



Episode 93: Top Questions from Incoming 1Ls about Law School – Academics

Lee Burgess: Welcome to the Law School Toolbox Podcast. Today, we are answering the top 1L questions on academics. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify the law school and early legal career experience so you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#) and the Catapult Conference. Alison also runs the [Girl's Guide to Law School](#).

If you enjoy the show, please leave a review [on iTunes](#). If you have any questions, don't hesitate to reach out to us. You can reach us via the [contact form on lawschooltoolbox.com](#) and we'd love to hear from you. With that, let's get started.

Alison Monahan: Welcome back. Today, we're answering the most common questions we get from incoming 1Ls where academics are concerned. If you're getting ready for law school, this episode is definitely going to be one for you to flag. We're going to go through question by question, but before we get started, Lee, what is it about law school academics that make it so challenging and anxiety inducing for so many new law students?

Lee Burgess: We just did a fantastic episode with one of our tutors, Keri Clap, on the [transition from undergrad to law school](#), but there are so many things about law school that just inherently make it intimidating. You've got this different academic format. You've got all this pressure because the exams are at the end of the semester. Your grade usually depends on one exam instead of multiple assignments through the semester. There's very little feedback and there's a lot of competition. Then, there's this idea that everybody in law school probably did pretty well in undergrad and so, it's a different pool of people. You're all of a sudden competing with other people who like academics enough that they want to go to graduate school and I think that just makes it overall more challenging. What do you think?

Alison Monahan: I agree. I think it's a different pool of people. These are all people who did well in undergrad. They're used to doing well and they expect to do well in law school. Some of those expectations are realistic, some of them are not, but I think if you're used to being this big fish in a small pond and suddenly, you're one of a lot of fish, it's hard to distinguish yourself and that can cause a lot of stress, particularly when you add that to the curve where you and I know law students are not really math people, but if you've ever looked at a normal distribution, the bell curve, that's really what you're dealing with and that might be curved—if your school's generous—maybe they curved to a B or B+ but some

schools, they might curve to a C or a C+, which means half the class is going to do worse than that. Some people are just getting grades they've never seen before and I think that can be hard.

In terms of evaluation, you're absolutely right. If you're used to having your professor hold your hand throughout the semester and feed you a little bit of information, and then test you on that information, feed you a little bit more, test you a little bit more, that's not how law school works. You get a bunch of stuff dumped on you for the entire semester. You need to make sense of it and be able to use that new material in a way that your professor is looking for in the final and it's very challenging. It's academically rigorous.

Lee Burgess: I think the flip-side is that's what makes it exciting and engaging is it is really rigorous. It's something hard. It's an interesting academic challenge. If you're someone who likes school, it's a real opportunity to step up, but you still have to understand what the requirements are of you and how you're going to be measured so you can be academically successful.

Alison Monahan: Yeah, I think that's the key. Presumably, you're not going to go to law school unless you pretty much enjoy reading and writing and arguing and thinking logically and that kind of thing. It is really an opportunity to enhance those skills and to get better at them, but it is something that's going to take a lot of work and a lot of effort and understandably, a lot of incoming 1Ls are a little bit, I don't want to say frightened, but definitely a little nervous about the situation.

Lee Burgess: Yeah. All right. Let's just go ahead and dive into some of the questions that we frequently get and I think probably the top question that we get seems to be around this idea of managing the massive workload that you have during law school.

Alison Monahan: Yeah, absolutely, which again, I think is a pretty reasonable question because a lot of people, let's face it, didn't have to work all that hard in undergrad, and so, the harsh reality of law school is that you actually, even if you're very smart, you're going to have to do a lot of work.

Lee Burgess: Yeah, exactly. It's just hard work. It's not impossible work, but it just takes a lot of work to get prepared for class, to get prepared for these exams, and to learn the volume of law that you're asked to learn.

Alison Monahan: Yeah, in an average day, you're probably going to have several hours of class and then, you're going to have several hours of reading and then, you're going to have other activities. That might not sound like much right now, but if you do that week after week after week, it just gets to be a little bit of a grind and once you fall behind, you're in big trouble because there's just not a lot of time to catch up.

