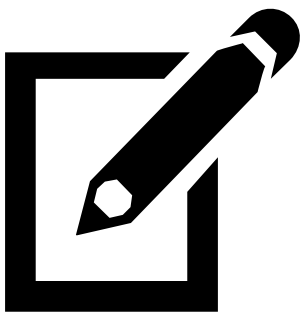


# THE COMPREHENSIVE BAR EXAM PREPARATION MANUAL





# INTRODUCING EMOND

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In 1978, Professor Paul Emond published the first Emond casebook. It was a casebook on Real Estate Law, and was soon followed by Administrative Law and Constitutional Law casebooks that were used for classes at the University of Toronto and Osgoode Hall Law School. More than 35 years later, Emond Publishing is one of the leading publishers of casebooks used in law schools across Canada. In addition to publishing texts for paralegals, law clerks, and legal practitioners, Emond now also offers exam support resources for students preparing to write the Ontario licensing exams.

The CanBarPrep course has been in operation since 2006. At that time, the LSO had recently eliminated the preparatory bar admissions course that once preceded the Ontario licensing exams. Students were faced with the overwhelming task of learning 1600 pages of material in six weeks, without guidance or support. Osgoode law professors Stephanie Ben-Ishai and Poonam Puri created the CanBarPrep course to offer support to students seeking substantive instruction and assistance during the exam preparation process.

Emond has managed the CanBarPrep course since 2013, expanding the scope and depth of content, and offering it online year-round. In recent years, it has become apparent that many students would benefit from a resource that clearly summarizes the key facts and strategies that will help them prepare effectively for the licensing exams. For this reason, we have published the Comprehensive Bar Exam Preparation Manual, and made it available to CanBarPrep students and the public alike. We hope it helps you on the road to success.

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# 1 THE ONTARIO LICENSING EXAMS: KNOWING WHAT TO EXPECT ON EXAM DAY

## A. THE STRUCTURE OF THE ONTARIO LICENSING EXAMS

### i. Overview

The Ontario Licensing Exams consist of two open-book exams: (1) the barrister exam, and (2) the solicitor exam. Each exam is 7 hours long and is composed of between 220 and 240 multiple-choice questions. The subject matter tested on each exam is broken down into the following topics and subtopics:

BARRISTER TOPICS	SUBTOPICS
Civil Procedure	information gathering; case analysis and planning; notice to affected parties; theory of the case; ADR and negotiation; disclosure, production, and discovery; motions and interim proceedings; trial procedure; court jurisdiction; limitation periods; applications to court; actions
Criminal Procedure	evidence; hearing preparation; sentencing; indictable offence procedure; summary offence procedure; drug offences; trial preparation; bail procedure; parole procedure; Indigenous criminal law
Family Law	net family property calculations; spousal support; child support; child custody; Indigenous family law
Public Law	judicial reviews; prerogative remedies; principles of statutory interpretation; constitutional law; administrative procedure; Charter challenges; Indigenous law
Ethics and Professional Responsibility	identifying the client; conflicts of interest; interviewing principles; the retainer; client communication; practice management issues; confidentiality; client disbursements; client payment; general/trust accounts; document retention practices; joint retainers

SOLICITOR TOPICS	SUBTOPICS
Real Estate	land titles system; land registry system; closing procedures; title searching; requisitions; purchase and sale agreements; condominium agreements; new home warranties and purchase; planning act; surveys; title insurance
Estate Planning	wills; trusts; estate tax planning; intestacy; Indigenous estate planning; estate tax calculation; guardians of personal care/property; powers of attorney
Business Law	forms of businesses; corporate tax; bankruptcy; purchase of a business; Indigenous business law; securities law; CCAA; privacy law; labor law; employment law
Ethics and Professional Responsibility	identifying the client; conflicts of interest; interviewing principles; the retainer; client communication; practice management issues; confidentiality; client disbursements; client payment; general/trust accounts; document retention practices; joint retainers

### ii. Exam Materials

Students who have registered for the exams either pick up the physical materials directly from the Law Society of Ontario (LSO) or have them shipped to them for a fee. These materials contain all the information required to pass the exams. The LSO-issued materials for each exam range in length from 750–1100 pages, usually totalling around 1600 pages altogether, with the solicitor materials tending to be lengthier in proportion. Professional responsibility, the *Rules of Professional Conduct*, and the LSO *By-Laws* are repeated in both sets of materials. The materials are also delivered electronically to students, who can print, bind, and mark up the materials as they see fit. Students are permitted to bring any additional reference materials they wish into the exam, in addition to their LSO materials.

**⚠ Important Note:** Any and all reference materials brought into the exam will be confiscated at the end of the exam (including books, notes, and photocopies). It is therefore recommended that students make copies of all their study and reference materials in advance of the exam, in case they ever need to use the material again in the future.

### iii. The Annual Licensing Cycle

The annual licensing cycle begins in May and ends in March of the following year. In each licensing cycle, there are three exam sittings: June, November, and March of the following year. All three sittings use the same set of LSO-issued materials, which are released to students in mid- to late-April. This allows six to eight weeks of study time for students writing their exams in the first (June) sitting.

#### SAMPLE LICENSING CYCLE (2020-21)

April 2020	June 2020	November 2020	March 2021
Materials Released (start of cycle)	Licensing Exams (first sitting)	Licensing Exams (second sitting)	Licensing Exams (third/final sitting)

Following the final (March) sitting, the materials are revised, reorganized, and updated, then released for the next licensing cycle. If you did not pass in your original licensing cycle—for example, you wrote for the first time in March and failed—then you will need to re-purchase the LSO materials for the new cycle, and update all your reference materials to correspond to the page numbers in the new materials. For this reason, the majority of students choose to write their exams for the first time in June, since they will have two more opportunities to rewrite using the same materials if they do not pass the first time.

At each exam sitting, the barrister and solicitor licensing exams are scheduled two weeks apart. The barrister exam is held first, usually on a Tuesday, and the solicitor exam is held two weeks later.



### **A Note on Potential Changes Coming to the Bar Exam**

*In recent years, the LSO has indicated that changes might come to the Ontario bar exams and the licensing process in general. Although these changes have been deferred following feedback from the community, it is worth noting that changes may occur at some point in the future.*

*It was proposed that the barrister and solicitor exams be merged into one exam and that another, more practical, exam be administered following the end of articling. Articling was to be shortened to eight months, with the potential for past legal experience to be factored in, further reducing the length of articling.*

*Although these changes are currently on hold, it is conceivable that in a few years' time, a new process and new exams will be introduced. Candidates who fail one or both exams in the last sitting before changes are implemented would potentially have to study for and write a completely different exam. Stay informed about possible future changes by checking the [LSO website](#) regularly.*

#### **iv. Exam Layout and Question Structure**

Each licensing exam consists of between 220 and 240 multiple-choice questions that you will answer on a Scantron sheet. The questions are divided into subject-specific sections based on the topic areas listed in Section A—for example, all criminal law questions will be grouped together on the barrister exam. The only exception is the professional responsibility questions, which are scattered throughout each exam, sometimes disguised as substantive questions. The questions on the exam are not divided equally on each topic, and certain sections may have disproportionately more questions than others.

Exam day is divided into two 3.5-hour (210 minutes) sections, with an hour lunch break in the middle. You will complete “Part 1” of the exam in the morning, and “Part 2” in the afternoon. Each part of the exam is administered separately, and as such you are not able to answer any questions from “Part 2” during “Part 1” of the exam, nor are you able to answer any questions from “Part 1” during “Part 2” of the exam. You have roughly 1 minute and 45 seconds to answer each question, so it is important to stick to a strict schedule to ensure that you do not fall behind and miss out on questions you could easily have answered.

The exam consists of both stand-alone questions and case-based questions. Case-based questions follow a detailed case scenario/fact pattern. Several subsequent questions relating to both substantive law and professional responsibility will follow, based on that one scenario. Case-based questions usually appear near the end of a topic on the exam.

### **A Note on Choosing the Correct Answer**

*The LSO specifies that each question will have one “best” answer which you must select. This means that many questions will have more than one answer choice that is correct in some capacity. The challenge is to assess which answer is the “most” correct. Find that confusing? You aren’t the only one. When in doubt, consider the options from an ethical perspective, and choose the answer that is most ethically conservative.*

### **v. Exam Results**

You can expect to receive your exam results from the LSO electronically six to eight weeks after writing your exams. The only result you will receive is a “pass” or a “fail.” The LSO does not provide your exact score (to you or anyone else), and it does not publicize the score that is required to pass the exams. If you receive a “fail,” you are mailed a more formal breakdown of your score, detailing your performance in each section of the exam. This way you can identify your weak areas and focus on them in preparation for your next exam attempt.

## 1 THE ONTARIO LICENSING EXAMS: KNOWING WHAT TO EXPECT ON EXAM DAY

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The secretive nature of this information is one of the most unnerving aspects of the exams. Students feel they are entering the exams blindly, without knowing their chances of success, or even how well they need to perform in order to pass. But do not let the absence of this information psych you out. You must remain confident and focus on your own performance and understanding of the materials. If you are confident, focused, and well-prepared on exam day, your chances of passing are high.

### Suggested Reading on the [LSO Website](#):

TOPIC	SEARCH TERMS
Licensing Examination Dates	LSO dates, times and locations
Licensing Examination Rules and Protocol	LSO lawyer licensing process rules and protocols
Guide to the Barrister and Solicitor Licensing Examinations	LSO lawyer licensing process guide examinations
Entry-Level Barrister Competencies	LSO lawyer licensing process entry-level barrister competencies
Entry-Level Solicitor Competencies	LSO lawyer licensing process entry-level solicitor competencies

## B. LOGISTICS OF THE LICENSING EXAMS

The LSO is particular about what items you may bring into the exam and how these items are packaged. Below is a basic list of rules that you should know before entering the licensing exams to ensure that you are not forced to coat-check important items that you expected to have with you during the exam. If possible, try to avoid having to coat-check any items, because the lines can be lengthy and add to the time it takes for you to enter the examination room, or leave the examination centre at the end of the day.

### i. Permitted and Forbidden Items in the Testing Area

ITEM	PERMITTED	FORBIDDEN
Beverages	Unopened in clear plastic container	Opened or opaque containers
Clothing	Sweater or cardigan	Hoodies, hats, coats, jackets, ponchos, scarves, gloves
Accessories	Keys, earplugs, wallets, tissues, medication, and hygiene products, which must be enclosed in a single clear plastic bag	Purses, book bags, handbags, suitcases, briefcases
Food	Snacks either unopened in their original wrapping or covered in saran wrap and enclosed in a clear plastic bag	Foods that are noisy to open or strongly scented: uncut apples, unpeeled oranges, raw carrots, fish, and nuts.
Electronics	None—the LSO will provide you with a calculator	Watches (of any type), cellphones, calculators, etc.
Writing Tools	None—the LSO will provide two pencils, an eraser, and a highlighter	Pens, pencils, erasers, highlighters, and binder clips
Reference materials	All reference materials must be contained in a plastic bag	Reference materials must be left behind after the exam

### ii. Other Important Rules to Know

As noted above, all personal items must be brought into the testing area in a single, clear plastic bag. At the end of the exam, all reference/study materials, books, and other papers brought into the exam must be left behind, even hard-bound books that are your own property. You are permitted to take only your binder rings. You may also take any personal items that you brought in the clear plastic bag home with you, except for any tissues that you brought into the examination room.

