



- Lee Burgess: Hello, and welcome to the Law School Toolbox podcast. Today we're going to be talking about overcoming disappointing grades. 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](#), Catapult Conference and the Trebuchet Legal career site. Alison also runs [The Girl's Guide to Law School](#). If you enjoy the show, please leave a review on iTunes. 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. Today we're talking about recovering after getting disappointing grades in law school. We hope that when you got your grades, you jumped for joy. But the reality is that for most of you, you were probably disappointed by some, or even all of your grades. And we're here to tell you it's okay and this is not really the end of your legal career. But if you were disappointed, you want to put a plan in place so you'll be set up for second semester success. Just remember, you've always got room for improvement. And you know, both of us had some disappointing grades. I don't think anyone gets through law school without at least a couple of those sort of like, "Oh, ow. That hurt." Lee, tell me a little bit about your experience with that.
- Lee Burgess: Yeah, my first experience with that was actually my very first grade that came in my 1L year, and it was in Legal Writing. And it was the lowest grade I might have almost ever gotten on a transcript.
- Alison Monahan: Ever.
- Lee Burgess: Ever. And I was devastated, because I considered myself a really good writer. I don't mean to sound conceited, but I think most of us when we go to law school think we have some pretty decent writing skills. And I was devastated. I was actually visiting family in Ohio and I was up late because of the time change. So I got this grade and I'm working on my aunt's computer, and I sat on the floor and cried.
- Alison Monahan: Oh no.
- Lee Burgess: That's basically it. I know. Because I just felt so defeated, because you've worked so hard and you've been pushing yourself so much.
- Alison Monahan: Particularly, for it to be the first one, is harsh too.
- Lee Burgess: Yeah, it was harsh. Things did get better after that.



- Alison Monahan: Well, but I think the story that you probably start telling yourself at that point is not a great one, while you're waiting for the rest of your grades.
- Lee Burgess: Exactly. I think that's one of the things that's so hard about getting some disappointing grades is, it does really cause you to question this choice to go back to law school. Especially I think if you've made the choice to leave a different career, like I did, and go to law school.
- Alison Monahan: Like a well-paid job.
- Lee Burgess: Yes, yes. You start really wondering why again you're in debt, putting yourself through this experience. So yeah, it was rough. It was definitely cause for concern and it rattled me. What about you? When was your first disappointing grade experience?
- Alison Monahan: Well, my first disappointing grade experience was actually the first grade I got too. But objectively speaking, it really should not have been a disappointing grade. But it was in my very favorite class and I really, really expected to get an A, and I only got an A-minus.
- Lee Burgess: Oh, horrible.
- Alison Monahan: Which I know in this context sounds horrible. Actually I was not devastated but I was like, "Oh man, how did that happen?" I mean, this was obviously before I realized what the curve really means in law school.
- Lee Burgess: So how did you recover from that A-minus? Were you crying on the floor?
- Alison Monahan: I was not crying on the floor. I did sulk, I think, for a little while. But then I got the rest of my grades and they were actually frankly better than expected. I'm probably not the best person to talk to about bad first semester grades, although I will say that just put even more pressure on me and then I proceeded to have a complete breakdown afterwards. And my second semester grades, objectively speaking, were much worse, but to be honest, I was frankly just happy that I hadn't failed all my classes that semester. So I think for me, I always looked at it like the occasional B or whatever wasn't going to kill me, so I didn't worry too much about it. But yeah, I kind of avoided that experience of the really terrible first semester grade coming in. But it just showed how unrealistic my expectations were to begin with, right?
- Lee Burgess: Yeah, exactly. And I think that's one thing.
- Alison Monahan: That I would even think twice about being disappointed by an A-minus, that's ridiculous.