Lee Burgess: Yeah. I think that the first thing you can do when you think about managing this work load as you enter in law school is to just set realistic expectations. I think, like you said, a lot of folks maybe didn't study that much during different parts of undergrad, even sometimes by the last semester or two, you might be taking a lot of seminars or paper classes. You may not be doing as much of your reading and so, you all of a sudden get to law school and you get a reading assignment before your first day of classes and it's going to look like a lot when you sit down to do it so I think-

Alison Monahan: Right. Just FYI, that first day of classes is not like get to know you, talk about the syllabus.

Lee Burgess: Right.

Alison Monahan: Your professor's going to be like "Hi, I'm Professor Burgess and welcome to class. Okay, Ms. Monahan, could you please tell me what the first case is about?"

Lee Burgess: Right.

Alison Monahan: You need to go in prepared.

Lee Burgess: Exactly, exactly. You have to be realistic about how much you're going to work on law school each week and I think the best way to be realistic about this is to [think of it like a job](#). I think thinking about law school like a job makes much more sense than maybe thinking about parts of undergrad, because you do have all these assignments. There's just a lot of work that needs to be done. You need to prepare for class. You need to go to class. You need to review the material outside of class. You might have assignments for your legal research and writing class. There's just a lot of work that needs to be done and so, if you go into it thinking this is probably going to be conservatively 45 to 50 hours of work a week, which really isn't that unreasonable when you think about how much lawyers work, that that's a great starting point. If you're like, "Oh, I only plan on working on law school like 30 hours a week," then you better manage your expectations.

Alison Monahan: Right. We often talk to people who've struggled and they say, "Oh, you know, I just can't get everything done. There's just no way. I'm so overwhelmed." It's like, "Okay, it's a common experience, but are you working on the weekends?" "Oh, well, no, not really. I feel like I need to rest and recuperate." "Are you working in the evenings?" "Well, no I really need my sleep." It's just at some point, you're like, "All right, when are you working?"

Lee Burgess: Yeah.

Alison Monahan: You need to be devoting more time to this. I'm sorry. That's just the way it is.

Lee Burgess: I think if you think about it like a job and you even—we often talk about this exercise—log your hours for a little bit to see when you're actually working and how much you're actually working, you might be surprised that some days, you feel like you've been working all day, but maybe you've only done let's say six hours of work. Three hours of class and three hours of reading, maybe that doesn't sound like a lot, but then you get to school and you start talking with your friends and you're hanging out in the library and you are going on a long lunch and then, you go to yoga and then, you go home and you're like, "Wow, that was a long day." Then you realize it really wasn't a long work day.

Alison Monahan: Yeah.

Lee Burgess: Because you may have only clocked six hours. Maybe you need to do eight a day to get everything you need done so then after yoga and after dinner, maybe you have to do two more hours of reading to make sure that you're ready for school the next day. Now, I'll be honest, I don't think that sounds like an unreasonable schedule, but you need to understand how you're spending your time.

Alison Monahan: Yeah, absolutely. I think the key here is you need to be deliberate about how you're spending your time and that includes taking time to rest and sleep and recuperate and go to yoga and do exercise and all of those things, but you really have to be serious about when you're getting your work done and not just the daily work of like preparing for class, that's going to take enough time. But within a few weeks, you need to be doing this deeper work where you're starting to put the pieces together for yourself. Organize your life, create a study calendar. Block out what you're going to do. You're much more likely to do certain types of work if you block it out on a Saturday afternoon or whatever. Also, be evaluating how long it's taking you to do certain things. Often people wonder how long should it take to read for class? Answer, of course, it depends, depends on the type-

Lee Burgess: The best lawyer answer ever.

Alison Monahan: Yeah, depends on the type of cases. It depends on your own reading speed. It depends on whether you're tired that day. I think a good rule of thumb is once you're comfortable with the material, which is not going to be the first couple of weeks, but once you're halfway through the semester, say, I think if you're reading less than 10 pages an hour, that's something you need to take a look at.

Lee Burgess: Again, there's no judgment if you're reading less than 10 pages an hour, but that's probably the average. If you're reading 20 pages an hour, you might need to ask yourself whether or not you're really retaining the information you're reading because it's pretty dense stuff. It's not like you can fly through it like you can a novel right before bed.

Alison Monahan: Right.

Lee Burgess: If you're reading at a much slower rate, let's say five pages an hour, then it's time to really critically evaluate. Either, are you having trouble focusing? Are you stopping and starting? Are you reading things over and over again? These can even be some early signs of possibly some learning disabilities working their way out in law school and if that's the case, the earlier you seek help for that, the better.

