



Lee Burgess: Welcome back to the Law School Toolbox podcast. Today we are talking about different approaches to law school learning with strategies for visual learners. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here today to mystify the law school and early legal career experience so you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career related website, [Career Dicta](#). Alison also runs [The Girl's Guide To Law School](#).

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With that, let's get started.

Alison Monahan: Welcome back. Today we're talking about how to best study for law school exams and get through law school if you are a visual learner. So as you might expect, someone who is primarily a visual learner or has a strong preference for visual learning, is likely to learn through things like images, pictures, color, and other types of visual media. These are what really help you learn and memorize. So you might be someone who although you go to class, you participate in class, you sometimes feel like maybe that's not really where your real learning happens. You might not be able to make sense of things until you sit down and do a flow chart or a diagram or even draw a picture. That was something I actually did a lot in law school that people thought was kind of crazy, but it helped me remember the cases to actually draw out an imagine with color. I loved my colored pencils. It's funny because I went to architecture school before I went to law school. So I actually have a really nice set of colored pencils that were one of my most prized possessions. People come to my house when I was studying and just say, "What are you doing?" They were making these huge outlines. It looked very serious and there I was over in the corner like coloring pictures. But we ended up doing the same in the class, so it worked out fine.

Lee Burgess: Yeah. I think a lot of visual learners can get distracted easily too by things that are happening outside or other people around you or looking out of doorways. So it can be something you want to be aware of if you consider yourself someone who does really well with images or pictures that you can actually be distracted by those even when you're in a class lecture or something like that because the visual nature of your brain is going to see all the visual stuff around you.

Alison Monahan: Right. So if you have a professor who does a lot of PowerPoints and things like that, that can actually be very helpful or it can be distracting. But typically assuming that they've done a decent PowerPoint, it's going to be helpful



because you may literally remember in your brain that image that you saw. So for me, if I'm trying to learn a certain word in a different language and I hear it 16 times, it goes in one ear and out the other. But if I see it written down or even better if I write it myself and then I look at it later, I'm much, much more likely to remember that.

Lee Burgess:

Yeah. So I think one of the things with all learning styles you have to keep in mind, even if you really are a visual learner, generally speaking, is that some of these techniques are going to shift maybe even depending on the class that you're studying for, even a topic within a certain class. You might find even if you generally consider yourself an auditory learner that sometimes flow charts or tables are going to help you learn materials or drawings or using Alison's special box of colored pencils, whatever you need to do to make certain materials sing. Don't feel like you are tied to one sort of learning approach because different areas of law may require you to adapt and change a little bit. So you got to be willing to combine different learning styles but also remember what we're really talking about when we talk about all these different learning style is the power of actively engaging with the material and not being a passive learning. These are just a ton of different options about ways to actively engage depending on what your natural attraction is to the certain learning style based on how your brain works, but also to be open to some different options to mix it up because you're going to do a lot of studying in law school and for the bar exam.

Alison Monahan:

Yeah, for sure. I think sometimes people who are strongly visual learners can feel a little out of place in law school initially at least because, for example, I remember being told, "Oh, you have to do a brief of every case. You have to write up this brief, and if you don't do that, you're never going to get through law school. It's an absolute requirement." But for me, book briefing where I highlighted different aspects of the case and really saw the structure of it and that kind of thing actually worked better. I wasn't just being lazy. But there was this moment of like, "But am I going to flunk out if I don't do this? Are these people right? Do I have to do it this way? Am I being lazy? What's going on here?" So I think it can cause you to kind of doubt yourself a little bit and sometimes do things that aren't the most effective for the way that you think about things but are the way, the received wisdom of a way you have to do this or you're not going to get through law school. That's not true, I mean, for anyone. Everyone has to figure out their own path, and there are lots and lots of different ways.

We have three podcasts now on different techniques for different types of learning styles that you can try out and mix and match and really see what's going to work best for you.



