



Alison Monahan: Welcome back to the Law School Toolbox podcast. Today we're talking about handling toxic behavior in law school. Your Law School Toolbox host is 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. Together with the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website [CareerDicta](#), I also run [The Girl's Guide to Law School](#).

If you enjoy the show, please leave a review or rating on your favorite listening app. 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'd love to hear from you. With that, let's get started.

Lee Burgess: Welcome back to the Law School Toolbox podcast. Today we are talking about handling toxicity in law school whether it's bad behavior from your classmates or overbearing expectations from other people like your parents, professors, and friends. Now let's face it. Law school can be a pretty toxic environment. I think that's-

Alison Monahan: You think?

Lee Burgess: ... a common assumption a lot of people make or common thing that most people have experienced because it's full of pressure. It tends to make people depressed or anxious. I think there was that article or the new study that came out about how depressed law students were recently. That's depressing. I don't know how else to describe it.

Alison Monahan: I think those keep coming out and they keep saying the same thing which is like "Wow. There's a lot of depression among law students. What's going on here?"

Lee Burgess: Yeah. Substance abuse can become a problem in law school and so on. We don't want to scare you if you haven't started law school yet, but it is important to understand why the law school environment can kind of lead to people struggling with these issues. It's better to be prepared and have some tools to handle the situations that you're likely to encounter instead of just letting them kind of bring you down and then put you at risk for some of these struggles that a lot of law students have.

Alison Monahan: Yeah, I think that's right. I mean I think the reality is, like you said, law school can be really stressful. I think a lot of people experience it as being difficult in a way that maybe education hasn't been difficult for them before. I think you want to make sure you have the tools in place, the support structure in place so that when you do encounter some obstacles or you start feeling really bad about yourself or whatever it is, maybe when you first get your grades back, you have people and resources that you can turn to.



But let's back up a little bit. I mean I think one of the key reasons that this happens really has a lot to do with expectations because these can cause a lot of problems whether it's expectations from yourself about how you're going to perform or these external expectations from your family, your parents, your professors, the school, maybe friends, classmates. Everybody, I felt like, had an idea of what I should be doing in law school. They were not shy about expressing that opinion.

Lee Burgess:

Yeah.

Alison Monahan:

So let's talk a little bit about this. I mean who and what expectations do you think really impact people's law school experiences?

Lee Burgess:

Well I think especially for younger law students, family and parents and the expectations that come from that part of their life can be very heavy. Oftentimes your family or your parents have pushed you to go to law school. Maybe they want you to be a certain type of lawyer. They might want you to be a corporate lawyer so you can make a whole bunch of money to take care of yourself.

Alison Monahan:

Take care of them.

Lee Burgess:

Take care of them. They may have unrealistic expectations even for how well you will perform especially if they are not lawyers or are not familiar with the law school environment. They don't understand necessarily things about the curve and the fact that law school is a different beast than undergrad. So I think it can also be challenging to talk to your family about your law school choices about where you're going to go or even how you're doing in your classes if they have different expectations because maybe you were a straight A student in college but it's not working out the same way in law school.

Alison Monahan:

Right. I think it's fair to say almost no one is going to be a straight A student in law school, and a lot of people who came into law school, that's been your experience in the past. I mean let's face it. There's rampant grade inflation in most undergraduate universities in the US right now.

Lee Burgess:

Right.

Alison Monahan:

Yeah, I think the family stuff can be a lot. These are the people who theoretically care about your wellbeing. You probably value their opinion. I mean in some cases, they've probably been, people have been telling you ever since you were a young child like "Oh, you're going to be such a great lawyer. You have to be a lawyer. You love to argue. You should definitely go to law school." In certain cases, I mean I've heard stories of people's parents threatening to straight up not support them if they don't do this.



Lee Burgess: Yeah.

Alison Monahan: I think all of this stuff can be a lot. I know your parents were lawyers, Lee.

Lee Burgess: Yeah.

Alison Monahan: What was their reaction? I mean did they encourage law school? Were they surprised when you went?

Lee Burgess: I think they were surprised that I was very interested in going because for years and years and years I had said I would never go and never follow in their footsteps.

Alison Monahan: I mean you basically grew up in court part of the time, right?

Lee Burgess: Yeah. Yeah. We would have this thing where I'm from. It gets really foggy in the central valley of California so we'd have these foggy day schedules which is kind of like a partial snow day. None of the buses will run to school and the schools start late. So I spent my childhood listening to calendar in courtrooms because my parents, one of my parents would be having to go to court and I would be like six sitting in the back waiting for somebody to take me to school.

Alison Monahan: Oh, man. This does not seem fun.

Lee Burgess: Yeah. I think actually how I described it to my dad once was "Wow. That seems like nothing got done." He's like "From the mouths of babes."

Alison Monahan: Yeah, because most calendar hearings are like "Okay. We showed up to talk about this thing. Has anyone done what they're supposed to do? Oh, you're going to ... Yeah, you need another extension? Okay. We're going to do another extension. We'll talk again in a few weeks. See you then."

Lee Burgess: Yeah, pretty much. So I grew up around it a lot. I went to bar association functions as a young child I grew up around judges. It was a big part of my life and my childhood, FBI agents, all of that stuff. It was very interesting, but I didn't want to be part of that world. I don't know if that was because it didn't interest me or that slight rebellious nature that a lot of us as kids have of like "I don't want the life my parents have."

Alison Monahan: Right.

Lee Burgess: Although I did think they worked a lot which was part of it. My parents were very careful not to try and pressure or over-encourage me to go to law school, but when I sat for the LSAT and I remember being home for a holiday and then saying "Okay, well I think this is the list of schools I'm going to apply to," I



remember my mom saying "Oh, so you're really going to go? Can I get excited now? Because I've been trying not to be excited because I just didn't know what would happen." She's like "If you're going to apply, you're probably going to go, right?" I'm like "I'm probably going to go."

