



Lee Burgess: Welcome back to the Law School Toolbox podcast. Today we're talking about the importance of practice. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify the law school and early legal career experience so you'll be the best law student and lawyer you can be.

We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career related website [CareerDicta](#). Alison also runs [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 reach us via the [contact form](#) on LawSchoolToolBox.com, and we'd love to hear from you. And with that, let's get started.

Alison Monahan: Welcome back to the Law School Toolbox podcast. Today we're talking about practice and why it is so important in law school. So, let's jump right in. Lee, why is practice so important?

Lee Burgess: Well, I think that what a lot of, especially 1Ls don't really understand is, there's this big disconnect between what happens in class and what's actually on the exam.

Alison Monahan: Right.

Lee Burgess: Because class is all about these cases, it's about reading opinions and talking about what the judges think and this and that. And the exam is really about the law, which is not talked about that much in class often times.

Alison Monahan: Yeah. Ironically what you practice doing in law school is not really what you need to practice doing for the exam. I mean, by the end of the first semester, hopefully you are pretty good at reading cases, talking about those cases, extracting certain rules from them, that kind of thing. But then there's this sort of missing piece. It's almost a chasm for a lot of people between that and what you're expected to do on the exam. And so, the point here is, if you haven't practiced what you need to do on the exam, I think you're probably going to have some issues.

Lee Burgess: Yeah. And if you're not sure what an exam looks like, we have podcasts on this. We even walk through an exam answer.

Alison Monahan: Right. Essay exams.

Lee Burgess: Essay exams. But the idea is they're going to give you a fact pattern and you're going to have to do legal analysis of that fact pattern, which is not what happens in class. Your professor might give you some hypos or you might do some of those exercises, but class is about reading cases and briefing them and talking about them. So, what you want to start thinking about, I think even as you're in



class and as you're digesting these cases is, what's the takeaway? Why is this case in this casebook and could you apply that to a fact pattern eventually?

Alison Monahan: Right. How would I use this later?

Lee Burgess: Yeah. I think another problem with how people are moving through the semester and why practice is so important is, it's hard to know what you don't know.

Alison Monahan: Right. I think there's sometimes some overconfidence.

Lee Burgess: Oh, yeah. False confidence.

Alison Monahan: False confidence in law school, where people think, "Well, I basically understand what's going on in class. I more or less understand the reading. I pretty much seem to be getting what they expect me to get out of it." And unless you test that hypothesis, you don't really know that actually maybe you know vaguely what negligence is, but could you do an actual negligence analysis step-by-step, element-by-element without leaving anything out? Maybe not. You'd have to test yourself so you know that.

Lee Burgess: Yeah, I think that that's true. I also think it can be hard because you feel all this pressure to outline and you think you understand what outlining is. And people will write these treatises, these outlines that are halfway through the semester, but they are 40 pages long.

Alison Monahan: Right.

Lee Burgess: But then when you ask them to apply a lot of a fact pattern, they're really scratching their heads. So, without practice, you don't even really appreciate whether or not your study materials are working.

Alison Monahan: Right. Are they helpful? Are they not helpful? Is this a good use of your time to be spending all this time? I love it when people are like, "Oh yeah, I made an outline. I basically took my class notes and rewrote them." And it's like, "Okay, well that seems to be a lot about class." Can we talk about what you're actually going to be tested on? Because that's what these study materials need to get you closer to. And also, I feel like you don't know until you try it what's really going to work for you. I found out pretty quickly that the typical sort of law school outline didn't really work with the way my brain worked. And so you need to have that time to do something else.

Lee Burgess: Yeah. I also think that you might even find that different classes lend themselves to different study materials. You really like... not flashcards. You really like...



