



Lee Burgess: Welcome back to the Law School Toolbox podcast. Today we're talking about how you know when you need some extra help in law school. 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 how to know when you might need some extra help in law school. Well, we were recently asked about this topic by an incoming 1L, and it's actually a harder question, I found, than it might seem to be. And I think this is for a couple of different reasons. Number one, what you're doing in class and via the reading doesn't directly translate to the final exam, so it can be kind of hard to see that you're struggling until it's too late.

Lee Burgess: Yeah. And typically everybody's kind of struggling because the material can be dense and hard to get through too.

Alison Monahan: Right. So it can be, I think, a little bit hard; as my professor used to talk about, good confusion or bad confusion. So, the good confusion is when you're really realizing that this material is complicated, it's hard to see how it fits together, maybe there is some push and pull in the way the law is. That's the good confusion. Then the bad confusion is you literally have no idea what's going on. And it can be hard to figure out which of those places you're in until the exam comes and you get a grade.

Lee Burgess: Yeah, because you don't get much feedback.

Alison Monahan: No, you don't.

Lee Burgess: Until the final. And without you doing some directed work yourself, you often time will get very little to no practice as well.

Alison Monahan: Yeah. So I think that is not like what people may have done in different educational experiences, where you had quizzes and things to help you evaluate how things were going. Here maybe you have a midterm, but typically most of your grade is going to be based on this one exam. So, as long as you're keeping up with the reading you can think, "Oh, I'm fine." And then you're not fine.



Lee Burgess: Yeah.

Alison Monahan: So you want to try to evaluate that sooner rather than later.

Lee Burgess: Yeah.

Alison Monahan: Yeah. The other thing I think, most law students are just used to being good at school, so they kind of assume they will be fine.

Lee Burgess: Yeah. Because if you choose to go to graduate school, you usually did okay.

Alison Monahan: Yeah, exactly.

Lee Burgess: And you didn't hate school.

Alison Monahan: You didn't hate school. You were typically a pretty good student. You had the grades to get in, you had the LSAT score to get in. You've always been able to figure out what needed to happen and do it and make your teachers happy. And you just assume, "Yeah, well, I'm doing what they're telling me to do. I'm showing up to class, I'm doing my reading. Maybe have a study group. I'm cool, I'm good, right?"

Lee Burgess: Yep.

Alison Monahan: And that may be true, or it might not be true.

Lee Burgess: Exactly.

Alison Monahan: So, let's take all of these a little bit apart.

Lee Burgess: Alright, so first let's start with what you do to prepare for class and do in class, versus what's on the exam. So I think one of the common pitfalls for 1Ls is they don't understand that the reading and class discussion just isn't sufficient to prepare you for the exam. You have to put the pieces together in some usable format on your own, and understand how this law functions in the real world.

Alison Monahan: Yeah. I would say understanding the reading and the class discussion is kind of the floor here, it's not the ceiling.

Lee Burgess: Right.

Alison Monahan: You've got to build that room inside so that you can be the one who moves up to the second floor. I don't know. Is there an elevator analogy in here somewhere?



- Lee Burgess: But I think that this is murky stuff. It's time-consuming, it's hard to do, and it isn't the productive busywork of, "I have 30 pages of reading that I just have to get through." We call this the "deep work", and this is the stuff that nobody wants to do because it's Friday and everybody wants to go start their weekend.
- Alison Monahan: Yeah. And I think this can be both harder and much more time-consuming than it looks. So, you really, throughout the semester, have to be thinking carefully about, "Am I blocking out enough time for this?" And is that time increasing incrementally as you go through the semester? Because you're going to have more and more and more stuff that you've got to put together, and if you fall behind, I think that is a pretty clear sign that you need to get some outside help. Because if you're not doing any deep work or you're trying to do it and you're really flailing, that is a pretty big red flag.
- Lee Burgess: Yeah, and this is where it can be really easy to start burning a lot of time doing busywork that doesn't add value. So, an example of this that we have seen over and over again is we get students calling us saying, "Well, I have no time to do deep work because I have to read three supplements every week to prepare for class."
- Alison Monahan: Pick one.
- Lee Burgess: Pick one. You don't need to be reading three supplements.
- Alison Monahan: Or, "I'm rereading the cases."
- Lee Burgess: "I'm rereading the cases. I'm recording the lectures and re-listening to the lectures."
- Alison Monahan: Anytime you had to read anything, I think you probably want to evaluate if this is really the best use of your time.
- Lee Burgess: Right. "I'm retyping my class notes." None of this is actually forcing you to do the heavy lifting. And I think that it can be a challenge to push yourself out of doing busywork. Busywork is very comforting.
- Alison Monahan: Yeah. And I think there are so many resources that people have available now, it's like, "Oh, I'm spending all this time reading stuff on [Quimbee](#)", or doing this and that. It's like, "Okay. Well, how useful is that to you?"
- Lee Burgess: Right.
- Alison Monahan: "Does that feel easy? Because if it feels easy, you probably should be doing something else."



