Alison Monahan: Welcome back to the Law School Toolbox podcast. Today we're excited to have Susan Stone and Kristina Supler from KJK's Student & Athlete Defense Group here to talk about ways poor decisions in the past might or might not derail your law school and bar exam journey. Your Law School Toolbox host today is Alison Monahan, and typically, I'm with Lee Burgess. We're here to demystify the law school and early legal career experience, so that you'll be the best law student and lawyer you can be. Together, we're the co-creators of the Law School Toolbox, the Bar Exam Toolbox, and the career-related website CareerDicta. I also run The Girl's Guide to Law School. If you enjoy the show, please leave a review or rating on your favorite listening app. And if you have any questions, don't hesitate to reach out to us. You can always reach us via the contact form on LawSchoolToolBox.com, and we would love to hear from you. And you can check out the Bar Exam Toolbox podcast if the bar exam is on your radar. And with that, let's get started.

Welcome back to the Law School Toolbox podcast. Today we're excited to have Susan Stone and Kristina Supler from KJK's Student & Athlete Defense Group here to talk about ways poor decisions in the past might or might not derail your law school and bar exam journey. So, welcome, ladies.

Kristina Supler: Hi there.

Susan Stone: Thanks for having us.

Alison Monahan: My pleasure. Well, to start us off, can one of you give our listeners some information about your backgrounds and your work, just for some context here?

Kristina Supler: Susan, why don't you share what we do?

Susan Stone: Well, I like to say, we save futures. Literally.

Alison Monahan: Okay.

Susan Stone: I know it's a short phrase, but it captures everything we do. We work with students who have needs, vis-a-vis their educational journey when they have an unmet disability that needs to be accommodated, or an allegation of some sort of misconduct that needs to be defended, or they're victims of harm that needs to be addressed.

Alison Monahan: Cool. And if people want to learn more about what you do or reach out, how can they do that?

Kristina Supler: We have a ton of resources and information available on our website, and your listeners can find that at StudentDefense.kgk.com. We have articles, downloads, and a host of other information for both those who have been victims and the accused.

Alison Monahan: Nice. Alright, well, before we jump into some details, can you just walk me through some ways that, shall we say poor decisions in the past might pop up again for students who are maybe considering applying to law school or trying to join the legal profession? Obviously none of us are providing individualized legal advice here. If you think you have issues, you should call someone. But for some general information.

Susan Stone: So, for law students, they have to be admitted to the bar. And the character and fitness committees of each respective state have their own requirements, and they typically want to know if you have a criminal record or any sort of discipline on your academic transcripts from either your graduate school, law school, or undergraduate.

Alison Monahan: And what might that kind of look like? What are some categories that falls into?

Kristina Supler: Oh gosh, there's a host of ways. Let's face it, there's a host of ways we all make mistakes – or sometimes, as Susan and I affectionately refer to it as "oopsies". Oopsies happen. So, it can be issues on the academic side – plagiarism, a violation of school policies. And then, as Susan mentioned as well, God forbid, on the criminal side, we've seen students with a host of issues. A pretty common one is drunk driving, some sort of drug or alcohol-related offense. I'm sure your listeners have friends or know people with that issue.

Alison Monahan: Yeah, I definitely had a law school friend who had gotten an underage DUI and yeah, there were all these issues around that. She was admitted to the bar, it was not a problem in the end. But if somebody has something in their past that might pop up and cause issues, what should they generally be thinking about when they're considering applying to law school?

Susan Stone: They should absolutely look at the question being asked to them and figure out how to answer truthfully, completely, honestly, but in a way that's framed that shows growth and resolution.

Alison Monahan: And when you say "the question", are you talking about questions actually on law school applications?

Susan Stone: Correct.

Alison Monahan: Yeah. And one thing that sometimes people talk to us about too is like, you probably want to be thinking about whether this is going to not let you be admitted to the bar before you kind of start down this road. Do you agree with that?

Susan Stone: Absolutely not. I do not believe that absent one of the most horrific crimes... Obviously, if you commit murder, you're not going to be admitted to bar. I don't know of that circumstance. But I'd like to believe that a mistake made in your teen years can be overcome and can make you a better, more thoughtful member of the bar.

Alison Monahan: Oh, I definitely agree with that, I was thinking more as a practical matter. If you do have a serious criminal record, I might want to consider what states were going to admit me before I spent three years in law school.

Susan Stone: That's fair.

Kristina Supler: I would say though, it's not unheard of for Susan and I to receive these calls sometimes from students to say, "Hey, I had something happen. What do you think?" And as Susan said, we save futures. So, though we can't guarantee success in every case, I think that we really encourage students of all ages to reflect on situations for growth and figure out a way to navigate to the goal. And oftentimes with proper advising and legal support, you can do that.

