



## Episode 110: Mindset Revisited

Alison Monahan: Welcome to the Law School Toolbox Podcast. Today, we're revisiting one of our very favorite topics, mindset. Your Law School Toolbox hosts are Alison Monahan, that's 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 this show, please leave a [review](#) on iTunes or your favorite app, 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 you. With that, let's get started.

Lee Burgess: Welcome back. Today, we're revisiting one of our favorite topics, mindset. First off, Alison, why is mindset important? After all, we did one of [our first ever podcast on this topic](#), so we must think it's important.

Alison Monahan: I do think it's important. One of the things we'll talk about in a minute is I'm not convinced it solves all of your problems, but I do think a lot of the issues that people encounter in law school really come back to their mindset. When we talk about mindset, we're really talking about this book that was written by a Stanford professor, Carol Dweck, who wrote a [book called "Mindset: The New Psychology of Success."](#) In that, she talks about fixed mindsets and growth mindsets. Lee, what does she mean by that?

Lee Burgess: The fixed mindset ... I think mindset really has to do with reaching some sort of stumbling block, right? Either you failed, you got some negative feedback. You're struggling in some way, and mindset is about what you do with that struggle. If you have a fixed mindset and you reach that stumbling block, you might feel that you are at fault for that, so things that you might say with a fixed mindset would be, "I am not smart enough to do well in law school."

Another example would be, "I just can't do this." This defeatist language or the defeatist thought process where the growth mindset is really about taking that difficult feedback, and then saying, "I'm going to actively work harder to change the outcome. Sure, I got this feedback that was disappointing, but I'm going to really internalize this feedback and decide how I can make changes based on it."

The growth mindset is really moving you forward on the path to success where the fixed mindset is really like keeping you where you are or possibly moving you backwards because you take any of these stumbling blocks as very personal and that they really define who you are.

Alison Monahan: Right. Basically, in a nutshell, if you have a fixed mindset in her view, you believe that your personal qualities are carved into stone, so you might believe you only have a certain limited amount of intelligence, a certain personality, a certain character, and if you believe that, then your job is to constantly prove yourself over and over again. If you think, “Oh, I’m a really smart person,” you have to keep proving that you’re a really smart person, so any failure or bump in the road, you’re going to take that to mean that you’re not smart enough, right?

Lee Burgess: Right.

Alison Monahan: The difference if you have a growth mindset is you believe that your basic qualities are things you can cultivate through your effort. We’re all different. We have different experiences, but somebody with a growth mindset believes that your true potential isn’t really known and you can accomplish all kinds of different things, depending on where you decide to apply your efforts. If you fail, or you stumble, or you hit a roadblock, this is not meaning ... It doesn’t that, “Oh, I’m not smart enough to be in law school.” It means it’s an opportunity to learn, so it’s not a reflection on you or your intelligence. It just means that you have to approach this in a different way.

Lee Burgess: One of the things that I think is interesting about the growth mindset is you need the growth mindset to cultivate a growth mindset.

Alison Monahan: Exactly.

Lee Burgess: It can often be our initial reaction to challenge it. Negative feedback, things like that is not the growth mindset. I know for you and I, we all have our moments, right?

Alison Monahan: Yeah, and we’re going to talk about this later like it’s natural that ... Nobody wakes up to be like, “Yes, I just failed my exam. I have an opportunity to do better.” That’s not realistic.

Lee Burgess: No. It’s more about the choice of how you’re going to choose to handle whatever stumbling block has come up to you, and if you have this fixed mindset and if that’s your first reaction, which I think for most of us, we might have that reaction. It’s what you do with that.

Do you sit with that and say, “Wow, I acknowledge that I am being very hard on myself and deciding that this means that I’m going to be a failure in law school. I’m going to choose to think about this a different way. I’m going to choose to change the language in which I’m talking to myself about this. I’m going to

choose to create a plan that is more aligned with the growth mindset?" That's often how you get yourself out of these sticky situations. It's not easy-peasy as just saying like, "I'm going to say, 'No problem.' I'm going to come up with a new plan." Like it's not that easy.

Alison Monahan: Yeah. "I welcome this negative feedback."

Lee Burgess: Right.

Alison Monahan: Maybe a few people react that way, but those people are not in the norm, and I think that's one of the key ... The key takeaway from her book, which I found really valuable, is that you can really train yourself to have more of a growth mindset. Everybody's personalities are different. Some people are definitely more inclined to be really self-critical, to be hard on themselves. A lot of overachievers or high-achievers are very, very hard on themselves.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: I think that's normal for people in law school.

Lee Burgess: Yeah.