So they were kind of hands-off, I think, in that respect, but it was nice that they did have realistic expectations of what the law school experience and the bar experience were like because they were able to be more supportive than I think a lot of family members who don't know what that's like. It can be strange and challenging to see the law school world from the outside and try and even help guide your adult children through that. It's hard.

I think in a way I was fortunate that my family was so familiar with the experience so I didn't get a lot of unrealistic expectations, but they also were not trying to make me do this. If you know me, I'm not really one of those people that you can make do very many things.

Alison Monahan: Probably not, yeah. Yeah, I think I literally actually forgot to tell my parents I was applying to law school. I did it pretty suddenly without thinking that carefully about it, but I remember there was a point where I was like "Oh, I should probably tell them I'm moving across the country, and I'm not sure I mentioned why I'm doing this." Different era. Definitely not the helicopter era.

Lee Burgess: Yeah.

Alison Monahan: Yeah, I think sometimes people even if they're well-meaning, they can create a lot of additional pressure for the student by saying things like "Oh, well I'm sure that you'll do well. You're really smart."

Lee Burgess: Right.

Alison Monahan: This goes back to one of our [very first podcasts about mindset](#) where telling someone like "Oh, I'm sure law school's not going to be a struggle for you because you've always been really smart" is probably not the best thing to say to your child who's starting law school. You need to be a little bit more understanding like "Well I'm sure this is going to be a challenge, but you can handle it."

Lee Burgess: Right.

Alison Monahan: I think even without meaning to even well-meaning parents can put a lot of pressure because what happens if you don't do that well on your first midterm or you get your grades and they're not that great? Does that mean you're not smart?



Lee Burgess: Yeah.

Alison Monahan: I think that can be the takeaway message here.

Lee Burgess: Yeah. I also think that if you're starting law school and you're really doing it for your parents because they want you to go-

Alison Monahan: Terrible, terrible idea.

Lee Burgess: ... to law school, we have seen that that can create some challenges because you oftentimes aren't all in in the experience. If you don't really want to practice law or work as a lawyer, you probably shouldn't be in law school because you're going to probably hate it and not do that well and then you're not going to want to continue on that path.

Alison Monahan: You're not going to want to practice.

Lee Burgess: You're not going to want to practice. Then it's like you struggled with the bar and then you're like "Well maybe I shouldn't even take the bar. I don't even want to be a lawyer."

Alison Monahan: Right. Or like we've talked to people who have failed the bar thinking "Oh, my gosh. I'm really going to have to comfort them. They're going to be so upset." You talk to them and they're like "This is the best day ever." I'm like "I'm sorry. What?"

Lee Burgess: Yeah.

Alison Monahan: They're like "It just made me realize I don't really want to be a lawyer and I don't want to pass the bar. I probably knew that all along."

Lee Burgess: Yeah.

Alison Monahan: You're like "Okay. You did know this all along so why did you put yourself through three years of that and spend \$200,000? You should have just said 'You know what? I don't think I want to do this' before you failed the bar."

Lee Burgess: Yeah. So also if your parents are not connected to the legal field and don't have a lot of exposure to the law school experience, what do you think you can do to kind of help them understand the experience other than maybe watch some movies? I don't know.

Alison Monahan: Watch some movies. I think we have some [blog posts](#) on what your parents can do to help you.



- Lee Burgess: Yeah.
- Alison Monahan: On some level, you may just not be able to do all that much. You may just have to kind of suck it up and deal with them and kind of put it to one side like "Okay, I understand they're trying to be helpful when they say these things, but it's not helpful so I'm-"
- Lee Burgess: Right.
- Alison Monahan: "... just going to put it over here and not really worry about it." I mean I remember when I was graduating from Columbia with law review, the whole bit, my mother's like "Are you sure you're going to be able to get a job?" I'm like "This is ridiculous. Why am I having this conversation?" But at the same time I was like "Okay. Whatever. You have your crazy thing going on. It has nothing to do with me." I guess part of this is also just about really growing up and really separating from your parents and saying "Okay. You have this opinion on what I should do, and that's not what I want to do so I'm going to do me."
- Lee Burgess: Mm-hmm (affirmative). Yeah.
- Alison Monahan: I mean it's a necessary part of the experience of becoming a grownup.
- Lee Burgess: It is. I think having some frank conversations with your parents or your family members about what the law school experience is like and try and at least maybe desensitize them a little bit to some of the realities can be a good idea. I mean it may not sink in at first, but we've talked about even using the holidays as an example. A lot of families are like "What do you mean you're not coming home for Thanksgiving?" Usually Thanksgiving is days before final exams start-
- Alison Monahan: Right.
- Lee Burgess: ... and it can be really impractical for students especially to travel cross-country or to travel places where they could get stuck in weather and things like that. Laying this foundation and saying "During the semester, this really has to be my priority and exams are such a big deal so it looks like maybe Thanksgiving won't happen this year, but I have three weeks off for the winter break and I'll make sure to be around family." Just being really kind of clear and honest. Maybe you can follow up with an email because oftentimes-
- Alison Monahan: It's all about boundaries as usual.
- Lee Burgess: Yeah. So just things to think about.
- Alison Monahan: The other thing too is you don't have to tell your parents what your grades are.



- Lee Burgess: That's true.
- Alison Monahan: I mean particularly ... In any case but also particularly if they're not paying for it. If you're taking out loans and paying for this yourself, I think it's totally valid to be like "I'm doing fine. Don't worry about it."
- Lee Burgess: Yeah. I think that's true.
- Alison Monahan: You're a grownup. I mean there are all kinds of federal laws and things about this. They can't just call up your teachers and ask how you're doing even if they threaten to.
- Lee Burgess: Yeah. I think that's very true. So what about your professors and your school? What sort of expectations do law students feel from the school end of things?
- Alison Monahan: Well again, I think this is a situation where they may think that they have your best interests at heart, but that may not correspond with your view of what you want out of this experience. Let's face it. The schools basically want you to get a certain type of job, preferably one that is prestigious and you'll make a lot of money so that then you'll be happy and you can donate. That job may or may not correspond to the job that you want, but particularly at certain schools there's going to be a ton of pressure to try to get a large firm job. That's just something to be aware of going in.
- Lee Burgess: Yeah. I think it is. Again, you have to ... It's always important to get used to looking at things from the perspective of "What is the interest that the person has who's sharing this advice-"
- Alison Monahan: Right.
- Lee Burgess: "... or moving this in my direction? Are they just ... Do they have my own interest at heart or are they ..." The school has its own interests. They want you-
- Alison Monahan: They have a vested interest. They want you to be a happy alum, but that has a certain meaning in their mind at least.
- Lee Burgess: Yeah. Even professors, oftentimes they're very excited about the area of the law that they practice or that they practice in and they think that's the best solution.
- Alison Monahan: Oh, yeah. Or like whatever path they took is the path you should take. If they're a professor at a law school, they took a certain path. They presumably did a certain type of clerkship and they worked a certain type of job, and that may or may not correspond to what you want.