Alison Monahan: That's awesome. So, what I hear you saying is that these "oopsies" don't necessarily have to derail someone's entire future career.

Susan Stone: I hope not. I mean, that would be a terrible way to look at the world.

Kristina Supler: Well, where would many of us be? I mean, some of the most talented lawyers I know had some bumps in the road in the past.

Alison Monahan: Yeah, for sure.

Susan Stone: Just because you had a checkered past doesn't mean you can't have a pristine, clean future.

Kristina Supler: Amen.

Alison Monahan: Right. I'm all here for the redemption narrative, absolutely. What if I'm in law school now and I'm listening to this and I realize maybe I should have disclosed something previously, but I didn't? I mean, is it too late to kind of fix that?

Susan Stone: Well, it depends where you're going to fix it. I would say make sure you don't make the same mistake when you're applying to be admitted to the bar.

Alison Monahan: Yeah, the bar doesn't like people lying. If we can say one thing, I think that's it.

Kristina Supler: I'll say this: Call a lawyer. And that's not really just a gratuitous plug for the work Susan and I do, but every situation, every circumstance really can be very different. In the work we do, there's not a one-size-fits-all approach, and so it's important to analyze the specific circumstances for the situation.

Alison Monahan: Yeah, that makes sense.

Susan Stone: Yeah. And Alison, what sets Kristina and I apart is that we collaborate with other professionals to help navigate a student's future. We work with college consultants, we work with coaches, we work with therapists. So, it's not just one bird's eye lawyer's view on how to address a mistake.

Kristina Supler: We pride ourselves on being very collaborative and multidisciplinary in our work, because let's face it, a lot of times people are coming to us in full blown crises, and there're not easy answers. So we have to get creative in how we navigate students to redemption, as you said.

Alison Monahan: Yeah, definitely. I would imagine that the goal here is to tell a credible story of like, "Okay, this happened. I've learned from it. It's not going to happen again." I would assume that's kind of the narrative that we're presenting here for most people.

Susan Stone: Absolutely.

Kristina Supler: Growth.

Alison Monahan: Yeah, exactly. I watched a really interesting Netflix documentary yesterday about people in prison making quilts, so this is kind of all in my head.

Kristina Supler: I have not watched it, but I am aware of it. And yes, it seems very interesting.

Alison Monahan: It was a really good... It's very short, it's like 30 minutes. Highly recommend it for anyone listening. But yeah, even there, people who have done very serious

crimes, 40 years later they can have the redemption and make some nice quilts. It was a lovely little story.

Susan Stone: Look at Martha Stewart. Martha Stewart went to prison for a white collar crime, came out and emerged better than ever. America loves a comeback.

Kristina Supler: Well, now she's more beautiful than ever too, I'll add. Talk about someone who has aged with grace.

Alison Monahan: I know, she looks amazing. I was like, "Is she 80 or something? It's unbelievable." Alright, well, how do students know when it might be time to reach out and get some help from someone like you or one of the other people that you're working with? What should be some signs that, "You know what? Maybe I shouldn't do this on my own"?

Susan Stone: Funny you should say this, Alison, because we just a call today and said, "Too late, we can't help you."

Kristina Supler: I would say the first moment when you have that gut feeling of like, "Oh boy, I'm a little nervous about this" – so much better to listen to that voice and be proactive. We're good.

Susan Stone: Oh yeah.

Kristina Supler: Susan's the best, but we can't just totally undo and rewrite history, so it's so important to be proactive and listen to that inner voice. If you're nervous about something, it's time to pick up the phone.

Susan Stone: I would say, don't give a statement to anybody without talking to an attorney, because you want to get the narrative right the minute you're out of the gate.

Alison Monahan: Right.

Kristina Supler: And the right narrative for one school or in one circumstance might not be the correct narrative elsewhere. Every school has their own unique policies and procedures, every state, bar examiners, character and fitness questions, while there're many similarities, there can also be differences. And so, you have to take that into account.

Alison Monahan: Right. No, I always laugh. I mean, not "ha-ha" laugh, but irony laugh at friends or family members who call and say, "Well, I got stopped on this trip across the country and the police searched my car and they did find a few things." I'm like,

"Well, did you permit them to search the car?" "Well, kind of." I'm like, "Don't do that." I feel like this is kind of the same category. Don't talk to people until you have some advice on what to do here.

Kristina Supler: Alison, if Susan and I had a dollar for every time we got a call from a student or even parents saying, "If we just tell the truth, this is going to work out. Oh, I wish" – we'd be very, very wealthy women.

Alison Monahan: For sure, yeah. I had a law school roommate who's a criminal defense attorney, and she's just like, "Yeah, just don't do it. Nothing good is going to come of this. I understand the impetus to be like, 'Oh, I'm an honest person. I'll tell them the truth and everything will be okay.'" But she's like, "Just don't."

