



## Episode 100: 100<sup>th</sup> Podcast Anniversary - Top 10 Podcast Episodes

- Alison Monahan: Welcome to the Law School Toolbox podcast. Today is a very special episode. We're celebrating our 100th podcast. We're really excited because we're going to look back at our ten most popular episodes and we're each going to share one underappreciated favorite. Stay tuned.
- Your Law School Toolbox hosts are Alison Monahan, that me and Lee Burgess. We're here to demystify the law school and early legal career experience so that 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 Career Conference. I also run [The Girl's Guide to Law School](#). If you enjoy the show, please leave a [review](#). And if you have any questions, don't hesitate to reach out to us. You can always reach us via the [contact form on lawschooltoolbox.com](#) and we would love to hear from. With that, let's get started.
- Lee Burgess: Before we get started with this special episode, I wanted to take a moment to let you know a few of the ways we can support you in your law school and bar exam journey. Besides the podcast and our blogs, the [lawschooltoolbox.com](#), and [barexamtoolbox.com](#), we offer an on-demand course to get you ready for law school called Start Law School Right, one-on-one law school tutoring, helpful bar exam courses like our Writing of the Week course, and bar exam tutoring for the UBE and California Bar Exams. We can support you no matter where you are on your path to becoming a lawyer. You can learn more about what we do on our websites, or send us a note on our contact forms.
- Lee Burgess: Welcome back to today's special episode celebrating our 100th podcast episode. We're excited to look back at our ten most popular episodes and we'll each share our unappreciated favorite. I just can't imagine, or I can't believe we've done a hundred of these, to be honest.
- Alison Monahan: Yeah, it was really crazy, I was looking at them, and I was like, "Wow, we just released number 96. Huh, how did that happen?"
- Lee Burgess: I know, I remember when we started doing this, I don't think I ever thought we would ever get to a hundred. Let alone... who knows how long we'll end up doing this.
- Alison Monahan: Yeah, I'm not sure that we thought anything past, "Oh we've got to get these first couple of episodes up and have few ready to go so that if we get on iTunes, they won't penalize us."

Lee Burgess: I know, right.

And we should thank all of our listeners because we are also very humbled by the amount of downloads we get each month. That way surpasses what we thought in the beginning.

Alison Monahan: Oh yeah, like order of magnitude. So yes, really, seriously thank everyone for listening we hope it's been helpful. And yeah, looking over this list. I was like, "Wow, some of these are actually really useful."

Lee Burgess: I know, so let's get started. Should we start number ten and do a late-night countdown?

Alison Monahan: Sure, exactly. I used to listen to Casey Kasem with his top 40, so you know, I'm really into this.

Lee Burgess: Nice.

Alison Monahan: Alright Lee, what's number ten?

Lee Burgess: Number ten is [Episode 51: The Characters you'll meet in Law School](#). So, Alison, why do you think this one is particularly popular?

Alison Monahan: Well, got a great title.

Lee Burgess: It's true. It does. It does.

Alison Monahan: And I think people are curious about this. When you hear so much about the "gunners" and people wonder, "Are all my classmates going to be really weird? I could be the only normal person there. Is everybody going to study a lot, or are they going to be really nerdy, or are they going to be really rich?" I don't know. I guess I had all kinds of weird perceptions about what people were going to be like when I started law school.

Lee Burgess: I also feel like lawyers or people who are in law school or just finished law school, if you are going to be coming into law school, they love to tell you about all these characters

Alison Monahan: You hear all these horror stories about, "Oh, well, you know teachers are going to be really mean, and your classmates are going to be burning books."

Lee Burgess: I know, or somebody told me about the person with the 27 highlighters, or the people who brought in little figurines to class or the exam room, and then the snackers. You were a snacker.

Alison Monahan: I think I told you about the figure clay figurine person.

Lee Burgess: Yes, I think you did.

Alison Monahan: I saw or I sat by at orientation or even maybe admitted students day. And I was like, "Wow, this is a whole other level."

Lee Burgess: Yeah. Yeah.

Alison Monahan: I've never seen anything like this in my life.

Lee Burgess: Yeah, it's definitely interesting. I mean, it's a true cast of characters, and you know, that pressure cooker of law school definitely brings out everyone's idiosyncrasies, I think.

Alison Monahan: I think, for some reason, law school tends to attract, at least, maybe not everyone, but maybe 20 to 30 percent of the people who are there are very, very idiosyncratic.

Lee Burgess: Mm-hmm (affirmative). I think that's true. And even professors can be pretty quirky. I mean, the law school environment is just a quirky place.

Alison Monahan: Yeah, it's full of a lot of nerds, basically

Lee Burgess: Basically.

Alison Monahan: It's a lot of nerds trying to be cool so that they can pretend they're going to develop business.

Lee Burgess: Good times. All right, well, that was definitely a fun episode. It was a fun episode to record and reminisce about our law school experiences and everybody who we met. Should we move on to number nine?

Alison Monahan: Yeah, for sure. If anyone's wondering at this point, who am I going to meet in orientation, check out Episode 51, "The Characters you will probably meet in Law School."

Yes, so the next one. Number nine: definitely on the more practical side of the spectrum, an issue a lot of people are always concerned about this is [Episode Number 7, which is about time and life management basics](#).

Lee Burgess: I was really happy to see that this was on the list, because as someone who mentors and coaches law students and bar exam takers, this is such a big issue. It made me really happy that a lot of law students and prospective law students, who we know also this podcast, are taking this stuff seriously because balancing time is a huge challenge in school and you kind of got to have your time management game down.

Alison Monahan: Yeah for sure.

