



Alison Monahan: Welcome back to the Law School Toolbox podcast. Today, we're talking about what to focus on in class so that you can get the most out of the experience.

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.

Lee Burgess: Today, we are talking about what to focus on in class so you can get the most out of the experience.

Lee Burgess: So first off, Allison, why does class even matter?

Alison Monahan: Well, I mean there are a number of reasons.

Alison Monahan: Number one, you are paying quite a bit to be there.

Lee Burgess: Like a lot. Like a lot of money.

Alison Monahan: It's kind of astonishing, if you do the math on this.

Lee Burgess: I did do the math, when I was in school.

Alison Monahan: I did the math and I recall it being between like a \$150 and \$200 a class. I mean this was Columbia. It was pricey.

Lee Burgess: Yeah.

Alison Monahan: So, you think "What else do I pay \$200 an hour for?" I mean you should be getting everything you can out of this experience. There's not a whole lot that you can actually pay that for.

Lee Burgess: Yep.

Alison Monahan: I mean also, critically, you know this is also fairly obvious. Your professor is the one grading your exam and class is where they're helping you understand what they're looking for on that exam. So you might want to pay attention to that.



- Lee Burgess: Yeah. And class is actually teaching you how to think like a lawyer. How to read cases. How to talk about the law.
- Alison Monahan: Yeah. We even have a whole episode on the [Socratic Method](#) you can go and listen to.
- Lee Burgess: Yeah. But when you're entering law school, you don't know much about the law typically and class is where you get to dialogue about it and learn about how the judges do what they do, the history, the policy, like a lot of stuff about the law that even if you just read an outline you wouldn't know.
- Alison Monahan: Right, and just a lot of the vocabulary as well. How do you use these words? How do you pronounce these words? You know? Sometimes you might be looking at this legal Latin and saying "Huh, I'm not really sure how you would pronounce that." But your professor's probably going to say that at some point. If you pay attention, you can pick up on that.
- Lee Burgess: Yeah. Some professors are very interesting and have done interesting research or have interesting stories or are able to bring a lot of this stuff to life.
- Alison Monahan: Yeah, exactly. And I think the law itself, hopefully you find it interesting. You're in law school so this can be an opportunity to really dive into that interest. And also, you might get participation points.
- Lee Burgess: Yeah, it might be good for your grade so you should go.
- Alison Monahan: And I think the ABA requires it. So basically, you gotta go to class.
- Lee Burgess: Yeah. I mean the reality is, we hope that most of your classes are at least a bit interesting. Not all of them. I mean I had some professors who were super boring.
- Alison Monahan: Yeah. That happens.
- Lee Burgess: It happens. But a lot of my classes were interesting and if the professor is teaching on an area of the law that they have practiced or they are passionate about, I think that their passion can be somewhat intoxicating.
- Alison Monahan: Yeah, exactly. A good professor can teach a good class on basically anything.
- Lee Burgess: Yeah.
- Alison Monahan: I mean I certainly ... that's one of the strategies for picking classes as a 2L or a 3L is you just take the classes that the professors you like are teaching regardless of the topic area is. And that's how I ended up taking a European Union law



class, which hey, totally relevant as it turns out to world events. Who knew that this would actually be so incredibly relevant? How do you leave the EU? Is that possible? I'm like "Well, I did study that." Let me tell you. It's probably going to be ugly.

Lee Burgess: Yep. Yeah, I took ... I loved this Con Law professor at my school and I took multiple classes from him just because I thought he was brilliant and I learned a lot from him and I thought his classes were engaging. And I still have retained a lot of information from those classes because he was a great professor.

Alison Monahan: Yeah, exactly. A good professor is definitely worth their weight in gold and not all of them will be but a lot of them will be hopefully.

Lee Burgess: Yeah.

Alison Monahan: So, I mean I guess, let's back up a little bit. What exactly is the point of class? What should we be paying attention to here?