- Lee Burgess: Right. And I think that's one of the things that is so shocking about this experience when you enter law school, is that grades feel like such a bigger deal than they did in undergrad. And then you've got the curve which forces people to experience grades that maybe they've never experienced before, just by the law of numbers. Do you think it was just really about the curve just kind of shocking everyone into this new reality?
- Alison Monahan: Well, I did science classes as an undergrad, and so a lot of those classes were curved on a strict curve. So for me, the worst grade I ever got in my life was in the second semester of Organic Chemistry. And I think that's the only C... I honestly don't remember, it might have been a C-minus. It was the only C I've ever gotten. But again, that one, I was actually honestly just glad that I didn't fail the class. But I think if you have a science background, you've gone through this harsh experience of, suddenly you are not the smartest person in the room, there are a lot of other smart people, you're all being graded against each other. And so, I think it gives you a little bit more perspective on like, "Oh, okay. This is the curve." The reality is, in your average first-year class, if you have a 100 people, they're probably handing out honestly like less than five As. And that's not very many. Particularly for people who are used to this sort of grade-inflated undergrad, something ridiculous at the Ivy League schools, I think like half of the students get some sort of A in every class. It's like, that's not what happens in law school. So you're going to see grades on your transcript that you are probably not familiar with getting.
- Lee Burgess: Yeah. And I think the other reality is, like you said, a little bit in the science classes, all of a sudden you weren't the smartest person in the room. I think a lot of people go to law school and they have to realize that even if you went to a very accomplished undergrad, you are now in a group of people who've self-selected to continue on to go to graduate school. Most people who choose to go to graduate school are pretty good at school.
- Alison Monahan: Right. It's like, yeah great, you went to a great undergrad, but then the top 10% of those people maybe are going to the top law schools. So it's like, great, all those people who are in your class, they're all the best people in those classes. And I think a lot of people just haven't ever experienced this level of competition, because frankly, you can slide through a lot of undergraduate majors writing papers and getting gold stars and everyone telling you you're really smart. But when you have a four-hour timed test and it's closed book and it's super high stakes, and that's it, it's a lot harder to sort of bullsh*t your way through.
- Lee Burgess: For sure. I was a Psychology and Media Studies major. I never took an exam like a law school exam in college. And I took some pretty hard classes, but it's not the same model. You're not used to how pressure-filled I think that exam period



is, and then the grades feel so much heavier because they're all just usually based on that one single final exam.

Alison Monahan: Yeah. And the reality is, you're going to have a bad day some days or your professor's going to be in a bad mood when they're grading it. Odds are, most people are going to be somewhat disappointed.

Lee Burgess: Mm-hmm. I guess one thing to consider too is to really not take one disappointing grade and to inflate it into the whole experience, because it isn't the end of the world.

Alison Monahan: Well, and I think that's the case really with all grades. To some extent, sure, your grades can be an important marker of how you're doing. And we know for example, lower grades are correlated with lower pass rates on the bar exam – that's something to take seriously. However, you are not your grades. You're a person who has value independent of your grades. You can be a great lawyer if your grades are middle or below the class. There's no real correlation, frankly, between being a really good lawyer and getting excellent grades. They're just separate skill sets.

Lee Burgess: Exactly. What about class rankings? And I know some amazing lawyers, who were not at the top of their class.

Alison Monahan: They're just separate skill sets. It's great if you can make good law school grades, and yes, that helps you. Obviously, employers look at grades. If you want a firm job, they're going to look at your grades carefully. If you want a clerkship, they're probably going to look at your grades carefully. You were mentioning class ranking – this stuff matters. I don't want to say it doesn't matter, but it's not the be-all-and-end-all. There are other ways to be successful as a lawyer, even as a law student. You can decide that, okay, not that you're giving up on your grades, but "Look, this is not where I want to focus all of my time and energy. I'm going to do well enough that I need to get through, but I'm going to do multiple internships and multiple externships. I'm going to build relationships and I'm going to do these things that frankly are probably actually more important in some ways than getting a slightly better grade."

Lee Burgess: Yeah. No, I think that's a really good point. I think some people who are new to law school may not really appreciate what the class ranking system is.

Alison Monahan: Some schools don't even rank. At Columbia, everyone's a special snowflake, so we didn't have class ranks. In fact, we were not allowed to calculate our GPA.

Lee Burgess: Wow, that's pretty amazing.

Alison Monahan: But that's not really the norm. That's only your super, super fancy schools.



