Lee Burgess: Welcome back to the Law School Toolbox podcast. Today we are celebrating a new year and talking about how you can create a plan for success for the upcoming semester. 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 making the most of a new year. It's a great time to reflect on what's working, what's not working, and what you want to do differently.

Lee Burgess: Happy New Year, Alison!

Alison Monahan: Happy New Year! Yay, 2025!

Lee Burgess: So today we are going to arm you with a plan to critically evaluate how you did last semester and help you create a plan for this semester. So it's not really about a new year's resolution. It's really a new year plan, because resolutions don't work anyway.

Alison Monahan: Exactly. Well, I think the first thing people really need to do to kind of evaluate what happened, and where they might move forward is, go talk to your professors – I know people don't love to do this – and try to get some feedback on your exams. Even if it went well, there're still probably some things you can do to set yourself up for success. And that's a great opportunity to start building that relationship for a reference letter later. We recommend getting copies of your exams if you can, and actually setting up a meeting with your professors. So your school may or may not give them, your professor may or may not give them back, but if you can, get those exams and take a look at them, look at the answer key, figure out what you might think you did well or did poorly, and then go talk to your professor. Lee, do you have any advice on what people should be talking about here?

Lee Burgess: Absolutely. We have a whole list of things that you should ask your professors in office hours. And if you find your professor particularly intimidating, as some of them can be, you can check the transcript of this podcast and write down the

list that you want to take into your office hours meetings can really help reduce some of this anxiety that you might have and make it a lot easier to chat with your professors. So, you've got to do it. You've got to go in and talk about the test, whether it went well, whether it didn't. Professors really do often want you to make an appointment. So they should be clear about whether you can just show up at office hours, but you may want to make an appointment. Please go to the appointment if you make the appointment. And sometimes they will pull out the test so you can look at it together. And here are some questions that you want to ask your professors. To get things kicked off, I would start with, "Did I spot the correct issues?" The thing is, your professors aren't taking a lot of notes on those exam answers, so you're not going to see a lot of comments. So I think that it's a really great question to start with, because if you didn't raise enough issues, you probably couldn't collect enough points.

Alison Monahan: Yeah, and there are kind of two sides to this. One is, can they show you a place where you missed an issue that maybe you should have talked about? And I will say if they've given you a sample answer, you want to have done some of this work before. So maybe you could bring it in and say, "It looks like I missed an issue here. Is that what happened?" And they're going to say, "Yeah, that's what happened." And then you can say, "Well, what facts triggered this issue? How was I supposed to know to talk about it?" They also might show you a place where you talked about something that wasn't relevant. Sometimes you may have seen something that just was completely off-base. So, that's also useful information to have.

Lee Burgess: Yeah. Another good question to ask is, "How accurate and complete were my rule statements?" This may be a little bit different depending on whether or not this was an open-book test or a closed-book test, but I still think it's important to see if you got your rule statements correct, and were they complete. So you can ask your professor, "Can you show me a place where I could have done a better job with the legal rules?" Or like Alison said, if you have a model answer, you can say, "Is this a place where I could have done better with the rules?"

Alison Monahan: Right. Yeah, because if you have that model answer – even if you don't – sometimes we recommend highlighting things in different colors. So, highlight the issue statement, highlight the rule statement, all the pieces of IRAC or CREAC or whatever you were using. Do it on the sample and then do it on yours, and kind of see how they match up. And once you've kind of got the issue and the rule, then we're in the analysis piece. So, did you use all the legally relevant facts in the analysis? Maybe your professor can show you a place where you did not use the facts as effectively as you could have, or maybe you could ask them about it: "How was the analysis? Was it too conclusory?" That's something

people hear a lot and may not necessarily understand. Or a place you might've missed counterarguments, is another big place, because this analysis is where the meaty part of the test often is. So, if your professor says you were just too conclusory about things, ask them to show you what that looks like, because I think that can be hard for people to understand until it's pointed out to you.

Lee Burgess: Yeah. Those counterarguments are also really important when you're going through and evaluating, did you present both sides of an issue? And if you weren't clear in your answer that you were changing sides to argue both sides, that's just a red flag to look out for. And it's really easy to just start talking about analysis and not saying things like, "The plaintiff will argue", "The defendant will argue", "The government will argue", "The defense will argue". You do need to give those flags to your professor to show where that legal analysis is. And so, as you're evaluating your work and also going through it with your professor, you want to see if you used those, I guess we call them signposts – you can call them lots of different things – to kind of anchor your work and show that you're doing what is being asked of you.