- Alison Monahan: I do not like flashcards.
- Lee Burgess: You do not like flashcards.
- Alison Monahan: I did make flashcards once. They were not helpful.
- Lee Burgess: They were not helpful. They weren't helpful for me either. But you really liked flowcharts, and I think there are some subject areas that really lend themselves to that – for instance real property, future interests. To have some sort of flowchart reference is incredibly helpful. Or the Fourth Amendment – often times there's really a decision tree about the Fourth Amendment that you can build. So you also want to be kind of testing out these different techniques of what these study materials can be for these different classes, because different law can be learned in different ways.
- Alison Monahan: Yeah. For me, I had Contracts all on three pages, because that's very sort of linear: Is there an offer? Is there an acceptance? You kind of have to move through that process. But other classes are more free form, so that doesn't really work so well.
- Lee Burgess: So, the other thing that we talk about a lot on the blog and on the podcast is this need to evaluate your work and get feedback. And you can't do that without actually writing it out.
- Alison Monahan: Right. If you don't do the work, there is nothing to evaluate. And again, I think this is a place people commonly go wrong. This is where the study group can get you because you think, "Oh, I'm putting all this stuff together. My study group, we talk through all of this. We talk through some hypos." It's like, can you write that down by yourself?
- Lee Burgess: Right.
- Alison Monahan: That's a great first step, but you have to be the one in the room. Your study group, A, doesn't get to work with you on the final, and B, you don't get to talk about it. You have to write it.
- Lee Burgess: Yeah, exactly. So, this practice is where you have to be by yourself, writing it out.
- Alison Monahan: Right, and typically eventually under timed conditions, because that's another place... If people have six hours, maybe you can write a hypo and a great answer. But if you have one hour, it's a question of what you can get on the page in that hour.



- Lee Burgess: Yeah. And eventually when you sit for the bar exam, the time constraints are so strict. This is where you're really using your law school experience to prepare for, is this idea that it's not just about the perfect answer. It's the perfect answer under the time conditions.
- Alison Monahan: Right, and I think one of the great things about practicing is you get faster. If it's the first time you've done something, obviously the first time you do anything you're not going to be that efficient. I mean, think about even a child learning to walk. They don't just suddenly start running.
- Lee Burgess: No.
- Alison Monahan: So, you've got to walk before you can run, basically, and hopefully by the time the exam comes you are pretty efficient at this. But the first time you write an exam answer or even do some multiple choice questions, you are not going to be very efficient.
- Lee Burgess: No. I think the other thing that folks forget is, exam answers are what you get graded on.
- Alison Monahan: Right. Exactly.
- Lee Burgess: And most people don't spend a lot of time during their semester actually working on what they get graded on.
- Alison Monahan: No, it's really true. And I think everyone has the best of intentions. But if you look carefully at your schedule, you might probably find that you're spending, say, 80 to 90% of your time really preparing for class and doing that type of thing. And then maybe... Even 10% would be great, if you're doing 10% of it, actually preparing for the exam. Class is important, but ultimately you are graded on what you get down on that final exam.
- Lee Burgess: Yep. So often what happens in the law school class is after the grades came out, there's somebody who high scores the class.
- Alison Monahan: And everyone's like, "Who was that person?"
- Lee Burgess: And everyone's like, "Who is that person?" They didn't say anything in class. They didn't sound like they understood anything. They never raised their hands. And you never know what that person is doing to understand and execute the class quietly in the back.
- Alison Monahan: No, no. I definitely had friends who told me later that they did not do well in classes that everybody thought they were brilliant in, including the professor,



because yeah, they work great in class, but they didn't really prepare that well for the exam.

Lee Burgess: Yeah. Alright, so hopefully we've now convinced you that practice is incredibly important. But I think the reason why a lot of, especially 1Ls delay their practice is, they aren't sure how to get started. So, the first question we often get from people is, "Where can I even find materials to practice?"

Alison Monahan: Yeah. This is obviously a very common question for a reason, and always the first place to look is what your professor is giving you. Your professors when grading your exam, have they given you old exams to look at as a sample? And if not, are they giving you those in class hypos? Do they walk you through how they think you should approach a certain question? Are there things that they seem to be focused on? Are they playing with, "Well, what if we changed this fact, how would that impact this?" Those are the sort of things you want to write down because that's probably likely to be what the exam is kind of about.

