Episode 42: Acing the Law Review Write-On Competition

Alison Monahan: Hello and welcome to the Law School Toolbox podcast. Today we're going to talk about the Law Review Write On competition. Your Law School Toolbox hosts are Alison Monahan, that's me, and Lee Burgess. 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, Bar Exam Toolbox, the Catapult Conference, and the Trebuchet Legal Career site. I also run The Girl's Guide to Law School. If you enjoy our show, please leave a review on iTunes, and if you have any questions, don't hesitate to reach out to us. You can always reach us via the contact forum on LawSchoolToolbox.com, and we would love to hear from you. And with that, let's get started.

Lee Burgess: Welcome back. Today we're discussing the law review write on competition. Now first off, what is the write on competition, and is it just for the main law review?

Alison Monahan: Well, I think that varies a lot by school, and one of the first things you need to figure out if you're listening to this is what are the rules at your school?

So for example when I was at Columbia, and it might well have changed since then, but if you wanted to be on the main law review, you had to do the write on competition, no questions asked. But for certain other journals, like for example, the Human Rights Law Review, which was kind of the next most prestigious journal, they were actually willing to accept other ways of applying.

So, one of my roommates, for example, really wanted to be on that journal, and she came to me and said, you know, do you really think I need to do the write on competition? I was like, dude, don't waste your time, you know. This is what you want to do. Just go and apply. And, you know, she got on the journal. So, it really varies.

Like, some journals, you have to do it, and some you don't. I would say pretty much in most schools, almost everybody who wants to be on the actual law review has to do it. What was it like at your school, Lee?

Lee Burgess: It was similar. We had, everybody had to do the write on for the main law review, but the secondary law reviews, or the issue specific law reviews, there were lots of different ways you could get on. I mean, I think there were even some that if you worked there as a 1L, you know, you could kind of get on to the law review.

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Alison Monahan: Yeah, exactly.

Lee Burgess: So I think, I mean, it definitely was a variety. I do think, though, that I'm just trying to think. I don't think there are any schools that I've heard of that don't have some sort of a write on competition.

I think Some schools have slots that might be guaranteed based on your academic ranking, but I think that's pretty unique.

Alison Monahan: Right, well that was the only thing I was thinking of, whether there's anything where you can literally just grade onto it, but I think in almost all cases I agree, I think you still have to do the competition, even if it's sort of a formality.

Lee Burgess: Yeah.

So, and for the handful of people that may be able to grade on, then you can maybe turn off this podcast if you don't want to listen, but even if you do have that ability, it's going to be just a, you know, a small number of people in your class. The majority of everyone well the majority of everyone, the majority of people are going to need to do some sort of write on.

Alison Monahan: Right. I mean, frankly, if you're one of those people who could probably grade on, you're so type A, you'll probably just do the competition anyway.

Lee Burgess: That's true.

Alison Monahan: So, what do these usually look like?

Lee Burgess: Well, it's usually a closed universe essay writing assignment of some sort. So, you get a big packet. Mine had articles, case law it was on kind of one legal issue with a prompt, just like your legal writing assignments, and you had a week to basically use everything in that packet and write a high quality written response using citations and things like that, but you really weren't supposed to go outside the, of the closed universe.

Alison Monahan: Yeah, I think it was the same. It was pretty much like your first semester of legal writing assignment. You got, you know, a hundred pages of stuff, you had to sort of go through it, figure out what they wanted you to do, use the materials, but it was not an open research question.

Lee Burgess: Yeah, which is kind of nice.

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Alison Monahan: Yeah, exactly. So at least focus. We, I think we had to like write it a week to do it too. So I think that's pretty standard. I mean, some schools also have the citation component where it's literally like, can you do blue booking? Right. Which if we'd had to do, I probably would not have been on the law reviews until I spent hours doing it.

My blue booking was not very good. Some of them also have either required essay as sort of, you know, why do you want to be on the law review type of thing, or, and or they may have an optional essay and that was typically some sort of diversity essay, you know, tell us what you can contribute that is outside of the realm of, you know, the standard person we might pick who, you know, might be white and male.

But it's not, it's not limited to that. I mean, I certainly had white male friends who made the case that they were diverse candidates for various reasons. So, you know, it's not something that just has to be based on, like, you know, your ethnicity or your gender. It could be political viewpoints, things like that.

Lee Burgess: Mm hmm. Yeah, I think most law reviews that I know of, although I recently heard about a law review that didn't do this, do it right after final exams are over. But I just had a student tell me that they were doing their law review right on as part of their spring break.

Alison Monahan: I had someone tell me they were doing a citation competition earlier.

So, doesn't, you know, point being, you need to know what the rules are. Hopefully, if you needed to do this over spring break, you're already aware of that fact and you already did it.

Lee Burgess: Right. But if you're a incoming 1L and this is something that's interesting to you, make sure you know when these dates are so you say don't, you know, book yourself a cruise to Cabo and then realize you're going to miss the law review write on.