Lee Burgess: Well, you know you do all this reading hopefully before class, the material that they're going to cover. And what you're going to talk about in class is what your professor thinks matters in the case. Some professors always think the same stuff matters in almost every case, but they might look at the plaintiff versus the defendant's argument or the defendant versus the government's arguments.

Lee Burgess: Most professors actually have some sort of conceptual approach to what they're trying to teach from cases. Some professors are very basic. You're almost IRAC-ing the case or briefing the case for them in class. Some professors really want you to extract the rules of law and elements. Some professors are really obsessed with policy, you know, and want you to spend a lot of time looking for the policy. Some ... I had a professor who was very obsessed with what each side was arguing. That's what he cared about and his exam, actually, reflected that.

Alison Monahan: Right. And that's the interesting thing. Often times when people do have a strong approach, they don't just do that in class, usually. Typically, that carries through onto what they're testing you on unless they're just completely inconsistent as professors, which again, occasionally that happens. But typically, someone who does have a very structured approach to class has thought about this and is doing it for some reason and thinks that this is important. And that will probably show up on your exam because they want to test you to see if you have learned these skills that they think are important.

Lee Burgess: Right. So, the professor who was really worried about the parties' arguments, it was a criminal law class and criminal procedure. And his whole point was this law only really matters if the government has an argument based on the law



and the defendant has an argument based on the law. So, like "I care that you understand what the law is, but I really care that you understand how the law can be applied and kind of maybe twisted or tweaked to make a good argument for either side." And so that's what he cared about. And his exam reflected that.

Alison Monahan: I talked to a professor at a conference recently who has sort of a grand theory about how you teach, particularly first year subjects, with cases. And he says "I leave the basic case analysis of like what was the procedural posture and what was the descent about to other people because they do that." And his focus is really on teaching people how to extract the black letter law in a very structured way from a case. And of course, he then expects to see that on the exam.

Lee Burgess: Yeah. So, the other thing that some professors actually talk about is what the black letter law is. I think it depends on the professor. I think the more old-school the professor is the less they're going to spend time presenting this information. They might think that you can extract that yourself.

Alison Monahan: Right, but you're probably at least going to touch on that in the dialogue because you've got to have ... I mean the law is kind of what we're basing this discussion around. So, if there's a very detailed discussion, at some point, the law is probably going to be mentioned.

Lee Burgess: I think what can be interesting is if a class, especially, is very organized often times the cases can be pieced together to kind of tell a legal story. So, a case may be included not even necessarily for the black letter law but more about how black letter law is applied. Or a nuance of how it could be applied to this specific fact pattern. And so sometimes, what's also interesting to think about and one of the things that can be kind of sussed out in class is why was this case included in your casebook and what's the point of this.

Lee Burgess: Because I'm thinking of Torts. In Torts, you usually start with negligence. You usually start with all the different duties, right? And you might have a case that lays out a few of these different duties and the blanket rule. But then the next case is like "Well, let's apply this duty rule to this fact pattern and push it to a different level."

Lee Burgess: And so as much as it is about the black letter law, sometimes it's not just about that. It's about how the black letter law functions.

Alison Monahan: Right, and how you develop that over a series of cases, which is basically what you do in a common law system. It's not like one case you read just lays out "Well, this the entire development of the law of negligence and duty from ancient England or whatever." It's more like "Oh, this is the piece we need and so we're going to talk about that."