- Lee Burgess: Yeah. So you got to get creative. I think in the end it's really important to remember that nobody knows how you study this material. No one. If it's the pretty pictures that make the difference, nobody knows. They only know what grade you got on the test.
- Alison Monahan: I just remember my friend and I finding out we had gotten the same grade on this test where he was just giving me such a hard time about the way I was studying. I would study and then I would go make a sandwich and then I would come back. Then I would do some drawing. Then I would go make some soup. Finally, he had been sitting in my living room for three hours really focused on his outline and it was amazing. He was just like, "What are you doing? When are you going to study?" But that was the way that I process information and it worked fine.
- Lee Burgess: Yeah. So own your own experience. It's a good practice to march to your own drummer.
- Alison Monahan: Yeah. Ultimately, it doesn't matter what you do to get to the end result. All that matters is that you get to point where you are able to do what your professor is looking for on an exam and however you get to that point is however you get to that point. It really doesn't matter.
- Lee Burgess: Yep. 100%. So let's dive into some specific recommendations for visual learners. So even though I think you mentioned that creating like a really traditional outline didn't work for you, I think some visual learners do find that written outlines can still be effective.
- Alison Monahan: Yeah. I think there's certain things that people can do to make them more effective too. For example, say that you have rules and exception to those rules that you need to learn and you need to memorize, well a really effective technique can be, for example, say that you have your state's rule versus a federal rule. You might always put the state rule in red and the federal rule in blue or whatever it is, so that then when you're trying to remember which is which, you can literally see it in a different color.
- Lee Burgess: Yeah. I think that makes a lot of sense. I think you can, like anything, you can go a little overboard with stuff like this where you get kind of obsessed with the font or the capitalization or things like that where it losing it's meaning, but having some sort of a scheme where you can apply these visual techniques to a more typical outline, I think can have it have more meaning for you. So if you are one of those people who can get a little cuckoo crazy about formatting with an outline using a highlighter as you review it so you highlight attack plans are a different color than something else. You were mentioning distinctions being slightly different. You don't have to go down the rabbit hole of Microsoft Word



intent of crazy formatting. You can do it other ways to allow this material to kind of have a more of a visual meaning for you.

Alison Monahan: Right. I think it's also totally fair to recognize that you probably want it to look nice.

Lee Burgess: Yeah.

Alison Monahan: There's that. I mean, I don't think you should spend a whole lot time formatting like 20 levels deep to make it look perfect, but I do think it's worth at least thinking about in the beginning how are you going to lay out your study materials so that it doesn't bug you to look at them.

Lee Burgess: Right.

Alison Monahan: For example, for me I hated it when people used the symbol for the plaintiff and the defendant. I think one of them was a triangle. I don't even remember which was which. It drove me absolutely crazy to see that. It's totally common. It doesn't bother most people at all, but I think just recognizing, "Hey, you might have some weird visual quarks, and you can just spell out the word plaintiff if it makes you happier." It is what it is.

Lee Burgess: Yeah. I think that's very true. I think you are my one word of warning is just making sure that you don't end up having a time suck come into some of this formatting because it can quickly become busy work.

Alison Monahan: Well, I think that's the point. I think you just need to devote a little bit of time in advance to deciding what you're going to format, how you're going to format things, and then just setting up your template and sticking with it.

Lee Burgess: Yeah.

Alison Monahan: I mean, I also think there's a lot of value in actually handwriting particularly shorter versions of your outline where you can color them, you can use arrows, you can make it more spacial. At least for me, I couldn't really process a huge, long typed up outline in the way that other people could. I mean, my roommate, I don't think she even printed hers except to take into the exam, and that just made no sense to me. If I did an outline, I had to have it printed, in front of me so I could write on it and that kind of thing. So I think just thinking through which pieces of the received wisdom of how one does law school actually are working for you makes a lot of sense for everyone, but particularly if you're more of a visual type person, you're probably going to need to do things like diagrams, flow charts, visual images.



Lee Burgess: Yeah. That makes a lot of sense, and I think one of the things as a new law student or somebody entering law school that you want to keep in mind is you're going to have to play with this a little bit to find out what you really need. So for me, I really found that it was a huge difference to hand write my outlines and use like highlighters to create different colors and ways for me to track information. Getting out of the Microsoft formatting, template nightmare was very important to me because I could go down the rabbit hole really fast. I was spending way too much time dealing with the perimeters around the computer, and so I needed that freedom.

