



Alison Monahan: Welcome back to the Law School Toolbox Podcast. Today we're talking about some common exam prep scenarios that you might find yourself in. Your Law School Toolbox hosts are Alison Monahan, that's me, and Lee Burgess. We're here to demystify the law school and early legal career experience, so that you'll be the best law student and lawyer you can be.

Together we're 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 and if you have any questions, don't hesitate to reach out to us. You can always reach us via the [contact form](#) on LawSchoolToolbox.com, and we would love to hear from you. With that, let's get started.

Lee Burgess: Welcome back to the Law School Toolbox Podcast. Today we're talking about some common exam prep scenarios that you might find yourself in, so tune in and learn how to handle these common situations. All right. This was kind of a fun list to come up with Alison, because it's like all of our own personal stories, things that we know from our friends, and things that we've heard from students.

Alison Monahan: Questions we've been getting.

Lee Burgess: Yeah, exactly. All right. So let's start with the first one that we came up with. "So I'm a 1L, and I've been doing the reading, briefing, and going to class regularly, taking notes in class, meeting with my study group to go over what we have covered in class, going to office hours and so on. I am working really hard, but I haven't really started preparing for exams. I'm a few weeks out, and I'm not sure where I'm supposed to find the time, especially with a big legal writing assignment that's now due soon. So help. What do I do?"

Alison Monahan: Well, this is a common one. We get this a lot. People who are definitely spending a lot of time and energy on law school but are realizing that maybe they are not actually spending that time on the things that are going to end up counting the most in the end. So I think you just have to be honest with yourself really and start to make a plan. So this is the time really to triage, to figure out, okay, what are my exams going to look like, what type of exams are they, what materials do I have that I can use to prepare for them?

I typically would say to get a good study aid, because I think at this point if you haven't been putting all this material together throughout the semester, you're going to need a big picture. So when I say that I mean basically one study aid, so not five of them, but one. I think if you have not looked at old exams and answers now is definitely the time to do that before you start really preparing because you want to know what you're getting into.



Lee Burgess: Yeah, I think it might make sense to kind of say I'm going to take maybe it's an hour per class, maybe it's a little bit less, but just sit down with where you are and start saying, "Okay, my exam is on December 7th and I have x number of days, and we have x amount of material still left to cover, and I have outlined x amount of material." I think you kind of have to really sit down and say like, "Where am I?" And then, "How am I going to start blocking off these hours to do some of the deep work that we talk about?" That's going through some of these old exams, reading study aids, working on your own study aids and testing yourself to make sure kind of that your outlines work.

So you have to be very honest. This is not the easiest thing to do because it can oftentimes lead to a little bit of panic, I think, because you realize how close exams are, but it's necessary and I think that kind of brutal honesty with yourself about where you are in the moment is the only way to really set yourself up for success at the end.

Alison Monahan: Yeah, I agree. I think at this point you've got to literally be looking day by day, hour by hour. Do you have a week off to prep for exams? Okay, what are you going to do on those days, and actually map it out and to think of this as really an iterative process. Because really if you've not started preparing seriously at this point, it can be very easy to fall into the trap of, "Oh, I need to make my first pass at my outline, like totally perfect." So what that means usually is that you only end up finishing part of it.

Lee Burgess: Right and by perfect we mean like proof-read, colors, fonts.

Alison Monahan: Or even just every single case that you've ever read people want to put in, or every exception, to the exception, to the exception, to the exception. It's like that's not the point you're really at right now. Right now, you need to make sure that you are solid on the things that are most likely to show up on this exam and that can easily be tested. I think looking at some old exams, getting an idea of what your professor tends to talk about, obviously you want to be solid on those things and then other main topics.

If it's on the syllabus, for example, you probably want to be able to talk about it, but you may have covered things down a rabbit hole that were interesting but maybe not so critical. But you just have to think of this as get the main points down in any type of study aids, outlines, whatever they are and then go back and fill in stuff. You can't make it 20 pages on the very first topic you covered because you don't have time.