**▲ Important Note:** Remember to bring your LSO lawyer candidate card because it is used to verify your identify multiple times throughout the examination day.

We advise reading the LSO's full list of rules well in advance of exam day. For the complete list, visit <http://lso.ca> and enter "LSO lawyer licensing process rules and protocols" in the search field.





# 2 DEVisING A STUDY SCHEDULE AND ESTABLISHING A PLAN

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## A. DEVisING YOUR STUDY SCHEDULE

We suggest reading this section of the manual in advance of receiving your LSO materials. Draft your tentative study schedule based on generalized information about the length of the study period and the materials outlined in the sections below. Receiving your materials in April will be the trigger point to put your study plan into action. Once you receive your materials, you may need to adjust a few elements of your plan based on the specific number of pages and days that you have, but these adjustments will be small. Having a pre-established study plan will give you a sense of direction and will motivate you to begin studying right away, rather than procrastinating and losing valuable time.

### i. Organizing the LSO Materials

Receiving your materials electronically from the LSO in mid-April should trigger the start of your study period. By this point in time, you should have a tentative study schedule established. Now that you have received your materials, the next step is to organize them in a fashion that is best for your studying habits.

The materials you receive will be divided into sections for each subject area on the licensing exams. It is up to you to decide how you want to organize and bind them. You can use classic three-ring binders, so that you can add pages and dividers as desired, or you can take them to a print centre and have them coil-bound and tabbed.

Some students bind all the materials together, with a single huge binder for barrister materials, and a single huge binder for solicitor materials, marking the subject areas with different tabs. However, since the exam questions are divided by subject area, we recommend binding the materials separately based on subject area—one binder for criminal law, another for family law, another for public law, and so on. You will have less material to flip through, which will save you time, and seem less overwhelming.

## 2 DEVISING A STUDY SCHEDULE AND ESTABLISHING A PLAN

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Because ethics and professional responsibility questions are scattered throughout the exam instead of being clumped together as a section, some students opt to bind the LSO *By-Laws* and *Rules of Professional Conduct* with each of the other subject areas so that they are readily at hand during the exam. This would prevent you from having to reach for another binder. Others prefer to have these materials bound separately in their own binder, together with the professional responsibility section, like the other subjects.

Being organized is hugely important, because you will likely have to reference your materials to answer most of the questions on the exam. Your goal in organizing your materials should be to make it as easy and efficient as possible for you to find a given subtopic and locate specific content.

### ii. Reading the Materials: Suggested Strategies

The most fundamental and important step in your study plan is scheduling time to read through all of your LSO-issued exam materials. More than anything else, preparation for the exam requires a level of discipline, because successfully reading through the materials greatly increases your chances of passing the exam. In this section, we look at two suggested study plans for managing all 1,600 pages, as well as possible variations.

#### THE LSO SUGGESTED STUDY PLAN

The LSO advises that you read the materials three times. The first time, read to establish a general understanding, without highlighting or note-taking. On the second read-through, seek out important concepts in each chapter, highlighting and note-taking as appropriate. In the final reading, review and reinforce the overarching concepts.

Although this approach may be feasible for someone who has months to prepare for the exams without articling or other responsibilities to consider, most students have other responsibilities and time commitments to maintain. In order to read through the materials three times (4,800 pages) in six weeks (42 days) in preparation for the June exam sitting, you would have to cover 114 pages of material each and every day. This is not a realistic goal for most individuals.

### THE LSO SUGGESTED STUDY PLAN (cont.)

If, on the other hand, you receive your materials in April and intend to write in November, then you have over 6 months in which to work through the materials. In this case, the LSO's suggested strategy is possible. On this schedule, you would be covering 4,800 pages in roughly 180 days, which works out to 25 pages per day if you intend to study each and every day. Alternatively, you could schedule 40 pages per day if you intend to study only five days per week.

For more details about the LSO's suggested study plan, visit <https://lso.ca>, enter "LSO lawyer licensing process guide examinations" in the search field, and look for "Tips to Prepare for the Licensing Examinations."

### EMOND'S SUGGESTED STUDY PLAN

There is no question that you absolutely *must* read through all of the materials at least once before your exam. Ideally, you will have time to go through most sections a second time. The goal of reading should be to understand the "big picture"—focus on grasping the key concepts and comprehending how the pieces fit together. Don't overwhelm yourself by trying to memorize all the details—the exam is open-book after all. Instead, focus on trying to understand the fundamentals of the law in each area and how the key elements fit together, so that when a question arises you'll know where to look and can recognize answer choices that are blatantly wrong. For example, when a professional responsibility question arises, you should know that the correct course of action is often to determine who your client is and then ask your client for instructions.

*[continued on next page]*

### EMOND'S SUGGESTED STUDY PLAN (cont.)

There are several factors to consider when devising your study plan:

- 1. Other time commitments**—for example, whether you work full-time, or must care for a family member.
- 2. Preferred learning style (audio, visual, or applied)**—if you are an applied learner, you may want to make notes as you go along, or type up summaries at the end of each section.
- 3. Reading speed and attention span**—make sure you take breaks when your attention starts to wander, but stay away from social media and the Internet during these breaks. Instead, go for a walk, make a cup of tea, or do a few stretches so that your 5-minute break doesn't become a 50-minute break.
- 4. Familiarity with the subject matter**—it will likely require the most time and effort for you to work through sections that you didn't study in law school or in which you are uninterested. Be aware that these days will require more stamina and focus.
- 5. Time needed to devise reference materials (indexes, cheat sheets, etc.)**—many students highlight, tab, and make notes as they move through their readings. If you intend to type up your notes into summaries afterward, ensure that you account for this time in your calendar.



A single read-through can be achieved in six weeks by reading approximately 38 pages each day until your exam.

While that doesn't sound like fun, it is absolutely possible—many students actually aim to read 50 pages per day or more. Aiming high will give you time near the end of your study period to review, reread challenging topic areas, and supplement your reading with other learning methods. We recommend devising a personalised schedule that conforms to your lifestyle—that is, allotting more pages for weekends if you work during the week, scheduling fewer pages for Fridays if you like to go out Friday evenings, or planning a day off here and there.

### EMOND'S SUGGESTED STUDY PLAN (cont.)

It is important to consider your habits and your willpower, and to create a schedule that will maximize your strengths and accommodate your weaknesses. If you are most alert and energetic on Saturday mornings, you may plan 100 pages for that time slot. If you are often tired on Sundays from a night out before, then schedule 15 pages, or no pages.

Most important, be realistic about what you expect to be able to achieve in the moment. Yes, you'll have to be ambitious and push yourself beyond your comfort zone during the intensive studying period before the bar exams; however, if you don't account for reality then you risk ending up feeling guilty and overwhelmed, struggling to cram hundreds of pages into the last weeks before your exams. Your study plan should be structured to prevent this situation.

We suggest scheduling your most ambitious reading goals for early in the study period, during weeks 1-4. Closer to the bar exams (weeks 5-6), you'll need to have time to reread challenging sections, organize your reference materials, listen to the lecture videos, and test yourself with practice exams. The aim should be to feel relaxed, organized, and confident the week preceding your barrister exam. The best way to achieve this is to pull out your calendar and your calculator and physically map out exactly how many pages you need to cover each day during your study period. Then you need to stick to your plan.

#### **A note on the order of reading:**

*Because the solicitor exam generally takes place after the barrister exam, some students have found it helpful to first read the materials for the solicitor exam, then read the barrister materials. This helps with retention in memory because the students ultimately read the barrister exam materials closer to the date of the actual barrister exam itself. The two-week period between the barrister and solicitor exam can be spent reviewing the solicitor materials, ensuring fresh retention for the solicitor exam.*

### iii. Integrating Supplementary Study Aids and Reference Materials

In addition to the LSO-issued materials, many students plan to bring additional reference materials into the exam with them. You might choose to make some of these materials yourself, as part of your study process. For example, if you retain more information through writing than through reading, you may wish to make topic summaries or mind maps as you work your way through the readings. More complex reference materials, such as indexes or a detailed table of contents, require time to prepare, and must be scheduled into your study plan. Many of the supplementary materials, including indexes, can be found online or borrowed from other sources. We will delve into these materials in [Chapter 3](#), but for now, a brief list could include:

- detailed table of contents
- indexes
- topic summaries
- bar timer sheet
- relevant statutes and provisions
- calculations cheat sheet
- charts and mind maps
- excerpts photocopied from books—for example, the *Criminal Rules of the Ontario Court of Justice*

You may choose to keep these supplementary reference materials in a separate binder of their own, or to integrate some of them into your materials under the relevant subject areas. Think about what will be easiest and most intuitive for you when you are under time pressure on the exam, and organize them in this way. Once you progress in your study schedule to the point of doing practice exams, you will find out whether this organization of the materials works well for you, or whether a few tweaks would make navigation easier.

## B. SAMPLE STUDY SCHEDULE

The sample study schedule below is for reference purposes only. We suggest exercising your own judgment to create an individualized schedule that matches the specifics of each year’s materials and calendar, as well as your own personal situation.

### i. Sample Study Schedule: Integrating the Premium Course

 [Click here to access the full PDF](#)

 [Click here to download the editable Word document](#)

April						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8 LAST DAY OF LAW SCHOOL	9
10	11 Devise your tentative study calendar	12 Pick up binders, coloured tabs, highlighters, dividers, and lots of printer paper	13 Check database for a set of indices from the previous year, so that you can see what to expect of them	14 Watch the Exam Preparation and Strategy Videos	15 Label your binders and prepare the hole-puncher	16 Celebrate freedom! Relax!
17 Mentally prepare yourself	18 <b>LSO Materials Released</b> Pick up or print materials; put in binders; organize subtopics with dividers	19 Read 50 Barrister pages	20 Read 50 Barrister pages	21 Read 50 Barrister pages	22 Read 50 Barrister pages	23 Read 100 Barrister pages
24 Read 50 Barrister pages	25 Read 50 Barrister pages	26 Read 50 Barrister pages	27 Read 50 Barrister pages	28 Read 75 Barrister pages	29 Day of rest	30 Read 100 Barrister pages

## 2 DEVISING A STUDY SCHEDULE AND ESTABLISHING A PLAN

The sample study schedule below is for reference purposes only. We suggest exercising your own judgment to create an individualized schedule that matches the specifics of each year's materials and calendar, as well as your own personal situation.