Alison Monahan: Yeah. And I think you also want to be looking for signposts and phrases that show places that you're tying the facts and law together – so, things like "because" or "which shows that" or anything along those lines. If you don't see anything like that, then probably your analysis is going to read as too conclusory, because you're not explaining anything.

Lee Burgess: You also want to look at your IRAC or your CREAC or whatever is the preferred format that you're writing in. Like you mentioned, you can use a highlighter if you get copies of your answer before and try and see where each piece of that IRAC or CREAC is in your answer. I'll be honest, if the A is thin in one sentence, that's not a good sign. You usually want that to be the longest part. But again, if you can't tell from your work if it's there, then ask your professor for their feedback on that. Along with that format, you need to look at the organization of the question. How was your organization of the answer? Did it make sense? Did you use clear headers? Is it easy for the professor to follow your organization? You really want to get feedback on that as well.

Alison Monahan: Right, because I think that's where a lot of people kind of fall short, is they think maybe that they were being organized, and then when you actually read it afterwards, it's very stream of consciousness. Maybe this question was structured with multiple defendants or something like that. And instead of doing, Alice, Bob, and Charlie in your analysis, you talked about a bunch of issues and rules all together. There are lots of ways that things should be structured that may not be immediately obvious to you. But if you want some

feedback, your professor is the person who wrote the exam. They're very able to say to you, "Well, you really ought to have done this as Alice, Bob and Charlie, not as a bunch of unrelated issues, where sometimes you talk about Bob and then sometimes you talk about Alice. That's not the way the question was expecting an answer."

Lee Burgess: Yeah. You may have had a multiple-choice section on your test, and often professors will not let you see those questions again because they like to reuse them, but you can still ask for some feedback on how you did, maybe in comparison to other students. But you should try and get some feedback on the multiple choice if you can. And then just do it open ended, like, "Do you have any other thoughts on my exam, or areas where I should focus on for improvement?" Really, unless you got the top score in the class, and even then almost everyone has something that they can improve on. So, you do want to try and get all advice, even if you did fairly well.

Alison Monahan: Yeah. And I think really try to listen to that. And sometimes professors may or may not be giving you very solid advice, but if you talk to a few of them and you hear the same thing, I think that's definitely a place where you're saying to yourself, "Okay, I'm getting consistent feedback that I need to work on X. I probably really need to work on X."

Lee Burgess: Yeah. So, hopefully you have feedback from your professors and have gotten to review exam answers. And now comes the fun job of self-evaluation. So, here are some questions to start with. First, overall, what do you think is the biggest mistake that you made first semester? And I think almost every law student makes some mistake. I know I did, I know you did. I mean, we all make mistakes.

Alison Monahan: Nobody's perfect. No one knows how to do this.

Lee Burgess: No. So, I think it's a really valuable exercise to ask yourself what was the biggest mistake you made first semester. And it can be on anything, from preparing to class to executing your exams.

Alison Monahan: Right. I know for me, I definitely started taking practice exams way later than I should have. I took my first practice exam, like full practice, closed-book exam, I did the day before my first Torts final.

Lee Burgess: Not great.

Alison Monahan: That was not as early as it should have been. I learned from that mistake going forward.

Lee Burgess: Yeah, exactly. I definitely focused way too much on preparing for class and not enough on final exam prep until the end. I did not keep my eye on the end game.

Alison Monahan: Yeah, eye on the ball. No, same. I think I also started putting the material together too late. I remember being around Thanksgiving before I really was like, "Oh, I need to figure out how all this stuff fits together." So again, these things happen, but I think just understanding, "Okay, well, next time around, I probably should start putting the material together earlier and doing earlier practice." That's all it is. It's not that I'm a terrible person or that I'm stupid. It's just that, "Huh, yeah, that's something I probably should improve upon going forward."

Lee Burgess: Yeah. So you want to not only identify these mistakes, but you want to start brainstorming about how you will correct these mistakes moving forward. Another thing that I think is important to evaluate is, what do you think is the biggest challenge for you that you'll face this semester? Is it a class? Is it something going on in your life? Is it maybe one of the mistakes or the challenges you had from the first semester and trying to remedy that? But I think it's important to identify what those challenges are, so then the next step can be, what techniques will you use to manage this challenge? And those may be techniques that you're going to implement for yourself, they could be support from folks at school or outside of school. But you do need to have a plan in place to kind of help bolster you to meet those challenges as they come up.