- Lee Burgess: Right. A lot of different schools rank differently, my school did it in percentages. You could be in the top 5%, top 10%, they just did kind of cut-offs, they did number rank you in the class. I think sometimes, depending on your school, depending on the types of employers you're looking at, ranking can matter. But I think like anything else, it's just one thing on your transcript or on your resume, amongst lots and lots of other things. So again, if you're worried about your class ranking and you're not really sure if you should write it on your resume or what you should do with it, talk to your school, but just remember it's not the only thing defining you in your law school success.
- Alison Monahan: Yeah, exactly, there are other ways that you can choose basically to define what you're going to take away from law school. And if it's great grades – fantastic, that'll get you a long way. For example, one of my law school roommates after the first semester literally didn't look at her grades.
- Lee Burgess: Wow, that's awesome.
- Alison Monahan: Yeah, she was like, "I want to do public interest work. I'm going to get a job based on who I know and what they respect for my abilities." And she had a friend look at them to make sure she hadn't failed any of her classes, but she was like, "I don't care, it doesn't matter to me. I don't even want to know."
- Lee Burgess: That's pretty awesome. That's great self-awareness.
- Alison Monahan: Yeah, that was really ballsy. I was like, "Are you just curious?" She's like, "No. What good can come of this? It's just going to make me feel bad."
- Lee Burgess: I knew someone once who didn't check if they passed the bar for weeks.
- Alison Monahan: Whoa, that's crazy.
- Lee Burgess: There's no way. I was clicking "Refresh" at 5:59. For those of you who don't know, in California, bar results come out at 6:00 PM, and so literally, you're just sitting at the computer refreshing the page until you can type something in.
- Alison Monahan: Oh, my God, I don't want to remember, don't remind me. I think the key takeaway here is yes, grades are important. I don't think any of us are going to tell you that they're not. I think you should try to do as well as you can. And if you're in the situation where you are disappointed, I think it's really important to look at what you can do. And just as a side note, like I was talking about, not all schools have class ranks, not all schools even give grades, right?
- Lee Burgess: I know, yeah. There seems to be a movement away from grades, I think especially at a lot of the elite universities. Sometimes they do it for the entirety



of your law school career, sometimes they just do it for the first couple of semesters, but there's a lot of the high pass, pass/fail options instead of grades. It's interesting, because I think the intent is to not let people freak out about grades, but then they just freak out about why they didn't get a high pass versus a pass.

Alison Monahan: Yeah. Exactly.

Lee Burgess: I don't think it really changes anything.

Alison Monahan: I don't think it actually necessarily improves anything, because people basically then are just sorted into these less granular categories. So, if you would have been, say, a B-plus student, you're now in the pass category with someone who's a B-minus student. That's a pretty big difference.

Lee Burgess: Yeah. So, it's just kind of interesting. You have to wonder if the results that they're getting from this move to be different is really helping anything.

Alison Monahan: Well, I think it's just the reality that even if you're at Harvard, you're still competing for the top clerkship, and that judge wants to see a bunch of high passes, not a bunch of passes.

Lee Burgess: Exactly.

Alison Monahan: So, it's like the reality is the schools can do whatever they want to try and sort of minimize how people feel about their grades or whatever, but the reality is, other people are still making decisions based in large part upon them.

Lee Burgess: Agreed, yeah. Okay, so whether you got a high pass, pass, fail, or you got As, Bs, Cs or belows, once you get your scores, if you are disappointed by what you saw, even if it you're like Allison and you were disappointed by you're A-minus...

Alison Monahan: I really deserved an A in that class, Lee. Please.

Lee Burgess: You really deserved an A, but you got an A-minus, so you have to like...

Alison Monahan: The exam was too easy. He should have given us a harder exam, I would have done better on it.

Lee Burgess: I think it's important to realize that it's okay to be upset, because I think a lot of students try and skip that part of being disappointed. That's part of, I think, making peace with things, is to go ahead and have your moment of disappointment. Just don't let it become a wallowing, long... I don't know what's the best way to describe it, but don't let it become something that can be damaging to your experience. But you want to give yourself space.