I remember when I was applying for clerkships at the end of my second year, I'd finally had enough of people telling me what to do. I had a professor who was, I TA-ed for him, he was writing a reference letter, the whole bit, and he was really insistent that I basically really, really, really ought to consider applying for appellate clerkships. He's like "I'm sure you can get one. It's a great experience. This is what I did. Blah, blah, blah. It'll set you up for this." I was like "That is not what I want to do. That is not the experience I want to have. I want to go in an actual courtroom." Unlike you, Lee, I didn't grow up sitting in the back of the court. I'm like "I want to see how this actually works."

Lee Burgess: Right.

Alison Monahan: In the end, whatever, he didn't care that much. He wrote me whatever letters I wanted for whatever judges I wanted, but it was really a lot of pressure of like "Okay, I understand that you're saying I could do this really prestigious thing and it would be great and the school would be happy, but I don't want to do it."

Lee Burgess: Yeah. I think that's a really important thing to keep in mind. Always remember that this is your career and your path.

Alison Monahan: Yeah.

Lee Burgess: You need to stay somewhat authentic or you're going to find yourself in a situation where you're like "How did I get here?" Then-

Alison Monahan: Yeah, I mean we've counseled students who are on the verge of making terrible decisions about jobs to take. I think the clerkship thing really brings a lot of this out because sometimes it's "Oh, this professor who really likes me has a friend and they say that they can probably get me an interview." I'm like "Yeah, but that person is working in a location you would absolutely hate, has politics that are diametrically opposed to yours, and generally doesn't seem like a very nice person to work for." "Oh, but they're so prestigious."

Lee Burgess: Yeah.

Alison Monahan: It's like "Yeah, this is your life."

Lee Burgess: Yeah, exactly.

Alison Monahan: "You don't have to go, you don't have to make every decision based on the prestige factor if you're going to be miserable."

Lee Burgess: Yes. Yeah, I totally agree. I've also heard in the classroom and somewhat seen this play out in different settings where folks feel like that only certain types of viewpoints are rewarded in class discussions. This could be about political slant.



This could be a big issue for minority students who oftentimes are asked to represent their gender or ethnicities in the class for different perspective, I think.

Alison Monahan: Right. It's like "Oh, we're talking an affirmative action case. So one minority in this class, would you like to talk about that again?" People would be like "No, I don't want to be the person who always has to talk about this."

Lee Burgess: Right.

Alison Monahan: "Ask somebody else."

Lee Burgess: Yeah.

Alison Monahan: Yeah, I remember when I was at Columbia there was a lot of law and econ stuff going on and so it was always like "Oh, well we've got this boohoo hippy perspective." Of course no one really cares about that. People who did care about it were like "Actually I do have a point of view on this. I would appreciate it being taken seriously."

Lee Burgess: Yeah. Yeah.

Alison Monahan: It can just be draining, I think, to just always be feeling like you're not the person who belongs there or your viewpoint makes you not fit in or something like that. That can be super draining for people.

Lee Burgess: Yeah. Just something to watch for. I mean Alison, do you think that some of this is hard to avoid, but as you're through your law school experience you can hear about professors where this might be more of a problem than others? Don't you think that's one way-

Alison Monahan: Oh, for sure.

Lee Burgess: ... you can try and avoid this?

Alison Monahan: Yeah, I think A) you can try to avoid it and then B) I think you can also hear people who might be more sympathetic to your own viewpoint or just more open in general to different viewpoints. You might consider taking classes with those people instead of someone who's known to be a completely misogynistic jerk.

Lee Burgess: Yeah.

Alison Monahan: Why put yourself through that?



- Lee Burgess: Yeah, that makes sense.
- Alison Monahan: Basically no class is worth it if the professor's going to be berating you every day for some unchangeable characteristic.
- Lee Burgess: Yeah, that's very true. What other ways do the professors or schools kind of create ridiculous expectations or make it hard for people to succeed?
- Alison Monahan: Well I think in some cases the workload is just totally excessive. I mean it's normal to feel like you're doing a lot of work, but there's certain professors who just seem to get a kick out of really making things ridiculous.
- Lee Burgess: Yeah.
- Alison Monahan: Again, if you're a 1L, maybe there's nothing you can do about that.
- Lee Burgess: Yeah.
- Alison Monahan: But after that point, why subject yourself to it?
- Lee Burgess: Yeah.
- Alison Monahan: Even as a 1L, at some point you may just have to draw the line and say "You know what? This is not physically possible to do, and I'm just not going to do it and I'm going to stop worrying about it."
- Lee Burgess: Yeah, I think that's very true.
- Alison Monahan: I mean I'll admit I didn't do my con law reading my first semester or first year because the professor would assign like 80 pages a night. I'm like you can't read 80 pages of con law for each class. That's not ... Then we wouldn't even really talk about it. At some point I was just like "You know what? Even though I might want to learn this subject, I'm not going to learn it right now. I'll take an upper-level elective if I really want to learn it. I've just got to get through this class and get through the exam."
- Lee Burgess: Yeah, that makes a lot of sense. What about friends and classmates? I think when people think of a toxic law school environment, I think that's probably the first thing they think about, don't you think?
- Alison Monahan: I think that's probably true. I think the classmates thing can be a pro or a con. You might find your people and they're really supportive, but I think there's also pressure from various perspectives to do a bunch of things whether it's never making a mistake or always being competent. You're supposed to look like you have it all together but you're not really trying like "Oh, I just never have time to



do my reading" when actually you're hiding out in the back of the library 12 hours a day. The flip side sometimes at certain schools, there's pressure to work even longer and harder than you think you need to. "Oh, I'm working 20 hours a day. What do you mean you slept for seven hours? You're going to fail all your exams."