- Lee Burgess: Exactly. So, the more abstract work is what people don't want to spend time on but if you feel like, "Hey, Alison and Lee, thanks for the advice, but there's no way I have four or five hours in a week to do this heavy lifting" – well, then you've got to find it.
- Alison Monahan: Yeah. I'm sorry.
- Lee Burgess: We're sorry. You've got to find it, or else you're not going to academically do well. And it is likely that you're wasting some time, so if you need to, start tracking your hours like a good lawyer, and find out where your hours are going so you can decide what you can stop doing to make time for other work.
- Alison Monahan: Yeah. And one piece of outside help that some people may need, which we'll talk about later, is you may need to look at some accommodations and there may be issues that you've not dealt with that need to be dealt with. But we'll get to that.
- Lee Burgess: True. Alright, so the other thing I think that's tricky is that if you're just cranking away this busywork and you're just reading for class, and you generally can answer the professor's questions in class, you feel like, "Thanks for the advice, but I'm good."
- Alison Monahan: "I'm good. I'm doing what I'm supposed to do. This is what I came for."
- Lee Burgess: Right. "I'm checking the boxes. I'm doing my reading each week." And I think if you're not doing the deep work, or if you're not challenging yourself to apply this law to fact patterns, or you're trying to do it and you're just flailing around and you're not able to execute the questions, you are in trouble and you need to go ask for some help.
- Alison Monahan: Yeah. And I think often times when we talk to people in their second semester after they've gotten their grades back, like, "You kind of knew it was going downhill." Same thing with people studying for the bar. At some point you kind of had an idea.
- Lee Burgess: Yeah.
- Alison Monahan: For a lot of people it's a sad situation because they say, "I just did nothing but work the entire time. I don't know how I possibly could have done any more." And it's like, "Yeah, you spent a lot of time doing things but they weren't the right things." Part of that is because there's just not much practice or feedback for what you need to do on the exam. So this is where I would argue if you have midterms, that is a blessing, not a curse.



- Lee Burgess: I think that's true. And we're seeing this more and more with what the professors are doing.
- Alison Monahan: Yeah, thank goodness.
- Lee Burgess: Yeah, thank goodness that they are doing midterms, because if you think you're just doing great and you're rocking law school, and then you don't do well on that midterm and you have a humbling experience, this should be a wakeup call that you might want to get more help. I think that one of the things that happens with midterms is sometimes professors either do them ungraded or it's a very, very, very small percentage of their grade, which I think is a gift. They're really letting you give it a shot. But then I think students often times don't take it that seriously, and then you're not even getting an accurate reflection of what you can do. So, I don't care if it's a pass/fail midterm – give it a shot. It's worth it.
- Alison Monahan: No, I agree. I have the story you've heard before, about failing the pass/fail midterm. It wasn't really a midterm, it was a test on a three-week pre-course. And I had actually prepared for it. I had studied for it. I don't think most people did. And then I failed it, and was like, "Whoa, what just happened here?" And it turned out to be some specific thing, but it was a real wakeup call. Not so much that I needed to get specific help, but more how I needed to approach exams. But yeah, that's a great point that it's very easy to say, "Oh well, I just won't really bother studying for this because it's not graded." And then when you do poorly you think, "Oh well, I did poorly because I didn't study for it."
- Lee Burgess: Right.
- Alison Monahan: Which could be true; that's probably part of it. But you might've done poorly even if you did study for it, and that's actually even more important information to have. So, I think you do want to invest not weeks of time, but some time and effort really approaching this as if it was an actual real exam, so that you do get an accurate understanding of how you're doing.
- Lee Burgess: And you're also getting some feedback from the professor on what their questions look like. This is going to allow you to test yourself better going forward in the format of what your professor likes to write.
- Alison Monahan: Yeah, exactly. I think just take your midterm seriously if you have them. Well, if people don't have them, what can they do?
- Lee Burgess: Well, they've got to do significant practice. They've got to take practice exams and do the sections of them that apply to the first half of the class. You've got to go meet with your professor and try and get feedback on hypos that maybe