- Alison Monahan: Lee, for you, how long did you spend crying on the floor? A few minutes? A day? A week?
- Lee Burgess: Yeah, I know, it was like a day and then maybe I called my dad for a pep talk the next day. And then I think I overcame it.
- Alison Monahan: Then you probably got some better grades, you were like, "Oh okay, I'll forget about that one."
- Lee Burgess: Yeah, exactly, get some better grades. And then, the moral of my story is I busted ass in Legal Writing and ended up high scoring the class the next semester.
- Alison Monahan: That's kind of the takeaway here, right? This is not outcome determinative how you do first semester in terms of grades.
- Lee Burgess: Exactly. The way though that you do something like that and change your path is, you have to develop a plan and really put yourself out there. Calling back one of our earliest podcasts where we talked about mindset, I think this is really where it comes into play, because this is when students contact us for help after disappointing grades. We see the two categories of the mindset.
- Alison Monahan: Yeah, definitely.
- Lee Burgess: The fixed mindset of, "This means I'm not smart enough, this is just how it is, I'm now going to be a bad law student, I shouldn't have gone to law school", versus the growth mindset of, "I now have this mountain to climb and I need to figure out how I'm going to climb it."
- Alison Monahan: Yeah. Frankly, we get a lot of emails, obviously, when first semester grades come out and you can almost tell the people who are freaking out the most in certain ways are often the people that you know are not actually going to do anything about it, because they're looking for some sort of magic formula that's going to solve all of their problems. And the reality is, it's a lot of hard work, that's how you overcome this.
- Lee Burgess: Exactly. Same thing with the bar exam. We're in bar exam season right now, and when people are like, "Well, what's the answer?" The easy answer to passing the bar after a failure is, there is no easy answer.
- Alison Monahan: Yeah. Sorry, that's not going to happen.
- Lee Burgess: If I had the easy answer, we would be the premier bar provider in the entire world.



- Alison Monahan: We would be charging way more than we are.
- Lee Burgess: Exactly, exactly. So it does take a lot of hard work. And so the important thing is to get a...
- Alison Monahan: I think a lot of reflection too. Sometimes I think people get their grades and are like, "I never want to think about this again. I got this, I'm going to move on. I'm just going to move forward." Which is a very American response – just move forward. Positive thinking. But reality is, if nothing else, you have actually a lot of information now, that if you are willing to face that information head on and work with it, you can actually really accelerate your growth and accelerate, ideally, your progress in a way that you can't if you're not willing to sort of sit with, "What did I not do?" And really evaluate that. Or, "What am I doing poorly? Why am I getting this grade that I don't think I should be getting?" You have to really figure out why that is.
- Lee Burgess: Yes, and that's the process, and that really takes... I think that is going to somewhat of a vulnerable place too, which I think is very challenging, because the law teaches us not to be vulnerable. I think law school really tries to push that part of us down a lot.
- Alison Monahan: Yeah, you should know everything, you should always have the answer, you should be quick on your feet, you should be ready to react. And this is kind of the opposite of that.
- Lee Burgess: It is the opposite. So, it can take some time to process this information, but to get to that space where you are vulnerable and open to change and open to suggestions. And I think one of the hardest things for students to do is to actually really face some of these exams. You need to go try and contact your professors or their register, get copies of these exams that they're available, and try and go meet with your professors to see what went wrong. It sounds awful, but it is really one of the very, very important steps to developing a plan, so this doesn't repeat itself.
- Alison Monahan: Right, and sometimes, I think one of the normal reactions to disappointing grades is to want to blame someone. So you want to blame the professor, they weren't a very good professor, or they didn't treat you fairly, or they didn't like you or whatever. But the reality is, this is an anonymously graded test. Your professor can think whatever they want about you, but when they're grading the test, they didn't know who you were. So, I think you've got to basically take responsibility. And you can blame it on the curve, you can blame it on all kinds of things, but I think people find themselves looking for someone to blame, that's probably a sign that you're not yet at that point of vulnerability and saying, "Okay, I'm going to take responsibility for this. I'm going to try to figure



out what happened and make sure that it doesn't happen again. And in order to do that, I'm going to have to get help, I'm going to have to get feedback, I'm going to have to go ask those tough questions to figure out what went wrong."

- Lee Burgess: Yeah, and go talk to some of these professors who can be somewhat intimidating, and really listen to their feedback. Because I think it is easy to be angry at the professor if you are disappointed in your grades.
- Alison Monahan: Frankly, a lot of them are really uncomfortable talking to students about their exams, because they're not comfortable with strong emotional feelings either, and they feel badly. The professors are people, they're like, "The student was really nice and I liked them, and I feel bad having to give them this grade that I know is going to be upsetting. And I really hope they don't come talk to me."
- Lee Burgess: Right, but that doesn't mean you shouldn't talk...
- Alison Monahan: Let's talk about how can someone approach their professor in a way that's likely to be productive.
- Lee Burgess: I think you have to go in and think about what you want to say, and say that you want to review your exam and start asking questions: "What were the things that I could have improved on?", but also maybe, "What were the things that I did well?" Because I think a lot of people don't, one, give themselves the opportunity to hear anything positive, which is a mistake, but also then the professors, you're throwing them a bone. They get to complement you likely on something, which is going to make it an easier conversation and balance some of the harder feedback with some positive feedback. There's going to be something good in your exam that you can talk about. But then I think you have to really listen to their feedback and try and ask follow-up questions, so you can really understand it. For instance, one thing that we constantly hear from students is that their professors just said they were too conclusory. And this seems to be like a secret professor word.
- Alison Monahan: Right. It's like, "This is bad. Let's call it conclusory."
- Lee Burgess: It's bad, it's conclusory. And I think so many students leave and they're like, "So, I was conclusory." And they'll be like, "Well, what does that mean? I don't know."
- Alison Monahan: Yeah, or, "Can you show me a specific example of where that was?"
- Lee Burgess: Right, and then they'll be like, "No, I don't know." And so, being conclusory typically means that you didn't dialogue about the facts, that you didn't really have enough analysis, that you didn't include counterarguments, things like that. But you need to follow up with the professor so you really understand



