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Mentors Share Expertise for Bar Exam Success

In an effort to buck the trend of law school graduates passing the Georgia Bar Examination being on the decline throughout the current decade, Mercer University's Walter F. George School of Law has, throughout the period of declining scores, offered recent law school graduates identified by their class standing and other factors as "at risk" an innovative mentoring program to help them succeed on the test.

BY LINTON JOHNSON



Reflecting a national trend, the percentage of law school graduates passing the Georgia Bar Examination has been on the decline throughout the current decade.

According to the state Office of Bar Admissions, Georgia's overall pass rate for the July 2018 exam was 61.2 percent, as compared to 79.7 percent just six years earlier. For first-time takers of the exam, the result had dropped from 85.3 percent to 72.9 percent over the same period.

In an effort to buck the trend, Mercer University's Walter F. George School of Law has, throughout the period of declining scores, offered recent law school graduates identified by their class standing and other factors as "at risk" an innovative mentoring program to help them succeed on the test.

The sessions are conducted on campus, free of charge, under the volunteer leadership of two Mercer Law alumni and longtime adjunct professors, Macon

(Left to right) Hon. Marc T. Treadwell, Dean Cathy Cox and Manley F. Brown

PHOTO BY LINTON JOHNSON

attorney Manley F. Brown of O'Neal & Brown P.C. and U.S. District Court Judge Marc T. Treadwell of the Middle District of Georgia, and a host of experienced Bar members.

Before organizing the program, Brown had been mentoring individual students on an informal basis. "Mercer, every once in a while, would call me when they had somebody who they felt like would have difficulty passing the bar," he said. "They would usually send them to me. One was a clerk for a judge. She just couldn't pass the Bar. So they said, 'Please, will you help us out?' It was then that I realized the value of one-on-one coaching."

A longtime examiner for the Office of Bar Admissions, Brown recalls traveling to Chicago with then-Justice George H. Carley of the Supreme Court of Georgia for an annual meeting of the National Conference of Bar Examiners. "At one of those sessions, a young lawyer from Chicago came to talk to us about something called the Chicago Project. They had a problem, which had been sort of aggregating; some students in Chicago, for whatever reason, were not able to pass the bar."

The Chicago Project recruited veteran lawyers to coach the students who had difficulty passing the exam. "They had remarkable success," Brown said. "And they eventually started passing everybody. But the remarkable thing he said about it, which touched me about it, was the emotional support the kids got from someone taking an interest in them. He thought that was worth more than the actual coaching, teaching them how to write and that kind of thing. His point was, if you're in the bottom of the class, and you don't pass, you're some kind of outcast. A lot of times, people abandon you. Some of these were forgotten students, and he said it was an uplifting thing for them."

Brown remembered what he had heard in Chicago when, years later, he received a group email from Gary J. Simson, who at the time was the dean of Mercer Law and is still on the faculty as a professor and Macon Chair in Law. The gist of Simson's message was that Mercer, like law schools across the nation, was seeing a decline in its graduates' bar exam passage

In the program's formative years, Brown said "seven or eight" students would attend the sessions at his office over two evenings. "On the second night, we took them to a nice restaurant and had a real nice dinner," he recalled. "They got to talk to us, which really uplifted them. Before, they might have felt like, 'We're at the bottom of the class; nobody cares.' The fact that someone was now helping them I think had a remarkable impact on them."

rate and he was seeking ideas for how to improve it.

"I called him and said, 'I have an idea about that,'" Brown said. "We talked, and he was very excited about it. He said, 'I assure you we will do it.' I give Gary full credit for that. He got really energetic and interested in it. He could see what was beginning to develop. That's how we got started. I talked with Marc about it, and he was all in to trying to do it. We recruited a lot of people who have helped us with this."

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Treadwell said a key to the program's success has been an emphasis on the bar exam's essay questions. "Both the Georgia essay questions and now the MPT (Multistate Performance Test) are written by lawyers and graded by lawyers," he said. "Consequently, what they're looking for is a lawyer-like response to these questions."

As the number of students grew over the years, the sessions moved to classrooms at the law school. "It's worked pretty well," Brown said. "We haven't personally tried to keep any statistics, and we are normally working with students who were at risk, as selected by the faculty. Even with that, we have been passing about 70 to 80 percent of the ones we are working with."

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"We really try to get the students to approach this the way a lawyer approaches any issue he or she is facing," Treadwell added. "We like to tell them this: no matter what their specialty is, lawyers essentially do two things: they figure out an answer to a problem, whether they're drafting a contract or writing a brief or whatever it may be, they analyze the problem, and they figure out an answer to the problem; and then they communicate the

solution or the answer they have reached to the problem. That's all the bar exam is. They're testing whether you can analyze a situation, come up with the answer and whether you can effectively communicate the answer that you have found."

Each participant receives a set of writing tips for answering the essay questions, in which they are urged to "stick to the call" of the question and "be concise, use direct language, short, direct, simple sentences." Brown said, "The writing is very important. Bar examiners get tired. Most of the Bar examiners work all day and try to grade papers at night or on weekends. They want to pick up a paper that's easy to read. If it's well written, you can grade the thing in less than 10 minutes. But if you have to concentrate to find what the answers are, it's really hard."