Lee Burgess: Yeah. If your professor is not very giving in this department, you can also sometimes just get old exams from another professor too. Some law libraries will have exam answers. So if you have, especially a new professor, a visiting professor, sometimes they're running similar curriculums. You can even go to the library and find other professor's hypos.

Alison Monahan: Yeah, and I think this is one of those things that you want to be careful about. Ideally you go for your professor first, and then if it's someone else, you want to think through or maybe talk to some people in their class about what their approach is, to make sure it's not some super idiosyncratic thing that your professors would never test on this. If they're visiting, actually, you can sometimes get stuff from their other schools.

Lee Burgess: Oh, good point.

Alison Monahan: I've done that before. I contacted a friend who was at their prior school and they looked on their internal network, where the old exams were. I think he not only sent me all the old exams, he also send me the world's most amazing outline. This was a 3L class. I think I got an A in that class.

Lee Burgess: I'm sure you did.

Alison Monahan: It was like a 48-hour take home. I'm like, "I have the world's best outline. Wow." Yeah, thanks. That was a great email for me to have sent.

Lee Burgess: No kidding.



- Alison Monahan: So you can look around. I think there are online banks, but you don't want to necessarily be getting totally random stuff if you can avoid that.
- Lee Burgess: You can also go talk to the professor. And if they don't have a lot of materials, professors are not going to get mad if you go to them in office hours and say, "Hey, I would like to start applying this law to fact patterns. What do you recommend?"
- Alison Monahan: Yeah. And to be frank, they really ought to provide you at least one or two questions, unless it's literally their first year teaching. And even then I feel like they ought to be providing you some sort of samples. It's really expected that they're going to give you some idea of how they're going to be testing, because it's only fair.
- Lee Burgess: Yeah.
- Alison Monahan: And they don't really want you to come in and bomb the exam anyway.
- Lee Burgess: No, because they're terrible to grade. I mean, if you get a whole stack of questions that are just a disaster, it is really hard to set a curve and grade them.
- Alison Monahan: Yeah. And so, your professor has a vested interest in not giving you exactly what they're going to test on, but at least letting you know like, "Okay, it's going to be one essay and three short answers and 10 multiple choice questions, and here's where you might look." A lot of supplements have stuff, so if you're looking, particularly in the beginning of the semester where it's really more about solidifying your knowledge of a particular topic area and you want a short answer type of thing, a lot of the commercial supplements have good things on that. If you're in Civil Procedure for example, there's probably going to be a personal jurisdiction question. There's not a lot of weird stuff you can do with that question. Even if your professor has not provided you something, you can find that.
- Lee Burgess: I think what happens though with students when they start going and digging into supplements is they often start studying stuff that wasn't covered in their class.
- Alison Monahan: Right.
- Lee Burgess: So one of the things you really have to think about is, when you're looking at those fact patterns and when you're reviewing those answers, that the law that is covered is stuff you've covered in your class. Professors don't want to see you spouting out anything on the exam that they didn't cover in their class.
- Alison Monahan: Yeah, exactly.