what that comment means, because you can't change anything if you don't actually understand the feedback.

Alison Monahan: Yeah, and I think it's important before you go and talk to your professor to review any materials that they've given you. So if they've given you a sample exam, whether it's a student an exam or whether it was one they wrote, you shouldn't go in until you've really carefully looked at that and maybe made notes on it, highlighted things that you didn't do, the analysis you didn't do, and really try to figure out on your own what the problems were. But yeah, if you go in and they're like, "Yeah, overall, you're too conclusory" or, "You didn't have enough analysis" – I think it's completely fine to say, "Look, I hear what you're saying, I think that's probably true. Could you give me an example of where you think that's the case?"

Lee Burgess: Right.

Alison Monahan: So that you can really walk away being like, "Oh, okay." Or you could ask, "Are there any places where I did a good job with this?" And they're like, "Oh, here's a situation where you analyzed both sides of the argument and you made a conclusion, so this is a good example. But then here, in the next paragraph, you just jumped to the end." So that's the sort of feedback ideally you're looking for.

Lee Burgess: Exactly. Now, one thing I think it's important to mention is if your professor did do a multiple choice question section, they're likely not going to let you see those questions again, and they're not going to give you a copy of them, and they probably will not review them with you.

Alison Monahan: Right, because they're not going to re-write them. But if nothing else, typically, they'll at least tell you on the multiple choice section you did or did not do very well. And if the answer is you didn't do very well, it's like, you need to be practicing multiple choice questions because that's on the bar exam.

Lee Burgess: Exactly.

Alison Monahan: And it's on typically a lot of other exams. So I think a lot of this is sort of figuring out, "Oh okay, I was above the mean on this one essay, but below on this other one. And then the multiple choice, I totally bombed it."

Lee Burgess: Yeah.

Alison Monahan: That's useful information.

Lee Burgess: So once you get this feedback back from your professor, Alison...

Alison Monahan: What do you do if your professor just won't talk to you?



- Lee Burgess: Oh yeah, that's terrible. Sometimes you just give up. I mean, if a professor will not talk to you, I think it's...
- Alison Monahan: Because a lot of them won't let you take your exam answers with you either, which I think is kind of crazy.
- Lee Burgess: I do you think that's kind of crazy. I think you just do what you can. Some professors are really on lockdown about this kind of stuff – I think it's the minority. I think most professors will either let you see your exam answer in the room with them, talk to them about it, even if they won't let you take them home.
- Alison Monahan: Yeah, some of them will even take photos of it, I've heard, which doesn't make any sense, but whatever.
- Lee Burgess: No. But I think just try your best.
- Alison Monahan: I think look at other resources. If you have copies of your exam, your professor for whatever reason is not willing to talk to you about it, was there a TA in the class you might be able to take out for coffee and get some feedback? Was there someone in academic support who would look at it? Do you need to hire a tutor like us to look at it? Once you have that exam, you can get feedback.
- Lee Burgess: For sure.
- Alison Monahan: But if they won't let you have it, it's a whole another story.
- Lee Burgess: Yeah. But it's highly unlikely all your professors are going to do that.
- Alison Monahan: Yeah, exactly.
- Lee Burgess: So you're still going to be able to... And if you struggled with one thing in one class, like being too conclusory, it's possible you struggled with that in other classes too.
- Alison Monahan: Right. This is where I think you have to look at a comparison too, like, are you doing well in most of your classes, are you doing uniformly mediocre? Because like we said, things happen – you get a question that you're just not that prepared for, you have a bad day, you run out of time, your computer crashes. But you have to really evaluate, I think, your entire study process. And if you're getting sort of mediocre grades across the board, there are things that need to change in your study process.