they've given in class. You can't just ignore it. You have to create your own midterms, basically, if you don't have one in your class.

Alison Monahan: Essentially you need to be testing yourself pretty early on in the semester, and realistically evaluating your performance. If you have your study group, you can do it then. If not, this is a great opportunity to get a few classmates together. And you want to make sure you're testing yourself in the format of your actual final. Is it multiple choice? Is it essay? Is it short answer? We have a longer [podcast about practice](#) you can get referred to, but basically, if you have multiple choice questions you want to be practicing multiple choice questions and see how you're doing, because if you're doing really poorly on those, you need to get help.

Lee Burgess: Yeah, exactly. And the other realistic part of all of this is that law students tend to be kind of overconfident.

Alison Monahan: Oh yeah. I had an interesting discussion recently with someone about the curve, and his understanding of how many As would be given out in a class of a hundred students was pretty far off. It's like two to three, I think. Actual As. If you look at the normal distribution, it drops off really fast. He thought it was something like 20. I'm like, "No, no, no, no."

Lee Burgess: No, no, no, no, no.

Alison Monahan: 20? You're in B+ range already.

Lee Burgess: Yeah. And everybody's been pretty good at school, as we were already talking about. But the problem is, the stakes are higher and those 1L grades matter. One of the things that I remember somebody mentioning to me when I was a 1L, that I thought was complete crap, was that everybody would know the law going into a closed book exam, and that that wasn't going to be the differentiation. And I thought that that was crazy. I'm like, "How is that possible? How could a hundred people all basically memorize the law?" And then after you study with everybody and go sit down for the test you're like, "Oh, no..." There might have been a couple of people who didn't study, but most people knew the law. That's not how people were differentiating themselves from the person sitting next to them. People were differentiating themselves by understanding the application of that law and having a more sophisticated understanding of how facts could be ambiguous, and having a better writing style, and writing the way the professor wanted, and having better time management skills, and all of that kind of stuff. So I think often times you just think, "Hey, I know the law. I'm golden." And that is not true.