- Lee Burgess: And even in a class that's more based in statutes, you are going to still find that the cases ... there might not be any question what the black letter law is because the black letter law is written down.
- Alison Monahan: Right. Go read it.
- Lee Burgess: Everybody's got the same copy of the Federal Rules of Civil Procedure. It's about the different ways that that law has been applied and the different precedents that people can call on for how it should be applied to different fact patterns. That's kind of what you're focusing on in class.
- Alison Monahan: Right. And I think the thing about class, it can be useful as you're getting these new hypos. So your professor may be ... you may not think of them as hypos because it just seems like examples that they're giving and having people talk about, but really, those are hypos that are pulling or illustrating different pieces of the law that you're learning and a lot of this comes down to the kind of gray areas or these areas of ambiguity, you talk about factual ambiguity or legal ambiguity.
- Alison Monahan: So you might have a conversation in class that says "Well, there is a statute that says you cannot drive a vehicle in the park." Okay, that seems straight forward. No vehicles in the park. Got it. And then your professor might start raising all these other issues. Well, what about your toddler? Is your toddler allowed to ride his little fake car in the park? Why or why not? And there, we're really arguing about what is a vehicle?
- Lee Burgess: Right.
- Alison Monahan: So these are the sort of things that you might think sometimes they drive you crazy and you're like "God, again." But you're learning to think about the law and these are the type of hypos that are very likely to show up on an exam.
- Lee Burgess: Yep. And if you're not paying attention, you're going to miss really the meatiest information your professor's giving you about the exam, which is how they discuss these factual hypos in class.
- Alison Monahan: Yeah. And sometimes I think people can get confused. Either they think class is just really all about the black letter law and that's the only thing they should be paying attention to or they think there is no black letter law and everything is arguable or everything is ambiguous. Neither one of those is correct. There is some starting point, but then there's also this kind of blobby gray area around it. And learning to differentiate those things is hopefully one of the things that you're doing in class.



- Lee Burgess: Yep. I think I mentioned this earlier, but some professors will really do a deep dive into policy.
- Alison Monahan: Oh yeah. So like Torts or things like that.
- Lee Burgess: Crim, the theories behind punishment.
- Alison Monahan: Yeah, true. I just talked to someone the other day who was like "I don't really understand my crim class. All we've done is talked about *mens rea*." And I was that "Well, that's because it actually matters later."
- Lee Burgess: It's true. It's true. And specific intent and general intent.
- Alison Monahan: Right. There are different types of crimes. There's different types of defenses and you need to understand this pretty thoroughly because ultimately, you're going to have to look at what type of crime is this and does being drunk negate that or not. Okay, that all comes back to what type of intent I need.
- Lee Burgess: Right. And I remember learning specific intent and general intent in the beginning of my crim class my first semester of law school, just being like "I don't get it." And then when you finish the rest of the semester and then you're like "Oh, I get it now."
- Alison Monahan: Right. I think it's easy to gloss over a lot of this stuff in the beginning, like "Ah okay, whatever. That's interesting. Thanks for sharing." But then it comes down to that's the only way you can really understand these different types of crimes and defenses.
- Lee Burgess: Yep.
- Alison Monahan: So even if your professor seems like they're just going off on some crazy tangent, they're probably doing this for a reason so you probably want to pay attention.
- Lee Burgess: Also, sometimes policy, it can really help you understand how the law fits together, I think, especially in classes that are in a discussion of codes, evidence, civil procedure, community property in California. If you understand kind of some of the things that they were trying to do, so for example in evidence when you're thinking about hearsay and the hearsay exceptions, if you're thinking what they are really concerned about is whether or not the evidence can be reliable, that it could be tainted, that it could be false. Then when you read the exceptions and you're like "Oh, okay. If I excitedly utter something, I probably don't have time to come up with a false excited utterance."
- Alison Monahan: Right.



Lee Burgess: It's like because it's immediate. You don't have time to falsify that information. And so when you think about the policy behind that, even if you can't 100% remember the rule, you can probably say "Wow! If my excited utterance needs to be really reliable and I can't have time to change my story, I bet it has to be immediate. That I have to be under the stress of the situation." And then all of a sudden, you've pretty much got the rule based on the policy.

Alison Monahan: Yeah, exactly. But it's also interesting too when you realize that a lot of these legal rules are really choices. So, for example, I happened to see an article today that mentioned defamation law in Australia. And apparently it is very, very, very different because it is based on a different set of policy considerations that they decided were more important than what we have decided is important under the First Amendment in the U.S. That's pretty fascinating.