Lee Burgess: Right. Yeah.

Alison Monahan: It's just like "Come on."

Lee Burgess: Yeah. I think everyone who's graduated from law school has a story of at least one or more people playing that game. "What time do you study until in the library? Oh, you don't do that? I can't believe you don't do XYZ. I do that every day." I mean there are so many examples of students trying to feel superior based on the work that they do, but the reality is that everybody's just doing the best they can. In the end, nobody knows how you studied and got through law school so you do you and worry about, let other people worry about themselves.

Alison Monahan: Yeah. I think this is a classic example of ... What's the phrase? You're comparing your inside to everyone else's outside where they might seem like they're super put together and always have a cute outfit and makeup and raising their hand in class, but they're also, I can guarantee you, breaking down in their bedroom sometimes and being like "I don't belong here. Everyone's smarter than I am."

Lee Burgess: Yeah.

Alison Monahan: They just don't let you, people don't let you see that.

Lee Burgess: No.

Alison Monahan: That's what happens.

Lee Burgess: Again, I think maybe social media is another place to be careful about this because I think this is an area where people can often feel like other law students or people in their law school who maybe they become friends with on social media are ... Yeah, they have it all together like "Oh, look. I'm at the gym. Oh, look. I have fresh flowers in my house. Oh, look. I cooked this healthy meal."

Alison Monahan: "Oh, look at my cute dog."

Lee Burgess: Right.

Alison Monahan: "I'm taking my dog on a walk." Or travel stuff. There's also ... Law school is one of those places where there can be a lot of weird pressure and expectations



around having money because oftentimes there are a lot of people there who come from well-off backgrounds. It's like "Oh, here's my Thanksgiving trip to the Turks and Caicos." You're thinking "Oh my god, I don't know if I'm going to have money to eat for the rest of the semester-"

Lee Burgess: Right.

Alison Monahan: "... because my student loans are running out. Am I a total loser?"

Lee Burgess: Right. I think social media is a trap that we can all fall into with comparing ourselves to other people. I think that's one of the reasons why social media can make people feel so inadequate and generally makes people feel more unhappy.

Alison Monahan: There are studies.

Lee Burgess: There are studies, more studies. It's just good to have that awareness of comparing your experiences to other people's experiences when really you don't even know the details of their experiences. You really just have to try and-

Alison Monahan: Yeah.

Lee Burgess: ... worry about yourself.

Alison Monahan: You really have no idea. I mean you have no idea what other people are dealing with. I mean they may put on a front that everything's amazing, but then it turns out that there's all kinds of crazy stuff going on in their lives. Yeah, I think you've just kind of got to do you here.

I mean there can also be a lot of pressure to do things like drink heavily or really frequently. I don't know. I don't think I ever drank as much as I did in law school. It was a combination of being in New York City and being in law school, but it was suddenly like "Oh, wow. A normal night of drinking might be four or five drinks." In retrospect, you're like "That was binge drinking on a Tuesday." But it just seemed normal because you'd go maybe to a talk and they would be serving alcohol, and then you'd go out for a couple of drinks afterwards. Then maybe you'd meet some friends. Then before you know it that's a normal Tuesday.

Lee Burgess: Yeah.

Alison Monahan: I'm not sure that's really a great habit to get into for a lot of people.

Lee Burgess: No, I think it also has something to do with different stages in life when you go to law school. I went to law school ... I mean I started when I was like 26, I think,



but the thing was I had already worked for a number of years. I was out of my partying days of like college. Then I would go to a bar night or something along those lines and think "Oh, I will just have a few drinks and then head back home," and then people who are 22, 23 who just come straight from undergrad are partying like it's ... I was going to say 1999, but that's totally a bad example in 2018. That are partying in a way that I was like "I don't do that on Tuesdays anymore. I got to get up to go to 8:00 AM class the next day."

So you just have to start to be honest with yourself about what you need and where you are in your life. It's okay if you don't want to party like that anymore. It's fine if you're a parent or if you're got other family responsibilities or if you work part-time. You just have to realize that that's okay if people want to do that sort of stuff, but you have to figure out what you need to be successful.

Alison Monahan: Yeah, exactly. Well on that note, let's kind of talk about how people can really deal with all of these sort of expectations. What do you think?

Lee Burgess: Well I mean you and I are big fans of therapy.

Alison Monahan: Therapy, life coaches.

Lee Burgess: Life coaches.

Alison Monahan: Pretty much anyone who can be a sounding board who actually does not have any other interest other than helping you figure out what you really want.

Lee Burgess: Yeah, exactly. I think we've [talked on the podcast before](#). Oftentimes your law school will have therapy resources for free, and if you've never been to therapy and you want to try it out, it's a great time to try and meet somebody. I think you do want to try and find some sort of sounding board to help you make some of these decisions and navigate the situations, like you said, Alison, with somebody who doesn't have a vested interest.

Alison Monahan: Right.

Lee Burgess: Sometimes trying to figure out what you really want -- we keep saying "You do you" -- that can be really hard.

Alison Monahan: Yeah, exactly.

Lee Burgess: It's not always easy and clearcut.

Alison Monahan: No, the reality is a lot of people who have gotten into law school were all teacher's pet type people their entire lives because that makes you really good at academics and that's how you get to law school, but that meant basically that



you've been performing your entire life for what grownups wanted you to do whether it was your teacher or your parents, whoever. It is actually, I think, really difficult to kind of take a step back and say "Okay, what do I want here?" That's a question a lot of people really, I think, haven't asked themselves with a lot of seriousness by the time they arrive in law school shockingly enough.