 [Click here to access the full PDF](#)

 [Click here to download the editable Word document](#)

May						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Read 25 Barrister pages	2 Read 50 Barrister pages	3 Read 50 Barrister pages (completed first reading of Barrister materials)	4 <b>Write timed Barrister practice exam &amp; review results Note "wish-to-have" reference materials</b>	5 <b>Day of rest</b>	6 Read 50 Solicitor pages	7 Read 100 Solicitor pages
8 <b>Mother's Day</b> Read 50 Solicitor pages	9 Read 50 Solicitor pages	10 Read 50 Solicitor pages	11 Read 75 Solicitor pages	12 Read 75 Solicitor pages	13 <b>Day of rest</b>	14 Read 100 Solicitor pages
15 Read 50 Solicitor pages	16 Read 50 Solicitor pages	17 Read 50 Solicitor pages	18 Read 50 Solicitor pages	19 Read 50 Solicitor pages (completed first reading of Solicitor materials)	20 <b>Write timed Solicitor practice exam &amp; review results Note "wish-to-have" reference materials</b>	21 Seek out & print the reference materials you noted as "wish-to-have" during practice exams
22 <b>Day of Rest</b>	23 <b>Victoria Day</b> <b>Watch Ethics video;</b> Review this section of materials Note questions for in-class course	24 <b>Watch Public Law video;</b> Review this section of materials Note questions for in-class course	25 <b>Watch Civil Procedure video;</b> Review this section of materials Note questions for in-class course	26 <b>Watch Criminal Law video;</b> Review this section of materials Note questions for in-class course	27 <b>Watch Family Law video;</b> Review this section of materials Note questions for in-class course	28 <b>Check database for updated indices Look over options &amp; choose one Download, print, and bind</b>
29 <b>Day of Rest</b>	30 <b>Barrister Course Civil Procedure</b> Ask Qs at end of day Review class notes at home	31 <b>Barrister Course Family Law</b> Ask Qs at end of day Review class notes at home				



## 2 DEVISING A STUDY SCHEDULE AND ESTABLISHING A PLAN

The sample study schedule below is for reference purposes only. We suggest exercising your own judgment to create an individualized schedule that matches the specifics of each year's materials and calendar, as well as your own personal situation.



[Click here to access the full PDF](#)



[Click here to download the editable Word document](#)

June						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			<b>1</b> <b>Barrister Course Public Law</b> Ask Qs at end of day Review class notes at home	<b>2</b> <b>Barrister Course Criminal Procedure</b> Ask Qs at end of day Review class notes at home	<b>3</b> <b>Barrister Course Ethics &amp; Professionalism</b> Ask Qs at end of day Review class notes at home	<b>4</b> Final review and organization of Barrister materials <b>Write timed Barrister practice exam using indices &amp; reference materials</b>
<b>5</b> Check exam location & rules for exam day Eat well & sleep early Review any last items	<b>6</b> <b>Day of rest</b> Pack materials, snacks & lunch for exam day Eat well & sleep early	<b>7</b> <b>BARRISTER EXAM</b> <b>Good luck!</b>	<b>8</b> <b>Day of rest</b>	<b>9</b> <b>Watch Real Estate video;</b> Review this section of materials Note questions for in-class course	<b>10</b> <b>Watch Tax video + Bankruptcy;</b> Review these sections of materials Note questions for in-class course	<b>11</b> <b>Watch Business Law video;</b> Review this section of materials Note questions for in-class course
<b>12</b> <b>Watch Estates video;</b> Review this section of materials Note questions for in-class course	<b>13</b> <b>Solicitor Course Real Estate</b> Ask Qs at end of day Review class notes at home	<b>14</b> <b>Solicitor Course Business Law</b> Ask Qs at end of day Review class notes at home	<b>15</b> <b>Solicitor Course Tax Law &amp; Bankruptcy</b> Ask Qs at end of day Review class notes at home	<b>16</b> <b>Solicitor Material Wills &amp; Estates</b> Ask Qs at end of day Review class notes at home	<b>17</b> <b>Write timed Solicitor practice exam using indices &amp; reference materials</b>	<b>18</b> Final review and organization of Solicitor materials
<b>19</b> <b>Father's Day</b> Eat well & sleep early Review any last items	<b>20</b> <b>Day of rest</b> Pack materials, snacks & lunch for exam day Eat well & sleep early	<b>21</b> <b>SOLICITOR EXAM</b> <b>Good luck!</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>
<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>		

# 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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## A. THE LSO MATERIALS

### i. Highlighting and Colour-Coding

Highlighting is the simplest and most efficient strategy to help you quickly recognize important items or facts on a page. It is not a learning tool, but an organization strategy that will help draw your eye quickly to the important places on the page. However it is useful only when applied sparingly and strategically. When reading through the materials, resist the temptation to highlight gratuitously—if you are highlighting every other sentence, you are overdoing it and the non-highlighted portions of the page will become the portions that are easiest to focus on. The key is to highlight only phrases that you think might be the answer to an exam question.

One helpful technique that will keep you focused and help you avoid over-highlighting is to use a colour-coding strategy—for example, use **green** for **formulas/calculations**, **blue** for **time periods/deadlines**, **pink** for **statute names**, **orange** for **exceptions**, and **purple** for **other important items**. You can use the basic **yellow** highlighter to emphasize **headings and subheadings** that you might not notice when quickly scanning a page. Case names are unlikely to be tested on the exams, so do not worry about highlighting these.

### ii. Tabbing and Dividers

You can use tabs and dividers to divide the materials in any way you see fit. You can choose to tab rigorously (tabbing every chapter and subsection using a colour-coded system) or sparingly, on the basis of what information you expect will be important. As with highlighting, be discerning about where and how you choose to tab—devise a strategy that will help you locate information efficiently. Too many tabs will likely confuse you, but tidy and strategic tabbing will help you locate content more swiftly. We suggest adding tabs as you make your way through the readings. You can always remove them during your final review if you find that there are too many, but it isn't so easy to add them in the right places at the last minute.

## B. STUDY AIDS AND REFERENCE MATERIALS

Students make use of a number of reference tools on the Ontario bar exams, and there is a great deal of debate about which is the “best” tool. What works perfectly for one person sometimes doesn’t work at all for another. You must make your own decision about what reference materials you will rely on in the exam. Practice exams will help you test and validate this decision, illuminating early on whether you might need to consider a different strategy.

Based on the information below, you should be able to make an educated choice as to what resource(s) will be most helpful to you, and invest your time in preparing these. Consider testing them with a practice exam several weeks prior to the licensing exam so that you have time to adapt, if necessary.

### i. Detailed Table of Contents

Your LSO materials come equipped with a detailed table of contents (DTC) that many students have found to be a sufficient navigation tool for the exam. The DTC is 20-30 pages long for each set of materials, and can be supplemented with annotations in the margins. If you have time, you can even transfer the DTC into a Word document and make your own typed additions to it, then print it out and bring it with you.

Anecdotally, most students seem to use the DTC as their primary method of navigation to identify the page(s) that they should reference for a particular question. During practice exams, you should try using your DTC to see if this method works for you. If you find that you need a more detailed frame of reference from which to navigate your materials, you may prefer using indexes for your exam.

Effective use of the DTC requires a familiarization with the materials and where information is located in each section. Some students take the time to carefully review the DTC following a detailed read-through of the materials in order to better understand in which sections certain substantive topics of law appear, and how they fit together with one another.

#### ii. Indexes

You have likely heard a lot about indexes and indexing, since indexes are perhaps the most widespread reference resource that students rely on in the exams. An index is an alphabetical list of key terms with corresponding page numbers. A set of indexes consists of an index for each subject area on the exam. Indexes can be 20-50 pages per subject, often totalling well over 100 pages for each exam.

##### a. *Why Use Indexes?*

Opinions are polarized when it comes to indexes. Some students swear by them and believe that their indexes were the key to their success on the exams. Other students find them burdensome or discovered that they had to reference their indexes for only one or two questions on the exam.

The benefit of a well-organized and comprehensive set of indexes is that you have at your fingertips a simplified roadmap to assist you in locating very specific information in your materials. A good set of indexes can save you time that would otherwise be spent flipping through the materials searching for a keyword. However, like using a road map, if you are not familiar with its layout, an index can end up wasting a lot of your time on exam day.

The drawback is that indexes can take weeks to update or create yourself, which eats into valuable study time. For this reason, many students choose to use indexes that were created by someone else—sourced from an online database, or shared by a friend. While this approach saves time, there is an element of risk involved in using somebody else's indexes. They might be inaccurate, outdated, or organized in a way that is non-intuitive for you. If you choose to use indexes created by somebody else, be sure to write [practice exams](#) using the indexes. This will draw your attention to any inaccuracies, inconsistencies, or issues with organization that would otherwise catch you by surprise on exam day, when it is too late to make changes.

#### **b. How Do I Find or Create Indexes?**

If you choose to create your own indexes, there are two approaches. You can create your indexes from scratch, meaning that you decide which key terms you want to include and which you do not. If you are creating from scratch, consider carefully whether you want to create your indexes in Word or Excel. You may be more comfortable working in Word; however, Excel has useful sorting functions that come in handy when organizing your indexes. The benefit of using Excel is that you can create your indexes chronologically as you move through pages in the materials, and then use the “A-Z Sort” function to organize them alphabetically at the end. Keep in mind that creating indexes from scratch is a time-consuming process that will take up much of your studying time, especially if you plan on writing in June immediately following the end of law school.

Alternatively, you can save time by using a set of indexes from an earlier sitting (if you are writing in November or March), or updating a set of indices from the previous year (if you are writing in June). These are readily available in many places online, including the [Emond indexes database](#). As you know, the LSO materials are updated each April, at which time the page numbers change and the indexes from the previous year become obsolete. So the process of updating the indexes involves going through key words in the indexes and updating the page references to match the new materials.

With either approach, you can increase efficiency by teaming up with other students (between 10 and 15 is a good number) and dividing the work between you. Each person can complete a particular subject or chunk of pages, which is much more manageable than trying to update an entire index on your own.

**▲ Important Note:** Other members of your indexing group may perceive and organize things differently. If you decide to create your indexes as a group, discuss strategy and organization at the get-go to ensure that everyone is on the same page. Even then, the indexes won't be perfect, and you may find that certain sections cause problems for you. Ensure you write a practice exam using the indexes to identify potentially problematic sections before exam day.

### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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You may decide that indexing is not the best use of your study time, and prefer to find a set of pre-created indexes to use. This can be tricky for the June exam, as indexing takes several weeks and most students complete their indexes only a week or two before the barrister exam. By that time, you should be able to find indexes in one of the following places:

- [Emond's free indexes database](#)
- Facebook and LinkedIn—there are groups/pages where students can network and share study resources
- Craigslist or Kijiji—some students sell indexes for \$20-\$50
- other students, friends, or colleagues who have already written the exams

If you opt for this approach, ensure that you schedule time to [write a practice exam](#). You absolutely must vet the quality of your borrowed indexes to verify their accuracy, familiarize yourself with how they are organized, and make any necessary additions or modifications. Remember—indexing is not straightforward. What one person indexes as “Net Family Property—Calculation” another will index as “Divorce—Net Family Property Calculation.” These small variations are important on the exam, when every second matters. Taking practice exams is key to familiarizing yourself with the way an index is organized, ensuring that you are able to easily navigate the index during the pressures of exam time.