Alison Monahan: Yeah, absolutely. Make your reading five pages an hour, you just are not going to have time to do all of your reading without completely killing yourself basically. That is a time to go and talk to academic support services or someone and say, "Look, I need help figuring out how to read cases more efficiently," because there are strategies. There are books you can get on this. If you're reading five pages an hour, you probably don't have time to read a book, but get the audio book version. There are ways that you can improve your reading speed and if it's taking you a really, really, really long time, that's going to start impacting a lot of other stuff.

Lee Burgess: Just be thoughtful of it. If your first case ... The other thing is at the beginning of the semester, they oftentimes make you read these very, very, very old cases that are incredibly difficult to get through because they're in older English writing style. The vocabulary can be a little awkward. *Pennoyer v. Neff* and a lot of these cases that nobody enjoys reading at all can be quite slow. That's why we're saying by the middle of the semester, you're reading probably some more contemporary cases. You feel a little more comfortable with the case format, it should be chugging along.

Alison Monahan: Yeah. Right, you're not having to look up every third word in your Black's Law Dictionary. That's another thing.

Lee Burgess: Right.

Alison Monahan: In the beginning, when you're typically the volume of your workload is lower because your professors understand you need to get up to speed, that's the time to really invest in looking up the stuff you don't understand. What does *sua sponte* mean? Look that up, look it up again, and look it up again until you remember it.

Lee Burgess: Right.

Alison Monahan: Because you don't want to be looking that up in your third year or not understanding it.

Lee Burgess: Yeah, exactly. Another thing that students can often do, which becomes a bit of a time suck is spending way too much time [briefing](#). We talk about briefing on the podcast. We've got a lot of great resources on it on the website, but sometimes, and I have totally done this, you just end up writing these briefs that

are like novels about whatever you've written. You've got a five-page case and you've got a five-page brief, and that's not really the point of a brief. A brief-

Alison Monahan: That's not brief.

Lee Burgess: That's not brief. It's not brief. The point of the brief is that it's supposed to help you refresh your recollection about what you read in a case so if you get called on in class, you have these notes to reference. That's all they should be are notes. I think in the beginning, it can be very comforting to just copy things out of the textbook so you end up pretty much like retyping a lot of sections of the opinion with bullet points instead of paragraph per paragraph. Again, I've totally done this, and then, you realize that your notes don't really make any sense to you because all you were doing is retyping sections of the case. What you really want to do is be able to say, "Okay, the government seems to have made three major arguments. I'm going to write down in my brief what those three major arguments were and then, what the court said in response to those three major arguments, and then which argument the court bought and why." That's what's going to help you answer questions in class.

Alison Monahan: Right, and the point, too, if you're going to bother doing the brief is you need to be honing your legal analysis, and part of that is separating what's really critical from what's just background information. And so, if you aren't doing that, you're just essentially transcribing the case, which is, frankly, totally pointless.

Lee Burgess: Yeah, exactly. Something to really, again, evaluate and play with, I think how your briefing is done at the beginning of the semester doesn't necessarily need to be how you're briefing the rest of the year or even throughout your law school career, but there are different types of briefing, book briefs, paper briefs. Try different things. See what works. This beginning of the semester is a time to experiment. Just make sure that you're not experimenting so much that you're losing track of time and find out you don't have enough time to read for class because you're writing different briefs and comparing different things, things like that.

Alison Monahan: Yeah, exactly. Pick one for a week or whatever and go with it and see how it works.

Lee Burgess: Yeah.

Alison Monahan: I think the other thing sometimes people get really caught up in in the beginning is they try to use four supplements before every class so they feel like, "Oh, I have to know everything before I step into class," and I don't really think that is necessarily a great use of time.

Lee Burgess: No, supplements have their place and they can be incredibly helpful, but you also want to learn in class. Your job is to be able to know enough to be engaged in class, but not to know everything. Sometimes, reading four supplements can

actually be quite confusing because each one might explain something slightly differently. It's like going to four lectures on the same topic by four different professors and then, having your own professor, the fifth one, that's a lot to digest. If you really feel like you need to read a supplement before class, please don't read more than one, but I personally liked reading supplements after class when I was doing my deep work, and it was almost like getting to listen to a review of the material that was covered in class.