I think that if I had to pick one thing that people really struggle with the most when they start school, it's this. Everybody is smart, everybody can do the work. The work wouldn't be hard if you had 48 hours a day and you could just like chill out, do your reading, you know not worry about it. The reason it's hard, among other reasons, one of the key reasons it's hard, is that you just don't have that much time. And if you start slacking off, you start kind of falling behind, you maybe get a little bit burned out, maybe you get sick; you know pretty quickly you're looking at a major problem.

Lee Burgess: I think that's really true. And the nice thing about focusing on some—maybe not the nice thing but the practical thing about focusing on time management now in law school is that you can really find out what works for you. Because when I talk to practicing lawyers, this is still something that they struggle with both in the workplace, because you need to rack up those billable hours if you're in a billable hour workplace, but also life only seems to get more complicated, and you're maybe balancing significant others, families, taking care of elderly families, pets, friends, maybe you want to train for a marathon. I mean it never seems to get simpler. Actually, it only seems complicated.

Alison Monahan: I think that's right. I mean in some ways law school really is the easier part of your legal career in terms of time and life management.

I mean obviously, it's just not ... Being a lawyer is a very demanding job. It is not going. You're never going to wake up and be like, "Wow, this is totally chill." That's really not the way the profession is.

Lee Burgess: Yeah.

Alison Monahan: You know there's always someone who needs your attention, someone who needs your time, whether it's your client or whether it's the person you're working for or whether it's the judge or whether it's opposing counsel. You're always going to be juggling a lot of demands on your time, not to mention getting your actual work done. So, I think law school is a great place to really start honing those skills.

And one of the things we talk about a lot probably in this episode definitely on the podcast and other similar episodes is getting deep work done.

Yeah, and I've been reading [Cal Newport's book, "Deep Work."](#)

Lee Burgess: Oh, I'm looking at it right now it's under my podcast microphone. No joke, it's holding up the mic reminding me to read it when it's time for me to do my deep work which I'll be honest has not happened this week.

Alison Monahan: You know, it's a really useful book. I had it on my desk for months and months and months, probably years, to be honest. My podcast mic is actually sitting on

a book called, "Essentialism," which I also haven't ... I got about ten pages into and was like, "Well, I essentially get the point of that."

But I think his point, which I think is valid, is that as we, as a society, are more and more and more distracted, having that ability to focus and really do the serious work that needs to be done can drastically enhance your career. And the time to start on that is in law school.

Lee Burgess: Yeah. I think that that's really true.

And you know for women listening who are going to enter into the workforce there's been a lot of writing about the additional kind of family responsibilities, life responsibilities that women are also managing on top of professional responsibilities and how exhausting that is. And if you see down in your future life path that you are going to have a lot of people relying on you, you need to be able to manage your time and manage the time of a lot of other people as well.

Alison Monahan: Right and then that's the thing, you know women typically end up being the CEO of the household, even if they have a high-powered job. So not to say that people just have to buy into that but it's just something to be aware of.

Lee Burgess: Yeah.

Alison Monahan: That you, probably if you're not going to do this will probably need to actively resist it.

Lee Burgess: Yeah exactly. So, skills that we're constantly learning about, and it's probably a topic we'll continue to do podcasts on periodically because a lot of folks out there in the universe are continuing to write on this, including Cal Newport, with his "Deep Work," to make sure that we can all efficiently get stuff done in this ever-distracting world. I just had to shut it off like Facebook again because political stuff is happening today and I just had to stop. I had to stop. Because I was not going to get anything done at all.

Alison Monahan: Yeah, I definitely try to limit that just like certain you know little snippets. But, you know, that's a perfect example if you're trying to read your cases as a 1L, and you're getting distracted by the thought that you're going to lose your health care or whatever it is what happens to be happening that particular day, that's not really going to be an effective way to study.

Lee Burgess: No, absolutely not.

Alison Monahan: And being cognizant of that and saying, "OK what are some options? What can I do? What are some tools I can employ?" That's the kind of stuff you'll find in "Time and Life Management Basics" - Episode 7.

Lee Burgess: Great transition there, I like that

Alison Monahan: Hey, I listened to a lot of Casey Kasem as a kid.

Lee Burgess: I'm seeing that now this is like a totally new side of you.

Alison Monahan: All right, next up we have ...

Lee Burgess: [Episode 56: Getting off to a Smart Start in Law School](#). Well, I think one of the themes that we've seen in our Top Ten Countdown is a lot of interest in kind of our starting law school podcasts, which I think is great.

Alison Monahan: Yeah for sure. I mean I think people who are getting ready to start law school are spending a lot of time, and a lot of energy, and a lot of money to have this experience, and hopefully they're approaching it in a reasonable way and doing their due diligence and their research. I mean these are people who want to be lawyers, hopefully, you're doing your due diligence. But I think understanding what you're getting into is absolutely critical.

Lee Burgess: I think that that's right. And in this episode and a lot of our other episodes for this pre-law group, one of the things we're trying to do is just help warn you of some of the common pitfalls we see as well maybe common traps students fall into when they start law school. We talk to a lot of people who are unhappy with how law school is going. Unfortunately, we don't get a lot of phone calls that's like, "Law school is amazing! I'm rocking it!"

Alison Monahan: So yeah, we only get those from our existing students, not from people who are looking for help.

Lee Burgess: Right, my inbox ... In our bar exam programing; it's Bar Exam season which means folks are getting good and bad bar exam news around the country. And I don't get very many emails unless they're from my students saying, "I was just sending you know because I just passed the bar and I'm so happy."

