

TIPS AND ADVICE FOR THE MCQ BAR EXAMINEE

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A seismic shift in the format of the bar examination is the forthcoming use of multiple-choice questions (MCQs) in the 2011 bar exam. This is patterned after the Multistate Bar Exam (MBE) given in the United States which consists of multiple-choice questions. The MCQ portion will be given a weight of 60% while the lawyering-skills essay part will be given a weight of 40%. In an MCQ, the bar examinee will be asked to pick the correct answer from among four choices or options.

Many bar reviewees are worried about the new format whose implementation was announced only last year. Bar reviewees and even law school professors are just coming to grips with the MCQ format. Some law school professors have even gone so far as to state that there is a state of panic among bar reviewees. Not helping any is the dearth of articles and materials on how to prepare for the new bar examination. Hopefully the following tips and advice will prove to be of some help to the reviewee as he prepares for the historic 2011 Bar Examination.

READ THE 2011 BAR EXAM MATERIALS PREPARED BY THE SUPREME COURT. The Supreme Court has prepared some materials or literature on the reformatted bar examination. These can be found on the Supreme Court website <http://sc.judiciary.gov.ph>. Most helpful is "Preparing for the 2011 Bar Exams and Beyond," by the 2011 Bar Examination Chairman, Justice Roberto A. Abad.¹

READ THE SYLLABUS PREPARED BY THE SUPREME COURT. Read and use as a study guide the syllabus prepared by the Supreme Court. While the syllabus has been drawn up for the limited purpose of ensuring that bar reviewees are guided on what basic and minimum amount of laws, doctrines, and principles they need to know and study, the syllabus should not be understood as an exclusive enumeration of what will be asked in the MCQ exam. For instance the latest or leading cases on a particular subject may not be expressly stated in the syllabus but a bar candidate is nonetheless expected to be familiar with these cases.

TAKE MOCK BAR EXAMS. It would be foolhardy for a bar examinee to think that assiduous study and reading alone will suffice for him to pass the MCQ bar exam. This is because an MCQ exam, much more than the traditional-type

¹ One can also read my article, "Major Changes in the Bar Examination: Their Impact on Bar Review and Coaching," which can be accessed at www.juristsbar.com.ph.

bar exam, is a test not only of theoretical knowledge and analytical skills but also of the examinee's test-taking ability and reflexes under grueling conditions and grinding time pressure. The mock bar exams must be designed to simulate the actual MCQ exam both as to condition, exam paraphernalia, and available time.

TRAIN AND IMPROVE YOUR TIME-MANAGEMENT SKILLS. In the United States, the MBE consists of 200 MCQs to be answered in 6 hours. In the morning session of three hours, the examinee has to answer 100 MCQs, while in the afternoon session he has to contend with another 100 MCQs in 3 hours. This means that on average an examinee has 1 minute and 48 seconds for each question.

The 2011 Bar Examination has a different time format. On the first and third Sundays, the morning session will consist of a 2-hour MCQ exam (8 am to 10 am) and a 1½-hour MCQ exam (10:30 am to 12 noon) while the afternoon session will consist of another 1½-hour MCQ exam (2 pm to 3:30 pm). Justice Roberto Abad has stated that 100 MCQs will be asked in the 2-hour exam, while 75 MCQs will be asked in the 1½-hour MCQ exam. The average time needed to answer each question would then be only 1 minute and 12 seconds!

This means that on number of MCQs, allotted time, and average time for each MCQ, the MCQ portion of the Philippine bar will be considerably tougher than the U.S. MBE. For instance in the morning session, an American MBE examinee would have to contend with 100 MCQs in 3 hours at an average speed of 1 minute and 48 seconds per MCQ, while a Philippine bar examinee would have to grapple with 175 MCQs in 3½ hours at an average speed of 1 minute and 12 seconds per MCQ.