#### iii. Topic Summaries

Rather than functioning as a navigation tool, topic summaries can be very helpful while you are doing your readings. Just as you may have written summaries in law school before an exam, you should consider doing the same with your LSO materials as you move through them. Summaries not only help you process the material you are reading, they also give you a chance to reorganize and recontextualize information in a manner that might make more sense to you. The LSO materials are commonly criticized for being confusing and poorly laid out. Writing summaries will force you to think about and try to make sense of complex material you might otherwise skim over. Remember, the goal is not to memorize, but to develop a thorough understanding of what you are reading.

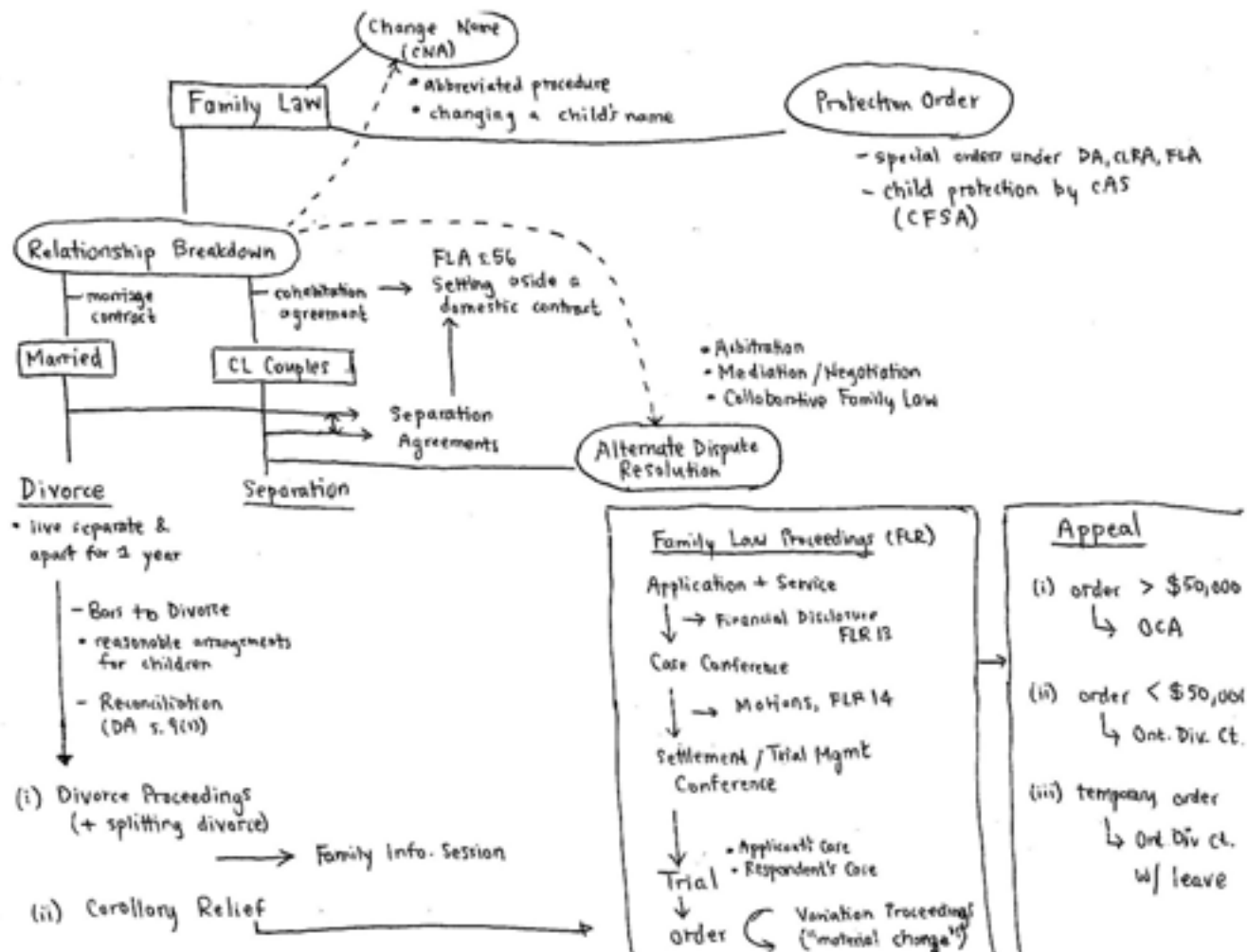
### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

#### iv. Mind Maps and Charts

Much like topic summaries, mind maps are another study tool that can help you make sense of complex concepts and procedures. Mind maps are similar to flow charts—illustrations that depict different processes using a series of bubbles that branch in different directions. For the bar exams, mind maps are most applicable to the procedural components of the barrister material, because they can simplify complex timelines and help you follow different if/then scenarios from beginning to end. Your [CanBarPrep course materials](#) include several helpful mind maps, and below is an example to show you how they can be used:



[Click here for the full-resolution JPEG of the mind map](#)



### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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Charts can be helpful for both barrister and solicitor content. You can use charts to gather relevant rules, statutes, and exceptions in one place for quick reference. For example, you could create a chart depicting the treatment of different considerations (such as filing default penalties) for an OBCA corporation versus a CBCA corporation. Some additional suggestions and downloadable charts are listed here:

- charts found on the Ministry of the Attorney General [website](#) summarizing various processes under the Rules of Civil Procedure, such as:
  - serving and filing motion materials
  - expert evidence processes



[Click here to download editable Barrister Summary Charts \(June 2019\)](#)

#### **v. CanBarPrep PowerPoint Presentations**

Many students find that the PowerPoint presentation handouts provided during class act as a great summary of key concepts found in their exam materials. Students will take the hard copies they were provided in class, or those they printed from the online course, into the exam with them to supplement their bar materials. Because CanBarPrep instructors focus on key concepts relevant to each subject area, the handouts act as a short summary that is easily accessible. Having these materials close by during the exam may save you from having to flip through your bar materials in a hurry. These handouts also act as a great method of review. As exam day approaches, you may not have time to read your materials over again in their entirety. However, reviewing the handouts at the end of each in-class session or a few days before the exam will help to refresh your memory of key concepts and may provide clarity when it comes to more complex topics.



## C. ADDITIONAL REFERENCE MATERIALS FOR THE EXAM

### i. Bar Exam Timer Sheet

Ensure that on exam day you come equipped with a bar exam timer sheet. This will help you stay on track with timing, so that you know how many questions you should have answered after 30 minutes, 60 minutes, and so on. You can use the bar timer below to begin with, and modify it as you see fit:



[Click here to access a PDF of the Bar Exam Timer Sheet](#)



[Click here to download the Bar Exam Timer Sheet as an Excel document](#)

### ii. Calculations Cheat Sheets

In certain subject areas, particularly in the solicitor section, you will be required to answer questions involving financial calculations. It is a good idea to bring a calculations cheat sheet with you, to demonstrate and explain the calculations you may need to perform and to identify important thresholds or exceptions you should be aware of. This will save you time searching for formulas in your materials, draw attention to details that may otherwise trick you on the exam, and give you an opportunity to explain the calculation in a way that will make the most sense to you. Remember, the LSO will provide you with a calculator.

### iii. Important Statutes and Legislation

It may be beneficial to review and photocopy certain statutes or specific provisions that are mentioned in the materials and take them into the exam with you. Doing so may assist you in finding the answer to a question more quickly. When studying, if there are certain provisions that are mentioned frequently or that contain lists or exceptions, you may want to have a copy on hand that is easily accessible, which will save you from having to flip through your materials. You may want to consider photocopying certain sections of the following:

### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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- *Criminal Code*
  - ss 469 and 553 (offences under exclusive jurisdiction of the SCJ and absolute jurisdiction of OCJ)
  - Parts XXI and XXVII of *Criminal Code* (appeal rules for indictable and summary offences)
- *Canadian Business Corporations Act*
  - s 5 (incorporation)
  - s 94 (receivers)
  - s 102 (directors and officers)
  - s 132 (shareholders)
  - s 241 (oppression remedy)
- *Ontario Business Corporations Act*
  - s 3 (incorporation)
  - s 92 (shareholders' limited liability)
  - s 115 (directors)
  - s 210 (appointment of liquidator)
  - s 248 (oppression remedy)
- *Bankruptcy and Insolvency Act*
  - s 42 (acts of bankruptcy)
  - s 43 (application for bankruptcy order)
  - s 46 (interim receiver)
  - s 49 (assignments)
  - s 50 (general scheme for proposals)
  - s 69 (stay of proceedings)
  - s 102 (meeting of creditors)
  - s 105 (procedure at meetings)
  - s 116 (inspectors)
- *Rules of Civil Procedure*
  - reviewing the entirety of these rules as a supplement to the civil procedure section essentially gives an overview of the most important rules
- *Income Tax Act*
  - s 85 (income tax rollovers)
  - s 128 (bankruptcies)
  - s 129 (private corporations)
  - s 165 (objections to assessments)

## D. PRACTICE EXAMS

### i. Should I Write a Practice Exam?

Writing a practice exam is one of the most important steps in preparing for your licensing exams, and we strongly advise against skipping it. A practice exam is an invaluable tool that will help you become intimately familiar with the layout of your LSO materials and your indexes. This is crucial to succeeding on the licensing exams, since the majority of exam questions will require you to reference your materials for an answer in less than 100 seconds. If you are not familiar with the layout of your indexes and materials, you will be at a disadvantage because it will take you longer to find relevant information.

The process of writing a practice exam will also reveal any errors, oversights, or problems with your indexes, with enough time to address these issues before the actual exam. It may give you ideas for cheat sheets or other supplementary materials that will help you answer questions more quickly on the exam. Additionally, a timed practice exam will prepare you for the conditions of the exam by forcing you to answer mock exam questions under time constraints, helping you increase your speed and efficiency.

Practice exams may also help improve your substantive knowledge of the materials, reducing the amount of time it will take for you to come to the correct answer during the actual exam. The practice exams can help you identify gaps in your knowledge and, importantly, allow you to see how the substantive law applies practically to a problem in a given fact scenario. It is one thing to understand the law when you read it passively, but an entirely different thing to analyze how it is correctly applied in different situations.

**▲ Important Note:** It is critical to understand that any practice exam you take will be different from the actual licensing exams. No past LSO licensing exams have ever been published, and the LSO does not make sample exams available. As such, most commercial companies rely on research, anecdotal evidence, experience, and student feedback to develop their practice exams.

### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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Nevertheless, a good practice exam will still challenge you, teach you to navigate your materials, and prepare you for the time limitations you will face on the actual exam. Furthermore, with certain topics of substantive law, you will find that practice questions gauge essentially the same knowledge as the bar exam itself. After all, with topics such as limitation periods, there are only so many ways that a question can be phrased.

All in all, the benefits of taking practice exams should not be discounted—you will improve your familiarity with indexes, bolster your substantive knowledge of the law, and attain comfort with answering questions regarding the materials.