- Lee Burgess: I completely agree. I think that's one of the mistakes people make, is, they think, "Well, I messed up around finals, so I'll just do final exam time differently." And I think that you're missing out on an opportunity to look at your entire study process, really starting with how you're preparing for class and how you're spending your time preparing for class. Are you actually doing activities that are going to help you now that you understand the end game?
- Alison Monahan: Right, you've been through it.
- Lee Burgess: Yeah, exactly. Are you reading three supplements before class, or just not reading?
- Alison Monahan: A lot of people are not reading the cases. It's like, "Hmm, you didn't do so well on your exams. Let me think of one thing that might help – maybe you should do your reading."
- Lee Burgess: Exactly. But it does really start with going back to the very beginning. When did you start outlining, did you wait till the end? Should you be able to start outlining earlier? Should you start doing more practice? Could you get feedback on that practice? Starting with classes starting up again in January or whenever they start, it is about looking at the entire semester, so when you get to exam time, you have been preparing for exams from day one.
- Alison Monahan: Yeah, you don't just need to be like, "Oh, I should have done this one thing differently and everything magically would have been better." It's like, "No, this is going to be a whole process." And it's easy to start off strong and be like, "Yeah, I'm going to really focus." And then a few weeks in, you're kind of slacking off again, you're starting to fall behind. A lot of this is scheduling and accountability, too.
- Lee Burgess: It is.
- Alison Monahan: I think that's one thing that people are not realistic about first semester, is just the amount of sheer volume of work that they need to do.
- Lee Burgess: Yeah, exactly. And I like your point about accountability, because I think you have to create your own accountability. But even promising yourself that you're going to go to office hours on a regular basis.
- Alison Monahan: And not just promising yourself; put it on your calendar.
- Lee Burgess: Agreed.



- Alison Monahan: Figure out when each professor has office hours and make that a recurring appointment on your calendar, and then keep a checklist of when you did and did not go.
- Lee Burgess: Yep. And manage your time. If you feel like you didn't have enough hours in the day last semester to get everything done, you might be surprised if you start tracking your time. I think we talk about this in one of our other time management podcasts, but tracking your time like a lawyer, really looking at your calendar, thinking about how you're spending your time. Are you watching TV shows in the library instead of working?
- Alison Monahan: I think basically for a lot of people, to be honest, they just have to get serious. It sounds harsh, but the reality is, in a lot of cases you didn't actually put in the time and effort required to do well, so it's not really that shocking that you didn't do well.
- Lee Burgess: Well, and I think I have to bring it up again, because we were just talking about this over email this weekend, about the issue with email and doing deep thinking tasks.
- Alison Monahan: Yes.
- Lee Burgess: Because this is something you and I both have to deal with on a regular basis. And I think this is a big thing for students, is this idea that you really cannot do deep thinking tasks if you are being constantly interrupted. It's impossible.
- Alison Monahan: Yeah. Basically, if you're going to do a chunk of reading, it's so much more efficient, so much more productive to literally cloister yourself off where you do not have distractions, and do that reading for an hour and a half or two hours. Because every single time that you look up and you look at your phone, and you switch to your email, and you go to WhatsApp, and you go to Facebook, it's like every single time you do that your brain has lost focus. And that's not how you learn.
- Lee Burgess: Yeah, so that is another thing that you may want to evaluate. Were you able to shut off the distractions and give yourself that time to do those deep thinking tasks and really get the most out of your study time? Because I think for me, I struggle with it with work too. You feel like you worked all day, but then the end of day, you're like, "Man, I got nothing done. How is that possible? But I was on my laptop..." And I think lots of students feel the same way: "I studied all day, but what did I actually get done?"
- Alison Monahan: Also, are you taking enough breaks? You can't study 12 hours a day, every day. It's just not possible. If you're burning out... And think about how you felt by the end of exams, or even at the beginning of exams. Did you feel like you were



fresh and ready when you started the exam period? Or did you roll in kind of sick, totally burned out, really exhausted, not that motivated? Because that's something you can do something about this semester.

Lee Burgess: So true.

Alison Monahan: By blocking out exercise and time off. I think a lot of people would actually be more productive if they did that sort of thing religiously.