Lee Burgess: Yeah. That's true.

Alison Monahan: If your professors are talking about Australia and you zone out because you're like "Australia. What does this have to do with anything?" But you're kind of missing the point. Because we didn't have to make those choices how defamation law is structured and you know sometimes those are currently contested.

Lee Burgess: Yeah. What about ways that they want you to approach legal analysis? Do you think that's something that you can learn from just sitting in class?

Alison Monahan: Yeah, I mean sometimes your professors even tell you directly. For example, we had to take this class called legal methods at Columbia that was kind of a pre-class. And to this day, I kind of remember the professor telling us "Every time, if you have a statute that shows up on the exam, I want you to quote the statute and I want you to underline this and that." I don't remember the exact details but he was very, very specific and he would make people kind of go through this exercise in class and then somehow when I got this exam I just totally forgot to do that and I failed the exam.

Lee Burgess: Oops. Oopsy.

Alison Monahan: And I remember I had to go and talk with him about it. Luckily, it was an ungraded class that we just had to pass, but I was currently failing.

Alison Monahan: I didn't understand what had happened. So I went and talked to him and he said "What was the thing we talked about for three weeks in this class?" And I said "Oh, you know that you should write this thing down." He's like "Did you do that?" I'm like "I assume so." He's like "No, you didn't do that."

Lee Burgess: Oops.



- Alison Monahan: Oops. And he's like "It's kind of surprising because it seemed like you were a person who was prepared for class and participating and trying hard so I was really shocked when I got your exam and had to give you a failing grade." So pay attention to what they tell you.
- Lee Burgess: Yeah. So, I think that's a great segue into something else we wanted to talk about is that our professors are going to typically tell us what we need to write on the exam but then you also need to think about what you should be writing down and focusing on in class.
- Lee Burgess: So if they lay out something for three weeks, I hope you're writing that down.
- Alison Monahan: Right, exactly. At some point I probably should've put a little red star saying "FYI. Be sure to do this."
- Lee Burgess: Yep.
- Alison Monahan: And I think a lot of people struggle with what to write down.
- Lee Burgess: Oh, for sure.
- Alison Monahan: I definitely my first semester in one of my classes sat beside a transcriber. Boy that was annoying.
- Lee Burgess: And not effective. We now have studies that we didn't have when we were in law school.
- Alison Monahan: Yeah, not effective and super annoying.
- Lee Burgess: That show that it's completely ineffective to transcribe.
- Alison Monahan: She was basically, literally a court reporter and she just typed the entire class. And if she got called on, she had no idea what was going on. She hadn't really been following the discussion. She was just trying to transcribe everything. I don't even know what she did with it. I guess she read it later, which doesn't seem efficient. So, don't transcribe.
- Lee Burgess: Nope. You know you also don't want to plan to go back to this class again. So some people record professors; although, you should probably ask your professor before you record them.
- Alison Monahan: And some of them will let you.
- Lee Burgess: Some of them will let you but that's not a good use of time because if you're really engaged in the class, now this is unless you need these recordings for



some sort of accommodations, that's separate. But for most students, if you are engaged in class and you are paying attention and you are interacting with the material and you are taking good handwritten notes, you don't need to re-watch it. You're going to have learned enough to keep moving forward. And who has the time to basically take law school twice. I didn't have time to do law school twice.

Alison Monahan: Nobody has time for that.

Lee Burgess: No.

Alison Monahan: Obviously some very specific circumstances.

Lee Burgess: Yeah. And so, this is kind of one of the things we have tried to incorporate in our [Start Law School Right](#) programming, especially for people who are getting ready to start the law school process is really to practice what you're looking for in these lectures to write down.

Lee Burgess: So a few of the things that you want to try and include in your notes are definitely the black letter law. That's important.