Alison Monahan: Your table of contents that you haven't put in. I mean, if you're going to have a table of contents on your outline, build it from the start. Don't waste time at the end trying to have the perfect table of contents. It's silly.

Lee Burgess: Yeah. You can just drive yourself crazy. So just being very aware of that but also playing around with certain things that are going to work for you. I think that is so critical. So always think of the process of figuring out what works for you as this ongoing challenge in law school because the first semester you might try some things and then second semester you might try a few different things. Then you're like, "Oh. Right. That is going to be a little bit better if I pivot and do it this way." So just keep an open mind because, again, nobody knows how you're going to do this in the end. Nobody cares. Nobody sees these outlines.

Alison Monahan: Yeah. We have some blog posts we can link to with different examples and things like that. I mean, I recall having a tutoring student where I showed her the three page flow chart I had done that was the entirety of contracts on three pages, and I suggested, "Hey, you might want to do something similar." She's like, "Oh well, if I only had time to do that but I'm working on my outline." It's like, "Okay. Well, the whole point is this took a lot of time and energy to do, but once I've done it, I understand everything and I have a reference. So maybe this is actually a good use of your time rather than going back over your 100 page outline for the 14th time and adding 20 more pages. That's probably not really the best use of your time."

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

Alison Monahan: That's just getting into the busy work stuff. I mean, as with anything else, I think visual learners obviously have to be careful about doing the busy work of going back and color coding everything or whatever it is. If it's not helping you to actually learn something, don't do it. You could probably be using that time better to be practicing and seeing how you're doing on your actual test.

Lee Burgess: Yeah.



Alison Monahan: Although I will say if you're doing something like a flow chart, you're working on your flow chart, it's really hard to say that's busy work.

Lee Burgess: That's true. I think it can tip into busy work if you start doing it and redoing it because you don't think it's perfect enough.

Alison Monahan: Coloring it differently.

Lee Burgess: Yeah. So I think that's where it can be a little bit more of a challenge is when you start playing with formatting or you like set it aside. You're like, "It's not clean enough."

Alison Monahan: Right or I will admit I did sometimes go into extra detail on the drawings that I was doing to remind me of the case names that maybe I didn't really need to color them in quite that carefully. I probably was just wasting time at that point.

Lee Burgess: Yeah. It worked out in the end. Just things to watch for, especially if you start getting to a point where you feel like you're running out of time, these are the things that you start to look for. Am I wasting time that I could be using somewhere else by doing these kind of busy work habits? I think sometimes they can be very ... I mean, sometimes I don't think it really mattered, but if you're saying like I literally don't have enough time to get my work done, then start cutting things, watch out for the things you're doing.

Alison Monahan: I think people who are more on the visual learning spectrum, I think one area that they can definitely waste time in is feeling like they have to be in a study group.

Lee Burgess: Yeah.

Alison Monahan: So if you are not a person who really learn that well by talking things out or things like that, then you might have to make the decision, "Hey, you know what, I'm better off going to the library by myself and spending several hours making this really elaborate, colored flow chart than I am spending those same hours with my classmates who might be really getting a lot out of this, but ultimately, I'm not getting that much out of it."

Lee Burgess: Yeah. No, that's very true. You got to be honest about that with yourself.

Alison Monahan: Yeah because there's going to be a lot of pressure. You got to have your study group. Got to have it. If you don't have your study group, you're not going to have any friends. You're not going to have anything to do. You're not going to ever learn your classes. None of that's true. You can go to yoga class and make friends or whatever. You'll find friends.



Lee Burgess: Yeah. Agreed. So one thing we have found can be helpful for some of our visual learning students is actually creating memory places. So, Alison, I know this is something that you find pretty fascinating. Could you talk a little bit about what memory places are?

Alison Monahan: Well, first off, it's a memory palace.

Lee Burgess: Oh, memory palace.

Alison Monahan: Yes. I'd be happy to talk about it. Very visual.

Lee Burgess: Yeah, I'm being very visualize not being able to read my notes while I'm recording this podcast.