Lee Burgess: Right and I think with those outlines you also have to remember what your end goal is, and those outlines need to help you get to writing an exam answer. So one thing that you can do, if you're really unclear about how in depth your outline needs to be, is pick kind of a section of one of your classes that easily



has bookends on it. So, homicide in criminal law or intentional torts. Something that's very easy to kind of say, "Oh, I'm just going to outline homicide. I'm just going to outline intentional torts, or I'm just going to outline personal jurisdiction," and then do some practice questions just on those topics and see if your outline is helping you write those answers. If it is not, don't do the rest of the outline the same way. You have to come up with a different solution.

Alison Monahan: Right. Exactly. Yeah you want to practice on this so you know if your materials are actually helpful.

Lee Burgess: Yeah and I think that when you're a 1L, and I made this mistake, that you get so caught up with, "Well, if I make these really complete outlines, then I'm actually learning the law." And what we have learned over the years is that that is not how it happens. You may kind of make these outlines to maybe organize the law, but if you are doing very, very lengthy outlines with lots and lots of tiny details in them, you typically aren't committing it to memory unless you're a very fortunate person that has a photographic memory or something like that. They do exist in law school. I knew some people who did that, but you really do have to say like, "Am I learning the material as I'm building this outline and is this outline going to help me write that exam answer," and it's okay if it's not. Don't keep down that road, pivot and change.

Alison Monahan: Right and we'll talk about later some other options because for me, just the basic outlining really was not that effective. So, I had to come up with other strategies. All right. Next question. "I'm feeling pretty good about my outlines." Yay. "Which I've been working on regularly." Congratulations to this student, "But I haven't done any practice tests. Where can I find these because my professors only have a couple on file and how do I know if what I'm writing is actually any good?"

Lee Burgess: Oh yeah. I think this is also common and the biggest thing you can do is get feedback on those practice tests. So you can use practice tests that your professor has that are full for the course, practice final exams, but you can also use hypotheticals that they may have given out in class as discussion questions that you can actually write up an answer to and take to office hours. But the key is you want to get feedback on whatever you're writing. So the ways you can get feedback, you can go to your office hours. Some professors will give more feedback than others, but most won't turn you away if you've done work and come to them to ask for advice. Most of them will reward you for that.

Your class might have a teaching assistant, which is a 2L or 3L who did well in that class, but be wary, they're still a law student. So you have to make sure that you're doing kind of a sanity check on their advice. You may have an academic support office. I think almost every law school does, sometimes they'll meet with you and give you feedback. There are tutors, [our team does tutoring where](#)



[we give a lot of written feedback on practice assignments](#). Your school may have a tutoring program, but you want to try and get that one on one feedback from another source if you can't find it, or if the feedback you're getting from your professors and academic support is not cutting it for you.

You can try and do it in your study group. We've talked about on a podcast on study groups that study groups can actually be good for doing practice because you can sit around in a room and you can share answers and compare answers. But always be careful because they are all 1Ls who are not sure exactly what the end game is. So you just want to take their advice with a grain of salt.

Alison Monahan: Yeah, absolutely. And I think, you can do a lot, if you do have sample answers particularly from your professors, you can do a lot on your own by really carefully looking at your answer compared to what they've given out as the sample. Here you want to be looking at the substantive issues obviously, did you get this issue? Did you raise this argument? Did you raise this counter argument, but also really look at the structure and the organization because your professor basically saying, "This is what I like to see."

So that's really valuable information and sometimes people will find it effective to actually rewrite their answer until it becomes closer to this model answer.

Lee Burgess: Yes, I did that. I did that a lot my 1L year because I feel like this IRAC form of writing, which most of your professors are going to ask for on an exam, may not come naturally to you initially. So just rewriting things can help you create new writing habits and then it will start to feel second nature, but if it feels clunky to you, you've got to practice it so you don't feel clunky when you're writing your exam answer.

Alison Monahan: Yeah and it's going to make you faster too. The more that you've practiced, and you know you're not thinking about how to structure your answer, you're going to be faster, and you're going to be able to get more on paper in a way that's making sense. People can also check out bar resources, especially if they're a 1L, right?

Lee Burgess: Yeah. Most of those 1L courses are also bar subjects and if you have a professor that may be new, or visiting, or just doesn't release a lot of practice questions, bar resources can be great. So you can check out, in your library or in your academic support office, they probably have bar review books that you can go through and see practice exam questions. Some jurisdictions publish their exam questions. California is one of these that you can just go on the [California bar website](#) and download a ton of practice questions. I think they can be great because they're oftentimes sometimes shorter than what you're going to get on an exam, but they do give you the opportunity to just work with facts and get



comfortable with different fact patterns. So I think that's an underutilized resource.