Alison Monahan: If you're lucky enough to get that.

Lee Burgess: If you're lucky enough to get it.

Alison Monahan: Definitely write it down.

Lee Burgess: Case basics, especially if you didn't do a written brief, but no matter if you had a written brief, you want to know what your professor thought was important about the case.

Alison Monahan: But for me on this on for example, I did book briefing and part of the reason I was comfortable doing that is the cases we discuss in class I can just write down things like the title, the date, the jurisdiction, and maybe like a brief description of the facts while we're doing the discussion.

Alison Monahan: So if you haven't gotten that sort of information, I think it's totally valid just to put it in your notes right then so you can always easily cross reference it. I always put page numbers too. You know what page something was on in case I wanted to go back and look at the book.

Lee Burgess: That's a good idea.

Alison Monahan: Just to try to make it more streamlined when I was ready to look at these notes, which presumably, hopefully, you're going to look at them for some reason. You



know to kind of think in advance about what would make it easier if I need to go back to this.

Lee Burgess: Yeah. You also want to make sure you're writing down what your professor's pet topics are.

Alison Monahan: Yeah. I think we have a [blog post](#) on this one too. I'm not sure which site it's on. We'll find it. And it was really insightful. She said, I think it's a law professor, and she said when she was in school, she had "professors says" and she would use a specific color for that. I think she was handwriting her notes and so she might draw an arrow. So that when she was going back over this material, if her professor had basically expressed an opinion on policy or had expressed some specific opinion on how to do an analysis, she could easily pull that out and make sure that she was really focusing on that when she was preparing for her tests. And I thought that was super smart.

Lee Burgess: That is super smart. I think more and more professors are using Power Points and stuff too and it's probably important to know what they're including in those Power Points.

Alison Monahan: Yeah, exactly.

Lee Burgess: If they're not giving you copies of those Power Points, you want to note if they're making a big deal about something in that Power Point. You should write that down.

Alison Monahan: Right, exactly. If they bothered bullet-pointing it, you probably want to do the same thing.

Lee Burgess: We've already kind of mentioned this but that you want to track hypos and fact patterns because you can even take those and practice writing out practice answers with your study group or on your own. You can even write out an answer and take it to office hours but you want to be writing down these hypos so you can go back and practice the legal analysis.

Alison Monahan: Right and kind of think about for yourself. Like "Oh, okay. What was a vehicle in this scenario? What other things might I think of? Okay, well, they gave the example of the toddler on the bike. What about a policeman on a horse?" You can kind of start thinking for yourself about these questions that clearly a professor thought were sort of important.

Lee Burgess: Yep. And then we talked about things like policy and stuff that your professor cares about. Often times, they'll discuss pro/con lists for policy questions. I even remember vividly in my notes having a table. "A pro/con for ..." Especially around property law, it was always like first in time was one of them, I think.



- Alison Monahan: First in time, first in right, something like that.
- Lee Burgess: First in right. The fox. I remember foxes. Something about sticks. It's been a while since we've been in property so we're allowed to forget.
- Alison Monahan: I definitely ... I vividly remember my first property class and kind of sitting there going like "Some sticks. Some foxes. What is this class about? Hunting the fox. Okay, this is getting kind of antiquated."
- Lee Burgess: Yeah, exactly. But the thing you can leave out of your notes is random stuff that students are going to bring up that the professor just dismisses or doesn't dive into.
- Alison Monahan: Yeah, I mean these people don't know what they're talking about. Don't bother writing half a page on somebody who's like "Well, in my time on the hill, we talked about this." It's like okay. You can kind of zone out and work on your other note taking.
- Alison Monahan: One thing on notes too, I think, you mentioned earlier, sometimes people who do for accommodation reasons maybe need to record and maybe re-watch a class. Another thing people may not be aware of as an accommodation is you may be able to get notes from someone else in that class.
- Lee Burgess: That's true. I was a note taker.
- Alison Monahan: Yeah, so basically, they get smarty pantses like Lee who are busy making charts of pro/con policy arguments and their notes and you can get those amazing class notes, sometimes just basically by asking for them with a valid reason.
- Lee Burgess: Yep. Absolutely. And even if you ... I hear one of the things that people say why they are worried not to transcribe the lecture is that they're like "What if I miss something?" Well, hey, you could sit down with a friend and compare notes. You could trade notes. You could maybe make your study group going through the class notes. Like "What did you guys include?" And that will allow you to catch anything that you might've missed. That's not a justification for being a court reporter in class.
- Alison Monahan: No, because also if you're recording things, you're not really filtering Okay, 20% of this is really mission critical and then 80% of this is kind of like we're talking about the procedural posture of some random case that is completely and totally irrelevant actually to your final exam.
- Lee Burgess: And thoughtful notes, they just are so much more meaningful and you just have to write stuff down or you will not retain it.