Alison Monahan: Yeah, absolutely, and people have different ways that they think. Some people need the big picture before they can dive into the details. Other people don't, necessarily. If you find that you're really getting dragged down in these cases, you can't figure out what you're supposed to be looking for, you have no idea what the law is, maybe you consult a supplement before class so you get the big picture, but that's not a shortcut for doing the actual work because that's just going to give you a high-level overview. It's not going to give you all the details that your professor's ultimately going to be interested in in class and on the exam.

Lee Burgess: Exactly. The other thing that we'd like to recommend is at the beginning of the semester, it might even be worthwhile to put some check in points on your schedule. Maybe three weeks in, you check in to see how you're going. Maybe you have tracked your time to see how much time you're just preparing for class. Maybe you sit down and evaluate whether or not you feel like you understand what's going on in class. Perhaps you are even trying to start answering some practice questions that have been presented to you in class and you need to evaluate whether or not you feel like you can do those practice questions. This evaluating where you are is a very important exercise and something that can make you uncomfortable because you have to really be honest with yourself about what you're doing, whether or not what you're doing is working, but it would behoove you to set aside some time to check in because if you need to pivot and change, you want to pivot and change early enough in the semester that you can get the benefits from that change.

Alison Monahan: Yeah, absolutely. If you find out that you're totally flailing and you need help, whatever that help might be, you need to get that help early rather than later if you find, "Oh, I do realize I do have a learning disability, but I never really got any accommodations for it. I was able to get by." Suddenly, you find out that you're really struggling, that's something you want to deal with soon in the semester because otherwise, you might be a week out from your exams and not know if you're going to have any extra time or anything like that or a quiet room. Also, you can ... There are lots of things that can help you during the semester like someone else taking notes and things like that. These are things to deal with sooner rather than later and I think having this check in is a really great idea.

Lee Burgess: If you're feeling short on time another thing to evaluate is whether or not you're spending too much time in the study group. Study groups-

Alison Monahan: [Ah, study groups.](#)

Lee Burgess: Study groups. Study groups can be great. Study groups can be bad. Study groups can be a waste of time. Study groups can be an effective way to learn. Again, you have to be evaluating whether or not the time that you're putting into the study group is worth it. If you're spending six hours a week with your study group, but you feel like you're not learning anything, then maybe those six hours need to be better spent doing another activity.

Alison Monahan: Yeah, absolutely. Study groups can be a great way to have some social support. There's nothing wrong with that. Some of them are extremely effective, but a lot of them are, frankly, not that effective. It's very hard as a 1L to figure out initially is this particular group of people going to be helpful for me. I think you have to give yourself permission to try it out, see how it goes, but allow yourself the opportunity to leave if it's not working for you.

Lee Burgess: Yeah, exactly. We also get a lot of questions from [part-time students](#) about time management and I think that a lot of part-time students are balancing work and school, possibly family responsibilities and so work load management becomes even more critical because there's really no time to waste at all for most part-time students.

Alison Monahan: No, absolutely, absolutely.

Lee Burgess: For those students, what we really recommend is that you be very deliberate about setting aside time to study and make sure that that time is very, very efficient and focused, so that means no distractions, your cell phone's off, you're not browsing online, you are really focused in getting the task at hand done and making sure that the time that you're spending studying is getting you a lot of bang for your buck, because that wasted time is the first thing that needs to go when you're under a big pressure cooker.

I think the other thing for part-time students is if you can with the other responsibilities you have, you've got to make the most of your weekends. You've really got to use that time when you're fresh. I think one of the challenges for part-time students is oftentimes they're studying while balancing a lot of responsibilities so, they're going to class at night or reading in the evenings before class or after class. Then you've had a long day, it can be difficult to retain a lot of information after you've been up and had a full day at work. You really have to make sure on the weekends, when you have slept well and you're being able to study and learn in the mornings, that you are making the most of that time. Even if you're balancing a lot of responsibilities, perhaps you have a family that you're also balancing on the weekends, see if you can still carve out some time and make it high impact study, a focus place, without distractions and try and get the most out of the time that you do have.

Alison Monahan: Yeah, absolutely. I think it's just inevitable that it's going to be a time management challenge.

Lee Burgess: Yeah.

Alison Monahan: You just have to be realistic about that.