Alison Monahan: A lot of perfectionist tendencies going on in law school or everything has to be perfect. You have to be the best. You have to be the top of your class, and then you encounter the curve.

Lee Burgess: Right.

Alison Monahan: It's a very harsh reality for a lot of people because even the very top people in your class are not going to get straight As. Almost no one if anyone literally get straight As in law school. It's just not done.

Lee Burgess: Yeah, and I think once you start learning about these two mindsets ... If you're geeky like we are and you think about this sort of stuff a lot, you start to see it play out. I really love reading biographies, and I find it interesting when you read stories about people who've been really successful, you do see a lot of the growth mindset. They don't call it that, but this ability to keep going, and to keep growing, and to work harder in lots of different arenas is such a powerful lesson.

Most folks who are truly successful have come over some major obstacles, and it's what they do with those obstacles or how hard they work past those obstacles that makes them really meaningful. I recently saw Trevor Noah do standup. He is the new host of The Daily Show who wrote an amazing book called "Born a Crime." I would highly recommend it. I think he is this person who I think is truly like the model of this growth mindset. He has this amazing optimism about all these challenges he's had in his life, and it was interesting to

see him in person because it's like he's telling stories about things that would really like take people down, but he's able to just like roll on through like take that and keep going, and I'm like, "Wow, what an amazing person. What an amazing person who's been able to build a life that most people would not have been able to move through."

Alison Monahan: Right, and I think that's actually a really interesting group of people to look at is standup comics because sometimes, people have this impression of like, "Oh, well, they're just naturally funny so they just get up on stage, and they do their thing, and people laugh."

Lee Burgess: True.

Alison Monahan: At least my understanding is that is not how it works.

Lee Burgess: Yeah.

Alison Monahan: All of these people who are very, very good, and very successful, they still go and try out new material unannounced in a comedy club because they have no idea what's going to work. They have no idea what people are going to find funny. And we find this, too. We put up a post like, "Ah, that is going to be so popular like that is so useful. Everyone is going to love this," but then no one reads it.

Lee Burgess: Yeah.

Alison Monahan: Then, we put up other posts. We're like, "Eh, I don't know. That's all right. I wouldn't say it's our best work," and it's like hugely popular. I think with standup like they get immediate feedback. Are people laughing or not? It's a harsh reality.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: There's no way that you could ... If you just think, "Oh, I'm such a funny person. I can do standup," you're not going to last very long.

Lee Burgess: Yeah. I saw Kathy Griffin a few years ago, and she was trying out new material at the show that we were at. I don't even remember the joke, but everybody started laughing, and she's like, "Seriously, you guys think that's funny? Oh, okay." She had a notepad standing on her like stool next to her, and she's like, "Then, I better write that one down like I didn't think that was going to be funny." It was such an honest moment like she was really taken aback at what this group of people found funny.

Now, I'm feeling like I am reading a lot of standup comic books. I also read Amy Schumer's book, which is quite interesting. Her story about how she became an "overnight success" shows a lot of growth mindset, especially being a woman in

comedy, which is not the easiest thing to do, being a movie star when maybe you don't look like every other movie star. Like there were a lot of points where she really was so determined to move through those challenges, and work harder, and get better. It's very impressive stuff.

If you're looking for motivation around how to cultivate the mindset to create excellence for yourself, you don't have to stick around the legal realm. There are plenty of those stories too, but you can also look to a lot of people that are successful in other areas to provide you motivation and inspiration.

Alison Monahan: Right, and I think that's actually a useful thing to do in your life in general is to try to cultivate ... I don't want to say cultivate failure, but basically, it's really what we're talking about. Give yourself opportunities to fail in places that it really doesn't matter and it's fun.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: For example, what I like to do a lot is take on some sort of new physical challenge because that's an area where I don't have any ego about it because I don't view myself as being like particularly athletic or not athletic. It's just like, "Well, whatever." For example, like I decided to learn to ski when I already knew how to snowboard, and part of it was really to practice like falling down and getting up, and failing, and learning something, and how do you learn?

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: For me, it was like, "Well, I realized I really need to have ... Basically, I need to have a teacher, so I need to take lessons, and then I need to go often practice," but having that completely outside of the realm of what it is that you do that you're so tied to the success of can really help, and it's the same ... I'm actually doing boxing too, so it's the same thing. It's good exercise for one, which is always good, but like I don't care if I like have a perfect right hook. It doesn't matter to me, but it's interesting to see yourself get better at something, and it could be anything you want, but I think cultivating those opportunities to practice having a growth mindset where it doesn't really matter can really help when it does matter.