- Alison Monahan: Yeah. No, exactly. And I think it's really worth devoting some time to thinking about how to actually record these notes. More and more and more we see [handwriting](#) is probably the way to go even though it might put you, almost certainly would put you, in the minority in your class. There's a lot of work now showing that handwriting notes is going to help your retention, is going to help your understanding, and is just different.
- Lee Burgess: Yep. And so if you're not even sure where to start, you can explore different methods. There's the Cornell Method. Do you want to share a bit more about the Cornell Method?
- Alison Monahan: Cornell.
- Lee Burgess: [Cornell Method.](#)
- Alison Monahan: Yes, Cornell, after the university, I think.
- Lee Burgess: I don't know what I ended up trying to say. I was trying to say Cornell. It just wasn't quite coming out right.
- Alison Monahan: Yeah, so the Cornell Method is basically ... and you can even get pre-printed pieces of paper from our favorite Circa Notebooks that are designed for this method. And so basically you have a column down the side. You have an area in the middle that's where you write the bulk of your notes and then I think you have a piece at the bottom. And you know, I don't remember the exact details of it but basically one of the pieces is sort of key point, really key stuff, I think you put in the sidebar and then you take your normal notes in the middle and then I think at the end you kind of summarize and ask additional questions and things like that at the bottom. The point is it's a structured method that you can use for any class and it's going to keep that information basically in a way you can use it.
- Alison Monahan: The one thing you need to do with handwritten notes is you probably want to scan them in case you lose them.
- Lee Burgess: True.
- Alison Monahan: You could also consider writing on a tablet or something like that these days. That could work. But I think if you do want to hand write that can be a really effective way and you can get these notebooks that are ... they can let you move pages around and things like that. But even if you do use a computer, you know you want to sort of think the same way, like how am I going to structure these? How am I going to make them searchable for later? Are you going to highlight things? Are you going to use certain font colors? How are you ... because you don't want to do just a brain dump. Just like you don't want to do



on an exam. You want to have some structured way that you're writing this stuff down and picking out what's important.

Lee Burgess: Oh, I just had this great idea of using [Evernote](#), which allows you to take pictures of documents and like organize them. And like taking my handwritten notes and using labels with Evernote and having things be very searchable and easy to access when I did my outlines.

Alison Monahan: Yeah. I think that's the only downside really of using handwriting is that you have to then think about how you're going to access it.

Lee Burgess: Yeah.

Alison Monahan: One thing I do not recommend that people love to try to do is they take handwritten notes and then they retype them.

Lee Burgess: No! That's just so much not a good use of time. There is no evidence to show that retyping is a way of learning material.

Alison Monahan: No, it's like don't retype your notes. Take those notes and then put them into a more condensed form that makes more sense that you can memorize, like start to move towards your outline.

Lee Burgess: Yeah.

Alison Monahan: The idea that you would just go and retype those same notes that you just took is totally pointless.

Lee Burgess: Yeah. Yeah. Evernote. That could be really interesting.