Alison Monahan: Yeah. Very occasionally we get one that's like, "Hey I listen to all podcasts and they help me pass the bar, thanks." But that's definitely less likely than-

Lee Burgess: Few and far between but we do love those. So, if you want to send me that email I would I would love to see it in my inbox.

Alison Monahan: But those a pretty few and far between, unfortunately.

Lee Burgess: They are.

Alison Monahan: Mostly it's like, "Oh my gosh, I don't know how this happened. I've taken the bar three times. I keep failing." Same thing in law school.

Basically, we're your future if you don't if you don't understand what you're getting into and approach it in a reasonable manner and really deliberately. I think. That's a that's a key word here, that you've got to be deliberate about this. We're not saying you have to study 20 hours a day and kill yourself, but you have to be deliberate about what your goals are, what you're trying to achieve, and the best way to get to that.

Lee Burgess: I think we actually say the opposite. You know it's important to find balance, it's important to figure out what you do need to spend your time on. Because we have seen students try to study, no joke, 18 hours a day, or be awake and functioning 18 hours a day and sleeping a few hours at night, and then they find themselves in a very bad emotional and physical space halfway through the semester, and they're not really sure how they're going to get to the end of the semester. That's not a place you want to be either.

Alison Monahan: No, it's not. And that can let you know that can lead to physical breakdown, mental breakdown, emotional breakdowns. Breaking down in law school is not going to help you get good grades. Whatever you need to do to avoid that break down state, it's worth doing.

Lee Burgess: Yeah exactly. So, I think that's really the point of that episode. And I think it's a good primer for those who are starting law school in the fall to listen to now, and you can always, of course, check the show notes and things for a bit of a refresher on what we talk about. But it's just good to keep in mind habits and mistakes that many of us made, including Alison and I that we would like to save you from repeating.

Alison Monahan: I mean, nobody's perfect.

Lee Burgess: No.

Alison Monahan: If you can save yourself that feeling of going into exams and really having no idea what to expect and not being at all sure that you've prepared correctly, and then you get out, and you realize, wow, I really didn't know what I was getting into, that's not something that we want you to do.

Lee Burgess: Exactly. Exactly.

Alison Monahan: We want you to go in feeling confident that however the ball bounces and whatever grade you end up getting, at least you understand what you're going to be asked to do and you feel like you've prepared as well as you possibly can, given the time constraints. I think I would say that is a smart start.

Lee Burgess: Yeah, I agree. And you can learn more about that in Episode 56, "Getting Smart Start in Law School."

Alison Monahan: Nice transition, Lee.

Lee Burgess: I think it was Ryan Seacrest who was doing the countdown in L.A. when I was living there in like the late 90's.

Alison Monahan: Yeah, I'm talking about when I was a small child.

Lee Burgess: I know, I know.

Alison Monahan: I was literally I used to roller skate around my basement while listening to Casey Kasem.

Lee Burgess: That's pretty amazing.

Alison Monahan: It was my Saturday thing.

Lee Burgess: That's awesome. That's pretty cool.

Alison Monahan: Yeah, it was very 80's.

Lee Burgess: I didn't know you had roller skating skills.

Alison Monahan: Oh my gosh, are you kidding me? I'm had my second birthday Skateland.

Lee Burgess: Oh nice.

Alison Monahan: This was rural North Carolina. There is not a lot to do besides go roller skating.

Lee Burgess: Well, that makes sense. We had ... I'm trying to remember what our roller ... Oh, it was Roller, Town that was our rink. Oh yeah, oh yeah. Small town roller skating rinks, the place to be in the 80's.

Alison Monahan: It was totally the place to be. All right well the next one, what are we at ... Ten, nine, eight, seven.

I was happy to see on the list which is [Episode 11, on Legal Writing 101](#), because I think legal writing can be a little bit underappreciated in terms of people just sort of think, "Oh God, this is like a time-consuming thing I have to slog through."

But legal writing is absolutely critical not just for law school but actually for being a lawyer.

Lee Burgess: Exactly. And, if you can figure out its legal writing, it's going to help you in your essay exams; it's going to help you with your papers later on in law school; it's going to help you with the bar; it's going to help you once you enter work. I mean, really understanding the formulaic nature of legal writing and what it means to write persuasively and objectively, and not even to mention doing

legal research. These are really what people spend their time doing in law school and when they practice law.

Alison Monahan: Yeah. I mean this basically is what lawyers do, lawyers write.

Lee Burgess: Right, and people typically aren't thrilled with legal writing because it can be frustrating at first. It can be different. It's a bit of a ... I don't think it's a different skill set, but how would you say that it's different from other writing you've done in the past? It's more formulaic, it's got a different cadence to it, it's got different requirements.

Alison Monahan: Right, I think it depends what type of writing people have done in the past. I mean if somebody is coming from a very creative writing background or something like that, you know, legal writing: very different.

I mean, I actually had been a programmer. So, for me, it was almost the same sort of thing as programming, just with words instead of formulas, because it's very, "if this, and then that. Okay, what do we need to show?" You have to break everything down. You have to lay out, essentially, what you need to show. And then you have to show it. And that's how you write. You know, it's sort of like a ping pong back and forth, sometimes, of: Here's what you have to show; okay, this side is going to argue that, this is going to argue that. Where the judge is going to come down? What are the areas of ambiguity? What do we really need to focus on here? And then, of course, you have all the boring stuff like citations, that just drive people crazy.

Lee Burgess: Yeah, I do remember my friends who had been either technical writers or done science or computer science or something like that, found legal writing to be a lot closer to that style of writing, just because it was formulaic. For those of us who came at legal writing from ... I was doing political PR and consulting before law school. We've had a lot of students who are English majors and philosophy majors who can get very frustrated because it's a very different type of writing than you may have done in a lot of the social sciences, even in undergrad.