- Alison Monahan: They're like, "I'm good. I can list out the elements of whatever." Unfortunately, no one's going to ask you to do that on the exam. This is not an exam about list the elements of negligence.
- Lee Burgess: Yeah, exactly. We could argue on another podcast about whether or not it's a good thing, but 1L grades really matter. They really do. I wish they didn't, but they matter on getting on the Law Review, they matter getting a job. They look at those first semester grades and those 1L year grades to decide who's going to get summer associate positions, and who's going to make the advocacy teams, is the word I was looking for. But all of this stuff – they look at these 1L grades because this is what they have to go off of. And so, you don't want to experiment and try and be like, "I wonder if I can get away with not doing any of this stuff", because it's not a good gamble. Or even wanting to transfer.
- Alison Monahan: Right. The problem is if you dig yourself a really big hole all of your first year or even just your first semester, you're going to be climbing out of that hole for the next two or two and a half years. And that's just not a great position to be in. It's one thing to end up in the middle of the class and you want to do better, but if you're really bombing your first semester, you've got a serious just numerical problem with your GPA.
- Lee Burgess: Right, it's very hard to raise your GPA the more class points you have as part of that GPA.
- Alison Monahan: Right, and you may end up on academic probation, you may lose your scholarship. They are just a lot of repercussions of dialing it in and not just acknowledging, "Okay, I need to get serious about this and find a way to get help."
- Lee Burgess: Alright, so we've talked a lot about how to know if you're not fine. So, if you're listening to this and you're like, "This is not me", don't shut off the podcast. We have something for you too. But how do you know if you're basically fine?
- Alison Monahan: Yeah. I think this is the interesting question, because the person who asked us this I think basically was fine. At least at this point. You're a few weeks into the semester, it might be a month, month and a half. If you're basically understanding the reading, you're doing it in a relatively reasonable timeframe, which can be 10 pages an hour, but that's pretty reasonable, and you can fairly easily follow along with class and participate – I think that's a pretty good sign. Like we said, that's not enough, but if you're like, "Okay, I understand what the professors are talking about. I got the same ideas from the case. I understand where they're going with it" – that's a good sign.
- Lee Burgess: Yeah. If you've started to block out the time for deep work that we've been talking about and you're making progress on your outlines and study aides



throughout the semester, and you are struggling with the material – you have that good confusion, versus the bad confusion – then I think you're doing pretty well. And after the first month or so that you've actually done some practice questions and gotten some evaluation on those practice questions.

Alison Monahan: Yeah, and that those have pretty much gone okay. I think you have to be realistic about that because it's easy to say, "Oh well, I got two out of the three issues here." It's like, "Okay, that is not going to be a strong performance."

Lee Burgess: No. You can still learn from them. They don't need to be sparkling and perfect, but they do need to be in the right direction. And then you need to rewrite them and figure out how you would even make them better.

Alison Monahan: Yeah, and I think another sign that you're doing basically okay is that you know how to get your questions answered. Whether you know that you can go to a supplement, you can go to office hours, you can go to your TA, you can go to your study group, whatever it is. When you reach that point where you're like, "Wow, I just am really confused here. I need to have somebody explain this to me" – you know a way to get that question answered. And you're not feeling excessively overwhelmed or stressed out or anxious. Obviously, anyone who's in law school is probably going to be somewhat overwhelmed, stressed out, anxious, but you're not totally flailing here.

Lee Burgess: Yeah, that's another good point. So, on the flip side of this, when you should be really concerned – some of the things we've already talked about, but if your midterm does not go well and you don't understand especially why it didn't go well, that you are struggling getting the reading done, you're not keeping up with your work. Your reading, those canned briefs, you're not writing your own briefs. You're finding yourself needing to take a lot of shortcuts because you can't get the work done – I think that's a big warning sign. You do not have any time for deep work or practice. You just can't find the time – that's a big issue. And getting behind. Once you're behind, you can basically not catch up.

Alison Monahan: Yeah, I think that's such a key point. And we talk to a number of people who have had some personal issues or whatever, and things happen.

Lee Burgess: But you have to triage. You can't just stay behind for the entire semester.

Alison Monahan: No, you can't, because the problem is, once you get behind you're just going to start falling further and further behind. If you feel you're really drowning here and you're working all these hours, you're not sleeping, you're super stressed out, things are generally starting to feel they're falling apart – I think that is a time where you want to step in and think about who can help you.





Lee Burgess: Yeah, absolutely. Another red flag situation is if you know or start to suspect you have some sort of a learning difference or an attention deficit issue, because these often pop up in law school.

Alison Monahan: Ah, yes. I talk to so many people where it's like, "Well, I never really had this problem, and then now it seems really unmanageable."

Lee Burgess: Yeah. Law school itself really can bring to light these issues and your ability to work extra hours. You may have been overcompensating and been able to overcompensate for any of these differences, so it never became an issue in the past. Law school just... Everybody's working so hard. There's so much work to do that you don't really have the opportunity to just overwork. So, you may need to take a beat and figure out how you're going to get accommodations for any learning differences or get yourself diagnosed... Go through the diagnostics, is what I'm trying to say. But you need to go through the process to be diagnosed, to do all the diagnostics and the testing, and then to work with your school to get accommodations and all of that stuff. It takes a lot of time, unfortunately. So if you're getting some inklings that something's not going right or a professor might even mention it to you, you need to start moving on that quickly.