Alison Monahan: Yeah. So I went to architecture school so I'm a pretty spacial person, but this concept is really ancient. If you think back even pre-writing, we've always had people who were storytellers. The stories they were telling might have been something like The Odyssey where there are these very elaborate in almost every culture I feel like has these sort of epic stories that they told. People had to memorize them. A lot of the way that they would do that is by imagining basically walking in to a room where different objects had different meaning and interacting with those objects had meaning. So if you think about it in a law school context, and you can kind of see this with [SketchyLaw](#), which is a tool that we've talked about before, but they really done this for you so it can be an interesting example. I mean, you can imagine walking into a room and say that you're trying to remember the different future interests or something for property, like a very dry topic. So you can imagine, "Oh, there's this vase over here and this has that meaning. There's a flower over here. What if I take the flower out of the vase?" So things like this you can really make it a lot more visual for yourself and more interactive and more interesting.

So that might work better than just trying to memorize even mnemonics. I found for me the mnemonic thing never worked all that well. I mean, I learned them for some. There's some standard ones. But I think if you're interested in this, there's a lot of material on it. This is actually how a lot of people who do memory contests where they're supposed to memorize hundreds of things at once and recite them back in order, they do things like this. So there are a lot of interesting techniques that you can research if you're having trouble memorizing, which can be a problem I think for a lot of more visual people.

Lee Burgess: Yeah. I've also seen examples of a file cabinet where you can also imagine that you're looking at a file cabinet, and you open the cabinet and then what are the high levels of the files. Then you pull a file out and you open it. You can kind of memorize your outline in this file cabinet way, which is a much more visual way



to memorize it. Again, I think it is interesting if this stuff resonates with you is to learn some different examples and try out things that might be interesting to you because it might sound cooky at first to think about entering a room and looking around and assigning things to different objects in the room. But then you find out that two days later you still remember what was in the room.

Alison Monahan: I think is the interesting thing. Anyone who has ever left ... On our team, who's looked at the SketchyLaw materials, I think at first you're like, "Ah, that was kind of cute. Okay. I can see the point of that." Then you find months later you still remember, and you're like, "Wow. This is actually really effective."

Lee Burgess: Yep. Exactly. So I think for the statute of frauds, they place you in a theater with a choir to help you remember the requirements for the statute of frauds and adults in the choir represent formal requirements and kids represent work around rules. I mean, it's, again, it's like a little cooky but it sticks with you and that's what's important. SketchyLaw is something that's designed to be used either for law school or for the bar exam, but if this stuff is interesting to you, I think it's worth learning about it early on in your legal career because it might really help you put this stuff in your memory. The SketchyLaw guys who created it, this actually came out of people studying for their medical school boards, and they have to memorize an amazing amount of stuff to sit for medical school.

Alison Monahan: You want your doctor to do.

Lee Burgess: As you want you medical doctor to. So that's actually there's a version of, I can't remember what the medical version is. It's sketchy something. But that's actually where this product idea came from was medical schools. So I think it's very interesting that I think doctors who are forced to memorize an obscene amount of information all through medical school seem to be a bit better at memorizing stuff than lawyers, who I think oftentimes feel like they shouldn't have to memorize a lot of this stuff but you do. I think even if you get lollid into this false sense of security around having some of these open book tests, thinking you don't have to memorize anything, as someone who talks to a lot of people about the bar exam, you need to work on your memorization skills when you're in law school because there's no open notes in the bar.

Alison Monahan: That's definitely true. I think also, I mean, I in law school really only had open book exams, which I feel like was a disadvantage for when I had to study for the bar. But also, I remember being really stressed out on certain tests because I had this false sense of security. Like, "Oh, I don't really need to memorize this. I'll just look it up." Then I mean I got better about this as law school went on, but if I hadn't really done things to allow me to find material in my outline, I wasn't going to find it. So eventually I ended up typically having an index. I would have a table of contents that I would set up from the beginning. I would



have different colored tabs for different things. I would have the whole thing highlighted. Because usually what I did, I'd take an old example of an outline from the class and I would work off of that for my big outline, I kind of called it. The one I would take in with me for reference, but that wasn't really what I was studying off of.