Alison Monahan: Right. I mean just the way you show your thinking and the way you get to a conclusion can be very different. Everything that goes onto the paper has to be supported.

Whereas... I mean, I think one of the things that's difficult is no one really cares about your opinion.

Lee Burgess: Right. Or your creativity at this point. That is what I learned, don't be creative.

Alison Monahan: Yeah, like this is how I think the case should come out is like, "Okay, that's great. Would you like to have some evidence for that?" Like, "Thanks for sharing. Can we get back to the main discussion now?"

Lee Burgess: Yeah.

Alison Monahan: And sometimes I think you know a lot of these assignments are kind of designed to push up against people's perceptions of the way things should be and make them really lay it out. Not just like, "Oh, well, justice requires whatever." It's like, alright....

Lee Burgess: But I also think that it's most people who go to law school consider themselves to be pretty good writers. And if you get some tough feedback in legal writing it can knock you down. I know I talk about my own legal writing class in this episode and it's humbling, and dealing with that feedback and shifting your writing style, especially if you feel that you have gotten praised for your writing in the past, it can be very humbling and a very, a pivotal moment where you can practice the growth mindset which we might talk about.

Alison Monahan: Exactly. Yeah, I think there could be a lot of ego involved here. And sometimes, we even work with students who think they write better than the judge, write better than their professors, write better than everyone else. We're like, "You're literally about to fail out of school like this is not even a joke."

Lee Burgess: Right.

Alison Monahan: Maybe you need to take a step back here, and you might be a great writer in other contexts, but you are clearly not doing well in the context that you have chosen to write in right now.

Lee Burgess: That's so true. So, it's a challenge for almost everyone in law school at some point. And I think we had some pretty good nuggets in here to get you in the right mindset to learn from your professors and find your own voice in this legal writing framework.

Alison Monahan: Right which you'll do over time necessarily on closed memo #1. Alright, let's move along. Another super useful episode coming in at number six is [Episode 65, which is about How to Make a Useful Law School Outline](#). The key word in this title is *useful*.

Lee Burgess: Yes. And it wasn't surprising to me to see this on the list because we get a ton of questions from listeners or folks who read the blog about outlines. Outlines continue to kind of befuddle law students because they just aren't sure what's supposed to be in them and what's the point.

Alison Monahan: And I mean I think that's valid. And also, I think another issue is that ... That's not the only way to kind of do law school. I really was not that into the traditional typed up long outline that had every piece of information in it. And so, I think part of it, and I think we probably touched on this in that episode, is thinking about what's going to work for you and how you actually learn. But the key points, the underlying idea of having an outline is, this is a way you put your

work together. This is where you make sure everything makes sense to you. You put it together in a way that you can actually use on an exam. However you get to that goal matters less than the fact that you get there.

Lee Burgess: Exactly. And that everybody learns differently. You and I learn very differently, and there's a lot of pressure in law school to create this one magic study tool. And I think it comes from not only the mythology around law school, but it also comes from even movies. I remember probably watching "One L" or "Paper Chase" or something where they all sit around, and they make the outlines, of course they were either typing them or hand writing them at that point, and everybody thinks that's what you're supposed to do. And that if you have your hands on the magic outline, that's what's going to guarantee you the great grade in class and that's just not the case.

Alison Monahan: If you just get the right outline you're golden. It's like, "Yeah those are the way this works."

Lee Burgess: No, but I understand how you can get there because of the way people talk about the outlines and the way people swap outlines. I think in this episode I tell the story of my friend who was the editor in chief of Law Review when we were in law school and he high scored employment law because that was his interest area and I was taking employment law. And so I was like, "Hey, can I have that outline?"

Alison: Like, I am so good.

Lee: I am so set. And I remember opening it up and just being like, this is worthless to me because it was a lot of short hand and he had formatted it in a way that clearly made sense to him, but it's very hard for me, and I realized that although he had been the most successful student in that class, there was nothing in there that I could use to be successful in that class.

Alison: The reason he was successful is because he made this amazing outline that only he could understand.

Lee: Exactly. And so, it was a good reminder to me it's just, you know, get off my own ass make my own outline. And then I did fine in the class.

Alison: I mean occasionally you could borrow one. I remember I had a 48 hour take home in like European Union law or something that I was totally flailing in as a 3L, and that professor was visiting from a different school, and I asked my friend of that school if he could possibly find me an outline for the class and he got me like the world's most amazing outline. And I was like; it was a 48 hour take home. I have this amazing outline, I'm pretty much set. And I was. I got an A. But you know if anybody did an in-class exam. Totally different story

Lee Burgess: For sure, and that's another point about outlining is, you have to think about what sort of study tools are going to help you given the format of your exam. I think one of the things we mentioned in that episode which we constantly try and talk to students about very early in the semester is you need to find out the format of your exams, so you know how you're going to study. You know we request that you start outlining early in the semester but it's very difficult to do that if you don't know whether or not it's going to be a multiple choice or a take home or an in class, open book, closed book, partially open book, one page sheet, you know, whatever it might be you need to know what the endgame is so you can start to prepare for it from the beginning of the semester.

Alison Monahan: Exactly. Just like getting off to a smart start. In fact, the next podcast on the list is actually very similar to getting off to a smart start which is [Episode 60, which is our Five Tips for Surviving the First Month of Law School](#). So, I think this episode is going to be a little more focused on the day-to-day kind of survival as a new 1L. But you know it's going to have a bunch of stuff on time management, academics; could be good, you know if you want to jump in and kind of get an overview.