- Lee Burgess: And the other thing that you have to think about is if you... We're going to talk about going to your professors a little bit later, but taking your professor a question that covers law that they didn't cover is not going to make them happy.
- Alison Monahan: No, I think you have to be cognizant of, "Okay, this is on point or not on point." It can be harder and easier to find these, but if you are desperate, I think supplements can be a good place to look. And also, if you really just want to do some fairly easy practice, you can always get something like the [Examples & Explanations](#), which particularly for certain topics like Torts and Civ Pro are really good.
- Lee Burgess: Yeah. You can also try writing your own fact patterns.
- Alison Monahan: Oh, that's your favorite technique.
- Lee Burgess: That is my favorite technique, but I think that this is kind of magical, because it forces you to really understand what the professor is doing. And so, to do this, you don't just want to come up with a crazy fact pattern; just come up with it. You want to think about the law and think about how the law would turn based on different facts. And then you want to write a fact pattern that will trigger certain areas of law, and then create facts that will make it an interesting question and create ambiguity. I think this exercise really starts to help you appreciate how the fact patterns are written by professors and also how the facts can be tweaked, and that facts are written in a very intentional way. So, I think it's fun, but I guess I do this for a living. So I guess I'm a bit of a dork. But you can do this with a study group. You can sit down, you can all decide that you're going to write fact patterns and then trade them. But I think that this step makes you really understand how these fact patterns are written and what they're trying to solicit from you, and I think that if you can write fact patterns, you can execute exam answers.
- Alison Monahan: Right, because you don't really start by thinking, "What's this hypo going to be about?" What you start by thinking about is, "Which piece of law would I like to test?" And then you realize you're basically working your way backwards from something that's going to trigger an interesting discussion of that particular area of the law.
- Lee Burgess: Because if it's a four-prong test in Torts, you have to have facts to touch on all four prongs.
- Alison Monahan: Right, or you might decide, "Oh, I want to maybe make it ambiguous about whether this is something under the UCC or not, in Contracts. How would I raise that issue?"



- Lee Burgess: Right.
- Alison Monahan: So then there are probably a fairly limited universe of situations you can think of, where it's like, it's sort of a sale of goods and sort of not. That's something that might show up on your exam.
- Lee Burgess: Right. You're like, "Well, this guy built a fence, but he also provided all of the wood. I wonder if that is a good or a service, and how do I decide?"
- Alison Monahan: Right. Those are the questions your professor's thinking about too.
- Lee Burgess: Right. Exactly. If your school has an academic support office, you can always go there and sometimes they have additional banks of questions. That office is there for you, so go ahead and take a walk in there and see if they have anything. You may have either a TA or a tutor even for your class. This is often times though why folks come to us, is because they want some additional help providing hypos and getting feedback on those hypos. And so, of course, private tutors can do that too.
- Alison Monahan: Right. So, you don't have to waste your time trying to figure out if the questions are relevant. We will find them for you.
- Lee Burgess: And we have banks of questions, so that makes it a lot easier.
- Alison Monahan: Exactly. And we are also pretty familiar with what your professor's most likely to be testing.
- Lee Burgess: Yeah. So, the other thing that you can also look at are bar questions. I think a lot of times people forget that the bar covers a lot of these core 1L classes. Some bar questions in UBE jurisdictions are a little harder to access, because the licensing fees are a bit tighter on those, but the California bar is nice enough. I guess we can say "nice enough"...
- Alison Monahan: Generous enough.
- Lee Burgess: Generous enough to provide a bunch of questions online. It's not particularly easy to search for them, unless you're using a tool like our [Brainy Bar Bank tool](#), which has things sorted. But you can go through and start to look for some questions and do practice on those too. And they're typically straight forward, more heavily tested issues that you're going to have seen in a class.
- Alison Monahan: Yeah, I think particularly the UBE essay questions are 30 minutes – that's pretty short. These 30-minute bar questions you might see for a one-hour question in a first year class, but they're very focused. It's like they're testing three issues



and these are the things you need to know. So again, you have to make sure it's relevant, but that can be a good place if you're really struggling to find things.

Lee Burgess: I don't think though that a good use of your time is just going down the hole of the Internet, looking for every possible fact pattern you've ever seen.

Alison Monahan: No. I feel like really if your professor hasn't provided stuff, your school hasn't provided them, maybe do some with friends and then turn to some reliable supplement, and you're going to be fine.

Lee Burgess: Yep. So once you've done this practice, what do you do with it?

Alison Monahan: I mean, just throw it away, right?

Lee Burgess: Right.

Alison Monahan: You're done. You're practiced.

Lee Burgess: You're done. Delete.

Alison Monahan: No, you do not throw it away.

Lee Burgess: Delete.