Lee Burgess: Yeah, I 100% agree. So, there's a lot for you to think about, but once you get through the disappointment to start really evaluating the entire process and setting up some new goals for yourself, I think it can be really effective. And then, use all the resources available to you at your school: TAs, academic support, professors, and then if you need outside help, people like tutors can also be a really effective way to help you with your study process.

Alison Monahan: Right. And the important thing is you have a choice about how you're going to react to this. You can try to stay positive, you can see this as a learning opportunity, and you can really re-commit to becoming a better law student. You can go listen to our podcast episode on mindset, which is one of our very earliest ones. This is definitely a challenging time, but it can be a growth opportunity. You can look back and tell the funny story in a job interview of like, "Yeah, you're right. My first semester grades we're really not very good, but I turned it around." Or you could find yourself at the end of three years interviewing for a job being like, "Yeah, my grades all over were pretty bad."

Lee Burgess: "Sorry! Hire me anyway, please."

Alison Monahan: Yeah. You can spin one semester of bad first year grades. That's not a problem, people get that, but only if they see a marked improvement afterwards.

Lee Burgess: Yeah, 100%. And so, let's shift a little bit to these other challenges that can come up second semester. I think people are worried about looking for a summer job or applying to other opportunities for 2L year, like Law Review or moot court or things like that. How do you handle bad grades and still move forward? Should you just not apply to things?

Alison Monahan: I think you have to be realistic, but you also have to understand that you have an opportunity second semester to really do a lot better, mostly because a lot of other people will just kind of stop trying. For 1L summer jobs, the reality is most people were not going to get paid anyway. We have a podcast on this too. But there are a lot of legal employers that actually really don't care that much about your grades as a 1L. If you're interning, obviously, you're not going to get a large firm like \$3,000 a week job, but you just need to do something that's legal. And a lot of the public interest organizations or whatever are going to be like, "Okay,



great, you're willing to come work for us. That sounds awesome." So, you should be looking broadly.

- Lee Burgess: Yeah, I agree. And I think, again, remember that it's not just about these small batches of grades. What it really comes down to is the entire arc of your story. What is your story going to be? Is it going to be one of, you took these grades and turned them into something else? Or if academics aren't going to be...
- Alison Monahan: Your focal point.
- Lee Burgess: Your focal point, or if that's not where you're going to succeed, then get as much practical experience as you can.
- Alison Monahan: Hey, you can even look at things like doing moot court if you're more of an orator than you are a writer.
- Lee Burgess: Right, or advocacy competitions. So, you end up getting awards doing advocacy competitions.
- Alison Monahan: Yeah, there are ways to distinguish yourself outside of just writing an in-class exam.
- Lee Burgess: Exactly, and I think that's very important to remember. But again, be conscious about that, and say, "What's my story going to be at the end? How can I show that I am successful at what I am choosing to do?" And that's going to make you marketable for jobs.
- Alison Monahan: Yeah. And the reality is, obviously it's a lot easier to get on to the premier Law Review at your school if you have good grades, that's just the way it works. But it's not the only option, typically. You generally have a writing competition that you can focus on, and you also have other journals. And again, if another journal is a better part of your story, then do that. Don't kill yourself over, "Ugh, I'm never going to get on a Law Review." It's like, who cares? If you want to do IP Law, and there's a journal of IP Law at your school, and they're perfectly happy to have you go and be an editor – do that, and don't look back.
- Lee Burgess: Yup. Yeah, exactly. So, what if you were one of the lucky people like Alison who got disappointing grades like an A-minus her first semester? I think it's important to not slack off. We hear stories all the time of people who were so confident after their first semester, and then second semester, they get a little cocky and then things go south.
- Alison Monahan: Well, or in my case, I got clinically depressed because there was too much pressure to keep doing well.



Lee Burgess: Yeah, okay. That's an important story, too.

Alison Monahan: But that's sort of the thing – people think your life is perfect if you get great grades, and everything is laid out for you and you're totally great and you have no problems. But that's just not the reality of it.

Lee Burgess: No.

Alison Monahan: I mean, you have equal pressure, if not more pressure. And you can't complain to anyone, because who the hell wants to listen to you complain about an A-minus?

Lee Burgess: Exactly. That's very true.

Alison Monahan: You're not going to get a lot of sympathy.

Lee Burgess: No. I knew people who were at the top of the class and they thought, "Sweet, I got this."