There are several companies that offer practice exams of varying lengths and price points. Choose carefully by considering who wrote the questions, what their qualifications are, and what the feedback has been in public forums. Some practice exams include special features to enhance the experience—for example, [Emond's practice exams](#) include:

- a timer that counts upwards from 0, and can be paused or resumed at any time
- a flagging feature to mark questions you want to double-check before submitting, just as in the actual exam experience
- subject performance analytics to help you identify your strongest and weakest subject areas, thus targeting your studying more effectively
- a detailed exam review section that displays the answer you selected, the correct answer, and a detailed explanation
- up to four separate attempts so that you can experiment with different strategies and reference materials
- challenging exam questions that are updated every year, and have been developed by experienced lawyers and vetted by Emond's editorial team

#### ii. When and How to Write a Practice Exam

Depending on which company you choose for your practice exam, different access periods and exam attempts will be available. Ensure that you consider these in advance, and do not hesitate to get in touch with a company if you have questions regarding their policies. If you opt to take Emond's practice exams, they can be written up to four times and expire

### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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at each scheduled LSO exam date, meaning that you can have access to them for up to four months. Extensions are also available in the case of a deferral or rewrite.

We suggest taking your initial attempt at a practice exam after you've completed your first reading of the materials. Taking it earlier may be demoralizing, and if you wait too long you won't have much time left to study weak areas or make adjustments to your reference materials. Ideally, you will complete your first reading and practice exam at three or four weeks in advance of the exam date, giving you plenty of time afterward to focus on areas in the materials where you performed poorly on the practice exam. You can use your subsequent attempts closer to the exam date, once you have had time to review challenging areas and adjust or supplement your reference materials as needed.

It is a good idea to treat the practice exam as though it were the actual licensing exam for at least one of your attempts. Have your reference materials in front of you, stick to the time restrictions (~100 seconds per question), and stay off the Internet. You may choose to take the opposite approach with one of your other attempts, taking it slowly and using all of the resources at your disposal (including the Internet) to answer the questions. The benefit of this approach is that you may stumble on helpful study resources online that you can print and bring into the exam with you.

#### **iii. Evaluating Your Performance on a Practice Exam**

Once you complete and submit a practice exam on [emondexamprep.ca](http://emondexamprep.ca), you will receive your overall score as well as a breakdown of how you performed in each subject area. Note these statistics, and spend more time reviewing the areas you performed poorly in during your next read-through of the materials. Also pay close attention to these sections while watching the corresponding online video component. You may even want to watch additional videos from previous years, especially if there is a different instructor. Hearing difficult material explained in more than one way may help you to grasp concepts that you are struggling with.

### 3 PREPARING AND TESTING YOUR REFERENCE MATERIALS

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You should also review all the question explanations, and try to identify patterns in the types of questions you answered incorrectly—for example, ask yourself these questions during your review:

- Did I struggle with questions involving calculations?
- Did I score better on seemingly straightforward informational questions, or on scenario-based questions?
- Were there key words (“must,” “may,” “should,” “can,” “except,” and “unless”) that I missed, which could have indicated the right answer?
- Was I tricked by details or exceptions that I didn’t notice when quickly scanning through the materials for the answer?
- Were there questions that I got wrong simply because I didn’t read the question carefully enough?



# 4 THE CANBARPREP ONLINE COURSE

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## A. ONLINE COURSE SUMMARY

The [CanBarPrep Online Course](#) consists of a series of video lectures captured at each year's June in-class barrister and solicitor courses. Each lecture is led by an instructor (occasionally, two instructors) with substantial expertise instructing or practicing in that area of law.

The online course includes lectures from the past two years, as well as selected lectures from previous years that were particularly well received and remain relevant. From year to year, instructors may change and in-class discussions differ, which is why we include at least two years' worth of lectures. The overall format of each lecture involves a detailed review of the subject matter, with a focus on key exam points, and intermittent question and answer periods throughout. Many instructors include sample exam questions in their presentations to demonstrate the application of important concepts and to illustrate the types of challenging questions you might face on the exam.

Lectures range in length from 1 to 5 hours each, with greater coverage of subjects that will be important on the exam. In total, the course contains over 100 hours of video, about one third of which is recommended viewing in preparation for the exam, and the remainder of which is supplementary. The most recent year's lectures comprise about 40 hours of the course (20 hours barrister and 20 hours solicitor), and we suggest that you begin by watching these. The additional time is made up of videos from previous years, available as supplementary viewing if you do not like a particular instructor or if you want a different perspective on a subject that you find especially challenging.

### **A Note Regarding the Online Course Materials**

*The PowerPoint presentations accompanying the online lectures are available to all CanBarPrep course purchasers as downloadable PDFs. To gain access, please forward your Vimeo e-receipt from course purchase to [emondexamprep@emond.ca](mailto:emondexamprep@emond.ca) with your request.*

### B. RECOMMENDED VIEWING STRATEGY

Students commonly request guidance on how to move through the available CanBarPrep videos and how to integrate them into their study plan. Several approaches can be effective, depending on your study plan, time available, and comfort level with the materials. Some students choose to start their study process by watching the videos first, creating a foundation for their subsequent readings. Others choose to watch the videos at the end as a final review to reinforce the materials right before the exam.

If we were to suggest an approach, it would be to complete your full first reading of the LSO materials before watching the substantive video lectures. The first two videos in the course, which cover exam preparation and strategy, can be watched at any point, but we recommend watching them as soon as possible because the strategies they discuss will benefit you during your studying. After you have completed your first reading of the LSO materials, we suggest following the checklist below and reading each corresponding section of the LSO materials either immediately before or immediately after watching the relevant video. For subjects where more than one video is recommended, you may choose any one (based on the instructor you prefer) and watch that video to begin with.

### C. BARRISTER ONLINE COURSE

#### i. Barrister Course Summary

The online barrister course consists of a series of video lectures captured at the June in-class barrister course over the past two years. These lectures cover the subject areas of ethics and professional responsibility, public law, civil procedure, criminal law, and family law. The [Barrister Online Course](#) consists of approximately 45 hours of video lecture, and we advise beginning with the most recent videos and then moving backward through past years at your discretion.

Your progression through the online course is self-directed. Below is a comprehensive list of the available videos and our recommended viewing strategy in the form of a checklist you can complete as you work through the videos.



ii. Barrister Video Checklist

#	SUBJECT AND LECTURER	DATE	NOTES
1	Preparing for an Ontario Licensing Exam with Professor Paul Emond ( <b>recommended</b> )		
2	Exam Study and Strategy Session ( <b>recommended</b> )		
3	Ethics and Professional Responsibility		
	Trevor Farrow, 2019-20 ( <b>recommended</b> )		
	Trevor Farrow, 2018-19 ( <b>recommended</b> )		
4	Public Law		
	Rebecca Bromwich, 2019-20 ( <b>recommended</b> )		
	Rebecca Bromwich, 2018-19 ( <b>recommended</b> )		
5	Criminal Procedure		
	Jessyca Greenwood, 2019-20 ( <b>recommended</b> )		
	Gerald Chan, 2018-19 ( <b>recommended</b> )		
6	Family Law		
	Shelley Kierstead, 2019-20 ( <b>recommended</b> )		
	Shelley Kierstead, 2018-19 ( <b>recommended</b> )		

#	SUBJECT AND LECTURER	DATE	NOTES
	Shelly Kierstead, 2017-18 (recommended)		
7	Civil Procedure		
	Kris Borg-Olivier, 2019-20 (recommended)		
	Lindsay Scott, 2018-19 (recommended)		

## D. SOLICITOR ONLINE COURSE

### i. Solicitor Course Summary

The [Solicitor Online Course](#) consists of a series of video lectures captured at the June in-class solicitor course over the past two years. These lectures cover the subject areas of ethics and professional responsibility, real estate, tax law, bankruptcy, business, and estates. The solicitor course consists of approximately 45 hours of video lecture, and we advise beginning with the most recent videos and then moving backward through past years at your discretion.

Your progression through the online course is self-directed. Below is a comprehensive list of the available videos and our recommended viewing strategy in the form of a checklist you can complete as you work through the videos.

ii. Solicitor Video Checklist

#	SUBJECT AND LECTURER	DATE	NOTES
1	Preparing for an Ontario Licensing Exam with Professor Paul Emond ( <b>recommended</b> )		
2	Exam Study and Strategy Session ( <b>recommended</b> )		
3	Ethics and Professional Responsibility		
	Trevor Farrow, 2019-20 ( <b>recommended</b> )		
	Trevor Farrow, 2018-19 ( <b>recommended</b> )		
4	Real Estate		
	Judith Wolf, 2019-20 ( <b>recommended</b> )		
	Judith Wolf, 2018-19 ( <b>recommended</b> )		
5	Tax Law		
	Samantha Prasad, 2019-20 ( <b>recommended</b> )		
	Samantha Prasad, 2018-19 ( <b>recommended</b> )		
6	Bankruptcy		
	Frank Spizzirri, 2019-20 ( <b>recommended</b> )		
	Stephanie Ben-Ishai, 2017-18 (optional)		

#### 4 THE CANBARPREP ONLINE COURSE

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#	SUBJECT AND LECTURER	DATE	NOTES
7	Business Law		
	Anthony Spadaro, 2019-20 <b>(recommended)</b>		
	Anthony Spadaro and Marc Picone, 2018-19 (optional)		
8	Estates		
	Howard Black, 2019-20 <b>(recommended)</b>		
	Howard Black, 2018-19 (optional)		

# 5 THE CANBARPREP IN-CLASS COURSE

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## A. IN-CLASS COURSE SUMMARY

The CanBarPrep in-class course takes place only once each year, prior to the June licensing exam sittings. The course consists of two sections—a five-day barrister section, which takes place the week preceding the June barrister exam, and a four-day solicitor section, which takes place the week preceding the solicitor exam. Students registering for only the solicitor section are invited to attend the full-day Ethics and Professional Responsibility class held on the last day of the barrister section as part of the solicitor course. The course is timed this way because it is most beneficial for students to have the relevant lectures fresh in mind when entering the exams. Additionally, most students will already have finished reading the LSO materials when the course begins, so they will be better equipped to understand the material in context, ask informed questions, and request clarification on any lingering areas of confusion.

Classes run from 9 a.m.–5 p.m. each day, with an hour for lunch and two 15-minute breaks. The course takes place on the University of Toronto Campus, in downtown Toronto (near Queen’s Park Subway Station). Parking is available through the University of Toronto campus, and accommodations are available nearby for those travelling from out of town.

The CanBarPrep program comprises two key components:

1. **Instruction:** in-class, face-to-face teaching of the substantive topics by the instructors;
2. **Q & A:** an opportunity to get clarification on concepts and issues that trouble you

[CanBarPrep instructors](#) are leading members of the bar and bench in Canada, many of whom are top practitioners and respected law professors. They work with us each year to revise and update the CanBarPrep program, with the goal of helping students perform their best on the Ontario bar exams. At the end of the course each year, we review students’ instructor evaluations to determine our staffing for subsequent years. Several of our instructors have taught their section of the course for many years, but we also engage new instructors where appropriate.