Alison Monahan: No, this is where the real learning happens. So, it's great that you sat down and you did this. Congratulations. You get a gold star. However, the real learning is when you start comparing what you did to a sample answer and really looking at how you structured this, or if it's multiple choice questions, why are you missing these questions? Is it you don't know the law? Did you get confused? What is going on here? Because that's really where the magic happens.

Lee Burgess: Yeah, exactly. So, you can go to your professor, especially if it's a question from their class; often times they're open about that. You can go to your TA's, you can compare to your friends. You can just pair up with a person if you don't have a study group and just compare answers. But I think what you want to do is to start to see what are the commonalities. I think the other thing that can be a benefit by reading other student answers is you start to see how hard it is to read an answer that's a bit of a mess.

Alison Monahan: Right. And the other thing too is if your professor has given you a sample answer, you want to pay careful attention to why they picked that answer. Because sometimes professors hand out answers and they're not what you would expect their style to be. They'll be all over the place in class, very theoretical. And then they hand out a sample exam with a sample answer and it's very straightforward, straight to the point, IRAC, black letter law, element-



by-element. And you're like, "Oh whoa. This is not what I would've thought you were looking for." So you want to be sure that your writing is really in that style.

Lee Burgess: I think that's especially true for the Ivy League type schools.

Alison Monahan: Oh, for sure. Yeah, absolutely.

Lee Burgess: One of our favorite students of all time, who was at an Ivy League school, we were talking about his Criminal Law class and his exam. And he sent me one of the sample questions from the professor and I was like, "Okay, so this is a straight forward fact pattern on homicide, so go for it." And he sent me an answer all about theories of crime and punishment. I was basically like, "This is a failing answer."

Alison Monahan: You're like, "There's a dead body. What happens? Who's responsible for that?"

Lee Burgess: Who's charged for the dead body?

Alison Monahan: Not theoretically, but who's going to jail for this?

Lee Burgess: Right, exactly. Is this with malice? And he's like, "What?" And I realized I had to teach him homicide, because that's not what his class...

Alison Monahan: I mean, it's just not what you do in these classes. I talked to someone at a fancy school the other day who's concerned about preparing for the bar, and I'm like, "Yeah, you probably should be concerned because you didn't learn any of this." I know you didn't learn it, because I was at a similar school. We didn't learn anything like this.

Lee Burgess: No. My Contracts professor who had gone to Harvard was like, "The first time I learned civil procedure was for the bar, because my Civil Procedure teacher did not teach me civil procedure."

Alison Monahan: I remember the first day. I ended up being a TA for this class, I loved the class, but he walked in and he was like, "Yeah, I've got to say. I just don't really find these rules that interesting, so we're not really going to talk about them. But you should read them on your own." I'm like, "It's the federal rules of civil procedure and we're just not really going to cover those?"

Lee Burgess: Yeah, we're just going to sweep this under the rug. I bet those were on the test though, weren't that?

Alison Monahan: Yeah. His questions were hard, but they were also very straightforward, like you must know the law, you must know it in extreme detail, and you must be able to apply it. I think that's a great point, particularly at these fancier schools – you



really want to look early in the semester about what you're going to be asked to do, because it's probably not what you're suspecting.