Susan Stone: Well, I want to put a different thought on it. You always have to tell the truth.

Alison Monahan: Sure, of course. Oh, that didn't come out well.

Susan Stone: Yeah. But the truth can be framed in a favorable way.

Kristina Supler: And also, one person's truth is not another person's truth. And so, it can be framed in a favorable way for your circumstance, for the policy, and to really just demonstrate growth. I mean, again, to sort of come back to the whole topic we're delving into today – people make mistakes, and for students and aspiring professionals, the key is to demonstrate growth and maturity. Did you make lemonade with the lemons?

Alison Monahan: Right. And I think sometimes people just talk too much. It's like, you could give a short answer on this or you could give a long answer, and it's probably going to be better to give the short one, unless they ask follow-up questions.

Susan Stone: So, we see a breadth of topics that can impact your future, and I think we should get a little more specific here on what we do, so your listeners can kind of think about what situations should trigger them. Anything involving academic integrity, cheating, plagiarism, scientific and research misconduct – call us. Allegations of sexual assault...

Kristina Supler: Call us.

Susan Stone: Call us. Allegations of hazing – call us. And if the cops are knocking on your door – call Kristina. I don't want to be involved. I'm joking, I'm joking.

Alison Monahan: I know, you're like, "Call somebody, don't answer." Well, this is actually a great segue because I do want to talk to you about a few specific scenarios here. So, our first one: I'm still an undergrad, but I'm thinking I'm going to apply to law school. I was accused of cheating my freshman year. Is there anything I can do now to sort of help put this behind me so it doesn't negatively impact my law school application?

Kristina Supler: Good question. I would say in that situation, I don't know that we can undo the past. So, sort of coming back to the point Susan made earlier about even a phone call we got today – the first moment that a student feels like something's getting a little uncomfortable, there might be a storm brewing – that's when you want to reach out. Three years after the fact, after something happened – hard to go back and change that academic record.

Susan Stone: I want to add to what Kristina said. I, check and check, agree with her. Of course I do, we work together every day. But what I would also say, the rise in cheating cases with AI, ChatGPT has grown exponentially. We have beaten every case this far – knock on my computer. That's not to say we could lose something tomorrow, but we have a great record because with cheating allegations, there's been a rise of allegations that are just false. We see a lot of professors think, "Did they or didn't they use AI?", and they just send it to Conduct, and so we build a defense. You really, especially if you're innocent, must fight the allegation.

Alison Monahan: Yeah, and I think that's such an interesting area. Obviously emerging, everything's changing so quickly, there are tons of gray areas. So yeah, I think it's one of those where people need to be careful going into it. And if they are accused of something later, it sounds like a lot of these do not end up resulting in a bad outcome for students. But obviously it's a stressful process that I'm sure people would prefer to avoid.

Kristina Supler: Of course.

Susan Stone: Agree.

Alison Monahan: Alright, our next scenario: I have been accepted to law school, I'm really excited to start soon. However, I made some perhaps ill-advised post recently on social media and I'm kind of concerned my offer might be revoked. I'm pretty sure people screenshotted these and some of them might try to use them against me. What can I do?

Susan Stone: Take the post down.

Kristina Supler: Sometimes the most obvious answer is the best one. Get those posts down ASAP.

Susan Stone: And you better come up with a reason you made the post.

Kristina Supler: Absolutely. We work with students, believe it or not, of all ages on this very issue – social media gone wrong. Sometimes posts were intentional and sometimes statements were misconstrued, but regardless, social media derails futures. We see it. And so, it's important as soon as something like this situation you're describing begins to unfold – again, contact a professional and develop a strategy for not only the immediate removal of the post, but perhaps creating a narrative surrounding the post, messaging with others, or going silent. You never know.

Alison Monahan: Right.

Susan Stone: Expect a social media audit to happen.

Kristina Supler: We're seeing that in the academic setting and in the employment setting as well. Everyone is looking for social media, because it's a way to get to know someone.

Alison Monahan: Right. I mean, we've been seeing high repercussions in the immigration sector at this point too. So I think, again, social media – people may not be thinking anybody's going to see it, but unfortunately it is one of those things people probably need to be a little careful around at this point.

Kristina Supler: And be mindful if your profile is totally open to the public. I mean, it's amazing how often people forget that they don't have any privacy enacted. So, just double check that too.

Susan Stone: I'd like to add that students today think that if they Snapchat, the snap disappears – not realizing that other students can screen share, screen capture, and send it along. If you write it, nothing is fleeting and temporary.