Lee Burgess: I think we have an [episode from the podcast about developing grit](#), and this was one of our pieces of advice around that too. I remember reading an article about parenting when they were talking about developing resilience in your children and that at any time, every member of the family should be trying to gain a new skill that is likely going to cause them to struggle.

They were recommending that parents try and study a new language or do, like you were saying, try a new physical challenge or train for something and be very open about failure and stumbling blocks with your children so they can see that at every age, you still are having to learn and overcome challenges, or push

yourself in an area that you don't necessarily excel at. For a lot of us perfectionists, it is an interesting challenge to encourage yourself to do something that you're not going to be good at.

Alison Monahan: Exactly.

Lee Burgess: Yeah, nobody likes to fail. Most of us don't like to fail, but I think that exercise of failure, of challenging yourself can be really interesting. It can be art-related. It can be music-related, but reminding yourself that you have to study and work at something I think is very important and that just ... how are you going to overcome those challenges is impressive, even people who are at the top of their game.

I have another friend who used to be a professional ballet dancer, and she decided to go back and start taking ballet. She hasn't been a professional dancer in a long time. She hasn't dance in years, and years, and years. I asked her. I said, "How do you feel about going back to a ballet class?" She's like, "I think it's going to be humbling." What she said that was interesting about it is she had all these memories even of what her body could do when she was a professional dancer.

Alison Monahan: Right.

Lee Burgess: She's in this class, and her body does not do what it used to do. She's not young, as young as she used to be, and it doesn't react and have the same muscle memory, and then she could barely walk the next day because she was so sore, but I'm like, "Are you going to go back?" and she's like, "Yes, I am going to go back." I thought that that was very impressive because I think a lot of people who are used to being at the top of their game, getting knocked down a few rungs, not being able to walk after doing something like that can be really a challenge, but I respect her for saying, "No, I'm going to go back and find out what kind of dancer I could be now just for fun."

Alison Monahan: Right.

Lee Burgess: I think that that's a powerful example of something very simple, but of having that growth mindset. "It's not that I'm completely out of shape or I ..."

Alison Monahan: A bad cancer.

Lee Burgess: A bad dancer. "I shouldn't be doing this. This is a waste of time. Nobody wants to ..."

Alison Monahan: "You're too old."

Lee Burgess: Right. Instead, she was like, "Well, this is who I am, and this is where I am." I know you and I both practice yoga, and that's always one of the things that I ...

Alison Monahan: Well, practice at this point, but ...

Lee Burgess: Well, practice. We have air quotes around that, but I would never say you and I should be up in the front like teaching yoga classes, but ...

Alison Monahan: That's reality. If we wanted to go teach yoga ...

Lee Burgess: Right? We could go do a training.

Alison Monahan: There is a path to that.

Lee Burgess: There is.

Alison Monahan: I could go take teacher training, and they make you practice.

Lee Burgess: They do.

Alison Monahan: I mean, they make you teach like right off the bat. It doesn't matter that we're sitting here thinking, "Oh gosh, I could never be good enough to teach yoga."

Lee Burgess: That's true.

Alison Monahan: We're like, "We don't care about that like get out there and teach."

Lee Burgess: I will say this is not a fixed mindset. I'm not very flexible, so it would be awkward of me trying to do some of these poses that my body will just never do, but I could probably explain somebody else how to do them.

Alison Monahan: Yeah, exactly.

Lee Burgess: I think one of the powerful things that they say in almost every single yoga class that you take is notice where you are today.

Alison Monahan: Right.

Lee Burgess: Notice where your body is right now without judgment, and I think that that is a very powerful thing to keep in mind in your mindset in school. Where are you today? Are you tired? Do you not feel well? Are you having trouble focusing? It's not like, "I am stupid, and so I'm having trouble focusing." It is just, "I am where I am today and maybe I can fix this or maybe I have to come back and try again tomorrow."

Alison Monahan: Right.

Lee Burgess: That kindness to yourself I think is a big part of the growth mindset.

Alison Monahan: Because you're not a machine. I noticed for me like thinking like if I'm trying to communicate in Spanish, for example, like certain days are just better than others.

Lee Burgess: Yeah.

Alison Monahan: I can't really explain to you why like some days, I'm like on it. Everybody understands me. I understand them. I'm like using complex verb tenses, and then some days are just like I literally can't remember the word for door, and that's just the way it is.

Lee Burgess: Yeah.

Alison Monahan: Yeah. I think we had an interesting article recently about going back over these things. Do you remember that that the tutor sent around?

Lee Burgess: Oh, yeah.

