas tested beginning July 2007</p> <p>Professional Responsibility will be tested on the essays and/or performance tests.</p>

## WHAT ARE THE BAR EXAMINERS LOOKING FOR?

Here are the instructions for the California bar's essay exams describing what they expect from the bar applicants.

Your answer should demonstrate your ability to analyze the facts in question, to tell the difference between material and immaterial facts, and to discern the points of law and fact upon which the case turns. Your answer should show that you know and understand the pertinent principles and theories of law, their qualifications and limitations, and their relationships to each other.

Your answer should evidence your ability to apply law to the given facts and to reason in a logical, lawyer-like manner from the premises you adopt to a sound conclusion. Do not merely show that you remember legal

principles. Instead, try to demonstrate your proficiency in using and applying them.

If your answer contains only a statement of your conclusions, you will receive little credit. State fully the reasons that support your conclusions, and discuss all points thoroughly.

Your answer should be complete, but you should not volunteer information or discuss legal doctrines which are not pertinent to the solution of the problem.

Unless a question expressly asks you to use California law, you should answer according to legal theories and principles of general application.

The National Conference of Bar Examiners, the group that prepares the Multistate Bar Examination (MBE), provides a description of its testing requirements in an informational booklet that can be found on its website [www.ncbex.org](http://www.ncbex.org).

### **Multistate Bar Examination**

*The questions on the examination are designed to be answered by applying fundamental legal principles rather than local case or statutory law. A given question may indicate the applicable statute, theory of liability, or comparable principle of law.*

*Many of the questions require applicants to analyze the legal relationships arising from a fact situation or to take a position as an advocate. Some questions call for judgments about interpreting, drafting, or counseling.*

**The Bar Standard:  
Minimum Competency to Practice Law**

Most of these minimum competency skills are included in the basic **IRAC** organizational structure.

**IRAC Skills Tested on the Bar Exam**

- Analytical and critical thinking
- Identify legal issues from a set of facts
- Determine the importance of each issue
- Develop a “rule of law” by synthesizing statutes and cases
- Breaking rules of laws into elements
- Apply the rule of law to the facts
- Articulate arguments pro and con
- Reason to a logical conclusion
- Communicate in writing
- Manage time and prioritize tasks

**Scoring the Bar Exam**

Essay Exam & Performance Test Scoring	
85 - 100	<b>An outstanding answer</b>
80	<b>A very good answer</b>
75	<b>A clearly passing answer</b>
70	<b>Unable to determine if the essay passes or fails</b>
65	<b>A clearly failing answer</b>
40 - 60	<b>A poor answer</b>

The minimum passing score to pass the exam is **1440**. The average score required for all the tests, i.e. essays, performance, and MBE’s is a 72. However, the raw scores are scaled and...

The average scaled score to pass the bar exam is a **65!**

**Query - If it's so low, then why doesn't everyone pass?**

## Bar Question from July 2006

### Question 1

After paying for his gasoline at Delta Gas, Paul decided to buy two 75-cent candy bars. The Delta Gas store clerk, Clerk, was talking on the telephone, so Paul tossed \$1.50 on the counter, pocketed the candy, and headed out. Clerk saw Paul pocket the candy, but had not seen Paul toss down the money. Clerk yelled, "Come back here, thief!" Paul said, "I paid. Look on the counter." Clerk replied, "I've got your license number, and I'm going to call the cops." Paul stopped. He did not want trouble with the police. Clerk told Paul to follow him into the back room to wait for Mark, the store manager, and Paul complied. Clerk closed, but did not lock, the only door to the windowless back room.

Clerk paged Mark, who arrived approximately 25 minutes later and found Paul unconscious in the back room as a result of carbon monoxide poisoning. Mark had been running the engine of his personal truck in the garage adjacent to the back room. When he left to run an errand, he closed the garage, forgot to shut off the engine, and highly toxic carbon monoxide from the exhaust of the running truck had leaked into the seldom used back room. Mark attributed his forgetfulness to his medication, which is known to impair short term memory.

Paul survived but continues to suffer headaches as a result of the carbon monoxide poisoning. He recalls that, while in the back room, he heard a running engine and felt ill before passing out.

A state statute provides: "No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, setting the brake thereon and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway."