Kristina Supler: Oh, that's such a good point, Susan. Snap is like the bane of our existence, for better or for worse. It exists, it doesn't exist. You don't actually know, because sometimes forensically stuff can be recovered. And I'm going to quote my dear colleague Susan Stone – don't put anything in writing you wouldn't say to your grandma. That's it.

Alison Monahan: Yeah, I always think of it, don't put anything in writing that you wouldn't want to be discovered in document review. If you've worked at a large law firm and gone through other people's emails, it's kind of shocking what people write down or put in their particularly work emails and you're just like, "Huh. This was really a questionable decision on your part." I'm sure we could all tell some stories on that one. But yeah, I feel like that fundamentally changes your viewpoint of what you should be writing down in the world.

Susan Stone: Text messages. Here's what texts are for: "Kristina, running late."

Kristina Supler: "See you at 5:00."

Susan Stone: "See you at 5:00."

Alison Monahan: Right.

Susan Stone: Or: "Kristina, can you send me Joe's contact information?" Or to your spouse: "Hey, ran out of coffee. Can you pick it up?" That's it.

Kristina Supler: And I realize we probably sound like some boring old women with this advice, but truly, it's a best practice and a way to make sure that your messages that will be reviewed by who knows down the road, don't get misconstrued or incriminate you.

Alison Monahan: Yeah, I think it's definitely worth thinking about. Alright, our final scenario here, which I kind of alluded to earlier: I got in trouble in high school and got a DUI when I was underage. As I said, I know someone this happened to. Is this something I need to tell the bar about in my character and fitness application? Why would they care? It was so long ago.

Susan Stone: I absolutely would report it the bar. As you know, lawyers unfortunately are very susceptible to alcohol and substance abuse, and I believe if it happened in high school and you've taken steps to maintain sobriety, you'll be okay.

Kristina Supler: I mean, we say often when we're working with our clients that many institutions, the coverup is worse than the crime. No one likes to find out about anything after the fact. So, be mindful of your disclosure obligations. There's a fine line you can often walk, but not disclosing something that's clearly subject to disclosure is not going to end well.

Alison Monahan: Absolutely.

Susan Stone: Typically, we have found that certain states might ask that the candidate take a lap and do some more remediation. So, they may not get admitted to the bar the year that they applied, it may take little bit of time. However, I think the question you asked is high school, and given the passage of time, that's a different scenario than "My senior year of college I was in rehab." So again, you have to look at the history and the length of sobriety, RU and AA. Have you thought about what got you there? Have you taken responsibility?

Kristina Supler: And I'm just going to provide some really invaluable advice that all your listeners should write down right away: Read the question carefully. And reread the question. It's incredible how often questions are just misread and incorrectly answered, and maybe it wasn't even intentional, but nevertheless, it creates a bunch of headaches.

Alison Monahan: No, I think that's absolutely right. We've seen that in the context of bar students we work with who really just didn't focus on something and didn't disclose it. And as you said, that is a much bigger problem than if you just come clean. I mean, in this case, my friend had disclosed it on her law school application, she was admitted to the bar. I think they made her do an alcohol seminar or something. But yeah, they were like, "Look, you were 18 when this happened. This is not something that's going to derail your legal career." But as soon as you start lying about it or not disclosing, and then people find out – that's, I think, where the real problems start here, usually.

Susan Stone: I think we're in a society where taking responsibility and owning your own stuff has really gone by the wayside. It's refreshing to see somebody own their own mistakes. That doesn't mean you need to like throw yourself and die and beat yourself, but just take ownership.

Alison Monahan: Yeah, that's actually what I found really interesting in this documentary I mentioned, is that these are people who've done very serious things and they said, "I take responsibility for that. I recognize what I did and there's nothing I can do to make it better. But I can sit with that. And I've released the demons that made me do that, and now I'm a different person." And like you said, America loves a redemption story. Alright, any final thoughts that you would like to share here before we wrap up?

Susan Stone: My final thought is that we are in a time of a lot of turmoil, and America needs great lawyers. Don't let one mistake stop you from realizing your dreams, because we welcome a strong bar.

Kristina Supler: Couldn't have said it better.

Alison Monahan: Alright. We say that all the time. Lee and I say, "Look, the world still needs good lawyers. And if that's you, then you should pursue this, regardless of if you had a few 'oopsies' in the past." Well, remind us again how people can find out more about you and reach out.

Kristina Supler: Our website is StudentDefense.kjk.com.

Alison Monahan: Awesome. We'll link to that in the show notes. Thank you so much for joining us.

Susan Stone: Thank you, Alison.

Kristina Supler: Thank you for having us.

Alison Monahan: Oh, it's been my pleasure. 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!

RESOURCES:

KJK's Student & Athlete Defense Group
Susan Stone: LinkedIn
Kristina Supler: LinkedIn
Podcast Episode 212: Bouncing Back from a Major Mistake