Alison Monahan: Right. And I think your school is going to be required by law to have certain types of help. You might be listening to this thinking, "I don't want X, Y, and Z as accommodations", but it may be even things like having notes provided for you from a class, so that you can really sit and focus on the discussion and not have to worry about getting down everything in your notes. Weren't are you a note-taker?

Lee Burgess: I was a note-taker, yeah.

Alison Monahan: Yeah. So you could get Lee's probably amazing class notes that had everything in them. And then when you went to class, you could actually sit and really try to focus, really think about where you're sitting and all these kinds of things. But yeah, I think the accommodations pieces, that gets out of control pretty quickly. Certain schools are helpful, certain schools are not so helpful. And again, there are people who can help you with this. Someone on our team actually does a lot of work with this outside of our company. So, there are people who can walk you through this process and help you make sure that you're getting the things you're going to need to succeed. And also, it's going to help you when you apply for accommodations on the bar exam.

Lee Burgess: Yeah, and I think this is something that we see over and over and over again. We talked about how maybe you didn't need accommodations in undergrad because you were able to just work hard and overcompensate. And you get to law school, you can't work hard and overcompensate. Or maybe you can, but then when you get to the bar exam you can't.



- Alison Monahan: Right.
- Lee Burgess: The bar is not generous.
- Alison Monahan: No.
- Lee Burgess: If you just all of a sudden start asking for things because you start failing the bar.
- Alison Monahan: Yeah. They don't really look kindly on that.
- Lee Burgess: No, they're looking for a pattern of necessity really. So, you want to fight these battles in law school to give yourself a better chance of getting those accommodations on the bar exam. And this isn't about you not being able to do the work or you're not as smart or all that stuff. This is about leveling the playing field. Especially when the stakes are as high as the bar exam, you need to have a level playing field to be able to compete. You literally cannot work as a lawyer if you do not pass the bar exam.
- Alison Monahan: It's kind of a requirement.
- Lee Burgess: It's a requirement.
- Alison Monahan: Maybe you should go to school in Wisconsin.
- Lee Burgess: Right, exactly. So, you need to do what you can to make sure that you have the likelihood of success with that end game. So, dealing with these issues now, learning your coping mechanisms now, getting the support you need from the school is just going to make that a much easier process in the end.
- Alison Monahan: Right. And I think one of the things people really struggle with if they do have some ADHD issues or something along those lines is, it's often going to take you longer to do things. So, it might take you longer to do your reading, and that's going to leave you less time for doing these other things. So I think this is a situation where working with someone can really help basically on that triage situation of, realistically, if you're getting extra time on an exam, it's going to take you extra time to do things. So, you've got to figure out basically what you are going to cut that somebody else might do in order to get everything in, because you don't get, unfortunately, an extra half day.
- Lee Burgess: Yeah. No, it's true. I think working with someone like a tutor or somebody at your school who could help you make those decisions is really important. And then if you're struggling emotionally with that, because I think there's a separate piece of making sure that you aren't... Law school's hard for...
- Alison Monahan: Anyone.