The program is conducted twice a year prior to the February and July Bar exam dates. The session runs from approximately 4 to 7 p.m. each of two days. After a preliminary discussion of the writing tips, participants answer an essay question (a Georgia question one day and an MPT question the other). The volunteer mentors then go over the answers with the participants, point out deficiencies and recommend improvements. There is also a group discussion about each question.

The most recent mentoring session drew 27 participants, 22 of whom passed the Bar. Cathy Cox, the current Mercer Law dean, calls it "an extra bonus for students," who otherwise might have to rely on commercial bar preparation courses, including online options.

"Nobody charges them for this resource," Cox said. "They could do all their Bar prep online all by themselves, which sounds great and is convenient. But how much do they really do when they're doing it at home, all by themselves? To come to the law school, face to face, with Manley, Judge Treadwell and these other lawyers and judges, many of whom have been actual Bar examiners, is a world-class resource to prepare for the bar and get live feedback on your writing and preparation that just is unparalleled for our students."

Both Brown, who taught Trial Advocacy at Mercer for 44 years, and Treadwell, who is in his 20th year of teaching Georgia Civil Practice & Procedure, said while the law school graduates preparing to take the Bar are the beneficiaries of the program, the volunteer lawyers and judges get something out of it as well.

"The mentors really have had a good time," Brown said. "It's enjoyable and sort of a labor of love. It's not drudgery, and you're helping them at the same time." Treadwell added, "I want to emphasize just how rewarding it is, not just for the students but also for the mentors. As we've gotten older and had younger mentors come in, I've noticed that they really get a lot out of it."

Over the years, Brown and Treadwell have been joined as mentors by former Supreme Court Justice Hardy Gregory, Rusty Simpson, Mary Katz, Virgil Adams, Judge Tommy Day Wilcox, Stuart Walker, James Bantor, Amble Johnson, Bo Brown, Anna Stangle, Beth Manley, Judge Charles H. Weigle, Judge Verda M.

Colvin, Christy Curreli, Tom Shaw, Moses Tincher, Warren Plowden and Robert M. Matson. Mercer Law staff members Margaret "Peg" McCann and Evelyn Lopater, along with Mary Donovan, who was at the law school for many years and is now starting a mediation practice in Macon, also deserve a good deal of credit, Brown said.

"They dealt with the selection of students to participate," he said, "selecting the questions and model answers and many other time consuming administrative chores, as well as constant encouragement of the student participants."

Brown said the participants need that encouragement throughout their bar exam preparation process, especially those doing so while simultaneously working at law firms.

"A lot of the lawyers have no sympathy for these students taking the bar," he said. "If you want to pass the bar, you've got to get up at 8 o'clock in the morning and you have to study all day. But some lawyers have people who have been working for them during law school and are just Draconian and tell them 'no you can't have any time off.' It's shameful they won't give them time off. If you want these people to pass, give them a chance to study. You can't work all day and come home and study for the bar very effectively. You have to study during the day. You need some time to get ready and just to get your mind right. Give them a fair chance to pass the bar."

In 2015, the program added a satellite component to accommodate recent Mercer Law grads who were living or working in the Atlanta area while preparing to take the bar exam. Judge Treadwell contacted Mercer Law alumnus Richard A. "Doc" Schneider of King & Spalding LLP and asked him to spearhead the effort. Schneider was able to recruit a number of his colleagues to serve as mentors, and Rusty Simpson traveled from Macon to help lead the sessions at King & Spalding.

Schneider said the Atlanta sessions, which replicated the Macon format, were held annually over a three-year period, with approximately 20 participants, and he looks forward to continuing the



Richard A. "Doc" Schneider

PHOTO PROVIDED BY KING & SPALDING

program in the future. "It's a nice partnership between practicing lawyers and law students at Mercer," Schneider said. "We wanted to provide the same mentoring opportunity here that had been offered in Macon."

The mentors Schneider recruited at King & Spalding included Mercer Law graduates Val Leppert, Billie Pritchard, Bethany Rezek, Todd Davis, Zach McEntyre, Paul Quiros, Dwight Davis, Stewart Haskins and Greg Smith as well as, according to Schneider "graduates of other fine law schools," including Barry Goheen, Bill Durham, Chad Peterson, Rebecca Ojeda, Arthur Fahlbusch and the late Simon Rodell.

Although Mercer Law hosts the mentoring program, participation is not limited to Mercer students or graduates. "We've always been willing to take students in from other schools," Brown said. "It's not a closed shop for Mercer. We just happened to be here, and it started out with Mercer students. We can't take everybody, but we can help people as far as we're able to do it, facility-wise with space and having enough people who can help us."

Cox expressed her appreciation to Brown and Treadwell for their leadership of the program, which she will continue to recommend to Mercer Law students.

"I would be shocked to know that any other law schools have the depth of loy-

alty from their alumni that we have from these two gentlemen," Cox said. "When you combine the decades they've given to teaching as adjuncts and then coming back to do this course—for really no compensation, just a love for the law, a commitment to being good lawyers and to helping Mercer Law students—that says more than anything I could say about what great role models these gentlemen are.

"It's open to anybody, but we try to target more of the at-risk students," Cox added. "This past summer, one of the examples they used in the workshop was almost identical to one of the real questions on the Bar exam. Students came in to lunch during the Bar exam and were on cloud nine that they had been through a very similar hypothetical in the class. Manley had no way of knowing that. It was just the luck of the draw, but it just shows that the more you get out there and study and practice, the odds can be with you. We promote it because it's such a great resource. Why would you turn down something like this?" ●



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