Alison Monahan: It was about people panic because they study, they study, they study, and they think they forgotten things, but you haven't really forgotten like it's still in your head somewhere and there's about ways to access that and I think make it more part of your long-term memory, but that idea that like every day is not going to be the same as the one before it. It's just something you have to accept.

Lee Burgess: Yeah. I think that that's very true without judgment, and that idea of having kindness for yourself and trying to overcome these stumbling blocks without saying like, "I'm just terrible at Spanish," is important.

Alison Monahan: Yeah, giving up. "I'll never learn."

Lee Burgess: "I'll never learn."

Alison Monahan: I will admit. I have had that thought many times, and I haven't told people. I try not to do it now, but I've definitely said many times in my life, "Oh, I'm just not good at languages."

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: On some level, I do believe that, but it's not really an excuse.

Lee Burgess: Yeah. Right, but then, just because you may not pick it up as fast as the person sitting next to you, it doesn't mean you stop going to your Spanish groups, or you stop doing lessons, or you leave Mexico, or do whatever it might be.

Alison Monahan: Right, it's not impossible. No, and I'm very jealous of those people who are like, "Oh, I just like popped down to some Spanish- speaking country. I picked up the

language in a couple of months. Not a problem. It's so easy. Why are you struggling?" and I'm like, "I want to kill you, but maybe you can also explain to me how you did this so I can steal some of your tricks."

Lee Burgess: Right. In law school, you're going to have to those people too who are like, "Oh, I just memorized that whole outline. No problem. I don't know why you're still studying," and you have to really check yourself to make sure that you're not making judgments just by comparing yourself to other people.

Alison Monahan: Right, because there may be someone in your class with a photographic memory and good for them.

Lee Burgess: Right. Yeah, let's go back to yoga. Like I said, I'm not a flexible person, and there was a period of my life where I took Bikram yoga, which is the really hot yoga.

Alison Monahan: Oh, god.

Lee Burgess: I know. It was like a very intense time of my life, so I would ...

Alison Monahan: You just wanted to torture yourself basically.

Lee Burgess: I did. I was actually studying for the LSAT, and working full-time, and doing a lot of Bikram yoga, and going through a breakup, so there was a lot going on. If you've ever done Bikram, you do the same series of poses, and I was doing it a lot, and they would say like, "Oh, well, in like a few weeks, like you'll be able to do this with your knees," and I was like, "No, I will not. My knees like ... I will get better, but like my knees don't bend that way," and the bendy person who is next to me who is like second class is doing these like crazy poses.

Alison Monahan: Yeah. Sorry that's me. I'm like the super bendy person.

Lee Burgess: Yeah, like that is not me, and I could be ... I've practiced yoga on and off for like 15 years, and it's just not going to happen. I just don't bend certain ways, but there has to be ... That doesn't mean I stopped going or it doesn't mean that I stop ... I did stop going to Bikram, but it doesn't mean that you stop working on yourself, or practicing, or trying different things just because of where you are and what you bring to the table. I bring a not flexible body to a yoga class. That is who I am.

Alison Monahan: I'll tell you one of the reasons I'm actually like I look like I'm good at yoga is actually because I have really short legs and really long arms.

Lee Burgess: Oh, that does make it easier.

Alison Monahan: Yeah, so like they're like, "Touch your toes." I'm like, "Not a problem. I'll put my whole hand on the floor." It's just because I have disproportionately short legs.

Lee Burgess: That's true. My legs are a lot longer than yours are.

Alison Monahan: Yeah. It's like random stuff like that. You go through your whole life thinking you're not flexible and that I'm really flexible, but actually, we just have a differently proportioned body.

Lee Burgess: It's true.

Alison Monahan: That's never going to change.

Lee Burgess: Yeah. I think that that's a really good point. If you ever have the opportunity to hang out with kids, I think another great way to remind yourself of the growth mindset is to hang out with little kids who are constantly learning. I have learned so much about learning by watching my son because they don't judge themselves and they fail all the time.

Alison Monahan: Yeah. They're like, "Oh, this is fun. This is interesting. I want to explore this," and then they do it, and then like they build a tower and it falls down. They'd be like, "Ha, ha, ha. That was so fun. The tower fell down. Let me try it again."

Lee Burgess: Yeah, or they misuse language and they get ... I will correct my son's language, and then he just repeats it back to me like there's no like judgment over the fact that he misspoke. He's trying to learn language, so he is like, "Oh, that's how you say that," and he files it away. Rolling with feedback like that I think is pretty amazing, and I am really hopeful that I can figure out how he won't lose that because if he can go through life like that, that would be incredible.