Also, if your professor has multiple choice questions on their exam, it's important to think about where you're going to get multiple choice questions. We had just been having this conversation amongst our tutors recently about getting evidence practice for a student and where are resources that have evidence questions. Bar sources have multiple choice questions that you may want to check out, but teachers usually don't circulate multiple choice questions because they're very hard to write...

Alison Monahan: And you definitely want to practice.

Lee Burgess: ... and they want to reuse them. Yeah, but you need to practice them. So go to the library, go through the supplements, see what you can find that will have those multiple choice questions. CALI exercises are also really great, your school might have access to that. You can talk to the law librarians, and they can help you find some of those resources so you can do that practice.

Alison Monahan: Yeah, absolutely and I think that's the key. Whatever your exam is going to be, you want to make sure you're practicing that type of question. So if it is a lot of multiple choice, you've got to find those questions and practice them.

Lee Burgess: Yep. All right, let's move on to the next one. "I'm a total mess." It happens, guys.

Alison Monahan: We hear stories.

Lee Burgess: We have heard the stories. "I have had some personal stuff come up this semester, and I'm way behind on everything. How can I avoid failing all of my classes?" So Alison, where do you start with this? This happens.

Alison Monahan: Well, again it happens, and I think you have to be really honest about where you are, and again, you have to triage. So if you literally have not been doing the reading in your classes, if you haven't been going to classes, I mean if it's something that is very serious, a death in the family or something like that, the school might actually let you delay your final exams. So if it's something along those lines, or you've been really sick, whatever it is, I would go talk to a dean basically to see what your options are. They may tell you there's nothing that they can do about it, but they may tell you, "Oh, you know, you can postpone your exams," whatever it is.

So basically, figure out the situation you're in and then really start streamlining your preparation. It's the same thing we said for the first question, but even more severely.



- Lee Burgess: Yeah. So for instance, you're probably not going to have time to write your own outlines. So Alison, what do you do in that case? Do you think you go to supplements? Do you go to old outlines from other students?
- Alison Monahan: I mean I definitely sometimes found myself in this scenario, particularly second semester of my 1L year when I was clinically depressed for probably about half the semester. Yeah. I mean I think basically you get one solid old student outline if you can, and you probably get one supplement, and you basically work through that outline using it to do practice questions. I mean this is easier obviously if you have an open book exam because you don't have to memorize stuff so much, and if it's an open book exam you basically want to make sure you go in with materials that are going to help you answer the question, even if you're a little bit not so solid on every detail of the law.
- So a flow chart or something would be really effective here where it really just lays out the very basics that you need to know to pass this class. I mean you're probably not looking at an A, but ideally, you're going to get a grade that's passing if you know, basically the bare minimum and you can apply it. I mean, it's harder if you have closed book exams, right?
- Lee Burgess: Yeah, that's true because you need the time to memorize everything for a closed book exam. I also think this is the case where you need to spend time with those old practice exams and start looking for patterns about what's tested. So for instance, some of these 1L subjects, let's take civil procedure. I mean there's stuff that's going to be on every single civil procedure test.
- Alison Monahan: Probably going to have a personal jurisdiction. That'll be on there definitely.
- Lee Burgess: Yeah and so you can kind of go through and say, "This is the stuff that's been tested on the six exams that I have gotten access to. Boy, I better know that stuff cold," because it's a point collection game and you need to game the system a little bit to collect as many points as possible. I also really encourage you, if you're in this situation to tighten up your writing and make sure you're doing lots of factual analysis because you're going to need to collect all the analysis points possible for every issue that you talk about. So don't avoid the practice. I think you almost need to lean into the practice because the practice is going to make sure that what you are executing is being executed well.
- Alison Monahan: Yeah, exactly. I think there you really want to focus on practice, practice, practice even more so than other cases because as you said, for the amount that you know, you have to be able to apply that to the absolute best ability so that you can pick up every possible point based on that knowledge.
- Lee Burgess: Yep. All right. But hopefully you don't get in that situation.



