

## You didn't pass the bar exam. What now?

### *A Guide to Navigating Your Next Steps*

The bar exam is a notoriously difficult exam on multiple axes. It challenges you in terms of breadth of content and performing under pressure, and it is physically exhausting to complete. You are far from the only person to receive a non-passing score, especially if you are a first-time test taker. [Pass rates](#) for the bar exam vary by jurisdiction, but are generally anywhere between only 60% - 85%. Your score is not a reflection of your ability to practice law or your intelligence. After all, the legal profession is filled with brilliant people who didn't pass the bar on their first (or second or third) attempt, [including](#) Presidents John F. Kennedy Jr. and Franklin D. Roosevelt, Supreme Court Justice Benjamin Cardozo, Secretary of State Hillary Clinton, and First Lady Michelle Obama. Your score is a temporary setback, not a reflection of your overall ability, and there are plenty of paths to success ahead.

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**First, take the time you need to grieve.** Failing the bar exam can feel catastrophic. You put three years of hard work into law school and spent weeks preparing for the test, only to fall short of your goal. That is hard, and there is no denying that it feels like an immense loss. On top of that, this may derail plans that you made for your future, creating a sense of uncertainty and instability. That's why it is perfectly okay – and exceedingly important – to take some time to grieve the score you hoped to receive. Let yourself feel angry, sad, disappointed, and shocked, but take care of yourself while you experience this grief. Take time to engage in activities that bring you joy, remind you of your worth, and provide comfort. That may look like spending time with friends and family, ordering your favorite take-out, going for a hike in nature, or binge-watching your favorite comfort show. Spending a few days or weeks taking care of yourself isn't a waste of time or a setback, it is a necessary step towards moving forward. You are so much more than a test and, like any pro athlete, you need to recover before you can get back in the game.

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**When you're ready, tell people on your own terms.** You're under no obligation to immediately share your score with others. Take the time you need to accept your score before telling people in your life. It may feel overwhelming to think of telling others you didn't pass, but keep in mind that the people in your life who love you don't love you

because of your academic or professional success. They love you for who you are, which is never defined by a test score.

Even if you are required to report your score to your employer, you likely do not need to *immediately* share your score. Take a few minutes or hours to grieve and then compose yourself as best as possible. Demonstrating maturity in a difficult situation will showcase your professionalism, and may even contribute to your employer's willingness to give you another chance. If you were told prior to receiving your score that failure to pass would result in immediate termination, be prepared for that to happen, but know that you still have a place in the legal profession. Your path may just look a little different than you expected. It is also critical that you are honest about your score, even if it means termination. It is all but certain that your employer will find out if you are not honest about whether or not you passed, which will reflect far worse on you than the score itself. If your employer is allowing you to attempt to pass again, or if they are open to discussing that possibility, share what you learned from this attempt and demonstrate your commitment to continuing to work towards a passing score.

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**If you feel prepared to move forward, it's time to make a plan for the future.** First, figure out if you want to take the bar exam again (now or later), or if you are open to exploring JD advantage jobs instead. You have many different options to choose from, and importantly you can always change your mind down the road. Here are some questions to ask yourself during this period of time:

- **Do you have a job offer dependent on passing the next bar exam?** If you do, and you want to keep your position, take the exam again. If not, or if you don't think that position is the best fit for you, now might be a good time to consider other options.
- **Is your goal to be a traditional attorney?** If your goal is working for a law firm or in a legal department actively representing clients or conducting legal research requiring bar admission, try again. If you can see yourself thriving in JD advantage jobs, consider non-traditional ways to put your JD to use before deciding to retake the exam.
- **Did you pass in any jurisdiction?** If you took the UBE (Universal bar exam), you may have failed in the jurisdiction you were hoping to practice in, but passed in other jurisdictions. Each jurisdiction has its own rules, so it is worth [checking to see](#) if you have a passing score elsewhere. If you do, and you are open to relocating, consider applying for bar admission in that jurisdiction and transferring your test score.

- **Was this your first time taking the bar exam?** If it was your first, it may make more sense to try again. If you've done it a few times now, explore JD advantage options and see if that seems like a good fit for you.
- **When did you graduate from law school?** Check if your jurisdiction requires that you take the exam in a certain period of time after graduation. For some people, waiting a couple months or years before retaking the exam can be helpful, but you may have a limited amount of time to retake the exam in your jurisdiction. If you are nearing the end of your allowed testing period, it may be time to consider JD advantage options even if you plan to test again.
- **What is going on in your personal life?** Our professional lives are just one aspect of ourselves. If you are going through challenging times, it may serve you well to wait before taking the exam again, or to consider other options. Prioritize your mental and physical wellbeing.