So originally I was a little complacent because I thought, "Oh, I can just look this up and find stuff." That was not true. So I had my study materials, but then I also had this reference material. But it turned out I really had to make that my own in a visual type of way as well and think about how I was going to access materials so I wasn't sitting there going, "Oh my god, what exactly is the rule ... What's the time frame on the rule against perpetuities. I can't remember the date. I know it's in there some where." That's not a good place to be.

Lee Burgess: Right. No, that's a very good point. If you are doing open book tests, it is important to really evaluate what you're taking in there to make sure you can actually find what you need because there's not time to be digging for anything.

Alison Monahan: No. You want to make sure that you have two page cheat sheet or something on the table in front of you. Whether it's a check list or things to look for, flow chart, whatever it is, you want to think about what you're going to bring into these exams if you're allowed to bring something.

Lee Burgess: Yeah, because an outline that's not going to serve you is pointless. You're going to have every material in the room.

Alison Monahan: Still pointless.

Lee Burgess: Yeah, but again, like most things, if you're going to use those materials on the exam, you need to practice doing practice questions with those materials to make sure they're working for you. Because if you find out that you're two page cheat sheet doesn't have enough material on it to be helpful, well then that's a crappy two page cheat sheet. You need to toss it and start over.

Alison Monahan: Yeah. It was ridiculous. I would show up with my textbook, different horn books. Like I'm going to look up something in a horn book.

Lee Burgess: And a timed exam situation.

Alison Monahan: Although to be fair, I think one time I did have to look something up in a property supplement because it was just a question that was completely out of left field. But I'm not sure that justified all the other times that I dragged in 15 pounds of materials with me.



- Lee Burgess: Yeah. So even if you are doing an open book test where memorization might not be the focus, you still want to make sure that you are using some of these visual techniques to still understand as much material as you can. Because when you are doing an open book exam, it's important to think about what's going to differentiate you from the person sitting next to you. Everybody's going to have an outline. Everybody's going to have ... Maybe not everybody's going to have as many materials as you did, but everybody's going to bring a lot.
- Alison Monahan: Everybody's going to have basic access to the law. They're going to walk in without ... If they had 10 hours, not going to be able to find the law. You have it there somewhere.
- Lee Burgess: Yeah. So the problem is you've got to appreciate what's in your materials better than the person sitting next to you. You have to understand how they fit together. You have to have some material memorized so you don't have to look up every single thing and then you have to be practiced and comfortable with executing an exam question using those materials faster and in a more accurate way than the person sitting next to you. So that means that the most beautiful outlines in the world, visually speaking, aren't going to solve that for you. That includes practice and ...
- Alison Monahan: Sadly you don't get extra credit for them being pretty. Unfortunately.
- Lee Burgess: No. You don't. I know. Don't you wish you could've just attached your outline, and been like, "Look how beautiful it is."
- Alison Monahan: Yeah. Isn't it beautiful?
- Lee Burgess: Yeah. It all comes back to practice and execution.
- Alison Monahan: Yeah. Absolutely. I think even with a flow chart or something you can do things visually to make it really effective and I think that's one of the reasons there can be such ineffective study technique is it forces you to really drill down your analysis into pretty simple yes or no questions. Yes is green. No is red. So like literally all you have to do is follow the flow chart. But to get to that point is actually not easy.
- Lee Burgess: Yeah, that's very, very true. So when you're getting ready to review ... Let's say you're getting ready for final exams, I think one of the things that is important for visual learners and most of us actually is to review some of the work that you did the day before to refresh your recollection and your memories. So if you've been working on flow charts the day before, review those flow charts before you sit down to start your days work because generally speaking, it takes



repeating something seven times to get it to stick in your memory. So a lot of us think we do it once and it sticks in our memory and that's crap. It doesn't.

Alison Monahan: No, I think ... Yeah, I think the term spaced repetition is probably something people have heard of. If not, something you should probably hear about. But spaced repetition means that you're not only just looking at the question or maybe your flow chart from yesterday, you might go back occasionally and look at the one from two weeks ago or a month ago. So there are apps actually you can use for a lot of this that will kind of feed you the stuff you're getting ready to forget. The idea being that if you're getting ready to forget it and then you see it again, it gets stuck back into your long term memories.