Lee Burgess: Yeah, I think that's very true. Sometimes that's a question that you have to constantly go back to because let's say you do really well academically and then all of a sudden certain job opportunities are presented to you. Then the question becomes "Do you take those job opportunities?"

Alison Monahan: Right.

Lee Burgess: "Are they interesting to you? Is that really what you want to do?" Oftentimes you can kind of be shuttled in a certain direction by the situation, and then all of a sudden you're like "How did I end up in this career path? Oh, that's right. Because I didn't know what I wanted so I couldn't advocate for myself."

Alison Monahan: Right. Exactly. It's like you're going to advocate for everyone else as a lawyer, but you're not advocating for yourself. Yeah, I think a lot of this comes down to understanding internal versus external motivations. There's a lot of studies on this too. Doing something you find interesting or satisfying typically is going to be better long run than doing it because you're going to get some type of reward for it whether that reward is money or prestige or whatever. People telling you like "Oh my god, it's so impressive that you got that clerkship. Oh, you must be so happy," and you're secretly like "Yeah, actually I kind of wanted to take this fellowship doing something else, but you know ... Got to do it."

Lee Burgess: Right.

Alison Monahan: Then you wake up and it's like the song "How is this my life" basically.

Lee Burgess: Yeah. I think you also have to practice releasing control which is very hard because you cannot control-

Alison Monahan: What?

Lee Burgess: I know. Because I think it's very hard for law students because oftentimes law students are high achievers and they can usually get whatever they're reaching for. You set a goal and then you make it happen. It might not be pretty, it might not be perfect, but you make it happen. Well, things like grades in law school or even sometimes job opportunities, you can't control them.

Alison Monahan: Right.



Lee Burgess: So you have to start being okay with things not going perfectly and you not being able to get everything you want. Trust me. From personal experience, it's very hard because I am somebody who likes to get what I want and I work to get what I want.

Alison Monahan: What I want, when I want it, how I want it.

Lee Burgess: Yes, it's hard.

Alison Monahan: You control the amount of work you do. You control what you work on. You control the input basically, but ultimately you don't control the output. I think that is a very difficult thing for people to grapple with particularly if they have not been in an educational experience that had a really strict curve before because it's a harsh wake-up call.

Lee Burgess: It is.

Alison Monahan: You've got to be realistic. You're not going to get all A's. I'm sorry.

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

Alison Monahan: It's not going to happen. I don't care how you are. It's not going to happen.

Lee Burgess: Yeah.

Alison Monahan: That's okay.

Lee Burgess: Yeah.

Alison Monahan: You just can't expect it to happen and feel like a failure because it didn't happen. It's not going to happen.

Lee Burgess: Right.

Alison Monahan: Just go with it.

Lee Burgess: I also think you have to take some time to be thoughtful about what you take on and what you demand from yourself.

Alison Monahan: For sure.

Lee Burgess: Almost every single law student at some point or another felt completely overwhelmed by the amount of responsibility or tasks that they had on their plate whether it be ... For me, it was my second semester first year or my first semester second year where I was doing on-campus interviewing so I was going



to all these callbacks. I was a teaching assistant so I was running kind of tutoring sessions. I took too many units of hard classes at once which I should not have done.

Alison Monahan: Probably doing law review too.

Lee Burgess: I was also doing law review and all of these other things. No wonder I was running around like a chicken with my head cut off all the time because I had way too much on my plate. My outcomes wouldn't have changed if I had been a little more thoughtful and said "Maybe I shouldn't take con law and evidence in the same semester that I'm doing all this other stuff. Maybe I should take evidence next semester when I'm not so busy and lighten my course load a little bit because I have all these other responsibilities." My outcomes and how I did in law school wouldn't have changed, but I would have-

Alison Monahan: Right.

Lee Burgess: ... been a lot less crazed. At that point I was single, I didn't have a family, I didn't have a dog or a cat. I think I had a houseplant. I mean I didn't have a lot of other responsibilities. I didn't have an ill family member or anything like that. I was still kind of pushing myself and going crazy. You do have to be reasonable about how much you take on and be thoughtful about what else you have in your life and realize that if you need to take a break because you're getting burned out or you're really pushing yourself to the edge, that's not quitting. It's just having healthy habits, and that's going to pay off in the long run.

Alison Monahan: Yeah, I think that's right. I mean I think that second year also can just be the time that this starts to happen. I was similar, the same thing. The first semester, you're doing law review for the first time and you're trying to figure out how that works and it's a ton of time. Then I was also TA-ing. I think I took a pretty light class load. I think that's the only thing I'll give myself credit for. I had eight million other things going on. I was running all these clubs. At some point it's like "What is the point of this?"

Lee Burgess: Yeah.

Alison Monahan: So I do think considering particularly how to organize your class schedule when you have more control over that can really help because this is definitely ... It's a marathon. You've got three years to get through, and frankly you're going to be kind of bored the third year anyway so put some of those harder classes that third year and you'll actually be able to focus on them.

Lee Burgess: Sometimes some of those harder classes are actually bar classes.

Alison Monahan: Yeah.