- Alison Monahan: Hopefully not, but it does happen.
- Lee Burgess: It does.
- Alison Monahan: But I would say your first step is really to find out what your options are and if there's any ability to postpone things.
- Lee Burgess: And the deans are typically nice people. You need to go reach out to them.
- Alison Monahan: They're used to this. It happens.
- Lee Burgess: They're used to this. Yeah. They've seen a lot of these scenarios. They're going to be able to really help you through. I think sometimes law students feel like that they don't want to be seen as vulnerable or going through something difficult, but you're wise to go talk to the deans. They're not going to think less of you. They're going to want you to be successful, so they are going to talk to you about how they can help you get through this, if it's something they can help you with.
- Alison Monahan: Right and worst case they tell you that they can't really do anything, and you're basically in the same scenario you were in before you went to talk to them.
- Lee Burgess: Yeah. But maybe you got someone to say nice things to you to help you feel better. It's possible.
- Alison Monahan: Right. Yeah, and I mean. Yeah, exactly. You need to definitely lean on friends, family, a therapist, whatever it is. I think it can be useful to have some time outside of just this focused study, even if it's just half an hour to have a phone call with somebody to blow off steam and basically say, "Look, this is not really fun. Like, I'm really struggling. Here's what I'm doing, but I just wanted to get that out there."
- Lee Burgess: Yeah, I think that's very true, but the community that you're a part of is really going to help you through that. Have people make, maybe a friend who's not in law school will make you some frozen meals so you have food in your house or be really honest about asking for help. I think that's also going to get you where you need to be.
- Alison Monahan: Yeah, exactly and practical things are always good.
- Lee Burgess: Yeah. All right. Next scenario, "I'm feeling okay overall, but there is one class I really hate." Mine was civil procedure, "And I've been avoiding doing the work in it." I don't know if I avoided doing the work in it, but I really hated civil procedure.



- Alison Monahan: For me it was Con Law. I just literally didn't do the reading.
- Lee Burgess: Which is funny, I loved Con Law.
- Alison Monahan: Well I had a bad professor.
- Lee Burgess: Oh, that happens. "Can I just blow this off completely and focus on the classes I'm likely to do better in?" Well, no.
- Alison Monahan: Well, that's probably a bad idea.
- Lee Burgess: A bad idea.
- Alison Monahan: You may not be good at math because you went to law school, but we're going to tell you that's probably going to be a bad idea for your GPA.
- Lee Burgess: Yeah, you did go to a science and engineering boarding school, so I trust your mathematical analysis on this one.
- Alison Monahan: Yeah. I mean, it might seem like, "Oh, one class can't really do that much damage to my GPA," but one class can do a lot of damage to your GPA, particularly if you fail it, you may have to repeat it. So I think you've got to turn this around somehow. I mean we're not saying that you need to be shooting for an A plus in this class, but you do probably need to be shooting for at least doing okay in it.
- Lee Burgess: I also think that sometimes what people forget is some classes are notoriously hard. Let's say property, that's one that almost everybody agrees is kind of a challenging 1L class because of future interests and things like that. You might say, "Oh, property, it's going to take me so much time to learn it and I don't like all of the future interests." Well you're typically not alone, a lot of people in your class don't like future interests, and in a way, because your classes are likely curved, if you can learn future interests and execute it well, you might actually do better than a lot of other people in your class.
- Alison Monahan: True.
- Lee Burgess: Because you just have to do better than enough people in your class to get to the top of the class.
- Alison Monahan: Right and if you feel like your professor is terrible, or they're not teaching, or whatever it is they're assigning too much reading, probably everyone else feels that way too.



Lee Burgess: Yeah, so because of the curve, you also really want to think about the fact that what is everybody else in the class doing. If everyone else is buckling down, and studying, and you have decided to blow it off, that's pretty much a way to guarantee yourself showing up on the bottom side of the curve. So investing in classes that are difficult still has a lot of value, because you may actually be able to pull out some better grades in those difficult classes, because you're not blowing them off and you are giving them the attention they deserve.

Alison Monahan: Yeah and like for me, I hated contracts my first semester for example, but I ended up doing pretty well in it, surprisingly well, because the exam happened to be surprisingly challenging. So you just never know how it's going to turn out.

Lee Burgess: Yeah, exactly. All right. Next scenario, "I tried outlining a section and using my outline on a practice test, but it didn't help me answer the question. What can I do to make sure my outlines are actually useful?"