Yeah, I think thinking about reviewing stuff throughout the semester, obviously not just waiting till the very end to try to put it all together, is going to help anyone, not just someone who's a visually learner. But certainly, someone who gets the stuff in your head by seeing it, the more you see it and the more you see it at different intervals, I think the more it's going to get into your brain.

Lee Burgess: I think that's totally true. I think the other thing that is good for everyone, but especially for visual learners is, of course, practicing essays by writing out the answers but really utilizing the rewriting process because if you are someone who is visual and you are able to memorize information by writing it down, then a lot of memorization can happen when you rewrite your answers because your mind gets to review the law that you got correct, reconfigures or fixes the law you got incorrect. So if you got a rule wrong, you have to practice rewriting it until you can get it right. Rewriting is painful. No one likes to do it because it is ...

Alison Monahan: No one likes it.

Lee Burgess: Boring, boring, boring.

Alison Monahan: You can even do it for a multiple choice question. One of the things we often suggest to people is that if they're doing multiple choice questions, they keep a list of the rules that they got wrong, which caused them to miss a question. They can't take a rule off that list until they can write it down perfectly.

Lee Burgess: Yeah. Man, doesn't studying with us sound like so much fun?

Alison Monahan: Yeah. Like, "Whoa. You guys are a barrel of fires."

Lee Burgess: I know, it's a party. I know.



- Alison Monahan: Total party. Total, yeah, great. But the reality is these are really effective techniques. I mean, yeah, of course, it's not fun to write down the same thing you got wrong seven times, but aren't you glad you're not getting it wrong anymore?
- Lee Burgess: Yep. I think that is absolutely true. Then the test taking time in the exam room, you also really want to use visual cues to be able to ground yourself. So it's important for almost everyone to use scratch paper to organize your answer before you write it out, but I think for visual learners, having some sort of roadmap written down is going to be key to keeping you on track when you're writing your answer and allowing you to check things off as you talk about them and writing notes to yourself, writing down either mnemonics or even drawing yourself little pictures to remind yourself about things you want to talk about, that scratch paper is going to allow you to use some of that visual creativity that you can't put in the exam software because you can't draw pictures in the exam software, but you can use the scratch paper to engage that part of your brain.
- Alison Monahan: Yeah, I think this is actually an area where visual learners do potentially have a real advantage because this is something you're comfortable with. For me, I had a pretty standardized way after the first couple of exams of the way that I would structure my scratch paper outline. So I always had three different colored pens. I had my black, my red, and my blue. One of them, the black I would use to literally draw circles and connect things. I don't remember. I think it was the blue was like the basic legal rule or the issues, and the red was the facts that I was going to use. I could do that really quickly, but it was really the entire structure of my essay right there on paper. It was really easy to go through and check things off and make sure I had done it. So I think playing to your strengths in that way can really help you if you are more of a visual learner.
- Lee Burgess: Yeah. I think that's true. The other thing that I think some visual learners are able to do is if you get stuck, you can write down related words or any sort of association that you might have or part of you outline to try and trigger that visual memory. So let's say that you're going through your hearsay exceptions but you feel like you're forgetting one. Well, maybe you've memorized a list of hearsay exceptions. So you can start writing down the rest of the list so you can kind of get your brain going again, get those juices flowing to kind of use the scratch paper and that visual nature of writing things out to help your brain recall certain information.
- Alison Monahan: That's a great point. If you've got a list of 10 things and you can't remember offhand ... You're like, "Oh gosh. What is it?" But if you get the first six, you're much more likely probably to remember number seven than you are just to remember it out of thin air.