Alison Monahan: Right. I mean, like it's just weird. I was looking at the word O-N-C-E the other day, which if you know Spanish, it's "once," which is a number.

Lee Burgess: Mm-hmm (affirmative). Right.

Alison Monahan: In English, it's "once," and then you realize like, "This is all really arbitrary."

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: Why would someone who's never seen this have any clue, A, what it means or B, how to even pronounce it?

Lee Burgess: Mm-hmm (affirmative). Yeah, that's very true.

Alison Monahan: All right. This all sounds great. We should all be like so flexible, and like try our best, and like look at new opportunities. Blah, blah, blah. Since we do this in each episode, I've actually come across a number of articles - I assume you probably have, too, saying that mindset really isn't the key to everything, and maybe this focus on grit, and mindset, and pulling yourself up by your

bootstraps, and doing more, blah, blah, blah, might actually be harming people's learning.

Lee Burgess: Yeah.

Alison Monahan: What's up with this?

Lee Burgess: I think you have to realize that mindset isn't the answer to everything.

Alison Monahan: Right.

Lee Burgess: That it's just a piece of the puzzle, and so you have to look at maybe the other structural issues around what's going on. Like in law school, maybe one of the things that's standing in your way of success is you're not getting feedback in order to learn how to make the changes with the growth mindset to get better, so you may need more than just the mindset to succeed.

Alison Monahan: Right, and that's just the way that law school is structured.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: You can think like, "Oh, I think it would really be helpful to me if I could get feedback on a bunch of practice essays," but more than likely, your professor is not immediately just going to do that for you, and that's just the unfortunate structural reality of the school that you have chosen.

Lee Burgess: Right. Yeah, exactly. You just have to make the best of that situation. You can, with a growth mindset, I think say, "Okay. Well, this is a problem with the environment that I'm in. This is something I need. How else can I get it? Can I go to Academic Support? Can I talk to a TA? Can I hire a tutor like somebody on our team?" There are ways then to get what you need, and then without judgment, get better, but the mindset can only get you so far. You might need more information.

Alison Monahan: Right, that's not going to ... Yeah, and that's not going to go away.

Lee Burgess: Yeah. Yeah, exactly.

Alison Monahan: You're going to be beating yourself up ... beating your head against that particular pose for the whole time you're on law school.

Lee Burgess: Yeah.

Alison Monahan: That's just the way, the way it is, and you could try to change that, but odds are ... Again, you can use this growth mindset to try to figure out ways to overcome this, but I think some people don't want to recognize like, "Oh, there actually is a structural problem here."

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: “There is some underlying issue that I may have to keep dealing with.”

Lee Burgess: Yeah.

Alison Monahan: It’s not like it’s going to magically go away if you just find the exact correct technique.

Lee Burgess: Right.

Alison Monahan: Yeah. I think sometimes too, this is a big one we encounter with people who are really, really struggling. Sometimes, the struggle is actually a sign that this is not the right path for you.

Lee Burgess: Mm-hmm (affirmative). Yeah.

Alison Monahan: Sometimes, we see people and, they’re working so hard, and they’re trying everything we can think of and everything they can think of, and the bottom line is just like, “Why do you want to do this so badly?” and there may not really be an answer to that other than, “Well, I decided to go to law school, so I have to succeed.” It’s like, “You know, there might be other options for you.”

Lee Burgess: Yeah.

Alison Monahan: That’s totally fine.

Lee Burgess: Yeah. I guess there’s an argument that the ability to be open to other successes is probably some sort of growth mindset, but be real ...

Alison Monahan: True. We’ll turn it all around.

Lee Burgess: Right, but being willing to be honest that maybe you need to shift course based on your situation. That takes a lot of bravery actually. I think you have to be very brave to be able to shift direction and acknowledge that the path is not the right one for you.

Alison Monahan: Yeah. I remember I was in architecture school where I did my first graduate degree, and I was not good at anything that was required to be an architect. That’s just the reality of it. I remember in my very like first few weeks of class. I was just so frustrated, and I was like, “In here, you’re in the studio environment, so you have a professor coming to your desk for half an hour, maybe an hour to really work with you one-on-one.”

It’s very intense, and they’d given us some assignment. I was so frustrated with it, and I just couldn’t come up with a great idea, and I was literally like in tears like talking to my professor, and he’s just like, “Why did you decide to come to

architecture school?" I was like, "Well, I wanted to learn how to fail." He's like, "Yeah, that's not a good reason to be here."