- Lee Burgess: There can be benefits from taking them in your third year.
- Alison Monahan: Yeah.
- Lee Burgess: When you think about the curve, you're a better law student typically in your third year than you're in your second year. If it's going to be a mixed class of second and third-year students, oftentimes it behooves you to wait because you might be even better prepared than the 2Ls and it might be easier to get to the top of the curve.
- Alison Monahan: I took fed court as a 3L with a bunch of 2Ls who were on the law review who all wanted the letter of reference from the professor, and I was just like "I just think it sounds kind of interesting and I've got plenty of time now so I'll take this class."
- Lee Burgess: Yeah.
- Alison Monahan: It was great. Loved it. Learned a lot. Wasn't really stressed. They were like a total mess.
- Lee Burgess: Yeah, exactly. The other nice thing is if you take some of those bar classes closer to the bar then you might remember them for the bar and then you don't have to study as hard for the bar.
- Alison Monahan: Yeah, I did evidence my last semester and I would say that was a really good decision.
- Lee Burgess: Yeah, I think that is a great decision actually if you can. I know that some people want to do internships or externships that require evidence, and so that's why a lot of 2Ls feel like they have to take it in their 2L year. You should still be thoughtful about the classes you do have the option to move around because taking a ridiculous course load so you can't get everything done really doesn't ... I mean it doesn't make anything better. If anything, you're risking your performance dropping which is going to make getting a job or getting that externship or internship that you wanted a lot harder because you have pushed yourself so far.
- Alison Monahan: Yeah. I think you can also think about mixing in paper classes like one or two a semester so that your end of the term isn't so insane. You've got to be careful. I once accidentally took three paper classes in a semester which was not a good idea, and one of them was actually twice as long as I thought it was when I took the class. So I was writing and writing and writing. I'm like "Why is this paper not finished?" Then I realized it was actually a 30-page paper and I thought it was a 10-page paper or something. It was ... You're like "Okay, how did this happen?"



So you've got to be careful. You have options, but you need to really think about what's reasonable. I mean you've got to be reasonable about what you can do. Be nice to yourself. I think a lot of law students put so much pressure on themselves and have really terrible conversations with themselves that they would never have with a friend of theirs who was in a similar situation about "You're so lazy. You should be getting up at 4:00 in the morning." I mean that's just not productive.

- Lee Burgess: Yeah. Yeah, for sure. What about sleep? [We always like to talk about sleep.](#)
- Alison Monahan: Yeah, I think it's a big issue for a lot of people. It's hard to wind down if you're working late. I think it's one of those things you just have to deal with whether it is having good sleep hygiene as they call it, winding down, turning off the TV, turning off your devices, or if you need to talk to a doctor and say "I can't sleep. Do you need an occasional sleeping aid, that kind of thing?" But I think it's something to take seriously.
- Lee Burgess: Yeah, if you're not sleeping, you need to investigate other ways that you can try and get more sleep. Yes, you can go to your doctor. You can talk to sleep aids. There are also supplements. There's turning off all of your devices. There's darkening your room. I mean there's no shortage of-
- Alison Monahan: Guided meditations, all sorts of things, aromatherapy, whatever works.
- Lee Burgess: Yeah.
- Alison Monahan: Getting exercise during the day. A lot of people have issues in the winter with not getting enough light and that causing problems. There are solutions to these problems, but you have to seek them out.
- Lee Burgess: Yeah. Don't wait until you are so sleep-deprived that you are feeling depressed and not being able to function. Try and work on-
- Alison Monahan: Trust me. It will literally make you crazy.
- Lee Burgess: Yeah.
- Alison Monahan: I basically didn't sleep for like three weeks during final exams my first semester and I went completely nuts.
- Lee Burgess: Yeah.
- Alison Monahan: It's not something I recommend. Deal with it.
- Lee Burgess: Turns out REM sleep, kind of important.



Alison Monahan: Yeah, really, really not a good look when you've been getting maybe four hours of sleep for a month. Things don't go well in the rest of your life.

Lee Burgess: Yeah. I think one of the other things that's important to do is to do things regularly that remind you why you wanted to go to law school.

Alison Monahan: Right. This is a choice.

Lee Burgess: Yeah. This is a choice. It's actually a privilege.

Alison Monahan: Right.

Lee Burgess: A lot of people wish they could go to law school and can't. You're spending a lot of money to be there. You're there voluntarily. There's a reason why you went. Connecting to that motivation can help you filter out all the clutter from what other people want from you and remind yourself about the work that you are there to do or those clients that you're there to serve and to sound kind of a little bit sappy, the privilege of being able to be educated in the law which can shepherd people through really, really challenging times. I think pro bono work can really open your eyes to that and show the meaning of that bar card-

Alison Monahan: Yeah, I think that's right.

Lee Burgess: ... and the power of the status of being able to say "I can help you. I can be your phone call." The first time that you are able to help a client who is not able to help themselves I think is a really powerful moment. If you do that in law school then you can really connect with that motivation and that can help you get through the more challenging times.

Alison Monahan: I think that's right. I mean one of our tutors, it even sometimes encourages her incoming law students to write themselves a letter that they can read at some point in the semester when they're thinking "Oh my gosh, why am I doing this?" She actually says "Write that down-"

Lee Burgess: Yeah.

Alison Monahan: "... before you start and then pull out that letter when things get tough and say 'Oh, yeah. Right. Okay. This is what I was thinking made sense for me. This is why I'm here.'" Really reconnecting to that motivation because you are going to face difficult times and you're going to face times you probably think like "Oh my gosh, I don't belong here." That's normal.

Lee Burgess: Yeah.

Alison Monahan: You just have to get through that.



Lee Burgess: Yeah. Exactly. I think if you are a student who is struggling especially with things like imposter syndrome which I think a lot of people feel at some point or another in their legal careers especially first-generation students, women, students of color, minority students, you want to not let that kind of cloud what you're doing. Reach out to mentors, resources, to make sure that you are doing the best that you can.

Sometimes that's why some folks really like working with an academic tutor like one of the tutors on our team or getting help from academic support at their school because there's like a person they can be honest with without judgment around some of the stuff that's going on. I think going back to people feeling judged in class or judged in office hours or talking to a professor, you can find a safe space to be honest and work through some of this stuff. It can really be a game-changer.

Alison Monahan: Yeah, I think that's right. I mean I think you just have to keep in mind what you're going through is probably not that unique. Somebody's probably been through it before. Look for those people who seem like they would be supportive whether it's in some sort of affinity group that you're involved in or a mentoring program or even people that you see on social media or whatnot. I mean I know there are a lot of law professors now on Twitter for example, and some of them say "Look, I'm open to talk to anyone. If you're struggling, you send me a direct message and I'll talk to you." That's a huge resource.

Lee Burgess: Yeah.