Lee Burgess: Also, I would really recommend that any time that you feel that you are possibly slipping behind or bumping up against some challenges that you do reach out for support. Academic support, like you were saying, is a great place to start. Most schools have an academic support office, going to your professors, trying to get questions answered, just making sure that you are on top of things, because having a bad week and feeling like, "Oh, I didn't really understand that future interest section. I hope that's not on the exam." First off-

Alison Monahan: Guess what?

Lee Burgess: Guess what? It's totally going to be on the exam and it's much harder to learn it on your own when you're cramming for finals. You just have to really be detail oriented and track everything and keep yourself on top of the work so you don't fall behind.

Alison Monahan: Yeah, falling behind is always just going to dig your hole deeper. It's never going to end up being a good thing.

Lee Burgess: Yeah. All right. Shall we move on to our next question?

Alison Monahan: Sure.

Lee Burgess: All right. The next question is really about how do you know when you're prepared for class? We talked a little bit about this already, but I think it is an interesting question. When are you done studying and preparing for class?

Alison Monahan: I think it's a great question and I always say to people you need to make a good faith effort to be prepared for class and that doesn't mean that you have to read each case three times and memorize all of the facts. That means you read the case once, you really focus on it, maybe you consult a supplement or you read the notes after the case or whatever to get a broad overview, but you don't need to be an expert on every aspect of the law when you step into class. You just need to be prepared if you're called on or so you can play along in your head and then, you can actually get something out of class. The problem is if you don't do the reading, you're sitting there: A) being concerned about being called on, and B) not really understanding the discussion, and then, you're just falling further behind.

Lee Burgess: I think one of the things you have talked about in previous podcasts and also in our courses is this idea of [what is good confusion and bad confusion](#).

Alison Monahan: Right. One of my favorite professors I TA'd for actually presented this and he said, "The law is complicated. No one's going to agree on every detail of it. Cases go all the way to the Supreme Court and they're litigated with some of the smartest people in the world disagreeing." If you are puzzled about something or how the pieces fit together or how this case fits together with things you've read or seen before, that's good confusion. You're trying to puzzle out the details of the law. Bad confusion is just when you literally don't understand say, for example, what a word means and you can't follow the discussion because you don't know what they're talking about. You want to try to eliminate that bad confusion as quickly as possible, but then you have to get comfortable with the good confusion because that's really where the magic happens.

Lee Burgess: I think that's a really important concept and one that folks need to check in with themselves about. I think the other way that you can test whether or not you have the good type of confusion or the bad type of confusion is whether or not you can follow along in class and answer most of the professor's questions. There are good things about the Socratic method. The Socratic method can get criticized a lot and can be implemented very poorly, but I think if you are engaged in class and as the professor is walking a student, maybe you, maybe not you, through all these questions, if you can answer most of them, then you understand enough. You've had the good confusion.

Alison Monahan: Right, because you're probably going to reach a point, the professor's going to reach a point where there really isn't an answer.

Lee Burgess: Right.

Alison Monahan: That's when we're in the realm of you could make this argument or you could make that argument or you could argue from policy or whatever it is. It's not that you ... Basic questions like what were the arguments of the plaintiff and the defendant? Who won the case? Things like that, those are bad confusion if you can't answer those.

Lee Burgess: Right. I think that that's really true. Another thing that you have to watch for when you think about being prepared for class is can you retain the information that you read during your reading. One of the things about law school is and balancing your time is you have to figure out when it makes sense to do your reading. I had friends who, and I would do this sometimes, too, who like to pre-read on the weekends to just get chunks of reading done to lighten the load during the week. But if you're reading for classes on Monday, Tuesday, Wednesday, you need to make sure on Wednesday, you still remember what you read on Sunday.

Alison Monahan: Right.

Lee Burgess: Either your briefs have to be of a high quality, you need to review your notes before you walk into class so you can refresh your recollection because you

don't want to get called on and then, have the professor say, "What were the facts of this case?" and you're like, "Was that the one with the boat?"

Alison Monahan: They're like, "No, that's the one about the zoo."

Lee Burgess: Right, right. You're like, "Oops, the zoo," and you're flipping through your notes. That's not being well prepared for class.

Alison Monahan: Right.

Lee Burgess: That's what you also need to just evaluate. Are you able to be in class, be engaged, answer most of the questions and follow along with your professor? Then you are prepared for class.