1. Can Paul maintain tort claims against (a) Clerk for false imprisonment and (b) Mark for negligence? Discuss.
2. Is Delta Gas liable for the acts of (a) Clerk and (b) Mark? Discuss.

<p>The 3 most common problems on the essay exam:</p>
<ol style="list-style-type: none"> <li>1. Not using the IRAC format or a variation of IRAC.</li> <li>2. Not using the materials facts in your analysis.</li> <li>3. Not organizing the issues in the proper sequence.</li> </ol>

Use the IRAC Format

<p>Example of an IR*C (<b>incorrect</b> → no facts used)</p>		
Issue	False Imprisonment	
Rule	<ul style="list-style-type: none"> <li>▪ Intent to confine</li> <li>▪ Confined to a bounded area</li> <li>▪ No reasonable means to escape</li> </ul>	
Analysis	No facts listed	
Conclusion	Based on the facts, there was a false imprisonment.	

<p>Example of a “Big” IRAC (also <b>incorrect</b> → facts are repeated, but not parsed and matched to appropriate element)</p>		
A	X Y Y X Z Z Y Z Y Z Y Z X	

<p>Example of a “Proper” IRAC (<b>correct</b> → rule broken into elements &amp; facts matched to appropriate element)</p>		
A	<ul style="list-style-type: none"> <li>▪ Intent to confine</li> <li>▪ Confined to a bounded area</li> <li>▪ No reasonable means to escape</li> </ul>	<p>X X Y Y Y Z Z Z Z Z</p>

Query: What is the relevance of these facts “Paul decided to buy two 75-cent candy bars”?

## Tips for the Approaching the Essay Exams

**Spend 15 – 20 minutes to read the question at least twice and write an outline.**

- Read the call of the question and look for clues for the subject, parties, organization, issues, and law. (**Does the State Bar SPOIL you?**)
- Read the facts quickly to get the big picture.
- If the facts are complex, i.e. multiple parties or lots of action, read the facts again focusing only on the parties and the action.
- Read the facts carefully extracting the materials facts and grouping them to the appropriate issues/elements.
- Write out an “outline” with the issue & elements on left side of the page and the facts matched up to the appropriate elements on the right side of the page.
- Triage your outline, i.e. identify the hot or problematic issues and allocate your time.

## Tips for Writing the Essay Answer

**The burden is on you to make your answer easy to read.**

- Use headings for each new issue or each party.
- Use short paragraphs
- Use the buzzwords, such as “here”, “however”, and “thus”
- Use legal terms of art
- Underline sparingly – everything is important
- Make it legible
- Avoid spelling errors – shows lack of care
- Avoid using too many abbreviations
- Avoid arrows – think and outline before writing
- Write with confidence. Bargraders can tell if you are confidence or not. If you write without confidence, you will be giving the bar graders “permission” to assign you the lower grade.

The MBE questions and Performance Tests are also testing you on your ability to “IRAC” the answer. On the MBE questions, the best answer is the only one that presents a prima facie case based on the facts presented. On the PT, you will need to synthesize the black letter rule from the “Library” (statutes and/or cases) and apply the facts from the “File”. Read the “Instructions” carefully to find out the scope of your task.

## Time Management

Take a look at a typical bar review schedule and note how condensed it is. You will be studying almost everyday for ten weeks. A single subject might be covered in one to three days.

What if you did not take a course in that subject? What if you did take the class, but did not do well? How do you learn that subject along with the twelve other subjects and learn it well enough to pass the bar exam?

One method is to start studying the subject prior to the beginning of bar review. If you take this strategy, study to understand the concepts, not to memorize the law. There will be enough time to memorize in the weeks before the exam.

Another method is to review past bar exams and study the released answers. From looking at the question and released answers, which received an 80-85 score, you will note what facts generate what issues, what series of issues you need to address, and how deeply you need to analyze each issue.

Be careful – since the released answers are not perfect answers, i.e. 100, some of the rules may be incorrect or the analysis not precise. That’s okay. It’s still is a good solid passing bar answer.