Alison Monahan: Maybe somebody who's not at your school that you feel more confident, they're probably going to be like "You know what? I have heard what you're telling me six times before and here's what I suggest. You're not alone in this."

Lee Burgess: Yeah. I also think that sometimes it can just be helpful to have someone on the outside say "You are smart enough to be here. You got in for a reason. You have these other credentials. Somebody saw something in you. This is where you're supposed to be. You can do this." I think sometimes, especially if you don't get that validation from your family and friends, you want to ... You really want to be able to seek out those mentors or those resources so you can make sure that you're getting that motivation and also then sometimes insight because if you, let's say, weren't like me and you didn't grow up with lawyer parents, it can be hard to figure out how to navigate the law school kind of minefield. Having good mentors or resources is going to help you do that.

Alison Monahan: Yeah, absolutely. I think that's right. I mean there are resources out there, but they're probably not going to come to you.

Lee Burgess: Right.



Alison Monahan: When you're struggling, unfortunately it's probably the harder time to look and find these people so try to get them in place earlier, but there's always someone who's probably gone through a similar experience and survived it and gotten through the bar and become a lawyer and they're like "Yes, that was worth it." You got to look for those people.

Lee Burgess: Yeah. I also ... One last thing and then I know we are running low on time so I want to hit our other talking points. I've also had students who have been rocked by something in their life that made law school incredibly challenging whether it be an external factor of something happening to somebody in their family. Maybe they went through something really personally challenging. Maybe they decided to get sober during law school or around graduation or various other things that are kind of very pivotal moments in their lives. I think a lot of people think that those make them less worthy to become lawyers, and I would argue the opposite. I think-

Alison Monahan: Right.

Lee Burgess: ... that the experiences that we have make us these unique individuals that are going to make you a very special lawyer able to help people and connect with people in a very different way no matter what sort of law that you end up practicing. You're helping yourself become your best self which is going to make you better at everything you do. Be very careful not to let stumbling blocks in your life define your law school experience or your law school graduation or your bar study because those two things don't have to align. They are just part of life, and life doesn't stop for law school. They just become part of kind of the tapestry that you are that allows you to go forth and be successful in whatever path you choose.

Alison Monahan: Yeah, I think that's right. I mean your experiences are what they are. I think the goal is to sort of turn those into something that you can look back on and say "That was really difficult. That was a huge challenge in my life, but I got through it. Here I am now."

Lee Burgess: Yeah. So what about some, switching gears, some bad behavior from classmates? We've talked about this a little bit, about the comparing yourself and talking about how much you're studying or how many interviews you have.

Alison Monahan: I was just shocked. People did some crazy stuff where you're just like "Really?" Just mean.

Lee Burgess: Yeah.

Alison Monahan: Really mean things. Also just a lot of just kind of silly. I remember one case my first semester where someone in my TA group spread a rumor that the TA had



given her special help, special outlines that nobody else was getting but of course was not true. All these people freaked out about it and it became this huge thing. Then she had to admit that it never happened. It's just like "What are you thinking?" I don't know.

- Lee Burgess: Yeah. Yeah, I mean people do all sorts of crazy things. I think you have to remember that a lot of other law students are stressed and anxious and possibly-
- Alison Monahan: Maybe just frankly not very nice people.
- Lee Burgess: Or not very nice people.
- Alison Monahan: The same person did like another terrible thing later so I'm just kind of like "You know what? You're not a very nice person."
- Lee Burgess: Yeah. So I think it's just important to remember that people are going through all sorts of different things or they're just not very nice. It's your job to step back and try not to engage because-
- Alison Monahan: Yeah. At some point I think you just have to be like "Okay. This is cuckoo crazy. I'm not going to let this impact me. Even if you do have the magic outline which I don't even think you do-"
- Lee Burgess: Yeah.
- Alison Monahan: "... I'm just going to focus on studying. It's fine."
- Lee Burgess: Yeah. I think it's so important to realize that you don't want to take on other people's toxic stuff. That can mean leaving a study group or even distancing yourself from friends, whatever it needs to be. It can be tough to do those things, but it's going to serve you in the end. Sending you down your own spiral doesn't serve anything either.
- Alison Monahan: No, exactly. I think the [study group](#) is a great example. If you're in a supportive study group, fantastic. If you're in a study group and you feel like you're not getting much support or people are being mean to you or they're just being whatever, it's really fine just to say "You know what? I'm leaving." You don't have any actual obligations to that group. It's fine.
- Lee Burgess: Yeah, exactly. Alison, if you're feeling like though the toxic environment at school or certain folks are really behaving badly, who do you think you go to at school if you want to get some help?



Alison Monahan: Well I mean I think a lot of this depends on the exact behavior and the scale of it. I think if somebody's claiming the TA is giving them special favors or whatever, I mean I think you can go to that person or to the TA or to the professor and say like "Hey, this is pretty crazy." There may be kind of academic or social support people. I think you have to be a little careful because you don't want to be that person who's just complaining about gossip or rumors, but if it's something serious and it's impacting you, I think it is worth probably trying to work it out and talk to someone about it.

Lee Burgess: Right. Yeah. Maybe you have friends or another student mentor or a professor at school that you can even find out who's the right person to go to because I know at some schools there are people in the dean's office that are really great to talk to.

Alison Monahan: Right.

Lee Burgess: Sometimes it's their role. Sometimes it's just who they are as a person.

Alison Monahan: Yeah. I think it's hard to identify an exact role because there really are these people who are kind of known to be that person you talk to about things, but it's not oftentimes directly in their job description.

Lee Burgess: Yeah. Yeah, exactly. The reality is though that there are probably going to be people at school that you can reach out to so don't suffer in silence.

Alison Monahan: Sometimes too you can go with more than one person. I think that can be an effective tactic if several people go and complain about the same thing together whether it's a professor who's saying things in class that you feel like are not appropriate or they're targeting a certain group or whatever. It looks a lot more powerful if five people show up in the dean's office to say "Look, this is what happened to me. No one thinks this is appropriate-"

Lee Burgess: Yeah.