Alison Monahan: Right. To do that, I used to do a lot of my reading on the weekends, but I would probably read up to like Wednesday because after that, there was no way I'd remember it, but you can take five minutes before class just to flip through your notes, your reading, whatever and you can refresh your recollection. I would do the little doodles and those really helped me remember what the cases were about. I'm like, "Oh, yeah, that was the hospital bed one," and then it came back to me. We all retain information differently and some people have better recall than other people.

Lee Burgess: Yeah.

Alison Monahan: That's just the way it is. If your recall is not so great, you might need to do your reading closer to the time you're actually going to class.

Lee Burgess: Right, or carve out time every morning to review all the briefs you did over the weekend so you can refresh your recollection and maybe that half hour of review is going to make you prepared enough for class. You just got to try it out. There's no one-size-fits-all answer.

Alison Monahan: Right.

Lee Burgess: There are folks with photographic memories in law school that don't have to worry about this at all so ...

Alison Monahan: Exactly. If you do get called on and you muddle your way through, it's not the end of the world.

Lee Burgess: Right.

Alison Monahan: It doesn't feel great. We've all been there. Everyone has a bad law school, "I got called on and it was a total disaster," story, but it happens and you can't let that inform the rest of your experience. You can't let that inform the relationship

with your professor. I think both of us have stories about like our biggest call on disasters and we ended up TA'ing the class.

Lee Burgess: Yeah, yeah. Yeah.

Alison Monahan: It really doesn't mean anything if you have a bad day in class.

Lee Burgess: Right.

Alison Monahan: Remember, exams are graded anonymously, so whatever.

Lee Burgess: Yeah, exactly. All right. Let's move on to our next question, which I thought was an interesting one is how do you stand out? I would like to add to that, how do you stand out in a good way?

Alison Monahan: Right. This is not like any attention is good attention.

Lee Burgess: Right.

Alison Monahan: You don't want to be "that guy" or "that girl."

Lee Burgess: Yeah.

Alison Monahan: I think it's important to keep in mind you are starting to develop your professional responsibility even as a 1L. I remember people who behaved badly in 1L classes and maybe I'm Facebook friends with them, but I still remember how they behaved in our 1L classes. I just think there's a balance as with everything. You don't want to be the person whose hand shoots up every single time the professor has a question. Every single time they ask for an anecdote, you start with, "Well, when I was working on the Hill," you're like, "Oh, God, really again?" Yeah.

Lee Burgess: Yeah.

Alison Monahan: I feel like it's always better to be the quiet gunner, that person who just sits quietly in the back of the room and then aces all their exams.

Lee Burgess: Yeah, I think you want to think about how you want to stand out. If you're thinking from a professional perspective, how do you want to stand out to make sure that you can get the jobs that you want, then that's really about having a great solid resume and doing well academically. If you're thinking about how do I stand out so I have a great relationship with a professor so they might write me a letter of recommendation to transfer or get a clerkship, then make sure you're prepared for class and go develop a relationship with that professor during office hours, be engaged, and do really well in their class.

Alison Monahan: Yeah, and I think-

Lee Burgess: That's the way you want to stand out.

Alison Monahan: Right. I think that being engaged is a good point. I think there's a fine line between [being engaged](#) and then being “that person.”

Lee Burgess: You're going to know who “that person” is the first and second day of class.

Alison Monahan: Right. I think it's also in terms of professional responsibility, it won't kill you to be polite to your classmates or to other people. It won't kill you to occasionally help somebody out if they had to miss class. I guarantee you those notes that you give the person who ended up with a flu and had to go the hospital for two days, it's not going to impact your grade.

Lee Burgess: Right.

Alison Monahan: If you know somebody's having problems either, if you're super nice about it, you could offer to help them or if somebody asks you, don't be a jerk. People remember that sort of thing.

Lee Burgess: Yeah, just be a nice person because you have to remember, you're going to continue to run into these people in your professional environment for a really long time. Some legal communities are really small.

Alison Monahan: Yeah, absolutely, and you can also just think of it as karma. At some point, you're going to be the person who needs a favor and you don't want to be that person that no one will help.

Lee Burgess: Right, yeah.

Alison Monahan: Do not stand out in that way.

Lee Burgess: Yeah, think about what your goals are in how you want to stand out and develop your plan to get there.

Alison Monahan: Yeah. I think your plan should generally be to be the sort of person someone would like to hire. You're prepared. You're eager to participate. You're friendly. These are kindergarten skills.