Lee Burgess: And it's also about appreciating this transition; I think especially if you've been working and are going back to law school from ... Well, really, if you're going back to law school either from a work place or from undergrad, it's a transition no matter what.

Alison Monahan: For sure. Definitely, it's going to be a new experience.

Lee Burgess: It is. And some of it can not feel that great. I think I talk about how going back to law school felt a lot like high school. I had a locker, everybody had these big book bags, you had these assigned seats, you're hanging out the same people all the time because you had all these people in your same section and that was a little disconcerting for me because, no offense to any of my high school friends that might be listening to the podcast, but I didn't really want to go back to high school. I was pretty done with it when I left.

Alison Monahan: Yeah, I think even if you've done a different graduate program it can still be really different. I mean I did a degree in architecture before I mean there was literally like no overlap between the start of architecture school and the start of law school. They were completely different. '

Lee Burgess: Yeah.

Alison Monahan: So, I think everybody's going to have that adjustment period, and it's just a question of kind of getting through that and getting comfortable as quickly as you can.

Lee Burgess: I think that's true. It's not an easy transition though, and I think you have to give yourself space and time to get into the groove. And, if you don't feel like you're

humming along where you want to be in the second or third week. On one hand, you want to give yourself a little time, but you also want to be thoughtful about the choices you're making and make sure you're setting yourself up for success.

Alison Monahan: Right. I think you know particularly for moving, you've got to think ahead of time about how much time do you need to settle in. You don't want to be stressing over not having a place to sleep for the first three weeks of class. One of my roommates, they literally ran out of housing. And so, one day three or four weeks into the semester she showed up on our doorstep, because they realized one of my roommates had transferred and no one was really paying attention. You know, literally, this person shows up on the doorstep with a suitcase and was like, "So, I think I'm living here." I'm like, "Where have you been living for the last month? Classes started a month ago." She's like, "Well, been sleeping on my friends' couches."

Lee Burgess: Yeah.

Alison Monahan: That is not a good way to start law school.

Lee Burgess: Yeah, I had a friend who was sleeping in my living room for the first month I think of our 2L year, because his new apartment was going to be ready. And 2L it's not as mission critical but still wasn't a great way ... I mean my living room was comfortable but ...

Alison Monahan: Yeah at some point like you need to have a place of your own to sleep and study.

Lee Burgess: Yes. Yes. So, I think it's a worthwhile episode to listen to as August nears, to get in the right mindset for starting off your first month of law school. Now the next one on our list is one of my favorites that we did.

Alison Monahan: Me too. I love this episode.

Lee Burgess: I do, too, which is [Episode 83: Lawyers in Action - The Airport Immigration Crisis](#). So, I can't remember how you and I decided to do this episode, but you and I were both captivated by what was happening with the Trump administration's travel ban #1 that came out a few months ago and caused just chaos—there's no other way to put it—in the airports around the country. But we were so taken with how the lawyers played such a pivotal part in restoring some semblance of order, but also really being kind of saviors for folks who needed defending and information. It was really a moving time I thought.

Alison Monahan: Right. Yeah, exactly the whole thing ... You know just that all these people would show up at all these airports and all these lawyers would show up. One of the people you talked to in that episode is a tax partner at our firm. She's like, "I had no aptitude or experience in immigration, but I just felt like I needed to go

and do what I could." And I think most people who were there, that was sort of their idea like, "Look this is not okay. What's happening is really, really disturbing. It's impacting people's lives in a very major way. Is there anything we can do to help? "

And I think for a lot of people that impulse is why they went to law school to start with and then that kind of get lost along the way. So, I think it was really inspiring for lawyers but also for people who are not lawyers say like, "Okay you know there's a huge power imbalance here, and there's something we can do to help restore that." So, I think it's a great episode. We talked to a couple of people who were at the airport one of them brought students with her. It's just really a very fascinating kind of on the ground ... I think we recorded it like a few days after it started did you know it was it was very like in the moment.

Lee Burgess: It was. And, if you're really ever at a point where you're wondering if what you're doing in school has meaning... You know, I think actually one of my favorite blog posts I ever wrote, which I feel is undervalued, it was when I had gone to an event and heard some pretty amazing lawyers speak. And I think the blog post was something to the fact of "Why the world needs lawyers."

Alison Monahan: I think it's like why we still need good lawyers.

Lee Burgess: Yeah something like that. And I felt the same way about this episode. If you're really feeling disillusioned and that you're wondering you know what is the point of going through law school and earning this degree and having that bar card. I think when you are inspired by the way that being a lawyer can truly help you change the course of someone's life. That to me is what gives me the warm and fuzzies still about this profession and that what we do is incredibly important. And if there's one thing this political climate, I think, has taught us is that lawyers are having a huge impact on the way that the country is moving or not moving.

And we need to celebrate that I think we need to celebrate how important the lawyers are and that we all are in this club and we have a power to help.

Alison Monahan: Right and not just lawyers but the law itself.

Lee Burgess: True.

Alison Monahan: The rule of law is something that, arguably, is sort of under attack some days.

Lee Burgess: Yes.

Alison Monahan: So, taking a step back and getting out of the concern about understanding *Palsgraf* or something and being like, "Okay this is why I'm in law school, this is what I'm doing, and I can be doing something to positively impact the world," I think can be very powerful."

Lee Burgess: And if you're on a law school campus, I think, during these, what some feel are tumultuous times, I think it's a great opportunity to seek out perhaps speeches or I'm sure there are plenty of really interesting things going on on law school campuses right now about the legal ramifications of what is happening. And make sure you make time to go to that kind of stuff, because although you might think you have no time to attend to talk about constitutional rights right now, you might be so inspired that it makes it much easier to go study your Con Law outline or Con Law book because you're seeing in action why it's so important to understand this law.