In the afternoon session, the MBE examinee would have to answer 100 MCQs in 3 hours at an average speed of 1 minute and 48 seconds per MCQ. The Philippine examinee would have to contend with a lesser number of MCQs at 75 but he would only have 1½ hours to do so for an average speed of 1 minute and 12 seconds per MCQ.

For one day, an MBE examinee would have to answer 200 questions in 6 hours at an average clip of 1 minute and 48 seconds per MCQ, while a Philippine bar examinee is only given 5 hours to wrestle with 250 MCQs at a blitz pace of 1 minute and 12 seconds per MCQ. It is like playing speed chess where lightning-fast reflexes are required.

Thus for the 2011 MCQ portion of the bar examination it is imperative that an examinee undergo mock MCQ examinations in time-simulated conditions in order to hone his test-taking skills and his reflexes. Just being given an omnibus lecture or material on how to answer MCQs is not enough. It's like telling a kid to read a book on how to swim and then throwing him into a deep swimming pool. And omnibus or group discussions of the mock bar exam results are of little help

as each examinee has his or her own unique strengths and weaknesses. What counts is individualized coaching wherein the reviewee gets feedback and guidance on the results of his or her mock bar exam. Hence a reviewee should look for a review program where there is a series of mock MCQ exams and progress-monitoring and training by coaches in one-on-one sessions.

KNOW THE MCQ STRATEGIES & TACTICS. A reviewee must know the strategies and tactics on how to read and answer MCQs. These strategies and tactics must be taught by competent bar exam coaches and drilled and ingrained into the reviewee's system by a series of mock MCQ exams and one-on-one coaching sessions so that the application thereof becomes instinctive and intuitive. It is important to spend time actually answering MCQs and drilling yourself in MCQ skills rather than just reading or viewing materials on how to answer MCQs. It would be foolish to think that one can get by through listening or reading material on "how to answer MCQs" and then expect that the examinee would be able to deploy these strategies and tactics instinctively come examination day. It's like having soldiers view a video presentation on combat skills and then throwing them into battle. On the other hand, soldiers who not only have been taught combat skills but were well-drilled on these through combat exercises and war games, would perform splendidly in actual combat.

AN MCQ QUESTION HAS THE SAME WEIGHT AS ANOTHER MCQ QUESTION. There are 3 types of MCQs: (1) know-and-recall MCQs, (2) MCQs which test the examinee's understanding, and (3) analyze-and-solve MCQ. 20% of the MCQs will consist of know-and-recall MCQs, while 40% of the MCQs will consist of those which test understanding and another 40% will consist of know-and-recall MCQs.

Remember however that for grading purposes an MCQ question has the same weight as another MCQ question. One should not be misled into thinking that an analyze-and-solve MCQ will have a grading weight twice that of a simple know-and-recall MCQs. The percentages refer to the composition of the MCQs as a whole, not to the grading weight to be given to the MCQs. Hence when pressed for time, the examinee should give priority to answering the easier know-and-recall MCQs.

GO FOR AT LEAST 65% RAW SCORE EQUIVALENT. The raw score is simply the number of questions you answered correctly. In an MCQ exam, go for a raw score equivalent to at least 65%. For instance in a 100-MCQ exam, go for a raw score of at least 65, while in a 75-MCQ exam go for a raw score of at least 49. In MCQ exams for other licensure examinations (such as in the nursing licensure examination) as well as in the MBE, the standard practice is to scale or adjust the score, that is to add a certain number of points to the raw score. The reason is that it is difficult to get a raw score equivalent to 75% of the total MCQs. For instance in a 100-MCQ exam, the examiner after tabulating and analyzing the raw scores and determining the degree of difficulty of the exam, may decide

to add 10 points to the raw score. Hence if an examinee got a raw score of 65 in a 100-MCQ exam, his scaled score would be 75, which is equivalent to the passing percentage of 75%.