Lee Burgess: That's true. All right. Another question we get frequently is from folks who are returning to law school after being out in the workforce for a while. Alison, you and I were both out of school ... You have a bit of a different story, but you and I both worked before we went to law school.

Alison Monahan: Yeah. I think that is a big transition for a lot of people. I think it has benefits, potentially. I noticed at some point many of the people who were on the law review had actually either done a different graduate program or had work experience, versus people who came straight through. Not to say that you can't

do well if you came straight through, but I think there are advantages to being someone who has a little more maturity, a little more perspective, a little bit better idea of how to manage your time. If you've had a job, you've had to go to that job and actually do stuff and get things done-

Lee Burgess: Sit at a desk.

Alison Monahan: Yes, exactly. I think there are benefits and you might be more situated to actually treat law school like a job as you were saying earlier, but there are some downsides and some challenges. I think you just have to be realistic about that.

Lee Burgess: Yeah. I took a four-year break and I think that when I went back, I was really able to enjoy school because there are benefits of it. I could go to the grocery store at noon. Go to yoga at 3:00pm. These were all things that I really missed when I had my corporate job, but I also had to get back into the academic. Remember that writing academically was going to be different than writing for my job. Realizing that you are doing things and activities as part of an academic exercise that wasn't necessarily representative of the real world was also something to get used to.

Alison Monahan: Yeah, I think that can be frustrating for a lot of people like, "Why do I have to pretend to do this client interview? I've been doing consulting with real clients for five years now. I shouldn't have to waste my time on this." Yeah, nobody's going to want to hear that.

Lee Burgess: Right. It's still part of the education. I think if you can take your skills that you learned in the real world and apply them to law school, it can be very, very effective, but you do have to remember how this school, this constructed academic environment is asking something different of you than what you were doing in the real world. This is no matter what you were doing. We have worked with students who have retired from the military and were officers in the military and then, go become 1Ls. Let's talk about a crazy transition, right.

Alison Monahan: Right, exactly.

Lee Burgess: You're leading huge teams of people. You have high level responsibilities and now, you are a 1L dealing with all of the 1L stuff. You may have a lot of maturity. You may have done a lot of hard things in your life, but it's also very important to realize that you're playing a new game and you have to shift how you're going to do your work.

Alison Monahan: Right. I think being humble about that and just accepting that reality is going to help you adjust and feel comfortable and feel confident a lot faster than if you fight it.

Lee Burgess: Yeah. I think enjoying being back in school is some of the best advice I can give. It's going to be a lot of work, but if you have been working especially at a job that required a lot of you, maybe you traveled for work, maybe you worked crazy hours, school's kind of fun. You have a lot of autonomy.

Alison Monahan: Exactly.

Lee Burgess: It's like working for yourself in a lot of ways and enjoy it because it's going to ... You have to balance out what it feels like to not make money anymore and things like that.

Alison Monahan: Exactly.

Lee Burgess: There has to be a lot of benefits.

Alison Monahan: Exactly. All right. Final question before we wrap up, and this is a pretty broad one, people ask us how do you study effectively?

Lee Burgess: Yeah. We've got a lot of [podcasts](#) on this, but it's really important to just understand the end-game. I really recommend that you take some time and listen to our episodes, and we'll link to them in the show notes, about taking an exam because you have to understand how you're going to be evaluated before you go through an entire semester.

Alison Monahan: Exactly. I think that's a great episode. I'll be honest, it's probably one of our least popular so if you listen to it, you're really going to be ahead of the curve because we get people ... No, we have people write to us be like, "That episode is amazing." I'm not saying it says we're amazing. It's just because [we literally walk you through an actual law school exam and tell you how we would approach it](#). I think having that understanding from the first day is going to inform the way that you study and so, that you're not just focused on, "Oh, I'm doing all the reading and that's it and I didn't have time to take practice exams. I didn't really have time to outline. Had to use somebody else's outline, but I'll be good because I just did all the reading."

Lee Burgess: Right, yeah, that's not enough. It's just not enough.

Alison Monahan: Yeah. I think the good news is taking a law school exam is a learned skill. This is something you can learn how to do, but that also implies you need to really learn how to do it and not just show up to your first exam and be like, "Oh, I'll just figure it out. I'm smart."

Lee Burgess: Right, and you probably are.

Alison Monahan: That's not going to go well. That's still not going to go well.