## B. SAMPLE DAILY SCHEDULE

TIMESLOT	ACTIVITY
9:00am–9:15am	Course introduction and overview—Paul Emond
9:15am–10:30am	Lecture: Ethics and Professional Responsibility—Trevor Farrow
10:30am–10:45am	Morning Break
10:45am–12:00am	Lecture: Ethica and Professional Responsibility—Trevor Farrow
12:00pm–1:00pm	Lunch Break/instructor office hours—Trevor Farrow
1:00pm–2:30pm	Lecture: Public Law—Rebecca Bromwich
2:30pm–2:45pm	Afternoon Break
2:45pm–4:00pm	Lecture: Public Law—Rebecca Bromwich
4:00pm–5:00pm	Q&A/instructor office hours—Rebecca Bromwich

## C. SAMPLE COURSE SYLLABI

### i. Barrister In-Class Course

DAY	SUBJECT	INSTRUCTOR	CURRENT POSITION
Monday	Civil Procedure	<a href="#">Doug Elliott</a>	Partner, Cambridge LLP
Tuesday	Family Law	<a href="#">Shelley Kierstead</a>	Assistant Professor, Osgoode Hall Law School
Wednesday	Public Law	<a href="#">Rebecca Bromwich</a>	Adjunct Professor, Carleton University
Thursday	Criminal Procedure	<a href="#">Jessyca Greenwood</a>	Principal Lawyer, Greenwood Defence
Friday	Ethics and Professional Responsibility	<a href="#">Trevor Farrow</a>	Professor, Osgoode Hall Law School

ii. Solicitor In-Class Course

DAY	SUBJECT	INSTRUCTOR	CURRENT POSITION
Monday	Real Estate	<a href="#">Judith Wolf</a>	Professor, Seneca College
Tuesday	Business Law	<a href="#">Anthony Spadaro</a>	Partner, Davies Ward Phillips & Vineberg LLP
		<a href="#">Marc Pontone</a>	Associate, Davies Ward Phillips & Vineberg LLP
Wednesday	Tax	<a href="#">Samantha Prasad</a>	Partner, Minden Gross
	Bankruptcy	<a href="#">Frank Spizzirri</a>	Counsel, Audax Law PC
Thursday	Estates	<a href="#">Howard Black</a>	Partner, Minden Gross



### D. COMING TO CLASS PREPARED

At the CanBarPrep course, complimentary coffee and tea are provided, and water refill stations are situated in the building. For lunch, there are ample food options available around the corner on College Street as well as along Spadina Avenue. Each day, the PowerPoint presentations are printed out and provided to you. In preparation for the in-class CanBarPrep course, you should come equipped with the following items:

- pen, highlighter, blank paper, and/or a fully charged laptop (limited outlets are available, and extension cords are provided)
- your LSO materials
- a refillable water bottle
- snacks
- dress lightly but bring a sweater—air conditioning varies day to day
- a list of questions or areas of clarification you want to discuss with the instructor during office hours.

A student handbook containing further details will be emailed to all course registrants one to two weeks prior to the course. If you have any questions, contact us at [emondexamprep@emond.ca](mailto:emondexamprep@emond.ca).



# 6 EXAM WRITING AND TIME MANAGEMENT STRATEGIES

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## A. OVERVIEW

Before entering the exam, spend some time considering the tactics you will employ to maximize your time and correctly answer as many questions as possible. There are several aspects of preparation to consider: logistics (coming equipped with food, water, and adequate clothing); time management (planning how quickly you need to move through questions and how you'll achieve this); reference materials (knowing your indexes, DTOC, summaries, and PowerPoints); and exam strategy (how you'll approach and analyze the questions).

## B. STRATEGIES FOR SUCCESS

### i. Logistics

[Chapter 1](#) of this manual contains a detailed outline of what to expect in terms of logistics on exam day. We suggest reviewing this section prior to your exam, paying special attention to the LSO rules and restrictions. Smart students aim to arrive at the exam site an hour in advance, allowing time to navigate traffic, find a parking spot, check belongings, and get settled for the long day ahead.

It is important to understand that you will be suffering through a long and painful day. We can't overemphasize this enough—one of the most common things we hear from students after the exam is how shocked they were by the physical and mental strain. Many students reported that they took days to recover afterward. The exams are intended to challenge you, confuse you, and exhaust you. They are gruelling, both mentally and physically. Don't be surprised if, by the end of exam day, you are having trouble thinking, sitting up straight, and staying positive. These are all normal symptoms of exhaustion.

Fortunately, there are ways to prepare for and counteract this. First, ensure that you come stocked with water and high-sustenance protein-based foods. We advise packing your own ready-to-eat lunch because, although lunch is officially designated as an hour, up to half this time can be lost while the administrators collect exams and dismiss exam-takers in an orderly fashion, plus the time spent if you need things from coatcheck. While there may be food vendors in the building itself, they are not always open and, if they are, the lines can be quite long. In reality, expect about 30-40 minutes of time to yourself in which to eat. You would do well to pack a light but high-protein lunch (such as tuna or chicken breast on multigrain bread with berries or vegetables and hummus on the side). Try to avoid heavy or high-carb foods that will weigh you down and make you feel sluggish in the afternoon.

Additionally, pack food and beverage items you know will help you along throughout the day—whether it’s a series of easy-access snacks to fuel yourself, a caffeinated beverage, or something sweet as a reward. As long as you are aware of the risks of caffeine and sugar (the period of energy they supply and the energy slump that follows), you can strategically maximize their benefits and minimize the impact of their drawbacks. Pack a sweet (but small) snack to perk you up for the very last hour. Although staying hydrated will help you think clearly and stay alert, remember that increased beverage consumption will lead to more bathroom breaks, which can add up to a surprising amount of lost time.

The importance of a good breakfast at the beginning of the day cannot be overstated. While you may bring in an abundance of snacks, the time-sensitive nature of the exam means that you may not have a lot of time to access your snacks. Beyond food, some other creature comforts to bring are clothing (dress comfortably and pack a sweater or cardigan), earplugs to block out distracting sounds, and an Advil or Tylenol in case of a headache.

**▲ Important Note:** Pack a high-protein, low-carb lunch and snacks; use caffeine and sugar strategically, keeping them to a minimum if possible; bring a clear empty beverage container into which you can pour your drinks to bring into the exam room.

### ii. Time Management Tactics

When you enter the exam, you should be equipped with your [bar exam timer sheet](#). Try to adhere to this schedule, with the knowledge that you will dedicate more time to some questions and less time to others. When you are allowed to open the exam, be sure to first flip to the last page in order to see how many questions your exam paper has. The timer sheet is generally primed to an exam with 120 questions, but often the exam consists of fewer questions than that, giving you slightly more time per question.

Several time management strategies can work on exam day. These are summarized below:

**Basic:** The most basic approach is to take the exam at face value, reading each question and its accompanying answer choices, and answering it to the best of your abilities (with reference to your materials if necessary) before moving to the next question. The advantage of this strategy is that you will have an accurate idea of how many questions you have answered at any point in time, and you don't have to worry about Scantron errors that can be caused by skipping questions. The drawback of this strategy is that you might fall behind on time while struggling with challenging questions, possibly missing out on easy questions near the end that you could have answered correctly.

**Strategic Flagging:** This approach is the opposite extreme. It involves reading each question and set of answer choices through, answering questions you are 80 percent sure of on your Scantron, and then using one of two flags to mark each question you don't know the answer to on the exam question sheet. The first flag (such as an "x") indicates that you think you can find the answer to the question relatively quickly in your materials. The second flag (such as an "o") indicates that the question is more complex, or requires referencing multiple locations in your materials, meaning it will take more time to solve. On your second time through the questions, answer all the questions marked with an "x," and on your final time through the questions, answer all questions marked with an "o." The advantage of this method is that it ensures you gain all the "easy points" possible from questions you can easily answer, progressively working toward the hardest questions, thereby maximizing the value of your knowledge and time. There are two drawbacks to this approach: first, you become more susceptible to errors on your Scantron sheet; and second, you lose some time reading the questions and answers two to three times, which can be problematic unless you are a quick reader with high reading comprehension.

**Combination:** The most balanced approach, which many students opt for, combines elements of the two strategies above. With this approach, you move through the exam question by question, answering those that you can deduce independently and those that require only quickly referencing your materials. When you encounter a more challenging question that you suspect will require more than two minutes to answer, flag the question to return to at the end. You may venture a guess at an answer for the question, just in case you don't have time to come back to it afterward. This way, you will still gain all the easy–medium points possible, without having to skip around too much or lose time rereading questions three times.

**▲ Important Note:** Whichever strategy you choose, ensure that you **do not** submit your Scantron with **any questions unanswered**. If you are down to the last two minutes, then guess blindly. A 25 percent chance of a correct answer is better than a 0 percent chance.

However, it shouldn't come to that—remember that with any of the above strategies, you are reading every question and answer choice during your first time through the exam. You therefore have the opportunity to strike out any blatantly wrong answer choices, even for questions that you have flagged to return to later. This way, if you do run out of time, at least your answer choices will be narrowed to two or three possibilities, a 33 to 50 percent chance of success if you must guess.

Because it is difficult to know which strategy will work for you, and how these theoretical strategies will actually play out in practice, you must try applying them with a [practice exam](#) well before exam day. Doing so will help you accurately gauge whether flagging will work for you, or whether you'll run out of time before reaching the end. You'll see in real time whether it takes you 20 seconds to read a question and all answer options, or whether it takes you 40 seconds. You will be able to adapt your strategy according to what you discover, and improve your speed with practice.

### iii. Reading and Comprehending the Question

You might not think this deserves its own category, but believe us when we assure you that it does. Failure to understand and properly apply this part of the strategy is what most often sabotages a student's success on the exam. If there is one fundamental but crucial piece of advice that you take from this manual, it should be this:

**▲ Important Note:** Carefully read and absorb every word of the question, and every word of each answer choice, before turning to your reference materials or selecting an answer.

People have different levels of reading **speed**, **focus**, and **comprehension**, three factors that can make or break your success on the exam. In the previous section, we discussed speed and time management. Here we want to emphasize the importance of focus and comprehension. Make no mistake—language is hugely important on the exam. Small phrases like “cannot” versus “should not,” “may” versus “must,” and “including” versus “except” can entirely change the crux of a question. Pay attention to these words where you see them, especially in ethics questions. If you miss a word like “except,” you’re guaranteed to end up with the wrong answer. If you jump too hastily to one answer choice before reading through all other answer options, you can miss a small variation that renders your another answer “more” correct.

We cannot overemphasize how important **focus** is in succeeding on the exam, because we witness it firsthand with our practice exams. It is not uncommon for us to receive frantic emails the week before the exam from students who are convinced that a particular question on the practice exam is erroneous. Sometimes they are correct; but more often, they have overlooked a key word or nuance in the question. For example, the following question has come under debate in this way:

Lilly, who lives in Florida, was served with a child custody application at her home. How long does she have to file her answer?

- a) 30 days
- b) 10 days
- c) 20 days
- d) 60 days

**Correct Answer:** a) 30 Days

**Explanation:** Under s 10(1) of the *Family Law Rules*, an answer to an application must be filed within 30 days after being served if the respondent is served within Canada or the United States.

The student was convinced that 60 days was the correct answer, citing this excerpt from their materials:

If the application is served outside Canada or the United States, the time for filing an answer is 60 days (r 10(2)).