Then, later in this conversation, I'm still so frustrated. At some point, I just remember him turning to me and he says, "You know, it's not supposed to be this hard," and it was this profound moment. Of course, I was too stubborn to listen. I went through. Literally, but I remember having this moment. He's just like, "You know, this is not supposed to be this difficult. Like yeah, it's supposed to be challenging, but you shouldn't be this unhappy and this frustrated with what you're doing like this could be a sign this is not what you should be doing."

Lee Burgess: I think that's really powerful advice and not easy advice for a professor to give actually.

Alison Monahan: No. I pretty much hated him and thought he had it in for me for the rest of my career, but it was basically right. In a sense. I got out of it what I intended to get out of it which was doing something really hard that I was going to be bad at so that I wouldn't have complex about that anymore, but from his perspective of like, "Should I be an architect?" he was absolutely right like I should definitely not have been an architect.

Lee Burgess: Yeah. Being thoughtful about your choices and evaluating them I think is a skill that's really hard to come by. I think you have to look at yourself with a lot of honesty to shift course, and I don't think that that is necessarily counter to this idea of recognizing that maybe you could work hard to be successful. I'm sure that if you would really want to be an architect, you could have made it work, but maybe that wasn't what you were supposed to do.

Alison Monahan: Oh, yeah. That was the bigger point was like ... and I did. By the end of even that year, I had gotten a lot better. I could do a convincing approximation of someone who is a recently good architect, but there were also people in my class who I recognized were just way better at like the skills you need like I wasn't good at drawing. It became a problem. There are all kinds of things I just wasn't like that great at, and like yeah, I could fake it and make myself really good at it or like pretty good at it, but then these people would show up.

I remember, it's so infuriating. There's this one guy, a super nice guy, absolutely brilliant, and really good at this. I would spend the whole weekend slaving away. I'd be in there like 18 hours a day. I literally was like once the only person in the building on Thanksgiving like I really put a lot of time into this. This guy would show up 20 minutes before class started, tossed off a few drawings, and then you look at them. You're like, "Oh my gosh, this is a thousand times better than what I just spent 20 hours this weekend working on."

Lee Burgess: Yeah.

Alison Monahan: Like, "This is not the right career for me like there are people like this," and he's ... Now, he's doing like projects for ... I think he worked on like the redesign of the MoMA.

Lee Burgess: Oh, geez.

Alison Monahan: That's the point. He should be. I shouldn't be.

Lee Burgess: Yeah.

Alison Monahan: I don't want to be like fatalistic and say like, "Oh, well, if you're struggling in law school, this is not the right path for you," but I think there is a point where you just have to look at, "Does this career path mesh with the things that I'm actually like naturally pretty good at doing that I enjoy doing that I like to spend time on?"

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: If the answer is no ... If you don't like reading and writing, you shouldn't be a lawyer.

Lee Burgess: Right. It's really a good point.

Alison Monahan: I don't want to be harsh about it, but that's what they do.

Lee Burgess: Yeah. Yeah, and you're probably not going to like law school because that's what you do in law school too.

Alison Monahan: Yeah. I don't know. I think sometimes, this idea of like, "Oh, I can just growth mindset my way out of like a fundamentally incompatible situation," is something to be aware of.

Lee Burgess: Yeah, I agree. I think it's also easy to just beat yourself up over things, thinking you're using the growth mindset, but you've got to watch and make sure you're not just ... "If only I were smarter," so you're like, "Oh, well, that sounds like a fixed mindset, so I'd be like if only I'd figure out a better way to study."

Alison Monahan: Yes. All my fault for not having the best way to study. It's like, "Yeah, that's not actually really helpful."

Lee Burgess: Right.

Alison Monahan: You're going to encounter disappointments. You're going to fail. That's life. These things happen. It can't just be like, "Well, I should have had a better growth mindset."

Lee Burgess: Yeah.

Alison Monahan: It's not really helpful.

Lee Burgess: No. Of course, failure sucks. Neither of us like to fail like stumbling blocks are hard.

Alison Monahan: No, no one does.

Lee Burgess: It's important to let yourself own that and like sit with it, and you're allowed to cry, and stump, and get frustrated. The mindset idea can sometimes make people feel like that they don't even need to own that failure or move past to all those emotions, but instead, I just encourage you to think about the growth mindset more as a path after that. You're allowed to be in pain. It's what you do with that pain once you've sat with it and gotten over that initial herd that you're going to ... That's really I think the important decision.

Alison Monahan: Yeah, and I think sometimes people can again use this to try to avoid feeling that pain like, "Oh, well. I mean, of course, I'm not upset that I failed. It's just a great opportunity to learn more." It's like, "No, you're probably upset, and you're going to move past that more quickly if you acknowledge that you're upset, and you like really sit with that, and you give yourself a certain amount of time to be upset."