Alison Monahan: Well, first off, we would congratulate you for actually using your outline before you did the entire thing.

Lee Burgess: Yes!

Alison Monahan: I think one thing you can do is not to think just about outlines, but really to think about study aids. So for me, for example, just making a list of the law really didn't work for me, but what did work really well were flow charts. So that was a way I used in a lot of 1L classes to force myself to kind of think about what are the questions I would need to ask. So for example, in contracts I made a flow chart and the questions were pretty simple. They were like, is there a contract?

Okay, that's probably going to come up on your exam in some form another and then you start really thinking, "Well how would I evaluate that? What do I need to look at? Are there pieces of the restatement, are there cases we read?" So it really forces you to make clear what you're going to write down in your analysis on the exam. So that to me was more helpful than just listing out like, "Oh, here are the cases we read about contract formation." So I think thinking about what the exam is going to ask you and then really tailoring your study aids to this can be a good way to think about it and of course law, not cases.

Lee Burgess: Yeah. I think that's a really good point. I also think that if you're finding that the outline isn't working, you want to take a few minutes and see where you're having some issues. I was just talking to a law student the other day who was talking about midterms and that what she found out that she was struggling with is she didn't really have kind of the show your work part down. So we talk about that in high school math, you have to go step by step through your analysis and so that's what she had noticed in her midterms that that's what she was missing.



Well the way to solve that problem is through attack plans and I asked, "Did your outlines include attack plans? Did you have an attack plan document so you could memorize this step by step analysis," and that was one thing that she was missing, but good for her, for having thoughtfully evaluated her midterms and found out this hole in her outlines so she can fill it. Now in the final, she won't make the same mistake.

If you don't have midterms, it's your job to do the practice and evaluate it so you can do the same sort of identifications, but missing attack plans I think is one really common thing that happens your 1L year or any L year really when you're doing exams. It's easily fixable, but a lot of people don't include them in their outlines.

Alison Monahan: Yeah and when we talk about attack plans, we're really talking about a step by step way to go through your analysis. So it might be the elements of the law, it might be a checklist, whatever it is. But I think sometimes you can think too hard about this first iteration of your outline as being a good learning tool, but maybe not so useful for actually using on an exam or memorizing. So it's not that you've wasted the time and effort making this outline, it's just that you also need to do some other things to make it more focused on your exam prep now that you have a better understanding of the law.

Lee Burgess: Yep, exactly and this is a skill that's really important because these attack plans are exactly what you need come bar exam time. So getting this down, this idea of how to approach a question, memorizing how to approach a question, learning what type of attack plans you need to be able to execute a question, that is going to help you a couple years from now when you're sitting for the bar, and you have to memorize a ton of attack plans.

Alison Monahan: Exactly. All right. Well, moving on, speaking of the bar, "Some of my exams are open book, and some are closed book. Do I need to prepare differently for these?"

Lee Burgess: Ooh, I think we do have [an old podcast](#) on this, which we'll-

Alison Monahan: We do.

Lee Burgess: ... link to in the show notes, which I think is important to listen to because there are some very easy mistakes you can make around open and closed book exams. I think the first thing you want to think about is how your exam's going to be evaluated. So if you have an open book exam, you need to remember that everybody is going to have the law with them, so ...

Alison Monahan: Right, straight in front of them.