Because Florida is located within the United States, their point was moot, and they realized their oversight quickly. And that's the key lesson—in the stressful and high-pressure atmosphere of an exam—even a practice exam—it can be easy to accidentally misread or skim over something of importance, *even when it should be obvious*. Avoid this trap by consciously trying to stay focused while you write your practice exams. During your practice exam review, try to identify instances in which you *did* accidentally overlook something of importance that should have led you to the correct answer. This will help you become aware of the types of oversights you are susceptible to so that you can counteract this tendency during the exam.

There is also a correlation between **reading comprehension** and success on the exam. We have seen this manifest in a variety of ways, but here is an example. Emond runs exam preparation courses year-round, and an in-class course each June. In preparation for the June course, we send most important correspondences (course details, instructions,

access to resources, and updates) via email. If an email goes to 50 students with instructions for accessing something online, we'll invariably have one or two students for whom the instructions just do not work. In these cases, the problem usually ends up being a misunderstanding (or skimming) of the instructions that led to missing a key step. The exam itself is one big exercise in reading, comprehending, and applying, so the ability to focus on, absorb, and understand written material is critical.

Reading is not the ideal learning method for everyone, and many (perhaps most) of us learn better through audiovisual means. This is why we offer preparation courses. However, while a preparation course will help you learn your materials and develop the knowledge base to succeed on the exam, it cannot write the exam for you; therefore, you must prioritize the development of strong reading comprehension skills. Fortunately, there are tactics you can use to aid you both in your preparations ahead of the exam and during the exam. A brief list includes:

- While writing practice exams, exercise your ability to identify the key facts, subjects, and concepts embedded in the question. See if you can identify red herrings—information or answer choices that are not relevant in determining the answer.
- While writing a practice exam, try reading the question and answers out loud, which may help you focus.
- During the actual exam, use your pencil and highlighter to indicate important elements of the question, including names, keywords—"except," "must," "may"—statutes/legislation, and timelines. This will help you to both focus and identify important elements you don't want to overlook.
- Throughout the exam, but especially with respect to the case-based scenarios, you will be inundated with different names of people involved in a situation. It is important to clearly distinguish between each person, because answers with regard to questions involving conflicts of interest can often hinge on the names of different people.
- Keep track of the ages of the subjects in the question and also in which jurisdiction they are located, because this can have a substantial impact on the application of certain laws—for example, limitation periods.

Above all, try to stay calm and confident, even if you feel nervous about your reading speed, focus, or comprehension. Do what you can to improve, but remember that this manual is about fostering your self-awareness so that you can make informed choices about how best to prepare yourself for the exam. It may illuminate weaknesses, but this is normal—everybody has weaknesses, and you can't address all of them. As long as you address the ones you can, you will vastly improve your chances of success on the exams.

### iv. Use of Reference Materials in the Exam

As addressed in [Chapter 3](#), you will bring a variety of reference materials into the exam to assist you, ranging from the LSO-issued study materials to indexes to a detailed table of contents (DTC). Decide in advance what your first recourse will be when you need to look something up—will you turn to your index, DTC, or cheat sheets, or go straight to the LSO materials? Doing practice exams should give you a fair idea of which reference strategy works best for you. Many students use the DTC as their first point of reference, utilizing the indexes only if the DTC fails them. Key is to ensure that your materials, whatever they may consist of, are organized, legible, and easy to navigate. A common question students ask is, “Will there be enough space on the table for my multiple binders and resources?” The answer is yes—you will have a 6-foot folding table all to yourself, with ample space to arrange your various materials.

**⚠ Important Note:** Be aware that any materials you bring into the exam with you will be confiscated at the end of the day, including your LSO-issued materials, indexes, notes, and even personal books or textbooks. It is therefore wise to scan or make a duplicate of *all* your materials as a safety net in the event you need to write again at the next sitting.

It can be devastating to put all the time and effort into highlighting, annotating, and organizing your materials, only to have to start from scratch all over again if you do not pass the first time. If you need only selected passages from a book, then simply photocopy the important passages and bring those with you instead of bringing the whole book in (and needing to replace it afterward).



### v. Mental and Physical Preparation

The week preceding the exam is a very important time. Do not stay up late every night, trying to cram in as much studying as humanly possible. This will create a negative sleep cycle, stress you out, and reduce your memory retention. By now, you have probably read through all the materials at least once, and your remaining time is best spent organizing your notes, reviewing tough areas, and writing practice exams. During this time, you must focus on three things—getting enough sleep, eating healthily, and cultivating a positive mindset. The habits you set seven days before your exam can either help or hurt you on exam day, so be conscious of your choices during this time.

Invest time each day preparing healthy meals and snacks consisting of whole foods that will sustain your body and mind. Eat at regularly scheduled times, and choose foods that will enhance your brain function and improve your mood. High-fiber and high-protein foods will keep you feeling full and energized for longer. If possible, reduce your intake of sugary foods and drinks, and heavy or processed foods. These foods contribute to energy spikes and crashes that can slow you down physically and mentally.

Setting aside enough time to get a good sleep each night is equally important. Sleep is a critical factor in the development and retention of memories, and affects the speed and accuracy with which information can be recalled. Much of the learning that you do actually occurs *after* you're finished reading, while you sleep that evening. If you are a night owl, take steps to foster a more productive sleeping schedule the week prior to your exam. Turn off screens and bright lights at 9:30 p.m. and get ready for bed. If that isn't possible, use a screen dimming app to reduce the blue light emitted from your devices. If you still feel awake and alert, try relaxing with a novel or magazine, or listen to a podcast—something that will engage you while easing the transition to sleep.

During this stressful period, caring for your mental health is as important as caring for your physical health. The attitude with which you enter the exam will have an impact on its outcome. If you are a nervous wreck, it will be hard to focus and perform well. Convincing yourself that you are going to fail will only set you on the road to do so. Your expectations and attitude matter, and they are within your control—so choose positive self-talk instead, and have confidence in your ability to pass.

Of course you will feel some nervousness and anxiety leading up to the exam—that is natural. However, you must put effort into keeping your thought patterns positive, and take action that will help relax you and clear your mind. Do not indulge in failure fantasies or bring yourself to tears imagining the worst-case scenarios. When your mind begins to drift this way, actively try to divert it to more positive thoughts—focus on your accomplishments and progress instead. Remind yourself: “If I was capable of getting into and graduating from law school, then I am capable of passing these exams.” If you can’t quell the physical feeling of nervousness, try meditation or yoga and practise measured breathing.

The day before the exam will be the time that you experience peak nervousness. Do not worry about doing substantive studying for the exam that day; instead, try to relax and prepare yourself mentally for the upcoming exam. To help distract yourself and allay the nerves, be productive—prepare and pack everything you will need the next day. Prepare your meal, snacks, and water bottle. Lay out the clothing you plan to wear, remembering to layer so that you’ll be comfortable in varied temperatures. Pack ear plugs, tissues, aspirin, a cardigan, and your exam materials. Prepare the coffee maker so that you can start it with the push of a button the next morning. Set your alarm, and a backup alarm on another device, just in case. Plan the route you’ll take to the examination centre and where you’ll park. Ensure that you have read the [LSO rules for exam day](#) and packed everything in accordance with the rules. Do not indulge in alcohol that evening, because even one glass of wine consumed up to four hours before bed can interfere with your sleep quality, slowing your brain function and leaving you groggy the next day.

If you live far from the examination centre, consider finding accommodations closer to the centre to ensure that you get an adequate amount of sleep and do not have to deal with a lengthy morning commute, which in Toronto may be exacerbated by public transit issues.

### vi. Common Mistakes to Avoid

The previous sections cover most of the key information you need to know, and the pitfalls that catch unwary exam writers. Below are six common mistakes that you would do well to avoid.

#### 1. NOT READING THE MATERIALS FULLY

While you undoubtedly have a friend who assures you, “I passed without even reading all of the materials!”, we strongly advise against this. The exams will test you on subjects that you may not have taken in school, and reading the materials is your best shot at developing at least a fundamental understanding of them. Even if you were to read through all the materials and understand only 30 percent of them, at least you will have developed an idea of where different topics and subtopics are located in the materials, which will help you when you’re searching for information under time pressure on the exam. Knowing where information is and being able to find it is the key to success on the exam. Read the materials not to understand them completely, but to know the general area of the law and have a cursory awareness of the issues that can arise.

#### 2. COMING WITHOUT ADEQUATE FOOD AND SNACKS

Bringing adequate food and snacks is a simple precaution to take, and failing to do so can be disastrous. The exams are long, gruelling, and physically as well as mentally taxing. You will need snacks throughout the day to keep you going. Pack a healthy and substantial lunch, and bring a plethora of snacks to keep you sustained throughout the day. Nothing crunchy though—for example, carrots or whole apples—because noisy snacks will be confiscated.

### 3. BRINGING DISORGANIZED MATERIALS

As addressed above in this manual, it is important to organize and bind your materials—both your LSO-issued materials and your reference materials, such as indexes—in a way that will make them easy and efficient to navigate. To be on the safe side, invest in having them coil-bound. The last thing you want is your pages slipping out of your binders and getting mixed up while you frantically try to locate information.

### 4. RELYING ON UNFAMILIAR INDEXES WITHOUT PRACTISING WITH THEM FIRST

If you have created your own indexes, there's an excellent chance that they will be organized in a way that is intuitive to you, and a 100 percent chance that they will be up-to-date, mostly accurate, and complete. However, many students will not have the time to create their own indexes and instead opt to update an old set, or inherit or purchase someone else's set. This is perfectly fine, but you must practise with your inherited indexes because it is likely that they are organized in a way that is *not* entirely intuitive to you and therefore require some time and effort to familiarize yourself with them. There's also a chance that they aren't up-to-date or accurate, and if you find out once you're in the exam room, you're out of luck. How do you practise with your indexes? Some students will think up possible exam questions to see how quickly they can locate the answers in their materials. While this no-cost solution is better than not practising at all, we suggest investing in a practice exam so that you can become accustomed to using your indexes in a realistic and time-constrained environment, while also testing your knowledge and learning the answers to questions that you might otherwise have gotten wrong.

### 5. SPENDING TOO MUCH TIME TRYING TO ANSWER ONE QUESTION

It's simple math—if you start letting yourself spend more than three minutes on each question, you will run out of time well before you finish the exam. If you spend eight minutes on one question, you've just sacrificed your opportunity to answer four other questions correctly. Bring a **bar exam timer sheet** and stick to it—even when you are tempted to spend five minutes rifling through your materials to find the formula that you could swear you jotted down in the margins somewhere. Move on, and come back at the end if you have time.

### 6. SKIMMING THE QUESTIONS AND ANSWER CHOICES

While studying and reading through your LSO materials before the exam, you might skim here or there. That's fine, but do not try "skimming" on the exam. You must read every word of every question and answer choice if you want to have the best chance at success. Some questions are specifically designed to trick you if you skim too quickly, with a buried key word ("not," "did," "or," "will") that controls the entire question. As mentioned above, some of the key details that can help you to properly answer a question can be found in the name, age, or jurisdiction of the subject of a question. It is important to read these carefully in order to arrive at the proper conclusion. Certain questions will have answers that are quite similar and differ only in the name of the subject that is addressed in the answer. Clearly discerning the subjects in both the questions and answers will vastly improve your chances of getting the correct answer to the question.