Alison Monahan: Yeah. And I think for a lot of students, the second semester, that challenge often comes down to a class or two because the level of the classes often second semester ramp up a little bit. So a lot of people might be taking something like Con Law, which frankly is a little harder for most people than something like Torts. Yeah, Con Law and Property, kind of the classic harder second semester classes, but if that is the case, there're some good hornbooks out there. I mean, how current they are now, who knows? But you want to look into resources for those harder topics, to make sure that you're not going to be kind of flailing later on in the semester.

Lee Burgess: Yeah. I also think that the beginning of the semester is a great time to set any goals for yourself. Goal setting is something that can be very powerful. Goals are not New Year's resolutions. Goals are goals.

Alison Monahan: I think even have a podcast on like smart goals, which very important that they be kind of measurable, actionable, not just, "I'm going to do better." Right, okay, how do you measure that? How do you know that you're getting towards that goal? A good goal might be something like, "I'm going to carve out every week, six hours of deep work time and commit to doing that." Great, we can track that.

Lee Burgess: Exactly. So, setting those goals so you could also constantly check in with yourself and see how the progress towards that goal is going, is also a really great technique. Aright, let's talk about preparing for class. This is an area that a lot of 1Ls specifically find they want to make some changes, likely because you, like me, spent too much time and effort preparing for class when you needed to remember what the point of preparing for class was. So, first off, you want to think about how you're going to prepare for class this semester – reading, briefing, using supplements. Are you going to make changes to how you prepared for class? Are you going to be more efficient? Are you going to trim some of the time? How are you going to take notes? Are you going to try book briefing? There are lots of different things that you can try, but you want to evaluate what went well and what was challenging, so you can implement a better system for the next semester. I also think it's important to think about when you will do your reading and other class prep, because I think this is a trap a lot of law students fall into, is doing this reading at night, when they're exhausted, and then they don't retain anything. And then they go to class and they can't remember what they read.

Alison Monahan: Yeah, I think you've just got to know yourself here. So for me, I think I did one written brief because they forced us to, I never did another one. I book brief, I'm a visual learner. But yeah, I think you've got to keep class in perspective. The point of class is to help you learn the material. And if you get cold called, you want to have a basic understanding of what you've read, so it's clear that you're prepared for class and you're doing your best. But beyond that, I think focusing endlessly and fixating on having to know every single thing and having these huge elaborate briefs in case you get called on, it's just probably not really the best use of most people's time. I think you want to give class reading a good faith effort. You want to go in with some notes that allow you if you get called on to seem like you are prepared. And that's kind of about it, really, in terms of your actual responsibility for preparing for class.

Lee Burgess: Yeah. And the further you get into law school, you should find it easier to read these cases the more used to reading in the legal format becomes. And so, if you don't find that you're getting more efficient, that's kind of a flag, and you want to maybe go talk to academic support and ask them what you may be doing to kind of be a little slower and not being able to get your prep done in time. So, it is just really important to make sure that this doesn't take over your schedule. Another thing to think about is what your class notes looked like. Were they helpful? Were they written on paper? Were they on a Kindle? Did you type them out? What worked last time, what didn't? Do you want to try something new? I think the beginning of a semester is a great time to test some new note-taking techniques, if you're trying to mix things up and help with retention and understanding in class.

Alison Monahan: Right. And also, what do you do with your class notes after you take them? Do you just throw them in the trash? I mean, are they actually helpful to you? Do you ever look at them again? There are techniques you can use, like starring things with certain words that your professor has flagged as being really important, so that if you're doing electronic versions of things, you can go through and look at like, "Professor says, professor says", and those are kind of highlights for you. But yeah, I think if you didn't feel like you were getting as much out of class as you were putting into it, I think that is something to discuss either with your professors or academic support or a tutor or whatever it is, because you want to make sure that you're spending the right amount of time, but not reading cases four times or something like that, because you don't have time for that.

Lee Burgess: Yeah. I also hear students talking about using AI to go through their class notes to develop things. I mean, listen, we love some good AI.

Alison Monahan: Claude is our new best friend.

Lee Burgess: Claude is our new best friend. But you do need to be thoughtful about how you're using AI and make sure that you're not having it do work that you're going to need to be accountable for, in the sense that, if Claude is synthesizing all the material and then you're not really understanding how it fits together, that's not a good use of our friend Claude.