Alison Monahan: Yeah, I mean there are a lot of programs now I think people use like the Microsoft One product or whatever that is.

Lee Burgess: OneNote.

Alison Monahan: OneNote and yeah, ever ... whatever you use. What was it?

Lee Burgess: Evernote.

Alison Monahan: Evernote, yeah. I was totally blanking.

Lee Burgess: I was like we were just talking about it.

Alison Monahan: I was like ever something.



- Lee Burgess: It's life changing. I use Evernote to organize my taxes. And this is what made me think about it because it's tax season and we've been complaining how neither of us have finished our taxes. And every time I get a tax document, I just ... you can just take your camera and take a picture of it and then it turns it into PDF and then you label it and then it's all organized.
- Alison Monahan: Right.
- Lee Burgess: So you don't have a stack of paper and you're not worried about losing things. It's magic. You need to print it, you just press print. It's beautiful. So maybe you could use something like Evernote.
- Alison Monahan: Yeah, I think that's a good idea. I think you just want to think about how you're going to use this material later and make it easy for yourself to do that.
- Lee Burgess: And then you can organize your taxes that way too. It's really been life changing. Alright, what about handling distractions in class?
- Alison Monahan: Well, this is a big one.
- Lee Burgess: This is a big one. This is a big one because we all have a lot of distractions.
- Alison Monahan: Yeah, I mean I think the interjection of smartphones definitely, exponentially increased the level of distraction in most classes and also WiFi frankly.
- Lee Burgess: Yeah.
- Alison Monahan: Before then, even if you had your laptop, you basically had just your laptop. It was pretty boring.
- Lee Burgess: Right.
- Alison Monahan: Now you have the entire universe at your fingertips. It can be hard to sit and focus when your professor is talking about foxes, but again, you are in class for a reason. So, I think putting away your phone, maybe even turn it into airplane mode and maybe even turn off your WiFi, as least consider it. Or at least turn off your Slack channels or whatever it is.
- Lee Burgess: Your notifications.
- Alison Monahan: Yeah, your notifications so that you're not really getting distracted because if you're sitting in class distracted, there's really no point.
- Lee Burgess: Yeah, I mean I left my phone somewhere yesterday when you and I were out meeting and I had such a pleasant lunch time because my phone was not with



me for like 90 minutes. And you know what, I made it. I made it a whole 90 minutes without it.

Alison Monahan: I know I was panicking on your behalf.

Lee Burgess: I know.

Alison Monahan: Oh my gosh! Lee doesn't have her phone. And we're like she has her computer and we're at lunch so probably it'll be okay.

Lee Burgess: It's probably okay. And you're one of the people I talk to all day.

Alison Monahan: Yes. Although it was funny when you needed to call the place that had it and you looked at me and I'm like "Why is she looking at me? Oh, because she doesn't have her phone so she has to use mine."

Lee Burgess: Exactly. But it was ... it's often refreshing to remind yourself that it's okay to not be connected to the entire world if you're supposed to be focused on something else.

Alison Monahan: Yeah, exactly. And I think this is basic, but you want to choose your seat wisely. So even if you are not going to be tempted by these distractions, I pretty much assume other people will be. So it can be very distracting if you're sitting in the back of a class and you've got all these people doing 18 different things in front of you and you're looking at what shoes they're about to buy and you're not paying attention to the foxes.

Lee Burgess: Yeah. I think being prepared for class is really important to you ... you not only want to kind of do the book briefs or the paper briefs but you also might have questions. You want to have engaged with the material enough to be interested in what some of those answers might be. And so, having ... I think we often times on our briefs recommend you have a space for questions that you're bringing to class because you may find they get answered but if you don't, then you're ready with questions to present to the professor and then that goes back all the way to the beginning when we talked about participation points.

Alison Monahan: Right. If you're raising interesting questions that have not been addressed, your professor might actually appreciate that.