Alison Monahan: ... versus you just going yourself.

Lee Burgess: Yeah. Yeah. I think that makes a lot of sense. So we've talked about a lot of things that other people can do to make law school tougher, but what can we do to ourselves. Let's talk about-

Alison Monahan: Ah, [self-sabotaging and toxic behaviors](#).

Lee Burgess: ... self-sabotaging behaviors. There are a lot of them. I think that we have mentioned a few of them in conjunction with this podcast already, but I think



the most common ones can be not taking care of yourself, lack of sleep, eating crummy foods so you get sick all the time, being too stressed, not exercising, not doing any self-care, and also doing mind-numbing activities like watching hours and hours of television, drinking too much. What other self-sabotaging behaviors do you think that a lot of people don't maybe consider self-sabotaging behaviors?

Alison Monahan: I would say procrastination. That's a big one.

Lee Burgess: Yeah.

Alison Monahan: Being so overwhelmed that you can't figure out what to work on or having a plan and just not being able to execute on it. Procrastination basically is because you're afraid to fail.

Lee Burgess: Right.

Alison Monahan: I mean that's kind of the basis of it. Finding some support around that whether it's an accountability partner or tutor or just some way to deal with it. Yeah, I mean I think the drinking, other sorts of things like that can be a huge problem for a lot of people that starts in law school. People are very creative. They can self-sabotage in lots of different ways. We've all done it.

Lee Burgess: I think that's very true. You have to kind of keep your eye out for these self-sabotaging behaviors and then try and curb them as much as you can. I think that's just a wise way to think about it.

Alison Monahan: Yeah.

Lee Burgess: If you're really, really not able to curb some of these behaviors then you've got to go get help and find out from an expert like a therapist or some sort of a coach about how you can reorganize your life so you prevent some of these.

Alison Monahan: Yeah. I think cognitive behavioral therapy can be useful, things like mindfulness so you realize that you're getting ready to do this self-sabotaging thing or at least acknowledge that "Okay, I'm currently procrastinating on this project." Maybe you sit with that for a little while and maybe you figure out "Oh, it's because I don't actually want to be in law school."

Lee Burgess: Right.

Alison Monahan: Then you have things to deal with. I think there are all kinds of things that could be underlying this. I mean it could just be you're lazy, you're bored, you're tired, whatever or there could be something more going on. I think just kind of getting familiar with your own patterns and trying to figure out what is going on here is



probably going to help you counter them in a way that is more effective than just saying "You're too lazy. You need to work harder."

Lee Burgess: Right.

Alison Monahan: That's probably not going to help.

Lee Burgess: I've also found journaling for some folks can be very helpful. It allows you to kind of take a moment and reflect during the day. You want to make sure that if you are doing some sort of journaling that you make sure that there is also a positive element to it. I oftentimes recommend that students kind of talk about what went well during the day, what went not so well, and then what their intentions are for the next day so you always finish the journal entry with the intentions for the next day which are usually more positive.

Alison Monahan: Right.

Lee Burgess: That's a way to keep yourself accountable for some of these, maybe some of these goals or some of these behaviors you're trying to shift, but it doesn't let you continue to just get down on yourself and be like "I promised myself I wouldn't watch TV, but I ended up watching four hours of TV. I'm such a terrible person." That's not productive journaling.

Alison Monahan: Right.

Lee Burgess: You can say-

Alison Monahan: "I wasn't supposed to watch TV so I watched an hour of TV. Okay. I'm a terrible person so now I'm going to watch five more hours of TV."

Lee Burgess: Right. Exactly. Instead you can say "I wasn't supposed to watch any TV, but I watched an hour. Tomorrow I'm going to set the intention not to watch any. We'll try again." I think that there are different ways that you can do it that it can be very helpful, but you do want to be aware that you're not just spiraling yourself down the rabbit hole.

Alison Monahan: "Dear diary, I am a terrible person and I had a terrible day. Let me tell you all about it."

Lee Burgess: Overall, I think what's really important is just to try and keep perspective and occasionally get out of the law school bubble. You're going to be happier, you're probably going to be more successful, and remember law school isn't just about grades. You need to be networking inside and outside of the law school and developing lasting relationships. It's still years of your life. Life is happening while you're in law school.



- Alison Monahan: You might meet your eventual husband or whatever, right?
- Lee Burgess: Yeah. Lots of life happens in law school. Go ahead and enjoy it as much as you can and look for those opportunities because this might be the last time you're ever in school. This might be the last time you can go to yoga class at two o'clock in the afternoon or go to Trader Joe's at ten o'clock in the morning before the parking lot gets crazy. There are lots of benefits to being in school. Try and look on the bright side and make sure that you're enjoying the experience and you're not just trudging through it.
- Alison Monahan: Yeah, I think that's absolutely right. Yes, it's a difficult experience, but as you mentioned earlier, it's also a privilege. The more you can find ways to make yourself a happier person while you're going about it, probably you're going to do better. Also most importantly, you're probably going to end up in a position that makes you happier than one where you're just doing what your professors or your family or whoever is telling you you have to do.
- Lee Burgess: With that, I think we're out of time.
- Alison Monahan: We're way out of time.
- Lee Burgess: We're way out of time. Sorry, guys. We had a lot to say. If you enjoyed this episode of the Law School Toolbox podcast, please take a second to leave a review and rating on your favorite listening app. We'd really appreciate it. Be sure to subscribe so you don't miss anything. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com or you could always contact us via our [website contact form](#) at lawschooltoolbox.com. Thanks for listening and we'll talk soon.

RESOURCES:

- [Podcast Episode 1: Mindset - The Key to Success in Law School?](#)
- [For Parents: Helping Your Law Student Get off to the Right Start](#)
- [Podcast Episode 123: Mental Health in Law School and the Legal Profession \(with Sarah Weinstein\)](#)
- [Let's Talk about Sleep](#)
- [Five Myths about the Law School Study Group](#)
- [Podcast Episode 63: Dealing with Self-Sabotaging Behavior in Law School](#)