Alison Monahan: Yeah, Claude already knows Torts. Like, you could just ask him. It's actually way more efficient than having Claude summarize your notes for you. Just ask Claude what he thinks about negligence, he'll tell you. He can even quiz you. It's actually a really good use of the AI tools, are to quiz you on things. But yeah, just

having it kind of make an outline from your notes, I'm not sure is any more useful than picking up an outline that someone else made for you.

Lee Burgess: No, I think it's pretty much the same thing. It's just going to have less errors in it, because Claude did it for you. Okay, we love deep work here at the Law School Toolbox. So, one of the things we want you to spend some time considering is, how are you going to set up your schedule so you have time for deep work? Deep work is where you do the heavy lifting. You're wrestling with the material, you're creating study materials, you're doing practice. This is where the magic happens.

Alison Monahan: And I think this is so, so important. And I think it's so important to do it early on, and to do it consistently. And the reality is, you need larger chunks of time, typically, to do this. So, we say three to four-hour chunks. I would say ideally at least once, preferably twice a week, from the beginning of the semester. In the beginning, you might not have that much to put together, but the problem is, if you don't start working with it and kind of compiling it and making sense of it, you're going to have a lot when you start to look at it a month in.

Lee Burgess: Yeah. Yeah, better to start early. Chip away at it. Don't ever feel behind. So I think as you think about your deep work, one of the things that you want to do is think about what kind of study aids were helpful for you in your first semester classes. And so, what are your study aids going to look like this semester? Did you learn what worked for you and what didn't? And do you need to make some changes?

Alison Monahan: Right, yeah. So I learned at the end of my first semester that what seemed to make sense to me was making flowcharts. And so that's something I kept doing, because it actually helps me think about the material and make sense of the material. And it was a great reference on an open-book test. But if your test is a different format, then maybe that's not so helpful. You've kind of got to work with the situation that you have in front of you.

Lee Burgess: Yeah. So you also want to think about, as you mentioned, where are you going to find the time for that deep work? I think it's great to have a consistent time that you put on your calendar. And then when you're looking at that calendar, maybe you should just pick a date to really have your outline started. And then also complete it and just drop it on the date, because you should have your final exams on that calendar too. And I think that looking at the semester as a whole is a really worthwhile thing to do as you're trying to figure out how you're going to allocate your time for this deep work.

Alison Monahan: Yeah. And I think one thing that we've talked about before is there's kind of a difference between planning and preparing to do the work and then doing the work. And you kind of need time for both. If you plan to, on X date, take a practice test, maybe the week before you block out an hour to find practice materials for the test I plan to take the next week. Particularly people who maybe don't have such natural executive functioning skills or maybe have ADHD, things like that – you really have to block out the time to prepare to do the task. And then when you get to do the task, it's just, "Okay, here's what I've already figured out. I'm going to sit down, I'm going to start doing this and I'm going to complete it." And then I think that's going to be a lot more effective.

Lee Burgess: Yeah. And then the practice is a much more contained task. And it doesn't take as long either.

Alison Monahan: Right. You're not using the mental energy to find the question, because you already did that and then you went on about your life. And two days later you sit down and you have the practice question and answer ready to go. And maybe you block out another hour the next day to review it, so you're not trying to do everything at once.

Lee Burgess: Yeah. I also think that you want to think about how early you can start to practice when you're looking at that calendar, realizing that just after you've learned just a bit of law in your semester, you can start doing practice questions, even if they're pretty narrowly formulated. I mean, you can even ask our friends Claude and ChatGPT to draft some for you. I mean, they will do that. So, there's no shortage of questions.

Alison Monahan: They can be on focused topics, and even if you need some multiple choice, they can generally do a pretty good job and not be totally accurate. But that's actually even a good process for you to go through, is to figure out, "Why doesn't this seem right to me?" So, I don't think you could just turn off your brain. And I have an episode recently with a law professor talking about how to use AI productively in law school. But to say that "Oh, I can't find a hypo" is kind of ridiculous at this point, because you have an endless supply of them.

Lee Burgess: Yes. I think it's also important to think about how you're going to get feedback on that writing. So, are you going to give yourself feedback? And if so, how are you going to do that? Are you going to get a study group together and exchange work and give feedback to each other? I think there's value to that. Do you need to get feedback from academic support? Do you need a tutor, like our team? But you do want somebody to evaluate your work, because that's very

important to make sure that you not only understand the law, but that you are doing enough legal analysis and that it's robust enough to make sure that you're prepared when final exams come. So, that is a piece of the practice puzzle that you can't ignore.