Lee Burgess: It's still not going to go well. Because plenty of smart people aren't successful in law school. You have to still do the skill. The way that you can make sure you're studying effectively is to do the deep work that we were talking about. You have to review the material. You can't say, "Wow, that was a great week of class," and then never look at that material again until reading days.

Alison Monahan: It's also more than just reviewing it because I think sometimes people read it, they go to class, they read over their class notes, they're like, "Okay, I'm good." You have to make sense of this.

Lee Burgess: Right.

Alison Monahan: You need to have some sort of flow chart or something like that, an attack plan that you can literally apply to the law and making that is very challenging. I remember I sent a student I was working with one of my flow charts and she's like, "Oh, this looks really great. I wish I had time to make something like this, but I just don't have time." I'm like, "What do you think studying is?"

Lee Burgess: That is what you're supposed to be doing.

Alison Monahan: This is the best use of your time, trust me.

Lee Burgess: Yeah, yeah. I think that's so true.

Alison Monahan: She didn't trust me. She didn't do well.

Lee Burgess: Yeah. The other way that you test whether or not you have a mastery of this material is by doing practice, a little more practice, even more practice and then, getting feedback because you have to evaluate if you're learning and understanding the law and mastering what everybody calls thinking like a lawyer, doing legal analysis. Depending on your law school, one of the things that can be very challenging is, I think especially, let's say at an Ivy League law school, a lot of the professors are very theoretical. They might have a criminal law class and a good chunk of the class is on the theories of crime and punishment, but the exam is literally what charges can be brought.

Alison Monahan: Right. Here's a dead body and there were several people involved.

Lee Burgess: Right.

Alison Monahan: Please discuss what they could be liable for.

Lee Burgess: Exactly.

Alison Monahan: You're like, "Whoa, whoa, whoa, whoa, whoa, we didn't talk about any of this."

Lee Burgess: Right. It's like, "But can I write again about crime and punishment because I feel really good about that."

Alison Monahan: Yeah, and for a three-question test, maybe one of the questions is a policy question that's like discuss crime and punishment theories.

Lee Burgess: Right.

Alison Monahan: You're lucky if that even shows up there.

Lee Burgess: Right. You need to continue practicing either questions provided by your professor, practice exams that could be released by your school. You can use bar questions. You can use supplements, but you need to practice applying this law so you can understand whether or not things are going well. If they're not going well, again, you need to pivot and regroup, and make sure you're setting in a different way to have a mastery of the material.

Alison Monahan: Absolutely.

Lee Burgess: All right. It's not going to happen overnight, but with lots of practice and hard work, you can definitely get confident in doing legal analysis. It just takes time. And with that, we're out of time.

Alison Monahan: Speaking of time.

Lee Burgess: Before we finish up, we wanted to take a second to let you know that you can check out our Start Law School Right course on our website at lawschooltoolbox.com/start-law-school-right. This is an on-demand course, which includes feedback from one of our awesome [Law School Toolbox tutors](#) and it's going to help you understand how to excel academically in law school from day one. If you're concerned about academics, please check out this course. You might find it helpful and you can always reach out to us and chat with us if you have any concerns or questions.

Alison Monahan: Awesome. If you enjoyed this episode of the Law School Toolbox podcast, please take a second [to leave a review and rating](#) for us because we'd really appreciate it and be sure to subscribe so you don't miss anything. If you have any questions or comments, don't hesitate to reach out to Lee or me at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com, or you can always contact us via our [website contact form at lawschooltoolbox.com](#). Thanks for listening. We'll talk soon. Best of luck in law school.

Resources:

- [Start Law School Right Course](#)
- [Podcast Episode 16: Study Strategies for Different Learning Styles in Law School](#)
- [Podcast Episode 19: Conquering Different Types of Law School Exams](#)

- [Podcast Episode 21: What is your Professor Looking for on Exams](#)
- [Podcast Episode 22: Take an Exam with Us](#)
- [Podcast Episode 89: The Leap from Undergrad to Law School \(with Keri Clapp\)](#)
- [Time Management Tip: Think of Law School Like a Job](#)
- [Five Myths About the Law School Study Group](#)
- [Balancing Life as a Night Student](#)
- [How to Brief a Case in Law School](#)
- [1L Tip of the Day: Good Confusion and Bad Confusion](#)
- [Why Class Participation Matters and How to Do It Right](#)
- [A Student's Perspective: The First Week of Law School Classes](#)