In addition to considering the questions above, it is also important to reflect on your present **financial wellness**, as well as what your options for funding a retake might include. As you likely already know, preparing for and taking the bar exam can be very expensive. If you didn't pass on your first attempt and are considering a second, it is worth checking with your commercial test prep provider (if you used such a provider) to see whether they offer free access to test prep for examinees who don't pass on their first try. However, if this would be your third or fourth attempt, or if you did not use commercial test prep, this likely will not be an option for reducing the financial strain of retaking the bar exam.

Some law firms and organizations offer scholarships and grants for bar study. Do some [research](#) to see what financial aid is available and whether you qualify to apply. While law schools and bar prep programs often encourage bar examinees to avoid full-time work while preparing for the bar exam, many people do maintain part-time (or even full-time) employment during the preparation period. Consider working in retail or as a barista, or picking up gig-work, to reduce financial strain. You could also consider looking for jobs in the legal profession that will continue to build upon your legal skills and help you make connections with potential future employers. If you are employed part-time or full-time, you can absolutely still pass the bar exam. Just ensure that you are managing your time well and devoting as much time as necessary for your individual study needs. Finally, if you have access to generational wealth and feel comfortable asking for assistance from family members, this may be a helpful way to reduce financial strain. Understandably, this may not be an option for many people, and especially for LGBTQ+ people who may have family members that are unsupportive of their identities, experiences, or relationships.

After considering your present financial situation and the options available to you for financing another attempt at passing the Bar, ask yourself if immediately testing again is financially feasible. If not (or if it would put you in a very precarious position), it may be worth waiting a bit longer to reduce stress and build up your savings. Consider working in a different industry or exploring JD advantage options in the meantime, and set a goal date for your next attempt. If you end up loving the work you do as you save up for the bar and decide to stay in that industry instead, that's great! If you still want to take the bar exam again when your goal date rolls around and are in a better financial position, that's great too! You don't need to make a final decision on whether or not to test again right now.

Finally, before deciding what to do next, consider whether or not a **diagnosed or undiagnosed disability** may have impacted your studying and/or examination experience. Some people complete law school and take the bar exam without ever realizing that they have a disability that may be impacting their methodology of studying and/or exam taking, such as ADHD, anxiety, chronic migraines, depression, dyslexia, or PTSD, among others. If you suspect a disability may be playing a role in your experience with the bar exam, or life more broadly, make an appointment to be evaluated. If you know that you have a disability that requires different study strategies or exam-taking support, talk to a provider about it and reach out to the entity conducting bar admissions in your jurisdiction to learn more about accommodations. It may also be helpful to reach out to your law school's disability resource center to learn more about how to request accommodations, or for suggestions on how to navigate studying with a disability. There is no shame in disability impacting how you learn or perform in high pressure testing environments, and there are resources available to you to make the bar exam more accessible and equitable for yourself and other test-takers with disabilities.

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## Testing Again

**If you choose to test again, the first thing you should do is set your goals.** Start by [analyzing](#) your score report and identifying areas of law or components of the exam that you struggled with the most. That will help you set attainable and concrete goals while you study, and will provide you with a clear picture of what went wrong last time. When studying, you should refresh your mind on all aspects of the bar exam, but focus on the areas of law that challenged you the most and practice the components you struggled with more heavily.

After analyzing your score report, **conduct a post-mortem of your study tactics** to identify areas for improvement and things you could do differently this time. What went well, and what didn't? Consider the following:

- **Study style and methods.** Think about how you studied for the Bar, and whether it was as effective and helpful as possible. For some people, creating detailed outlines and notes is helpful. For others, setting a strict schedule each day makes all the difference. Flashcards, practice essays, timed practice exams, video lessons, readings – there are endless ways to study for the bar exam. Think back to what worked well for you in law school, and how you could change your studying habits to best boost your learning.
- **Commercial test prep.** Did you use a commercial test prep service, like Kaplan, Themis, or Barbri? Think about whether it aligned with your learning style, or if it might be worth checking out other commercial prep providers. Ask your peers what worked for them, or read reviews online to see if other providers may work better for you. If you liked your commercial prep, but didn't complete all the recommended coursework, consider using the same provider but striving to meet its study goals this time.
- **Preparation time.** How long did you study before your last attempt? Did you stick to a schedule? Consider increasing the amount of time you spend studying overall, or changing your day-to-day study schedule. Maybe you learn better in the evenings rather than the mornings, or studying four days a week for a longer period of time works better for you than every day for a shorter amount of time.
- **Support system.** Look into tutoring or, if you have friends who also didn't pass, see if they would be interested in forming a study group. It may also be helpful to join discussion boards with other people studying for the bar to learn what is helpful for them and access peer support. Let your support system know that you would appreciate their encouragement, and ask them to help you stay accountable to your study schedule. Explain that you might have limited capacity as you are preparing.
- **Environment.** What was your study environment like? Were you in a busy and distracting place, or was it maybe hard to focus at home with children or pets around? Changing the location or environment of where you study can make a big difference. Pick somewhere comfortable where you can focus. Building a routine can also be helpful if you are easily distracted.

It's also important to consider how you **manage anxiety** around taking the bar exam. This experience is enormously stressful for just about everyone, but if you've already taken it and didn't get the outcome you were hoping for, that stress could be even bigger now. First, try reframing the situation. You've done this before. You know what to

expect during testing days, which gives you an advantage. Next, consider how you dealt with stress the last time you took the exam, and whether there are other ways you can take care of your mind and body this time. [Here are some helpful suggestions](#) for navigating stress and anxiety related to the bar exam.

**Now, put your plan into action – and good luck!**

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## [Career Options Without Bar Admission](#)

It's okay to never pass the bar exam. No, really. The wonderful thing about a JD is that it is an incredibly versatile degree. In law school, you were trained to critically read, write, and think. You have an immense amount of technical legal knowledge, superb research and writing skills, professional experience from clinics and externships, and an exceptional ability to problem solve and articulate an argument. Those are all incredibly transferable skills. If you are ready to try something new, you have a range of options ahead of you in JD advantage positions. For more resources regarding **JD advantage** jobs, visit the [National Association for Law Placement's \(NALP\) JD Advantage Resources](#). You can also learn more about the pros and cons of pursuing a JD advantage job by watching [this webinar](#) from the National LGBTQ+ Bar.

**Here are just a few fields to consider in the JD advantage realm:**

- Compliance and Ethics
- Regulatory Affairs
- Government
- Public Relations
- Legal Operations and Technology
- Insurance
- Human Resources
- Real Estate
- Education (Teaching or Administration)
- Corporate Governance
- Contract Management
- Public Policy
- Library Sciences
- Commercial Risk Management
- Research
- Copyediting or Freelance Writing
- Journalism
- Talent Management
- Non-Profit Work

If these options interest you, do some research to see if anyone in your networks holds a position in one of these industries and reach out to them to learn what will make you a competitive candidate in the field. Many law schools also have career portals or alumni networks that post JD advantage openings. You could also find positions by attending career fairs and professional association events. When you're ready to apply for a

position, tailor your résumé to highlight transferable skills gained from law school, like critical thinking, research, writing, and problem-solving. In cover letters and interviews, demonstrate your understanding of both the legal industry and the industry you are interested in joining, and show how your JD makes you uniquely suited to navigate the challenges and landscape of that field. If you don't land your dream JD advantage job right away, that's okay. You may need to complete a certification or gain some industry experience first, so don't give up just because you don't begin working in a position you love right away. After all, it would likely take you a few years to find your footing and land your dream job in a traditional legal career track as well.

If JD advantage positions or industries do not appeal to you, **there are still more paths to consider**. Some people go back to school, pursuing an additional legal degree, such as an L.L.M. or a JD-PhD, or an entirely non-legal degree. Others pursue jobs that have little to do with law school, such as going into the service industry or a creative profession. The important thing to remember is that you have a plethora of options, and choosing one now does not foreclose others in the future.

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**No matter what path you choose to pursue moving forward, remember that you are so much more than a test score.** Whether you are attempting to pass the bar exam again, pursuing a JD advantage job, or going to culinary school, you'll find your professional path. Often, professional and academic setbacks can serve as important flashpoints that, in retrospect, were blessings in disguise. Take care of yourself, prioritize your mental wellness and financial security, and always feel welcome to reach out to the National LGBTQ+ Bar at [info@lgbtqbar.org](mailto:info@lgbtqbar.org) if it would be helpful to build your network or discuss professional options.