- Lee Burgess: Straight in front of them. So there's going to be no difference in the curve about who knows what rule because everybody's got the rules right in front of them. So you have to think about what's going to differentiate the A, the B, the C and the D and hopefully no F's. And that is really how you're going to issue spot the question and how you're going to do that analysis. So you need to make sure that what you have done is created outlines that can be quickly referenced on the test because you don't have a lot of time to waste digging for material. But you really need to focus on the execution of the answer because that's what's going to be the difference-maker between you and the person sitting next to you.
- Alison Monahan: Yeah, I think that's right. I mean I think for an open book exam, too, you probably want to make sure that you have some sort of cheat sheet in front of you so that you can quickly have your attack plans right there. You're not flipping back and forth, but I would always make sure that the outlines and other things I brought with me that I had tabbed them. I probably had an index just in case I needed to look up something so that I could find it quickly, but I don't think you want to be planning on actually consulting that type of thing during the exam because there's just not enough time.
- Lee Burgess: No. I had a two-page sheet for all of my open book exams that opened like a book in a binder and that's my cheat sheet, so it had shorthand short rules and attack plans so I could easily reference them and get them onto paper so you don't spend any time digging through your outlines. Hopefully you're comfortable enough with the material that you don't have to, but what you've saved yourself time doing is doing that drilling memorization because you can use a reference document.
- Alison Monahan: Well, and it just can make it, even if you think that you remember all of the intentional torts, which probably you do, that split second of glancing at something and thinking, "Oh, maybe I should talk about false imprisonment." That's something that you could save yourself from missing something that you actually do want to talk about.
- Lee Burgess: Yeah. Now, if you have a closed book exam, you do have to make sure that you carve out time to memorize the law. Now you may think that if you memorize all the law, you will beat a good chunk of your class because many people won't have memorized it, but that's typically not true. Almost everyone will have the basic law memorized, but what you do need to focus on is that your rule statements all have terms of art in them. If there are terms of art that are necessary that you have memorized them to execute them quickly, because in the same way you don't have a lot of time to waste looking up the law in an outline, you don't have a lot of time to craft language for rule statements. So you don't want to be sitting there going like, "What is that rule statement for the ..."



See now, I'm trying to think of a rule. I didn't sleep much last night so we'll just go back to homicide. Apparently, it's very violent in my world right now, but it's like, "What is that rule for *mens rea*? Or what is that rule for first degree," and you don't want to be saying like, "What was the word that I needed to pull out of my head?" You just want to have that memorized and spit it out quickly. So you're going to need to take more time memorizing, but then you want to do that practice to test your memorization and do that practice under timed condition.

So on one hand a lot of people find closed book exams harder because you do have to take that extra step, but you might be thankful because come bar exam time, and we're getting ready for people to really start buckling down with the bar exam which is why it's so fresh in our minds, you are going to have to do all of that closed book anyway. So it can be good to practice memorizing large volumes of information because you're going to need to know it for the bar exam. They don't let you take outlines, unfortunately.

Alison Monahan: No, unfortunately, and so if you are somebody who maybe your memory is not the best, and you're stressed out about that, you can do some things like mnemonic devices that you spend the first couple of minutes of the exam just doing a brain dump of your mnemonic devices that are your reminders of what some of these rules are on one piece of paper and basically create your own one to two page cheat sheet right in front of you that you then use on the rest of the exam. I'm not saying that's necessary for everyone, but for some people I think that can be effective.

Lee Burgess: Yeah, I think that's true. All right Allison, what's another scenario that we see come up with law students?

Alison Monahan: Oh, "Well my outlines are perfect. I've done every single practice exam my professor has on file along with most of the other professor's exams too. I go to office hours every week for every class, and I email my TA daily. I'm guaranteed straight A's, right?"

Lee Burgess: Oh, if it were only that easy.

Alison Monahan: I know.

Lee Burgess: Because of the curve that's not necessarily true, and I think sometimes some of these activities can give you a false sense of security. I think it's great that you've done all of your practice exams, and it's great that you've done all your outlines, but have you gotten feedback on that work, and have you done all of it under timed conditions, and are you as comfortable with the law? Can you recall it quickly? Do you have those attack plans? I think there are very few people, even for those who've gotten A's in classes who walk in thinking that



they know everything perfectly. You may still get a curve ball on the test, so you want to be challenging yourself to not just say, "I'm good to go," because I think that there's always a little more work to be done.

Alison Monahan: Yeah, I think you can always be a little bit paranoid about, "Well, cool, what else should I be doing? Am I really digging into this? Did I actually compare my answer to the practice test and did I see what I got wrong? Or did I just do it and then kind of look at it briefly and say, Oh yeah, I'm doing great?" It's hard to get a good sense of how you're actually doing. So I think if you are feeling completely confident about everything, you might be a little overconfident.

Lee Burgess: And like we mentioned earlier in this podcast, you can still even rewrite practice exams that maybe you didn't do as well on. I remember for my property class, my professor released model answers that she had written herself and so I spent a lot of time just rewriting, and doing those questions, and memorizing how she presented her answers so I could give it straight back to her. I think a lot of people may have thought that that was a waste of time, but I did get an A in that class.

Alison Monahan: There you go.

Lee Burgess: Probably because I gave her exactly what she asked for.