If the examiner decides that the exam is especially difficult, he may decide to add 20 points to the raw score in which case a 55 raw score would be passing. But don't count on this. Even if you think the exam was very difficult and you got a 55 but the examiner determines that the desirable passing average was 60 and decides to add only 15 points to the raw score, your scaled score would only be 70 which would not be enough to make the grade.

ANALYZE THE REASON WHY YOU PICKED THE WRONG CHOICES.

Once you have gotten your corrected mock bar exams back, go to your wrong answers and analyze why you picked the wrong choices. Was it because you were seduced by a distractor? Was it because you assumed a fact or facts? Was it because you did not spot the issue or you spotted the wrong issue? Or was it because your choice was not responsive to the question? In this regard, a bar exam coach would be helpful in spotting recurring faults in your wrong answers and rectifying those faults.

NEVER LEAVE A BLANK. Remember that a wrong answer will not result in a deduction. The MCQ exam does not follow the "right-minus-wrong" rule. Hence do not leave any MCQ unanswered, since you have at least a 25% chance of picking the correct answer.

DO NOT RELY ON PURE GUESSWORK. Just because you have a 25% chance even if you do pure guesswork does not mean that you should just throw darts. Even if you do not know the correct answer, there are MCQ strategies and tactics which can improve the odds to 1 out of 2 (50%) or at least 1 out of 3 (33.33%). Learn these MCQ strategies and tactics, apply them in your mock bars with the help of coaches and greatly improve the odds in your favor.

REMEMBER THAT YOU HAVE TO PICK THE CORRECT NOT THE BEST ANSWER. For the 2011 bar examination at least, you will not be asked an MCQ which will require you to pick the best answer. An MCQ which asks you to choose the best answer is much more difficult to answer than an MCQ which asks you to pick the correct answer. Since the 2011 Bar Examination will be the maiden MCQ bar exam, Justice Roberto A. Abad felt that the MCQs should be limited to those asking for the correct answer.

KNOW YOUR ENEMY. Your "enemy" is the bar examiner. He will not just lie down and allow you to walk all over him by framing give-away MCQs. He is the doorkeeper to the legal profession and his objective is to see to it that only those with the necessary legal training and skills are admitted to the bar lest incompetents wreak havoc upon the public. Hence the framing of challenging and, let us be frank about it, difficult MCQs is a matter not only of scholarly pride

but of public interest. Thus even though he may not want to put it in these terms, the examiner will be out to frame MCQs which will challenge, bemuse, and even trick you. He will employ various strategies and tactics to achieve these ends. Knowledge of these strategies and tactics will help the examinee to avoid choosing a wrong option.

In this regard, among the weapons in the arsenal of the examiner is the distractor. A distractor is designed to draw the examinee's attention away from the correct option. There are two kinds of distractors: decoys and foils. A decoy² is an option crafted to draw the examinee's attention to it, while a foil is an option designed to deflect or divert the examinee's attention to another option.³ Just knowing what decoys and foils are is not enough. You must meet them in open combat and learn how to fight and overcome them. In the mock bar examinations, your coach will train you how to recognize decoys and foils and how to avoid being waylaid by them.

BE PREPARED. Benjamin Franklin said that by failing to prepare, you are preparing to fail. The Supreme Court has introduced major changes to the bar examination and the 2011 bar examinee has to reconfigure and reprogram the way he prepares and trains for the bar exam. Ignoring these changes and sticking to the traditional passive methods of bar review and preparation is an invitation to disaster. On the other hand, a proactive bar review and coaching program will significantly enhance the examinee's chance of landing in the history books by becoming one of the pioneer passers of the new MCQ and lawyering-skills essay bar exam.

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² A decoy or seducer is more commonly known as a "distractor." I prefer to use the terms "decoy" and "foil" in order to distinguish between the two kinds of distractors.

³ See Michael Josephson, *Evaluation & Grading in Law School*, AALS Section on Teaching (1984). The term "foil" reminds me of the aluminum foil strips dropped by WWII Allied bombers to deflect German radar.