Alison Monahan: Right. Also, you may have the opportunity to spend an hour listening to a world-renowned expert on this particular topic of executive power, whatever it is. That's just an experience you should have as a person.

Lee Burgess: Yeah it really is, and actually, I was recording a podcast episode that will come out soon about advocacy and oral advocacy, and I was talking about that Above the Law event and that you and I went to a long time ago where-

Alison Monahan: Oh, that was a great event.

Lee Burgess: The litigators from the Proposition 8 gay marriage ban who had been part of the oral arguments at the U.S. Supreme Court were talking about the experience of prepping for that and the experience of being in the court. And we were just riveted. I mean, I know we're geeky, but we just like we were in geeky lawyer heaven.

Alison Monahan: Yeah. I mean it's super interesting and how many people have the opportunity to spend an hour at lunch eating pizza listening to some amazing professor who this is what they devote their life to. You should try to make time for that.

Lee Burgess: You should. Absolutely. So, if you are so inclined and you want a little inspiration for the power of lawyers we do recommend you check out Episode 83, "Lawyers in Action: The Airport Immigration Crisis." It's worth your time.

Alison Monahan: It is.

Lee Burgess: Alright, next step, I think we're down to the final four. This is number four is [Episode 8: Law School 101 for 1Ls \(What Not to Do\)](#).

Alison Monahan: This is like what not to wear. Exactly. These are our top, "You know what, not a great idea. Trust us on this one." So, if you want to avoid a total disaster, I think we even have a post or podcast on avoiding exam disasters, but this is kind of avoiding in disasters throughout the semester. Just don't do these things. Just don't.

Lee Burgess: Yeah, just try and skip them. Learn from those who have come before.

Alison Monahan: Yeah, sometimes you don't have to figure everything out on your own. There are actually ... I'm not saying there's one perfect way to get through law school, but there are a lot of bad ways that are not going to be helpful.

Lee Burgess: Yeah. I think that is that is definitely true. So, it's worthwhile to check out. You can always skim the show notes to see if any of those things that we cover sound like something you might be inclined to do or have done to decide if you're going to invest to your half hour. But it's a good solid episode, worth the number of downloads it's got.

Alison Monahan: Yes, absolutely it has earned them.

Well, I think this next one I think technically we're not counting because it 000, but that is our [introduction episode](#). So, if you are interested in knowing more about me, more about Lee, or about the Law School Toolbox, how did we start, what do we do, what are our motivations, why did we go to law school.

That's like the quasi-episode for you.

Lee Burgess: It is. It's a little get-to-know-you. I think what's so interesting about the podcast medium is when you listen to podcasts you do really feel like you get to know the podcasters. And I've had folks who've talked to me on the phone after being listeners podcast, and they're like, "Wow you sound just like you do on the podcast this is so amazing." Or they'll ask me how my son is doing are they-

Alison Monahan: You're like, "Do I know you?"

Lee Burgess: I know, but I mean it's sweet, actually, I feel the same way about people in social media or podcasters that I follow.

Alison Monahan: Oh, for sure.

Lee Burgess: You feel like you get to know them, you know.

Alison Monahan: Yeah, we're all like, "You know, if I met Elizabeth Gilbert I'm sure we be buddies. It's cool."

Lee Burgess: Oh totally. Or Brené Brown?

Alison Monahan: We never really met yet. She was actually at Sloan once when I was there. But I was like, "No, I'm going to give her her space. I'm not going to invade her privacy."

Lee Burgess: Hey, if I saw Brené Brown I would be like, "I'm going to invade your space. You're amazing. I want to have coffee with you."

Alison Monahan: Yeah, I feel like you might be more receptive, I think Elizabeth Gilbert was working on her last book, and I was just like, “She's just like in her own head space, I don't want to disturb her.”

Lee Burgess: That one's also on my desk. I started it and never finished it.

Alison Monahan: Well, there's time.

Lee Burgess: There is, there's always time. So, it's an interesting episode.

You can also compare our early podcasting to some of our later episodes and see if it got better.

Alison Monahan: Yeah, I'm kind of actually embarrassed about these last couple because these were literally some of the first episodes we ever recorded. And I have to say, I think they could be a little stilted.

Lee Burgess: Well, you know, it's just Alison and Lee in the early days.

Alison Monahan: Yeah exactly. I mean they're not bad. They might just be a little, a little more stilted than now.

Lee Burgess: Maybe, just a little bit. But there's still some good stuff in there.

Alison Monahan: They're still good. It's good quality content.

Lee Burgess: That's right. Like our second most popular episode, which is [Episode 2: Why Law School is Hard](#). And this is one of our favorite topics to talk about, actually. We always talk about this when doing our courses or talking to new law students, because a lot of times people don't really know why it is so hard.

Alison Monahan: Yeah exactly. They've kind of heard it's going to be this intense experience is so overwhelming, they're never going to sleep, and they're never see their family. But when you take a step back, I mean, all school really is is you get graded on an exam. I mean, how hard can it be.

Lee Burgess: Right, that's true. And I think folks have trouble sometimes understanding what the endgame is. And I think we do this in this episode, where you talk about one of your-your undergraduate professor friends, talking about you know the difference between an undergraduate exam where they're typically just asked to explain something, versus a law school exam, where you get a fact pattern, and you're supposed to apply law and just do a completely different activity than you've been asked to do in undergraduate. And that can be really challenging and a little shocking when you get that first practice exam, and you're not sure what to do about it.