Alison Monahan: Yeah. So I think it's great if you think you've been doing the work, and you're prepared, but just make sure you're really digging in and doing the things that make you uncomfortable so that you're not overconfident when exams actually show up.

Lee Burgess: Yup. All right.

Alison Monahan: All right. Well next one, we get this a lot in the fall semester. "My exams start a couple of weeks after Thanksgiving and I'm just not sure what to do about that. My family wants me to come and be with them for three or four days, which would be a good break, but I'm not sure how much I'll be able to work. Is this okay?"

Lee Burgess: Oh, this is always a tough one and a very personal decision because sometimes exams can start very, very close to Thanksgiving. In this scenario we've got exams starting a couple weeks after Thanksgiving. I think you have to be very honest with yourself and evaluate where you are and whether or not going home may derail you or may be a welcome and needed mental health break. I think that really depends on the individual situation.

Alison Monahan: Yeah, exactly. I think you've got to evaluate things like how much travel is involved, how brutal is that travel going to be. If you're flying out of major



airports in areas that might be cold and snowy, maybe not the best time to do this. If your family or friends are nearby, and you can take a train or a bus or whatever it is for an hour and be there, and you know you'll be able to get back, I think it's fine. I mean this is definitely one of those where I think there's a lot of outside pressure, but it's a good way to start setting your boundaries and just saying, "Look, you know, I'd love to be there, but this is just not a time that's going to work for me and I need to focus on school."

Lee Burgess: Yeah and I think you have to really sit with that decision and make sure you're okay with it and then share that information with your family with confidence. Especially if you have family that may not understand that you need to study as part of that break. I think there's nothing wrong with going home if home is a place that will give you a respite. Maybe your mom will do some laundry for you or hanging out with your siblings is a good way to blow off steam, or seeing the family pets, or whatever it might be. If that is going to help center you so you can come back and really dig in, I think that's fine, but you probably can't take three or four days off from studying.

Maybe you can take Thanksgiving Day off from studying and do half days of studying, but if your family's not going to allow you to do that because maybe they don't understand the law school experience or sometimes even if they have the best intentions, they don't really know how to support you, then you have to decide whether or not you can go home and still get where you need to be.

Alison Monahan: Yeah, because obviously they think that you are a highly competent, smart person who doesn't really need to work that hard and you might be finding that that's not true in law school.

Lee Burgess: Right, because everyone in law school is a highly competent person who probably at a certain point didn't think they had to work that hard. All right and our last scenario for today is, "When I sit down to do practice exams, I find myself getting very anxious. My hands start to sweat, and my mind starts to go blank. I find myself wasting time trying to calm myself down. Is this going to happen on exam day?"

Alison Monahan: Well, if it's happening now I'd say there's a pretty high likelihood that yes, it has the potential of happening on exam day. So I think the time to start developing some techniques to deal with this is right now.

Lee Burgess: Yes, exactly and so depending on your situation in your school, if you have access to a counseling officer, or a therapy office, sometimes the schools will do this for free, you might want to go talk to somebody because it's likely that test anxiety is something that they have dealt with before. They may even have some kind of really good resources that they can recommend.



I think the other thing is that you need to be very honest with yourself that this is happening because a lot of people may not have dealt with anxiety on exams before they came to law school, but for most people the fact that the final exam is your entire grade makes the weight of these exams feel kind of oppressive, I guess is the best way to say it. So you have to come up with new strategies.

We have found that working on kind of overall mindfulness, so even practicing meditation can be, great breathing exercises, making sure you're exercising during the day so that you can sleep at night if you are not sleeping. That can lead to anxiety because your body just can't regulate itself. Understanding what's happening, making sure that you can try out some coping skills.

So one of my favorite is a tactical breathing exercise we've talked about before on the podcast where you take a breath in for four counts, hold for four counts, and go out for four counts. This is something that's used by the military for snipers to calm their nervous systems so they can be an accurate shot and if it's good enough for somebody, I mean that's a pretty high stress situation. I feel like if those people are used to being in high stress, but it actually does help. Breathing in oxygen and taking deep breaths is one way to calm your nervous system and you've got to practice that stuff. You can do that in the moment of the exam.