Alison Monahan: Yeah, and I think early in the semester is really the time to gather all this information. What type of exam do you have? Is it long essay, short answer, multiple choice? Is it open book? Is it closed book? What samples does your professor have on file? Because if they don't have any of this, then you need to start asking those questions early, so that you know, for example, that your entire exam is going to be multiple choice, which I would probably prepare differently for that than I would if I had one giant essay.

Lee Burgess: Yeah. Okay, well, before we wrap up, if the semester didn't go well – and really, I mean, almost anyone can find a growth point in their semester – it's time to make a plan. That's what this whole podcast has been about. So, how do you sit down and make that plan? We've talked about pieces of the plan, but let's kind of overall talk through it. So, if you have an academic problem or concern, you need to think about who you are going to turn to for help. Make sure you use all the resources at your law school. They are free. Well, they're free as in you've already paid for them. But you should contact academic support, see what resources there are for you, especially if you're on academic probation. Usually schools have specific programs for students that are at risk of being on academic probation after that first semester. So you want to go meet with those professors. Those meetings aren't always easy, but they're so kind, generally, in those offices, and they really want to help you succeed. So, try and reach out and set up an appointment to figure out who you're going to turn to for help. Of course, our team is here to help you too. If you want to get help outside of your school, you can always contact us at LawSchoolToolbox.com and we can talk about tutoring. But you really do need to make sure that you have the right people on your team to help change outcomes.

Alison Monahan: Right. For me, for example, I came back to school and was basically clinically depressed. So, I showed up one day in the health services office and said, "I need to talk to someone about this." You know I went into therapy, turned out to be a great move. But if you are suffering from any type of mental health issue, often your school has resources available to you that are already included, so you can get help. Law students are notorious for needing therapy. I think everybody understands it. Nobody's going to look down on you, no one is going to think it's weird. They're going to say, "Thank you for showing up. It's great that you're here. Let's get you some skills to handle the stress of your future career, because that is just the reality." So, if you had test anxiety, that's

something to look into. If you have any type of issue that maybe you need to look at accommodations for, I think that's also something to go talk to your school about. They all have offices for this sort of thing. But anything that sort of impeded your best performance, now you know. Before you didn't know. Now you do know. You know what happened. You know what the results were. So, I think it's about getting the pieces in place to help you overcome those challenges and move forward in a way that is working better for you.

Lee Burgess: Yes. And I think that a lot of students really struggle with the idea that someone has suggested they may have ADHD. I know of students who have gone to those meetings with their professors, talked about their exams and their professors have said, "I'm concerned that I'm seeing some work that may suggest that something like that is going on." And then a student might say, "I don't want to go down that road." And I understand that. However, I would really encourage you to realize that knowledge is power in this situation. If you learn more about how your brain works, it just allows you to build the scaffolding and have the coping skills to perform at your best. It can feel very vulnerable to ask for more help, to learn more, but in the long run, it's really going to support you and your academic efforts, and lead to success on the bar exam. All of this stuff builds on each other, and so you really want to keep that in mind. So, I know it can be really hard to go ask for help when these challenges present themselves, but you're going to be glad you did in the future.

Alison Monahan: Right, because your professor sees a lot of exams. And the reality is, we talk to a lot of law students, and oftentimes we can tell pretty quickly – not that we're diagnosing anyone, but we sort of have a sense of, "Hmm, has anyone ever mentioned that ADHD might be something you want to look at?" And more often than not, we're kind of correct about it. So, it's just a pattern that people see, and that's all it is. But I do think, get whatever help you need to be the best law student you can be. And I think that's what this is all about – it's just doing your best. You're not going to be perfect, but just do your best.

Lee Burgess: Yeah. It may feel like we've asked you to do a lot in this episode, where we've talked about a lot of things that you need to do to set yourself up for the semester. But when we talked about having those pockets for deep work, I think this is the deep work to do at the beginning of the semester. This is what you do before you outline, before you have a lot of substantive work to do, is to take some time and generate these plans, look at your calendar, go to these meetings, do the self-evaluation, so you know that the hard work you're putting in for the rest of the semester is going to get you to your goals and really allow you to perform at your best. So, it may seem like a lot, but I think investing in

this work at the beginning of the semester is going to really set yourself up for much better next few months.

Alison Monahan: I agree. 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 Lee or Alison at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com. Or you can always contact us via our website contact form at LawSchoolToolBox.com. Thanks for listening, and we'll talk soon!

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