I mean, I remember getting back some months and getting to the bottom and going, "Ha, that was interesting."

Alison Monahan: "Did we covered anything that would help me answer this question?"

Lee Burgess: Exactly.

Alison Monahan: I thought was reading all these cases, which I remember all of those, but now you're asking me is the cause of action? I'm like, "Against whom? For what?"

Lee Burgess: Right.

Alison Monahan: "I'm sorry. Could you give me more information on what you're looking for here?"

Lee Burgess: Yeah.

Alison Monahan: The answer is no, they're not going to.

Lee Burgess: They're not going to you have to have all that information. So, understanding how law school is set up and why it is often so difficult helps you figure out how to game the system to set yourself up so you can be prepared for those exams at the end and maybe not have that moment that we both had. Like wow, that's interesting. Wonder what I should say on that.

Alison Monahan: I should have checked this out earlier this what I was going to be asked to do. Whoops.

Lee Burgess: Exactly.

Alison Monahan: Yes. So, don't be that person.

Yeah, law school is hard for specific reasons, and I think the more you understand those reasons going in, the better equipped you're going to be to deal with them.

Lee Burgess: For sure. So, I'm glad that folks are listening to that episode. But I was really happy to see which episode was number one on the countdown.

Alison Monahan: I agree.

Lee Burgess: Yes. Because this one is [Episode 1: Mindset - The Key to Success in Law School](#). And it's not-

Alison Monahan: There is a reason we did this one first.

Lee Burgess: Yeah, there's a reason we did this one first, because when we talk about what you need to be successful in law school, the longer we do this work I think you and I become more passionate about this idea that it is so much about mindset, of course, it's about hard work and smarts and all that kind of stuff, but mindset can really create an opportunity for success or send someone into the doldrums and prevent you from being successful.

Alison Monahan: Absolutely. And I think the issue is that a lot of people who go to law school have been successful academically all their life they've always been told you're so smart, you're so clever, and behind the scenes probably they were working and they felt like you were doing these amounts of work. But they've always been rewarded for being smart from childhood.

And then what can happen is when you encounter this more competitive environment in law school it can be just like running into you know a wall of water that just comes over you when you realize I'm going to have to work really hard. And some people think, "Well, that just means I'm not smart enough to be in law school." And that's really what this episode is about is fighting against that. And finding a way to approach it more is a problem to be solved than a binary like I'm smart enough or not smart enough to do this.

Lee Burgess: Yeah. And the book we discussed in this episode is Carol Dweck's book, "Mindset," and which if you have not checked it out, it's a pretty quick read, but there's a lot of good nuggets in there. It would be a good summer read if you have some sort of summer vacation coming up. We highly recommend it as a good use of your time.

Alison Monahan: Absolutely. I think it's worth it for everyone. You know, because you are going to probably be challenge in ways that you haven't necessarily been challenged, and the way that you react to that is going to determine your results.

Lee Burgess: Yeah, absolutely. So, check out Episode 1, which is that the top of our countdown, fittingly: "Mindset - The Key to Success in Law School." So that was a pretty good list. We covered a variety of topics in our most popular episodes.

Alison Monahan: Yeah, we did. Absolutely. And we'll [link to a page that has literally every episode we've ever done](#), in case you want to browse and see what you could be missing. Well, before we wrap up let's each give our listeners our favorite under-represented episode. I think it's kind of ironic that we both actually chose the same one.

Lee Burgess: I found another one.

Alison Monahan: But you changed your selection after you read mine.

Lee Burgess: I did. So, Alison, why don't you tell. I guess it's both of our—one of our favorite episodes.

Alison Monahan: And I think this episode is truly underappreciated.

We occasionally get an email from someone who's like, "I listened to this episode. It's the best thing I've ever heard on taking the exam. I hope other people don't listen to it, because I don't want to compete with them. We're about to reveal the secret, if you know one podcast and you want to understand law school exam taking, make it [Episode 22 which is, "Lee and Alison Take a Law School Exam."](#) So, we literally go through in the episode how we would approach an exam question, we give you the question, and we really try to break it down. And I think if you're wondering when exam is like and how you should be thinking through it, I think that episode is absolutely a *must listen*. And I'm telling you it's not that popular, so most people are probably not going to be hearing it.

Lee Burgess: Yeah. And you get to listen us to I kind of discuss our thought processes, too, which are very different now, I think, when it comes to exam taking, even than it was early on, when we were in law school - I guess that's when early on would be. You know we understand this process so much more now because we have taught law school classes, we work with law professors, we've tutored all these students. I mean, it's you get the benefit of a lot of that knowledge as you listen to us walk through an exam together.

Alison Monahan: Right, and sometimes I've always found it interesting that we even though we learn differently and we might do a paper outline that looks really different. If you look at them carefully, they tend to have basically the same information in them, which tells you something about what's important from someone who really understands this process. And, you know, I think that can be useful and for people to say, "Well you know they wrote this down really differently, but they got to the same end point. OK, that's the end point I need to reach, however I get there".

Lee Burgess: Right. I think it's really, it's such a high-quality episode.

We hope that that this will boost its numbers-

Alison Monahan: If we do say so ourselves. This is a very high-quality episode.

Lee Burgess: It is a very high quality episode, and we hope it will boost its numbers and maybe make it onto the next ... I don't know, maybe at 200 episodes we'll do a top 20 or something like that. We'll see.

Alison Monahan: Make us proud. Listen to that episode.

Lee Burgess: Exactly. So, my other favorite episode other than taking a law school exam episode is [Episode 72: Seeking Accommodations in Law School and on the Bar Exam, with Dr. Jared Maloff](#).