- Lee Burgess: Yeah. And if you need somebody to teach you homicide, find somebody to do that.
- Alison Monahan: Yeah. Or at least read a commercial outline. You need the basics here.
- Lee Burgess: Yep. Alright, so another question that we often get is, how early are you supposed to start practicing? Because I think a lot of people will say, "But I can't start practice because I haven't outlined yet."
- Alison Monahan: Yeah. I admit, I took my first ever practice exam the day before my Torts final, which was my first final. That was too late.
- Lee Burgess: That was a mistake.
- Alison Monahan: That was a mistake. I did not do as well in that class as I had expected to do. I feel like you want to start practicing as soon as you can, and typically within about the first month.
- Lee Burgess: Yeah. I think as soon as you have kind of finished a body of law, then you're ready. We were talking about personal jurisdiction. As soon as you finish personal jurisdiction, you can start understanding how to apply that to facts, and that is going to help you outline and understand. I even remember being a 1L and sitting in the library and, quote, unquote, "outlining" from early in the semester. You're plugging away and you're just like, "Oh yeah, I totally understand this stuff." And then there's no challenge to apply it. I mean, you're just plowing through it. And then the first time you see this fact pattern, if you wait until reading days or something, you're scratching your head, being, "I have no idea what this law even means." And so, you want to constantly be challenging yourself. I think that people think they can only do that with these full-length practice exams, and that's such a mistake. These professors are going to give you hypos in class, so write them down. If they aren't giving them to you, print it, and come up with the answers.
- Alison Monahan: Yeah. And I think even if you want baby steps into it, this is again, where the Examples & Explanations can really come in handy, because it really is breaking it down for you and just giving you easier questions at the start. Frankly, if you can't answer those questions, you're in real trouble. So this is also a way to maybe gain some confidence, or if not gaining confidence, at least getting a clear understanding that you should not be confident if you're getting all of these questions wrong, because those are frankly not that hard.



- Lee Burgess: Yup. Alright, so what if you start doing practice and it's just bad, it doesn't go well?
- Alison Monahan: Well, I think there are a couple of things going on here. One is, it's probably not going to go that well the first time anyone does this. So, there is an element of, you've got to take a step back and be kind of objective and say, "Okay, this wasn't necessarily great, but that's okay and I can work with this." But then there are other cases where you realize you were just completely off base or you don't know where to get started, you can't do anything. You're having an anxiety attack as soon as you read the question, that kind of thing. You've got to get help. You've got to figure out some place to get additional help, and hopefully you've done this early enough that you have some time to do that.
- Lee Burgess: Right. Even if a professor seems intimidating, they are going to give you props for wrestling with the material. So, you should feel like you can go to office hours and talk to them.
- Alison Monahan: We even have a whole [podcast on going to office hours](#).
- Lee Burgess: Yes. We give you kind of a script of how to talk to them. Academic support offices are very helpful. TAs for the class, although you always have to remember that TAs are students. They are not perfect, so you want to make sure that you're thinking about their advice. And this is from two people who were TAs. They might just be a year further into this experience.
- Alison Monahan: Right. I mean, I was a good TA. I made cookies. Did I always know what I was talking about? Maybe not. I was doing my best. I will give myself credit – if nothing else, I typically admitted when I didn't exactly know something. But some TAs won't – they'll just tell you something and it turns out to be totally wrong.
- Lee Burgess: Yeah. I had a TA do an exam review and completely be wrong about vicarious liability and criminal law. Lucky for me, my father was a criminal law attorney and I called him that night and he was like...
- Alison Monahan: "This doesn't sound quite right."
- Lee Burgess: "This doesn't sound right." He said, "No. That is absolutely not right." So, you do want to be thoughtful. I think this is really where tutors like ours, who are not fresh out of a law school class, who are mostly law professors or accomplished attorneys or have graduated with honors and have experience looking at a lot of different professors' classes, because we can really help you not only evaluate your work, but also encourage you to shift your writing style to the way that it needs to be. So I think starting off with that kind of practicing feedback,



especially if you don't feel like your school is going to provide it for you, can be really helpful.

Alison Monahan: Yeah, because these are learned skills.

Lee Burgess: Yep.

Alison Monahan: You've got to learn how to prepare for the exam, you've got to learn how to write the exam, but these are skills that will pay off in the long run, because typically people who are struggling on the bar have also struggled in law school and they could have really saved themselves some time and trouble by just dealing with their issues sooner.

Lee Burgess: Exactly. So, another question we often get is, is it too late to practice? We talked about practicing really early, but is it ever too late? And I don't think it's ever too late to go through a practice exam.

Alison Monahan: No. Literally, I remember missing something on that exam that I took the day before my Torts exam, and that same issue showed up on my Torts exam and I did not miss it the next day. Once you've missed something once, you're not going to miss it again. So even if it's a couple of days before your exams and you're feeling like, "Oh, I should've started this a lot sooner" – just get started.