If your mind starts to go blank, that's because your fight or flight response has been initiated. So you need to give yourself a few minutes to regroup. You may also find that you need to get up and move your body. So walk to the bathroom, wash your hands, throw some water on your face, but you want to practice this during your practice questions so you can see if it actually does make it better. I think one mistake that can happen is that students will say, "Oh, well I'm not ready to take practice exams at this point if I'm getting so anxious," and that is not the response you want to have.

Alison Monahan: No, because one of the ways that you can sort of tame this is by making it more routine. So the closer you can get to taking a practice test under exam conditions, the less stressful it's going to be for you when you find yourself in that scenario and the more of them that you take, the less typically this panic reaction is going to be triggered because it becomes more of a habit. So I think on the contrary, if you are feeling really anxious about taking practice exams, you need to do more of them.

Lee Burgess: Yeah and you need to see if your school is facilitating any practice under exam conditions that you can take a part in, or take part in. So for instance, some academic support offices will on a weekend hold practice exam sessions in the classrooms where they will give the actual exams. Although it might sound strange, it is useful to get used to sitting in a room with a lot of other people typing silently ...



Alison Monahan: Yeah, because that can be very stressful for people, the noise of the clicking. So then you want to think about do you need to bring earplugs, are those permitted? Where are you going to sit in the room that might minimize your distraction level? All of these things are worth thinking about because you can ideally create a scenario for yourself that is a little bit nicer and if it's a real problem, a medically-significant problem, it's possible you could get accommodations and so that's also something you might want to check on.

Lee Burgess: Exactly. Taking the exam in a room by yourself is one of the common accommodations for anxiety. So if you've been working with a therapist or your medical doctor about anxiety, it is worth exploring with your school, as soon as possible, what sort of accommodations could be valuable. If your school doesn't create these situations where you can get used to taking exams with a lot of other people, that's when I do think kind of getting together with a study group or a bunch of friends from class and just saying, "Let's go get a conference room at the library or a study room and sit around and all do these together."

So you can kind of create these situations I think, or even ask if you can reserve a classroom. Sometimes on the weekends you can get access to a classroom and set up your own. There's usually nothing stopping you from doing that.

Alison Monahan: Yeah or even a crowded cafe if you have to go that route. Anything that makes it so that you're not just sitting in a comfortable environment in your house but gets you out in a scenario with more distractions I think is going to help you on the actual test day.

Lee Burgess: Yeah. But regrouping, the skill of kind of regrouping when you feel like things have gone off the rails, is something that will serve you well in life. We've all had those experiences both academically and non-academically where you're like, "Wow, this is really going south," or, "I'm feeling panicked," or, "I'm not thinking clearly. How do I get myself back into line?" So you want to start learning these skills now.

Alison Monahan: Right and there are techniques and if you do some brief internet research, you'll probably find a lot of stuff on handling test anxiety. So I think sometimes people think there's nothing they can do about this, but that is not the case. There's a lot of stuff you can try and you want to try it ideally before the actual exam.

Lee Burgess: Yeah. I think some other students I know have used apps on their phone. I was just listening to a podcast the other day. They were talking about an app called [Calm](#) that teaches you to do meditation. I think it emails you with different meditations on there, people download them onto their phone. I've had students even memorize short mantras or meditations that they do in exam rooms to calm their mind or create clarity. I mean if you think we're being kooky and that nobody is doing this stuff, we know a lot of people are doing this stuff.



Alison Monahan: A lot of people are doing it and it's a recurring problem. It's something we talk to people about a lot even on the bar exam. So getting a handle on ideas that can help you here, I think earlier rather than later, is only going to behoove you in the end.

Lee Burgess: Yeah, exactly and even though I'm completely hyped up on caffeine right now to do this podcast, one of the other things you have to look at too is if you are drinking too much coffee or taking in too much caffeine, that can help really rev your system up and make it harder to calm your nervous system down. Be thoughtful about what you're doing. If you're not a coffee drinker, final exams are not a great time to start drinking coffee.

Alison Monahan: Exactly. All right, well with that unfortunately we are out of time. 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 because we would really appreciate it, and make sure to subscribe, so you don't miss anything. If you have any questions or comments, please don't hesitate to reach out to Lee or Alison at Lee@lawschooltoolbox.com or alison@lawschooltoolbox.com, or you can always contact us via our website contact form at lawschooltoolbox.com. Thanks for listening and we'll talk soon. Good luck studying for finals!

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