CALIFORNIA BAR/BRI JULY 2008 COURSE LECTURE SCHEDULES												
	Charlotteville New York 10am-12pm 2pm-5pm Web/In-class		Chicago 10am-12pm 12pm-3:30pm Web/In-class		Dallas 10am-12pm 1:30pm-3:30pm Web/In-class		Los Angeles West L.A. 10am-12pm 1:30pm-3:30pm Web/In-class		Sacramento 10am-12pm 1:30pm-3:30pm Web/In-class		San Francisco 10am-12pm 1:30pm-3:30pm Web/In-class	
	Cambridge	Washington DC	Chicago	Chicago	Dallas	Dallas	Los Angeles	Los Angeles	Sacramento	Sacramento	San Diego	San Francisco
	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm	10am-12pm
<b>MAY</b>												
W 19							Introduction	Introduction	Introduction	Introduction	Introduction	Introduction
Th 20							Evidence 1	Contracts 1	Contracts 1	Contracts 1	Contracts 1	Contracts 1
Fr 21							Evidence 2	Contracts 2	Contracts 2	Contracts 2	Contracts 2	Contracts 2
Sa 22							Evidence 3	Contracts 3	Contracts 3	Contracts 3	Contracts 3	Contracts 3
Su 23												
Mo 24												
Th 27	Introduction 9:30am-12pm			Introduction	Torts 1	Essay Washp. 1	Con. Law 1 & 2 9am-12pm				Introduction	Introduction
Fr 28	Evidence 1 9:30am-12pm	Evidence 1		Evidence 1	Torts 2	Essay Washp. 1	Essay Washp. 1				Evidence 1	Evidence 1
Sa 29	Evidence 2 9:30am-12pm	Evidence 2		Evidence 2	Essay Washp. 1	Torts 1	Torts 1				Evidence 2	Evidence 2
Su 30	Evidence 3 9:30am-12pm	Evidence 3		Evidence 3	Con. Law 1 & 2 9am-12pm	Torts 2	Torts 2				Evidence 3	Evidence 3
Mo 31	1pm-3:30pm											
<b>JUNE</b>												
Tu 1	Essay Washp. 1 9:30am-12pm											
W 2	Con. Law 1 9:30am-12pm	Torts 1	Introduction & Evidence 1 9am-12pm	Torts 1 & 2 9am-12pm	Contracts 1	Evidence 1 & 2 9am-12pm	Evidence 1 & 2 9am-12pm				Property 1	Torts 1
Th 3	Con. Law 2 9:30am-12pm	Torts 2	Evidence 2	Contracts 2	Contracts 2	Evidence 3	Con. Law	Property 2			Torts 2	Torts 2
Fr 4	Essay Washp. 1 9:30am-12pm	Evidence 3	Contracts 3	Contracts 3	Contracts 3	Con. Pro.	Property 3	Property 3			Essay Washp. 1	Essay Washp. 1
Sa 5	Con. Law 1 9:30am-12pm	Torts 3	Essay Washp. 1 9:30am-12pm	Con. Law 1	Con. Law	Property 1	Property 1	Property 1			Con. Law 1	Con. Law 1
Su 6	Con. Law 2 9:30am-12pm	Torts 4	Con. Law 2	Con. Law 2	Con. Law 2	Property 2	Property 2	Property 2			Con. Law 2	Con. Law 2
Mo 7	Essay Washp. 1 9:30am-12pm											
Th 9	Contracts 1	Contracts 1	Contracts 1 & 2 9am-12pm	Contracts 1	Property 1 & 2 9am-12pm	Property 1 & 2 9am-12pm	Property 1 & 2 9am-12pm	Property 1 & 2 9am-12pm			Contracts 1	Contracts 1
Th 10	Contracts 2	Contracts 2	Contracts 2	Contracts 2	Property 3	Property 3	Property 3	Property 3			Contracts 2	Contracts 2
Th 11	Contracts 3	Contracts 3	Con. Law & Con. Pro.	Contracts 3	Con. Pro.	Con. Pro.	Con. Pro.	Con. Pro.			Contracts 3	Contracts 3
Th 12	Con. Law	Con. Law	Con. Law	Con. Law	Con. Law	Con. Law	Con. Law	Con. Law			Con. Law	Con. Law
Th 13	Con. Pro.	Con. Pro.	Con. Pro.	Con. Pro.	Remedies	Con. Pro.	Con. Pro.	Con. Pro.			Con. Pro.	Con. Pro.
Th 14					Essay Washp. 1 9:30am-12pm	Evidence 3	Evidence 3	Evidence 3			Con. Law	Con. Law
Th 15												