# 7 FREQUENTLY ASKED QUESTIONS

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## A. WHAT ARE SOME OTHER USEFUL SOURCES OF INFORMATION ABOUT PREPARING FOR THE EXAMS?

See the following websites for useful sources of information about preparing for the exams:

- [LSO website](#)
- [Ivanmerrow.com](#)
- [Ultra Vires](#)
- [Emondexamprep.ca](#)
- [Lawstudents.ca](#)

## B. HOW CAN I CONNECT WITH OTHER STUDENTS WHO ARE ALSO PREPARING FOR THE EXAMS?

There are several places you can connect online with other students who are also preparing for their exams. Our top recommendation would be our [Facebook Networking Group for Prospective Lawyers](#). You may also want to visit [lawstudents.ca](#), under the “Articling Students and Lawyers” section. If you are taking a preparation course, you will meet other students face-to-face who are also writing their exams this cycle.

### C. HOW CAN I OBTAIN INDEXES IF I DON'T HAVE TIME TO CREATE THEM?

There are a variety of ways you can obtain updated indexes if you do not have time to create them yourself. You can download them for free from the database on [emondexamprep.ca](http://emondexamprep.ca), or post in an online forum ([lawstudents.ca](http://lawstudents.ca) or the Facebook groups above) where other users might be willing to share their resources. Lastly, you can often find indexes for sale on Craigslist or Kijiji, for anywhere from \$20 to \$50.

It is easiest to find updated indexes before the November and March sittings, whereas you may have to wait longer for updated indexes if you are writing in June. This is because the new LSO materials are released in April, and it takes weeks to create or update indexes, so students are often working on them well into May. You therefore might not find updated indexes online until a week or two before the barrister exam. Be patient, and keep an eye on your online sources. Regardless of from where you end up sourcing your indexes, ensure that you carefully review and practise with them in advance of the exam in case they are erroneous, sloppy, or out-of-date.

### D. WHAT IS THE PASS RATE FOR THE LICENSING EXAMS?

The LSO does not release the pass rate for each individual exam sitting. However, the Federation of Law Societies of Canada *does* publish some statistics on their website at <http://www.flsc.ca> regarding the number of students admitted to the bar admissions course each year, as well as the number of individuals called to the bar each year. This means we get a rough idea of the percentage of students who passed at some point during the cycle, but we don't know how many times these students wrote the exams before they passed, or how many will go on to pass in a subsequent cycle.

The most recent published statistics (for 2017) indicate that 2,523 students were “admitted to bar admission course” in Ontario (including NCA students) and that 2,019 students were “called to the bar”. This is encouraging news—it implies an eventual success rate of around 80%. However, there is rollover from year to year. Some students who failed in 2017 may have passed in 2018, and some who failed in 2018 may have passed in 2019, plus

some may have passed their exams but not been called yet due to the articling requirement.

### **E. WHAT IS THE PASSING SCORE ON THE LICENSING EXAMS?**

The LSO does not publish any official information regarding pass scores or grading. Although there is much speculation about bell curves and pass scores, sources have suggested that the exams are graded in accordance with the [Angoff Method](#). This means that there is no solid passing score of 50 percent; rather, the passing score may change from year to year depending on the difficulty of the questions on the exam.

### **F. ARE COPIES OF PAST LICENSING EXAMS AVAILABLE FOR REVIEW?**

No—the LSO does not publish any past exams. In fact, most of the strict rules surrounding the licensing exams are in place specifically to prevent the dissemination of past exam questions.

### **G. IF I TAKE A PREPARATION COURSE, DO I STILL NEED TO READ ALL OF THE LSO MATERIALS?**

Yes. The most crucial and basic part of your study process should be reading the LSO materials, at least once, all the way through. A preparation course (or other supplementary study strategies) will help to enhance your study process; however, nothing can replace the fundamental requirement of reading the materials. A preparation course will deliver information in a different and more engaging style, reinforce the key concepts, and help clarify parts of the materials that are difficult to understand. However, if you do not read the materials fully, you risk missing out on details that fall outside the scope of the preparation course. Again, the point of reading the materials is not to memorize their entire contents, but to know the general outline of the materials and how



the law fits together. The bar exam is not a test of memory; rather, it is a test of how quickly you can recall where information is located and apply it to the question.

### **H. WHAT ADVICE WOULD YOU GIVE FOR ANSWERING ETHICS AND PROFESSIONAL RESPONSIBILITY QUESTIONS ON THE EXAM?**

Ethics and professional responsibility questions compose about 20 percent of each exam, and although these questions incorporate scenarios from all different areas, there are significant similarities and strategies that you can apply to increase your chances of success on them.

First, when it comes to organizing your materials, we suggest tabbing the *By-Laws* and *Rules of Professional Conduct*. Try to develop an idea of which topics each by-law number covers. In terms of subject matter, you would do well to study the rules on conflicts and the dos and don'ts of handling client money in trust, handling large amounts of cash, which tasks can be delegated to paralegals and support staff, the rules surrounding client instructions for wills and intestate wills, joint retainers, confidentiality, whistleblowing, and power of attorney instructions. These can be tricky and confusing, so they make excellent fodder for exam questions.

Second, when it comes to interpreting the exam questions, read the question and answer choices carefully. Little words like “should,” “may,” or “must” can govern the outcome of the question. Often, the correct answer will be the most conservative answer, the one that *doesn't* involve you acting prematurely on behalf of your client, even if your client would benefit from said action. When in doubt, remember that you most likely need to seek instructions from your client before doing anything else.

It is with these questions that you will most likely encounter questions with more than one correct answer. Try to think of the “most ethical solution” and pick the answer that best corresponds to it.

### **I. I AM FEELING VERY NERVOUS ABOUT THE EXAMS; SHOULD I DEFER THEM?**

There is no single right or wrong answer to this query, and it relies very much on your individual circumstances. If you have a good reason for deferring—for example, illness, bereavement, or unexpected new responsibilities—or know that you will not be able to read through all the materials before your exam date, then you should consider deferring. Similarly, if you have studied adequately but perform poorly on your practice exams (scoring less than 65 percent consistently), then you would likely benefit from additional time to strengthen your weak areas and improve your exam-writing strategy.

If, on the other hand, you are simply feeling nervous, stressed, and exhausted, but have already committed weeks or months to studying, then you might want to ask yourself why you really want to defer. Are you just tired of the stress and afraid that you’ll fail despite all the effort you’ve put in? Do you just want to give up and push the problem further into the future so that you don’t have to think about it for a while? Is insecurity getting the better of you? If these are the real motivators, then we suggest pushing through and at least making an attempt at one of the exams. It is extremely difficult to overcome the negative emotions that can precede an exam sitting; however, if you have read through all your materials, studied dedicatedly, and performed well on your practice exams, then you are likely in a good position to pass, even if you don’t feel that way emotionally.

One other element to consider is timing. If this is your first time writing, remember that you have at least two more attempts in which to succeed. Failing the first time might actually benefit you for your next writing—at the very least, you’d have an idea of what types of questions to expect and what subject areas tripped you up in your first attempt. Also, consider the exam cycle, consisting of the June, November, and March sittings. All three sittings utilize the same LSO materials—meaning you can bring the same indexes, table of contents, and study aids to all three exams. If you end up needing to write your

exams three times, ideally all three sittings should fall within the same cycle so that you can use the same materials. However, if you defer your first exam in June, and then fail at both the November and March sittings, you'll be stuck having to purchase the new LSO materials and redo all your indexing in order to write the following June.

Overall, we suggest making your decision on the basis of logic, not emotion. If you are on the edge of a major breakdown, then by all means—defer your exam. However, if you know that what you're experiencing is just temporary discomfort, nerves, or insecurity and you've prepared more than adequately for the exam, then our advice would be to power through and write the exam. There's a good chance you'll pass, and never have to worry about it again.

## J. WHAT IF I FAIL MY EXAMS?

We'll say this first, even if you don't believe it—failing your exams is *not* the end of the world. Many notable figures failed their bar exams the first time around and went on to lead illustrious careers, including Michelle Obama, Hillary Clinton, Brian Mulroney, and Franklin D. Roosevelt, to name a few. Many more have failed their first time and passed on the second or third, suffering nothing more than a bruise to the ego in the long term. That being said, it is a terrible blow at first, after all the time and effort spent preparing.

When you first get the bad news, it will be deeply demoralizing. Allow yourself to feel the sadness, anxiety, and disappointment. Taking the exams over is initially going to seem overwhelming, so you need to properly process your emotions before moving forward. Take the time you need to do this, so that you can be in a clear and positive state of mind when you get into gear for the next attempt.

Once you've allowed yourself enough time to mentally prepare, create a strategy for the rewrite. Figure out whether you want to take the exams at the next sitting or whether you prefer to wait. You can look into taking a [bar preparation course](#) to boost your confidence and to help structure your studying methods more efficiently.

## 7 FREQUENTLY ASKED QUESTIONS

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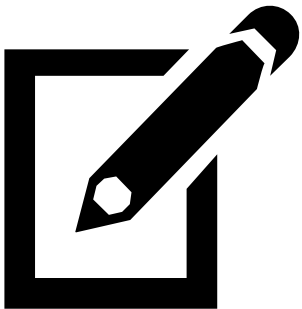
It is important to identify your areas of weakness so that you can rectify your study methods accordingly for your second attempt. This is easier said than done for the Ontario exams, which rely heavily on strategy and time management to succeed. Review the scoring profile that the LSO sends you to see which areas could use further improvement. There are a few common stumbling blocks for students, and chances are that one of the following mistakes held you back:

1. You didn't manage your time well on the exam and spent too long on certain questions, which caused you to run out of time.
2. You didn't read the LSO materials fully (or at all).
3. You didn't take practice tests and hadn't developed an exam-writing strategy.
4. Your study aids—for example, indexes and notes—were of poor quality, or you didn't spend time reviewing and practising with them.
5. Your reading comprehension suffered under the pressure, causing you to skim over key details or misinterpret what the questions were asking.
6. You were in a poor state of mind for personal reasons, such as illness, family issues, financial issues, anxiety, or grief.

Also consider the free tutoring service, for up to five hours, that LSO offers to students who have failed an exam. These tutors are people experienced with the exams and may be able to help you identify useful studying techniques that you might have overlooked the first time. Some students seek support on [lawstudents.ca](http://lawstudents.ca), where others can relate to the difficult experience and provide valuable advice.

It is important to look after your mental health at this time. Occasionally, students fail exams purely due to stress and anxiety. Failing the bar exam will injure your confidence, and it is important to be aware of this so that part of your strategy includes stress-management activities. As mortifying as it might seem, reaching out for support is a good idea. You'll be surprised at how many intelligent, accomplished people you know and respect had to take the bar exams more than once. The Ontario bar exams might not have the same notorious reputation as the New York bar, but they are not easy. However, with some effort, assistance, and strategizing, you can and will pass the rewrite.

**LAST BUT NOT LEAST,  
GOOD LUCK!**









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