Lee Burgess: Yep, exactly.

Alison Monahan: It's like the little adage about planting a tree: "The best time to plant a tree is 20 years ago. The second best time is today." Sure, you should have started this two months ago, but you can still do something.

Lee Burgess: Exactly. We're seeing more and more multiple choice exams. Do the same rules for practice apply to those?

Alison Monahan: Well, I think the critical piece here is, you need to practice in this format. And it can be really difficult to find these questions. I think typically when professors are doing these questions are doing it based on the multiple choice on the bar exam, so that kind of opens some doors for you.

Lee Burgess: [CALI](#) exercises can be very good if they have those at your school.

Alison Monahan: Yeah. There's a series called [Strategies and Tactics for the MBE](#) by Stephen Emanuel that's very popular that kind of walks you through them. And that's great because you can spend, I don't know, \$70, \$80, and you get all of the subjects. So, say you have several of these, you'll have all of your practice materials. They're not changing. And your law school library may have questions



as well, because typically your professors are not going to give you a lot of these. And they can be super tricky.

Lee Burgess: They are super tricky. Sometimes professors will give you one or two about their own style, but you've got to try and realize that your professor is not going to release them. because writing them is really tricky.

Alison Monahan: It is a nightmare.

Lee Burgess: It's a nightmare. We have written some, it's not fun.

Alison Monahan: It's another reason they're probably basing them kind of on bar questions.

Lee Burgess: Right. And so, they're not going to release a lot. So you have to make sure that you are practicing these. Especially if multiple choice is something that you have struggled with in the past, you can't ignore it.

Alison Monahan: No. And I think the thing to realize about multiple choice questions is it requires a very detailed knowledge of the law in a way that the essay does not necessarily. So an essay, maybe you miss a sub topic, sub exception to sub exception. You can still do quite well. If you get a multiple choice question on that topic and you don't know the law, you basically have no chance.

Lee Burgess: Good luck.

Alison Monahan: Yeah, good luck. You're going to guess.

Lee Burgess: Yeah, they often get the curve from the multiple choice questions.

Alison Monahan: Yeah, exactly.

Lee Burgess: Yeah. Well, as we wind up, any final thoughts on the issue of practice?

Alison Monahan: Well, the only final thing I would say is, this is hard. One of our most popular [blog posts is about doing things that are hard](#).

Lee Burgess: I was just going to say the same thing.

Alison Monahan: I know.

Lee Burgess: You beat me to it.

Alison Monahan: We are basically the same person.

Lee Burgess: We are basically the same person.



- Alison Monahan: So, if you try this and you are struggling and you're feeling bad about it, that feeling is sort of the necessary discomfort to get to the other side. So, sit with that discomfort, keep going, and then at least you won't be having that feeling for the first time when you show up to your exam.
- Lee Burgess: Yep. I don't have anything to add, because you added my thing.
- Alison Monahan: Alright, there you go. I stole your thunder.
- Lee Burgess: You did, you did.
- Alison Monahan: This wasn't even in the script.
- Lee Burgess: Exactly. Alright, with that, we're out of time. So, you can go practice. Stop listening to the podcast.
- Alison Monahan: Exactly. Get off this podcast.
- Lee Burgess: 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. And 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 can always contact us via our website [contact form](#) at LawSchoolToolbox.com. Thanks for listening, and we'll talk soon!

RESOURCES:

[The Brainy Bar Bank: Streamlining Bar Study](#)

[Examples & Explanations \(E&E\) series](#)

[The State Bar of California, Past Exams](#)

[CALI Lessons](#)

[Strategies and Tactics for the MBE, by Stephen Emanuel](#)

[Podcast Episode 106: How to Go to Office Hours and Make It Worth Your Time](#)

[Podcast Episode 163: Common Legal Essay Analysis Problems and How to Solve Them](#)

[Law School Toolbox blog: A Handy Template for Answering "Hard" Law School Exam Questions](#)