- Lee Burgess: Yeah. Like everything, you've got to practice this stuff. You've got to practice getting stuck. I know people hate that, but one of the things that I always really pushed my students about is when somebody says, "Oh well, I stopped doing a practice question because I got stuck." I'm like, "No. You have to fight through that. Sorry."
- Alison Monahan: Just walk away at that point.
- Lee Burgess: Right. Try again. You have to go back and say, "No, I have to figure out how to push through this question." Maybe you push through it in a terrible way, and you are not happy with how you did, but then you go back and you do it again. Practicing pushing through when you get stuck is one of the most important skills to have because in the exam room it's not like you can just throw up your hands and say, "Oh well, I guess I'm missing this question."
- Alison Monahan: I mean, you can.
- Lee Burgess: You can, but it's going to do horrible things to your grade. You have to say, "Okay. Well, maybe this isn't the perfect question for me, but I've practiced how to work a question as much as I can even if I'm not that comfortable with it. So I don't leave points on the table."
- Alison Monahan: Right. Also, the thing about practicing is once you forget that one time, you're infinitesimally less likely, more likely ... I don't know. You're much less likely to forget it the next time around.
- Lee Burgess: Yeah.
- Alison Monahan: So once you forget something ... I mean, for me, for example, I remember taking my first torts exam and I forgot that there was strict liability for wild animals. I have never in my life forgotten the fact again.
- Lee Burgess: That's pretty funny.
- Alison Monahan: Yeah, never.
- Lee Burgess: Never.
- Alison Monahan: Because I remember the feeling of, "Oh my gosh. I totally knew that and I did not remember it."
- Lee Burgess: Yeah. So see, now everybody can review Alison's rule about there being strict liability for wild animals.



- Alison Monahan: Yeah. Once you forget it once, you're never going to forget it again. So it's probably the same thing. If you forget the hearsay exception when you're practicing for evidence, you're probably not going to forget that same one again.
- Lee Burgess: Yeah.
- Alison Monahan: You're going to be like, "Ugh. Dying declaration. Got it."
- Lee Burgess: Yeah, exactly. So things to avoid if you are a visual learner. I think we've talked about this a little bit, but study groups may not really work for you because you can get distracted by other people and it can be that working on the material yourself maybe the most effective way to study. Again, it's okay to use a study group for certain subjects or certain areas of the law that may make more sense being talked out, but just be very conscious about the study group being a positive experience and to a time suck, gossip center or anxiety like ball of anxiety.
- Alison Monahan: Yeah, and I think also looking at other ways to get the benefits of having a study group where maybe you don't want to commit full time that you find in different classes maybe you work with one study buddy and you have a very specific thing of like, "Hey, we're going to do this hypo. We're each going to write it up, and then we're going to get together and we're going to compare our answers and discuss it." That is going to be totally effective. Almost anyone is going to benefit from that. But a four hour session where you're like, "Oh, let's talk about hearsay," probably is not going to be your best choice.
- Lee Burgess: Yeah, that's very true. Visual distractions are something you really want to watch out for. So studying with the TV on, video games, social media.
- Alison Monahan: The worst.
- Lee Burgess: The worst. You can turn off the internet. There are apps you can load onto your computer to lock you out of certain websites or basically shut off good chunk of the internet if you find yourself being too distracted. I just saw an article the other day that was talking about how flip phones are making a come back.
- Alison Monahan: Yeah. Very trendy.
- Lee Burgess: Very trendy. But because people are really getting to the point where they don't want a smartphone in their hand all the time. I totally get it. I think we have this feeling now that we need to be so connected, but there is sometimes that part of me that's like, "I only wish I could be reached if it was an emergency."



Alison Monahan: Well, too, I think the problem with having everything on your phone is my entire life is on my phone, my to-do list is on Trello and I think, "Oh, I just need to add one thing to my Trello board," but then I open up my phone and before I can get to add that item or check that item off, I'm distracted by website messages that came in or slack messages or emails, and literally half the time that I find that 10 minutes later I'm walking down my hallway and thinking, "Oh, why did I pick up my phone? Oh, I never did that thing I was supposed to do. Oh, okay. Now I have to go back and do it again."

Lee Burgess: So true. So true. If you're really want to get into an extreme place where you can't manage your phone time, and hey, I'm not throwing any stones. You can either use an app to help lock you out. I think one's called Moment that I've used before that tracks your use time and gives you alerts to remind you to get off your freaking phone, or maybe you want to take part in the flip phone revolution of 2018. I'm not really sure. I think there is this idea that maybe we need to simplify a little bit because too much connectivity is making it hard for us to get our work done.