I know a lot of people who say, "Okay. I've had this big disappointment." Whether it's not getting a job that you really thought you were going to get or you really wanted, or like really doing poorly and getting back a bunch of poor grades, and you're really devastated ...

Lee Burgess: Failing the bar.

Alison Monahan: Failing the bar. That's another great one. Yeah, these things happen, and I think the key is people will say, "Okay. I'm going to give myself the next day to be upset about this or give myself ..." After the bar, you probably get at least the weekend.

Lee Burgess: Yeah.

Alison Monahan: You find out on a Friday you failed. "Okay. I get the weekend to be really upset about this, and that's totally valid, and I can behave basically however I want to behave, and I can throw things, and I can cry and whatever I need to do." But then, you stop.

Lee Burgess: Yeah.

Alison Monahan: Very explicitly and say, "Okay, but Monday morning, I'm going to start figuring out what to do about this."

Lee Burgess: Yup. I think that's really, really important, and you might need to reach out for support because this is not easy to do on your own.

Alison Monahan: Yeah. Sometimes, it's viewpoint like the mindset approach can be like ... I feel like a little bit individualistic.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: It's all up to you to figure out like, "Oh, how can I fix my mindset so I'll do better?" Maybe the answer is like, "You need support."

Lee Burgess: Right, and so talking to friends at school or people on your study group who can talk you through different ways to strategize can be important, going to mentors or professors about ways to move forward, finding either an online community of folks. [We've talked about this on other podcast episodes](#). That can be really supportive to give you advice on how to affect change. You have to look to your community, and this idea that it takes a village, and pull people together to help you move forward if you need help shifting your perspective into this growth mindset of change and moving past difficult things.

Alison Monahan: Yeah, and part of this really is listening to people who are experts.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: It's not that you have to figure everything out on your own. Really listen very carefully to your professor like what kind of hints were they dropping in class? What kind of hints were they dropping in office hours? These people are experts, or looking for academic support at your school from say an academic support office, or your TAs, or maybe even a writing center on the university. Possibly a tutor if that's something that would be helpful, or another thing that I think people can often find helpful from this expert perspective is your mental health experts.

Lee Burgess: Yeah.

Alison Monahan: If you're struggling with motivation, if you're struggling with stress, if you're struggling with anxiety, you don't have to struggle with those things alone. There are people who have pretty good techniques for helping you.

Lee Burgess: Absolutely, and especially if you struggle with the language you use around yourself. If you really feel like ... If you're listening to this and you're like, "I am the poster child for the fixed mindset, and I use this defeatist language with myself, and I don't know how to stop," the beauty of having a therapist or somebody who's very aware of that is that they can check you when you're using defeatist language.

Alison Monahan: Right.

Lee Burgess: Now, like they can say, “I just heard you say this and you should not be apologizing for that or you should not be owning that. That is not your fault. That is not something that you can control.” I think it can be very powerful to have somebody reflect back to you, even your thought process because often times, we don’t even know that we’re doing some of these things.

Alison Monahan: Yeah, and often times, we’re on the techniques, these reviews. Would you say this to a friend who came to you in this situation, the things that you’re saying to yourself?

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: The answer is almost, “God, no. Of course not, like I would never say that to a friend who came to me with this situation.” Then, why are you saying it to yourself?

Lee Burgess: Right.

Alison Monahan: These are obviously patterns that have been deeply ingrained in people from very early ages and they’re very hard to break, but I think you’re right that it’s really useful to have someone who’s trained to mirror these things back to you so that you can start doing that for yourself and start switching the way that you’re thinking about success, and failure, and your own abilities, and that kind of thing so that it’s really more realistic.

Lee Burgess: If you’re just entering law school and you’re like, “Wow, I wish I could afford therapy,” you might find that your school actually has free therapy for law students because it turns out this is a population that needs a lot of help. Often times, student services, maybe you’re connected to an undergrad institution, will provide free counseling for students in the law school, so you should check it out if you want to get access to those services.

Alison Monahan: Yeah, and I think it’s very valuable. I started going to therapy in law school. I know lots of other people who did, and almost to a person, they said, “You know, this is really actually one of the best things I’ve ever done,” because it just makes you more self-aware.

Lee Burgess: Yeah. Yup.

Alison Monahan: With that self-awareness ... The reality is as a lawyer, you’re going to be going into situations that are high-conflict, high-stress where it’s actually helpful to be able to manage your own emotions, and then also understand the perspective of other people, and where they’re coming from, and what they’re probably feeling to just make you more professionally competent.