- Lee Burgess: Anyone. If you have anything that's going to make it even more challenging, you need to make sure you have the support in place, so that additional challenge is not going to become a huge detriment by making you feel like a failure, or making you feel like you cannot cope or things like that. You need to get your resources and your support network in place, so you can climb this mountain that's not going to be an easy one.
- Alison Monahan: Yeah, some of this really does come down to real self-care stuff. Your school probably has therapists that you can talk to. Highly recommend that. I started doing that my second semester in law school. It was fantastic. Even now I'm realizing I have certain minor health things that I just ignored for a really long time, and it turns out you can just go get an infusion and fix that. I'm like, "Wow, why have I not done that 10 years ago? Wow, I really actually feel so much better now." So, all these kinds of niggling things that you could think, "Oh well, I just have to deal with this or ignore it", or that kind of thing – there are all kinds of different help you can get. You could be going to exercise classes or having a trainer or whatever it is that you need to do to feel you're healthy and you're focused and all those kinds of things. All kinds of different coaches – life coaches, career coaches.
- Lee Burgess: Meal delivery services.
- Alison Monahan: There's all this stuff now. Granted, it costs money, which is unfortunate, but law school costs money. If you can spend a little bit of extra money on something that's going to drastically improve your grades and allow you to get a highly paid job, that's probably a pretty good trade-off.
- Lee Burgess: Yeah, and I think that that often times is what holds people back from getting that help. Or even doing the diagnostic testing for the learning differences. It's like, "Well, it's too expensive." You know it's more expensive? Failing the bar.
- Alison Monahan: Failing the bar, yeah.
- Lee Burgess: The bar is super expensive to sit for and to fail. So, you've just got to do it.
- Alison Monahan: Well, and it's also very expensive to graduate from law school with poor grades and not be able to get a job.
- Lee Burgess: Yeah. That too.
- Alison Monahan: And then not be able to pass the bar and not be able to work on your own. These are not great situations.
- Lee Burgess: No.



- Alison Monahan: So yeah, it sucks to spend money on things, but sometimes it's really your best option.
- Lee Burgess: Yeah. So, I think my final thoughts on this is that you have to be open to needing extra help. I think that, again, it's also a challenge sometimes to admit that things aren't going well. You want to set aside some time for self-reflection and evaluation, and give yourself a beat to see how things are going. And then be open to receiving help, because it can be the difference. Nobody's going to know how you got an A in a class; they're just going to know you got an A. Nobody's going to know how you passed the bar exam; they're just going to know you passed.
- Alison Monahan: Yeah. No one cares that I was there talking to my therapist about whether I should even show up to class or not.
- Lee Burgess: Nobody cares. Nobody cares. They just care what your grades are.
- Alison Monahan: Yeah, exactly.
- Lee Burgess: Yeah, that didn't come up in your BigLaw interview?
- Alison Monahan: No. They looked at my transcript and were like, "Well, your grades went down a little bit second semester, but they were really high first semester. So that's probably reversion to the mean. You're fine." I'm like, "Great." "You got to a B+. You're probably okay."
- Lee Burgess: Yep. Exactly.
- Alison Monahan: Nobody asked me, "Were you getting out of bed for the first month of that semester?"
- Lee Burgess: Exactly.
- Alison Monahan: Answer – no, I was not.
- Lee Burgess: Right. Anything you want to add before we wrap this up?
- Alison Monahan: Well, I think sometimes – and this is often true for law students – people see asking for help as a failure or as a bad thing. And I think it's really the opposite. I think identifying where you have a need that you cannot meet yourself, and then going out and looking for ways to meet that need is actually a sign of strength. It's a sign of taking responsibility, it's a sign of self-care, it's a sign that you think you're valuable enough to get that help. And even though it's hard, I think just taking that first step and really saying, "Okay, what are my options



here?" can pay such huge dividends and really transform not just your law school experience, but it's probably not too much to say the rest of your life.

Lee Burgess: Yeah, it's true. Yeah. These are life skills really when it all boils down to it.

Alison Monahan: Yeah. No, I really look at going to therapy in law school as probably one of the better decisions I've ever made in my life. And I did not want to do it at the time. So, that would be my final thought.

Lee Burgess: Alright, that's a good one.

Alison Monahan: Get the help you need.

Lee Burgess: Get the help you need. Well, with that, we're 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. We'd really appreciate it. And be sure to subscribe so you don't miss anything. If you're interested in our help and our tutoring programs, we have all that information on our website, so feel free to...

Alison Monahan: And they're great. They're really nice.

Lee Burgess: Yeah.

Alison Monahan: They're not going to make you feel bad.

Lee Burgess: No. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at [lee@lawschooltoolbox.com](mailto:lee@lawschooltoolbox.com) or [alison@lawschooltoolbox.com](mailto: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!

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