Lee Burgess: Then you are participating. So, I think engaging with the content is going to make class more fun, if you have a clue what's going on. And I think you have to get into the right mindset. Maybe try not to be running from thing to thing to thing to thing and then running frantic into class.



- Alison Monahan: Yeah, showing up a little bit late or something like that. Like we all do it, but it is definitely going to be less stressful if you get there a couple of minutes early. You settle in. I've been taking a Reiki class. Maybe you do your little like Reiki while you're sitting there, focus your mind. I'm telling you it works. It's amazing.
- Lee Burgess: I know. I know.
- Alison Monahan: Yeah, but even just having that moment to yourself to kind of take a deep breath and get your notes ready is going to be better than just running around frantically trying to get there at the last second.
- Lee Burgess: And I think this idea, to keep in mind again, is that we don't function well with tons of distractions. We don't multitask. We try. I try.
- Alison Monahan: We all try.
- Lee Burgess: We all try. And we're terrible at it. And so just remembering that people did used to function ... I explained this to my son the other day. That we didn't used to have phones that came with us. He was like "Well, then what did you do?"
- Alison Monahan: How did you talk to people?
- Lee Burgess: How did you talk to people? He's like you just called them. I was like "Well, I didn't have a phone." And he was just like "What?"
- Alison Monahan: Like I had to be sitting in my house connected to a cable.
- Lee Burgess: I know.
- Alison Monahan: And they had to answer at that moment because we didn't even have voicemail.
- Lee Burgess: I mean you remember dating when it was like "I wonder if he called and left me a voicemail message on my machine." How different that was. To really feel like a dinosaur but the reality is it's okay just like it was okay to not have my phone for 90 minutes at lunch. It's okay to turn off your phone for an hour or put it in your bag. And it can actually be very refreshing. There are some really interesting articles out there and there's a new book ... who wrote the book about the digital ...
- Alison Monahan: Cal Newport.
- Lee Burgess: Cal Newport. We haven't read it yet.
- Alison Monahan: No Digital Distractions [[Digital Minimalism](#)] or something.



- Lee Burgess: Yeah. But I think this idea of figuring out how to contain your digital existence so you can focus is something that will help you in class but it's got to help you when you're studying too. You need to be able to put that stuff down because if you're getting a Slack message and an email message and a text message and you're trying to memorize community property or evidence and you're constantly being interrupted, you're not going to get anything done.
- Alison Monahan: No. And I think your professor, too, in class will appreciate having a person who's actually focused on what they're talking about and paying attention versus trying to do 17 things at once on their computer or their phone. I mean the professor sees that. So, if you go to office hours and they see that Lee is always sitting in the front row, focused on what I'm talking about, seems to be understanding me, they're going to like you more.
- Lee Burgess: Yeah.
- Alison Monahan: And that's always valuable. I mean if it doesn't help your grade it might help you get a recommendation or they might decide they want you to be their research assistant. So, it's worth being a good class participant.
- Lee Burgess: And like most things in life, if you've developed some bad habits, you can ... tomorrow's a new day.
- Alison Monahan: Baby steps.
- Lee Burgess: Baby steps.
- Alison Monahan: Try to get there five minutes early.
- Lee Burgess: Exactly.
- Alison Monahan: Put your phone away. You can always improve.
- Lee Burgess: Exactly. Alright. Any final thoughts on making the most out of class?
- Alison Monahan: Well, I think it's just a great opportunity and the reality is, I mean for me at least, I always thought "I am paying a lot of money to be here and I want to get out of this what I can."
- Lee Burgess: Yeah. And I think if you ... from just a practical perspective, it's way more efficient to pay attention in class and learn from the professor than try and teach it to yourself.
- Alison Monahan: Yeah, exactly.



Alison Monahan: 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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- [Are You Taking Good Law School Class Notes?](#)
- [Is Handwriting Notes a Good Thing or a Bad Thing?](#)
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