Alison Monahan: Yeah, "I don't have to try."

Lee Burgess: Right. But what you have to remember is that...

Alison Monahan: Or, "I'm just good at this. I've proved I'm good at it." But it's like, "No, you worked a lot, and that's why you did well."

Lee Burgess: Right. And then you have to remember – again, going back to this idea of the curve – everyone else is going to be a better law student too. A good chunk of that class who got those disappointing grades or were just right behind you, they're going to fight to knock you out of the top spots, because they want those higher grades, and maybe they're going to take a lot of steps to become more competitive. So, you also, if you want to stay at the top of your game, need to also work hard to remain competitive, to keep those grades, or you're going to get knocked out of your spot.

Alison Monahan: Yeah. It's definitely a good sign that you did well, but it's not like you can just slack off and show up without trying and do well again. It's not going to happen.

Lee Burgess: No.

Alison Monahan: I'm proof positive – my second semester grades were a lot worse.

Lee Burgess: Yeah. And I think there probably are people also listening to this podcast who are thinking of transferring. And especially if you're doing well and you want to



transfer, you better make sure that your second semester grades remain stellar, so you have those opportunities to transfer.

- Alison Monahan: Yeah. Or there may be people who are listening to this sort of thinking about dropping out. Do we have any thoughts about that?
- Lee Burgess: I mean, that's a real tough one. But if you are considering that, I think it's worth spending time really contemplating it and either making a decision to do it or not do it. But don't waste the semester debating it, because I think then you're just creating a self-fulfilling prophecy of not being successful. I don't know, what do you think?
- Alison Monahan: Yeah, I think that's right. If somebody wants to drop out of law school and they have a valid reason for that, and they're not doing well and they're not liking it – great, drop out. But I agree, don't be like, "Oh well, I can't really think. Maybe I should drop out. Maybe I'll just see how the semester goes." It's like, I can tell you how that semester's going to go. And then you're a year in, and you have a year of bad grades and you've paid a year of tuition. Maybe take a leave of absence to think about it, but I absolutely agree, if you're going to make that decision, make the decision sooner rather than later, and either commit to going back to school and doing as well as you can, or commit to doing something else. But being in this limbo is not a great place to be.
- Lee Burgess: Agreed. And we work with folks who are on academic probation or are trying to get re-admitted after failing out of school and things like that. If you are worried you're going down that route, you want to make sure you take steps to either say, "This is not what I want, and I want to do something else" or, "I can see the handwriting on the wall that I might be going down this path. It is time for me to get help right now."
- Alison Monahan: Yeah, it's not a good place to end up after the fact.
- Lee Burgess: It's definitely not, and it's much harder to come back from that situation than it is... I talk about the bar a lot because we're in bar season right now, but I see this so often. It's like people say, "Well, I failed again because the second time I just tried the same thing as I did the first time, and then it didn't work again." And it's like, "Well, now you've failed twice. That is such a worse position to be in."
- Alison Monahan: Yeah, it's not going to get any better.
- Lee Burgess: It's not going to get any better, because now mentally you're in much more of a challenging place because you have two failures under your belt, you spent money just like you would in law school, continuing on down a path that's not going to get you where you need to be. And so, it's time to decide to do the



hard work now, so you don't end up in one of these avoidable situations where you could be in real academic trouble.

Alison Monahan: Yeah. And it's much better to take a semester off than to have another crappy semester and have to deal with the outcome of that.

Lee Burgess: For sure. I think that the last thing I would say about that is, sometimes professors will call out that they think that you could be struggling with a learning disability.

Alison Monahan: Mm-hmm.

Lee Burgess: Sometimes stuff comes up in law school that has never come up before. I have a lot of students that I know who've been diagnosed with ADHD during law school, and other learning disabilities. I think just the pressure cooker of the law school experience really brings these issues up. But again, don't ignore them. If you think that that could be what's going on, you need to meet with Disability Services, get any testing that needs to be done, so if you need accommodations or things like that to be successful, you work on that. But again, don't ignore it, don't leave it to the last minute. It's time to handle these things early in the semester; delaying is not going to make anything better.

Alison Monahan: Yeah, absolutely. Delaying is rarely going to make anything better. And 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 or rating on iTunes, because we would really appreciate it. And be sure to subscribe, so you don't miss any new episodes. We release one every Monday. 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! Good luck turning your grades around, and we'll talk soon!

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