And I think this is a really underappreciated episode because students really struggle with this idea of accommodations.

And one of the things that I think is really helpful about listening to this episode is this guest, who is a psychiatrist who helps do the evaluations for law school accommodations. He helps people get accommodations for the California bar at law schools around the country. He speaks about accommodations and why it is something that you should really be taking advantage of if necessary and why that's okay. And I think there's a huge stigma around accommodations. I talked to so many students who I believe would qualify for accommodations, but they are so hesitant to get them either for the bar exam or law school. And I find that kind of heartbreaking because if you need these accommodations, they are there to level the playing field for you and give you an opportunity for success. And it's not to say that you can't do it without the accommodations. But-

Alison Monahan: But why?

Lee Burgess: But why? You know the combinations are there to level the playing field. And since you're competing against your peers in law school, that's really important. And no one really cares if you took the exam in a room by yourself or if you took the exam with little extra time, or you needed water on the table, or you needed extra restroom breaks because of a medical condition you have. I mean, there are so many different types of accommodations that really change folks' exam taking or bar exam experiences, that can really change the game and showcase how well you know the material. I think what's so heartbreaking for me is when I know a student knows material really well but can't perform on the exam because of these artificial constructs and that their individual needs—it really works against them.

Alison Monahan: Yeah, absolutely. I mean, I've talked to a lot of people, sort of intake calls for tutoring, and just talking to them I'm like, "So have you ever been tested for anything?"

"Oh, yeah you know I was tested for this that and the other but I haven't really asked for accommodations."

It's like, "Okay we'll you need ... Totally up to you, but I really recommend that you do that, because I think it's going to drastically improve your experience, going to improve your grades, and just generally make things more fair.

Lee Burgess: Absolutely, and I think the other big mistake people often make is they wait too long, so they wait until they've had a bad semester in law school to go ask for accommodations

Alison Monahan: Or a bad year.

Lee Burgess: A bad year, or they wait until they failed the bar at least once, or that they wait until they're struggling, really struggling, and then towards the end of the semester, when they can't get through their practice exams, they're trying to hurriedly get these accommodations. And unfortunately, there's a bureaucratic process linked to getting accommodations both at the school level and the bar level. And so, you don't want to turn it into a fire drill. That is not the way to deal with it. And if this is something that you're considering learning more about or applying for, try and get to it early so you can reap the benefits of having made your way through the bureaucracy and not have it add stress to you. I mean, there's nothing more stressful than a student telling me it's a week or two before a law school exam or the bar exam, and they don't know the conditions in which they're going to be taking the test.

Alison Monahan: Yeah, that's not the position you want to be in.

Lee Burgess: So, I think it's a really thoughtful episode. I think he was a great guest. And if this is something that you struggle with, I encourage you to listen to this, or if you have friends that struggle with accommodations. I also found the language he uses around accommodations to just be really thoughtful and kind and it's even helped me and as I continue to talk to more and more students who have to deal with accommodations at the law school and on the bar level. So, I think it's great. I think folks should listen to it.

Alison Monahan: All right, well, everyone, thank you for listening. Unfortunately, we're out of time.

I hope you enjoyed our top 12, 13 episodes as it turns out.

Lee Burgess: Well, we really aren't good at counting apparently.

Alison Monahan: We're in law school, you know. Never mind I went to high school for science and math. I forgot arithmetic when I learned calculus.

Lee Burgess: Yeah, exactly. All my math major friends tell me that my math stops being about numbers at a certain point.

Alison Monahan: Yeah. It's all conceptual.

All right. Well, unfortunately, we're out of time. If you enjoyed this episode, we would appreciate it if you took a second to [leave a review or rating](#), because we would really appreciate it. And be sure to subscribe, so you don't miss our next hundred episodes. We usually release on Mondays.

Lee Burgess: And don't forget to reach out to [lawschooltoolbox.com](http://lawschooltoolbox.com) or [barexamtoolbox.com](http://barexamtoolbox.com) if you are interested in our [helpful courses](#) or [one-on-one law school](#) or [bar exam tutoring](#). We're here to support you every step of the way, and we look forward to hearing from you.

Alison Monahan: If you have any questions or comments, please don't hesitate to reach out to Lee or Alison at [Lee@lawschooltoolbox.com](mailto:Lee@lawschooltoolbox.com) or [Alison@lawschooltoolbox.com](mailto:Alison@lawschooltoolbox.com) or you can always contact us via our [website contact form at lawschooltoolbox.com](#). Thanks for listening. We'll talk soon.

**Resources:**

- [Podcast Episode 51: The Characters You'll Meet in Law School](#)
- [Podcast Episode 7: Time and Life Management Basics](#)
- [Deep Work, by Cal Newport](#)
- [Podcast Episode 56: Getting Off to a Smart Start in Law School](#)
- [Podcast Episode 11: Legal Writing 101](#)
- [Podcast Episode 65: How to Make a Useful Law School Outline](#)
- [Podcast Episode 60: Five Tips for Surviving the First Month of Law School](#)
- [Podcast Episode 83: Lawyers in Action – The Airport Immigration Crisis](#)
- [Podcast Episode 8: Law School 101 for 1Ls \(What Not to Do\)](#)
- [Introduction to the Law School Toolbox Podcast](#)
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- [Podcast Episode 1: Mindset: The Key to Success in Law School](#)
- [Law School Toolbox Podcast – Complete List](#)
- [Podcast Episode 22: Take an Exam with Us](#)
- [Podcast Episode 72: Seeking Accommodations in Law School and on the Bar Exam \(with Dr. Jared Maloff\)](#)
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