Lee Burgess: Yup. I 100% agree. All right, so what about some other like concrete techniques and strategies? What would you recommend are some concrete things that folks can do to help move themselves into this more productive mindset?

Alison Monahan: Yeah. I think it's easier if you have the right systems in place. Sometimes, people think they can just like mindset their way through anything. "It's all about will power and self-control. Blah, blah, blah." You can probably do that, but it's probably easier if you have better processes, and better habits, and better tools. I think getting in through certain things is probably step one, so particularly time management. That's a huge issue for a lot of people.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: [We have a whole podcast about this](#), probably more than one. Just really basic things like getting off the internet, having a place that you go to study, focusing on what ... using like the circle technique so that you're really focused. You're not multitasking.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: Then, other things like taking breaks and keeping yourself accountable. These all sound very boring and very like tedious, but the reality is basic stuff like this really can make a difference in how you're performing and also how you're feeling about things.

Lee Burgess: Mm-hmm (affirmative). Yeah. God, getting off the internet like we talked so much about that and getting off the internet in class. Actually, moving away from your laptop, using old-school pen and paper to track things. There have also been a lot of studies about how ... Although we talked about how social media can be a positive, how that can really actually depress you by spending a lot of time on social media and things like that, so you have to be very careful about how you're spending your free time online, but I would recommend in the classroom, go old-school.

Just be very present. We'll link to some [resources about why it's so important to get off your laptop in class](#), but also, just consider like unplugging, just doing things in a very old-school way so you can just focus and move through your work without a lot of distractions and a lot of maybe negative chitter-chatter that you don't really need to be a part of.

Alison Monahan: Yeah. I think we've talked before about Deep Work by Cal Newport, but that's a great book with a lot of practical techniques about how you can really do ... like be a more focused and productive person while still having a life. I think deep work is really the essence of what lawyers do. It's hard. You got to put a lot of stuff together. You got to really think, and it's very difficult to do that if you're distracted all the time.

Lee Burgess: Yeah.

Alison Monahan: That might be a great read for people if you have some extra time. I highly recommend it.

Lee Burgess: Yup.

Alison Monahan: We're running out of time, but basically, our bottom line here ... We're revisiting mindset. Why are we revisiting it? I think because it's an important idea, but you can't expect it to do everything.

Lee Burgess: Yeah. You can't beat yourself up. If you find aspects of law school frustrating, even if you try your best to try and figure out what to do to overcome them, I think the key is you need to reach out for help and learn about different systems and techniques because you're not alone. There are a lot of people who have done this before you, and you can learn from them either by the resources we've discussed, or reading books, or whatever. It's the way that you get ideas and gain insight, but you are not alone, and you shouldn't have to struggle and figure out how to solve all your problems.

Alison Monahan: Right. I think falling to that trap of, "Oh, I just need to do ... I need to study smarter, study harder. Blah, blah, blah." Whatever it is. There's a limit. Everyone has a limit, and I think it's important to get help to try to make yourself more effective, but also realize like there are just going to be things that you're going to continue to find frustrating. That's life. It's the way it is. There are things about legal practice that people find frustrating. You can't mindset your way out of this necessarily.

Lee Burgess: No. I wish we could though. Wouldn't that be convenient?

Alison Monahan: I know. Wouldn't that'd be great if we can all just be like, "You know what? I really think that law school would be a lot more effective if professors would just give weekly hypos, and we would practice, and we get really detailed feedback on them, and then I feel like I would be a better lawyer?" It's like, "Yeah, you probably would be, but that's not the way this is structured."

Lee Burgess: Yeah, sorry.

Alison Monahan: Sorry, this is what you have to deal with.

Lee Burgess: Yeah.

Alison Monahan: All right. Unfortunately, we are out of time. We wish you the best of luck in developing your mindset, but not getting too frustrated. If you enjoyed this episode of Law School Toolbox Podcast, please take a second to [leave a review or rating](#) on iTunes or your favorite listening app. We would really appreciate it, and be sure to subscribe so you don't miss anything. Typically, our new episodes

are out on Monday. 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, and we'll talk soon.

**Resources:**

- [Mindset: The New Psychology of Success](#)
- [Podcast Episode 1: Mindset: The Key to Success in Law School](#)
- [Podcast Episode 64: Developing Grit in Law School](#)
- [Podcast Episode 7: Time and Life Management Basics](#)
- [Podcast Episode 95: Top 1L Questions: Time and Life Management](#)
- [Podcast Episode 43: Getting Mentally Prepared to Start Law School](#)
- [Need to Get More Done in Law School? Try the Circles](#)
- [Students are Better Off without a Laptop in the Classroom](#)