Th 16	Essay Washp. 2	Essay Washp. 2		Remedies	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 17	Property 1	Property 1	Property 1	Property 1	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 18	Property 2	Property 2	Property 2	Property 2	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 19	Property 3	Property 3	Property 3	Property 3	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 20	Remedies	Remedies	Remedies	Property 2	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 21				Property 3	Prof. Resp.	Prof. Resp.	Prof. Resp.	Prof. Resp.			Con. Pro.	Con. Pro.
Th 22	Prof. Test 1	Prof. Test 1	Prof. Test 1	Prof. Test 1	Agency & Partnership	Agency & Partnership	Agency & Partnership	Agency & Partnership			Simulated MBE	Prof. Test 1
Th 23	Prof. Test 2	Prof. Test 2	Prof. Test 2	Prof. Test 2	Corporations	Trusts	Trusts	Trusts			Simulated MBE	Prof. Test 2
Th 24	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3	Corporations	Trusts	Trusts	Trusts			Simulated MBE	Prof. Test 3
Th 25	Civil Pro. 1	Civil Pro. 1	Professional Responsibility	Professional Responsibility	Professional Responsibility	Professional Responsibility	Professional Responsibility	Professional Responsibility			Simulated MBE	Prof. Test 3
Th 26	Civil Pro. 2	Civil Pro. 2	Simulated MBE	Simulated MBE	Simulated MBE	Simulated MBE	Simulated MBE	Simulated MBE			Simulated MBE	Prof. Test 3
Th 27	Professional Responsibility	Professional Responsibility	MBE Review	MBE Review	MBE Review	MBE Review	MBE Review	MBE Review			Simulated MBE	Prof. Test 3
Th 28			MBE Review	MBE Review	MBE Review	MBE Review	MBE Review	MBE Review			Simulated MBE	Prof. Test 3
Th 29	Comm. Prop.	Comm. Prop.	MBE Review	MBE Review	MBE Review	MBE Review	MBE Review	MBE Review			Simulated MBE	Prof. Test 3
Th 30	Essay Washp. 3	Essay Washp. 3	Civil Pro. 1	Civil Pro. 1	Wills	Agency & Partnership	Agency & Partnership	Agency & Partnership			Simulated MBE	Prof. Test 3
<b>JULY</b>												
Th 1	Agency & Partnership	Agency & Partnership	Civil Pro. 2	Civil Pro. 2	Trusts	Corporations	Corporations	Corporations			Simulated MBE	Prof. Test 3
Th 2	Corporations	Corporations	Essay Washp. 3	Essay Washp. 3	Comm. Prop.	Comm. Prop.	Comm. Prop.	Comm. Prop.			Simulated MBE	Prof. Test 3
Th 3	Simulated MBE	Simulated MBE	Agency & Partnership	Agency & Partnership	Agency & Partnership	Agency & Partnership	Agency & Partnership	Agency & Partnership			Simulated MBE	Prof. Test 3
Th 7	MBE Review	MBE Review	Corporations	Corporations	Corporations	Corporations	Corporations	Corporations			Simulated MBE	Prof. Test 3
Th 8	MBE Review	MBE Review	Wills	Wills	Corporations	Corporations	Corporations	Corporations			Simulated MBE	Prof. Test 3
Th 9	Comm. Prop.	MBE Review	Trusts	Wills	Essay Washp. 4	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam			Simulated MBE	Prof. Test 3
Th 10	Wills	Wills	Trusts	Wills	Essay Washp. 4	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam			Simulated MBE	Prof. Test 3
Th 11	Trusts	Trusts	Comm. Prop.	Comm. Prop.	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3			Simulated MBE	Prof. Test 3
Th 12												
Th 13	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam			Simulated MBE	Prof. Test 3
Th 14	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam	Simulated Written Exam			Simulated MBE	Prof. Test 3
Th 15	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4	Essay Washp. 4			Simulated MBE	Prof. Test 3
Th 16	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3	Prof. Test 3			Simulated MBE	Prof. Test 3
Th 17												