Alison Monahan: Yeah. I've given serious thought to only allowing myself one battery charge per day.

Lee Burgess: Yeah. That's a good one.

Alison Monahan: But it's impossible. Let's be honest.

Lee Burgess: It's hard because I think if you're a law student or you and I have an atypical job there are some days where I do a lot of work on my phone. I'm not at my desk. So I'm answering emails or I'm doing various other things. So then I'm like, "Oh, I'm so glad I have this basically whole computer in my purse so I can work while I'm having lunch between these two meetings," or whatever. But then there are days like on a weekend when you're like, "I really wish I had a phone that didn't have my entire life on it."

Alison Monahan: Right. I think you just have to be conscious. Again, as with most things, when you're a law student or a lawyer or anyone really, is this really the highest and best use of my time right now? Sometimes the answer is yeah, it's so great that I'm able to communicate with my professor about this paper that I'm working on while I'm taking a coffee break. That's really fantastic. Other times it's like no, I've been on Twitter for three hours and probably this is not like the best use of my time.

Lee Burgess: Yeah. So true. So be aware, visual learner or not, I think it's just very important ...



Alison Monahan: Yeah, visual people got to be aware of Instagram. That's my weakness. I'm like, "Oh, I'll just look at a couple of pretty things," and then it's hours later.

Lee Burgess: Then down the rabbit hole we go. I know.

Alison Monahan: I just spend a lot of time looking at travel photos of people I don't know and a lot of bread. Why?

Lee Burgess: Yeah. Other things to watch out for are if you are a visual learner and you find yourself easily distracted, you may not want to study looking out at windows or traffic or anything that can kind of visually pull you into something else. You may want to make sure that you're studying in a space that you can minimize distractions. However, if you're going to be taking the exam in a room that's going to have visual distractions, you need to practice managing that. Because unlike ear plugs where you can plug out noise, you can't like wear special goggles so you can just see your laptop or something like that.

Alison Monahan: That's a good point. Yeah, you're going to have to deal with whatever's going on in there. So make sure that you're doing maybe some practice tests in a busy library or café, that kind of thing, so that you can really make yourself focus even though there may be other things going on that could be distracting in our visual field.

Lee Burgess: Yeah. Some schools will even do mock exams so you can get the experience of sitting in the classroom with other people, getting used to the sound of the laptops and what a lot of people in the room will feel like. If you have never taken a law school exam before, it might behoove you to go to one of those or even create your own if your school doesn't. Get a whole group of friends and try to get a classroom so you can just pretend that you're taking the exam so you're ready for what distractions are possible. I'm sure you could get 20 people to do that with you.

Alison Monahan: Particularly if people have struggled with test anxiety and things that like, I think familiarizing yourself with that process is one of the things that people really recommend. Also, I think if you are someone who is more visual, thinking about where you're going to sit to minimize, to kind of calibrate your level of distractedness is good.

Lee Burgess: True. Yeah.

Alison Monahan: Because that's something that can really make or break your experience.



Lee Burgess: That's true. If you need to be in the front row, make sure you get there early so you're in the front row, and you don't have to look at other people doing weird things during the exam.

Alison Monahan: Totally.

Lee Burgess: Because people do some weird things.

Alison Monahan: Totally weird things. Oh my gosh. So many weird things.

Lee Burgess: So many weird things.

Alison Monahan: We could do a whole episodes on weird things we saw in law school.

Lee Burgess: I know. It's so true. The open book exam is really elaborate setups, snacks, things.

Alison Monahan: It was the worst. I would have my Gatorade and my coffee drink and my water and like six different types of snacks depending on whether I want a crunchy or not crunchy. You would've gone insane if you sit near me.

Lee Burgess: I would have been like, "We can't be friends or at least we have to take the exam in different rooms."

Alison Monahan: No, I would have like books piled up all beside me. I mean, it was ridiculous. I admit it. It was crazy. I need to make a post on that.

Lee Burgess: Well with that image of a law school exam, we will say that we are out of time.

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