## Dealing with Stress

Waiting to the last minute to begin studying for the bar exam will generate lots of stress and anxiety. Some students thrive on the stress and require deadlines to motivate them. However, most students do not perform well after enduring ten weeks of stress. If you are one of those persons, starting early will allow you to spread the workload over a longer period of time.

Another good stress reliever is knowing as much about the bar exam as possible. Do you know the bargraders’ expectations? Do you know the format of the testing? Do you know what is going to happen during bar review? By minimizing the questions about the bar exam, you can devote your attention to studying. And just as important, you will not fall prey to those myths and urban legends that circulate at the bar review sites.

## Know Your Preferred Learning Styles

Some of the more common **learning styles** include:

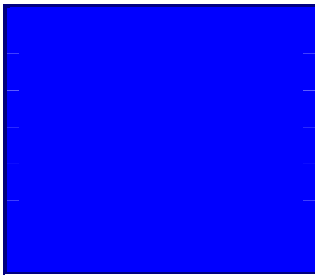
- **Verbal** – A learner who prefers to talk out loud to process information.
- **Auditory** – A learner who prefers listening to the spoken word, music and sounds.
- **Reading** – A learner who prefers reading text.
- **Visual** – A learner who prefers using images, pictures, colors, and maps to organize information and communicate with others.
- **Kinesthetic –Tactile** – A learner who prefers using a sense of touch and learns better when physically doing something.

### **Learning Styles are important when:**

- You are studying for your classes;
- You are studying for the bar exam;
- You are attending a bar review session;
- You are sitting for the bar exam.

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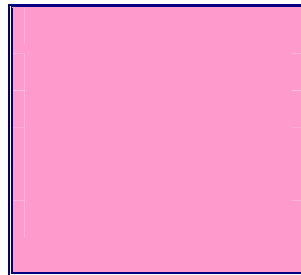
## Balancing Your Mind, Body & Spirit



### **Mind**

Be Knowledgeable

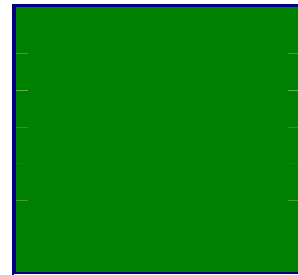
Substantive law  
Test taking  
Study habits  
Discipline  
Learning styles  
Exam assessment



### **Body**

Be Healthy

Endurance  
Stress  
Energy  
Nutrition  
Exercise



### **Spirit**

Be Confident

Confidence  
Believe in Yourself  
Motivation  
Determination

## Maintaining Your Confidence

**Stereotype Threat** - A threat to self-image can cause underperformance, Professor Claude Steele explains. Though an individual may not necessarily identify with stereotypes about his or her group, the realization that the stereotype is there can be distracting enough to cause underperformance. This has been studied in African-American students and in women. In particular, studies of women in mathematics showed that different stereotypes yield different outcomes in situations.

### **Awareness – Practice – Issue Shifting**

## Attitude is Half the Battle

Having confidence in yourself is extremely important to insure your chances of passing the bar exam. Here's how your attitude can come into play:

- Dealing with the California bar pass rate
- Deciding when to begin studying for the bar
- Selecting a bar provider
- Taking a break after final exams and before bar review begins
- Controlling your own studying routine
- Knowing what is right for you
- Working through the “wall” during bar review
- Interpreting the results of a simulated bar exam
- Taking a break to relax and re-energize
- Tapering off your studying before the exam
- Working through problems during the exam\*
- Avoiding exam post-mortems

**\*You need confidence** to work through a problem even when you aren't sure about the law. There will be some issues that you spot where you forget the exact rule of law or never really understood the law to begin with. Without confidence, you will panic, not know where to begin and not know what to do with those facts. You might even skip the issue entirely thus insuring that you will get a non-passing score for this question. The doubt will stay with you throughout the entire exam.

With confidence, you will deal with the problem. You will identify the issue either by calmly going through your mental approach checklist or by reading the passage more closely looking for subtle clues. You will use the IRAC format and state an issue, recall or make-up a rule (which will probably be pretty close to the actual rule), and creatively use the facts. You will do what the bar examiners want you to do.

**“Always bear in mind that your own resolution to succeed is more important than any one thing.”** Abraham Lincoln