Alison Monahan: Right. Well, that actually brings up a really good point. I mean, who actually needs to do this? Is this. Is this an actual requirement? Is it something that we strongly recommend? You know, can you go on the cruise to Cabo and just say, look, I'm not really that interested in law review?

Lee Burgess: Well, I think you can.

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I think the thing with law review is it is seen as a prestigious thing to be a part of pretty much across the board. And for jobs, they love to see it because you do get taught a lot of valuable skills, I think, arguably, while doing law review, even if they can be somewhat painfully learned. But,

Alison Monahan: You gotta learn them somehow.

Lee Burgess: You gotta learn them somehow. That, you know, especially law firm attorneys look on really favorably because it's a, it's experience that they know, you know, you've been taught to do citations, you have a great attention to detail, you have helped tailor large research projects you know, you are challenging yourself kind of in this non academic but almost academic way, and I think that looks really good on a resume.

I don't think you have to do it. I think there are plenty of successful lawyers who opted out for various reasons or successful law students who opted out for various reasons. I had friends who academically could have definitely made it onto the law review, but they were more interested in doing advocacy competitions because that's really what they wanted to do.

They wanted to be trial lawyers. And Alison, I think you had a friend who opted out of the law review because she had more specific interests as well.

Alison Monahan: Right. Well, I think it's the sort of thing, you know, the reality is, yes, it's a valuable sort of commodity to have on your resume. But the reality is if you are one of those people who are almost guaranteed to get on because of your grades, you actually get a lot of those benefits anyway.

I would argue if you're going to clerk and you have the opportunity to join Law Review, you should probably do it.

Lee Burgess: Mm hmm.

Alison Monahan: Judges really, really like to see that but that being said, I know someone who was towards the top of my class who was a friend of mine. She just didn't feel like doing Law Review.

She's like, I basically worked really hard so that my grades were good enough that I didn't have to do this. She got a summer position at Wachtell and she got two clerkships. So, you know, obviously her grades were so high, she just really didn't have to bother.

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Lee Burgess: Yeah. I think it's a very individual choice, but it is looked on favorably, I think, by judges and lawyers and those who've come before us.

Alison Monahan: I think all things being equal, you probably should at least apply.

Lee Burgess: Yeah.

Alison Monahan: That being said, you have to realize once you apply, if you're accepted, they're probably going to basically sort of force you to say yes. You're going to feel obligated to say yes, because I actually tried to turn it down.

Lee Burgess: Oh, you did?

I don't know that story.

Alison Monahan: Yeah, they called me. I really didn't want to do it, you know, query why I did the competition. No, so I applied and I got the call saying, you know, congratulations, you're on the law review. And of course, they expect they expect the response. I'm like, Oh, my God, I'm so excited. This is so great. And I was like can I get back to you on whether I want to do this?

And she was like, well, technically, you do have 24 hours to decide. But what do you need to think about? I was like, well, I'm just not really sure I want to do it. And she's like, we actually had a really interesting conversation. I mean, it was not the reaction she was expecting. But in the end, I think she made a good point, which is what made me say yes, where she was like, you know, look, if you did this competition, you're not going to turn it down.

Like, if you wanted to have turned this down, you would have not gotten on this path to begin with, so just accept that on some level you do want to do this and say yes so I can move on to my next person.

Lee Burgess: That's really funny.

Alison Monahan: So I did. I was like, you're right. She's like, what are you going to think about overnight?

You're going to call back tomorrow and say you're going to do it.

Lee Burgess: I seem to have this memory that my school just posted a list. It was like getting a part in the play when I was in high school.

Alison Monahan: Wow, that's kind of intense.

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Lee Burgess: I think they did. I think we had to go like look at the list. I mean, maybe I'm making this up because it's been a while, but I'm pretty sure that that's how I found out.

I found out I was on the board by having them call me, but just to get into Law Review, I'm pretty sure there was just a list. They might have updated that for the digital age, but you never know.

Alison Monahan: No, definitely, like-

Lee Burgess: You didn't go to law school that long ago.

Alison Monahan: True, but the idea of, like, having a piece of paper you have to go look at.

Lee Burgess: Fair point.

Alison Monahan: I mean, I remember doing that in college to get, you know, did I pass chemistry, but.

Lee Burgess: I know.

Alison Monahan: I'll never forget the day I got my, like, D plus on my final Chem or Go II exam, and I was like, yes! I passed! Anyway yeah, so I mean, basically, some schools also have these sort of alternate mechanisms for joining later, but I don't think anyone who wants to do this should rely on that.

So, you know, in some cases, if you write a publishable note, they'll let you on, or if you apply later as a transfer student. So, obviously, in that case, you can't apply now because you haven't been admitted, but some of them do allow transfer students. So, that's something you might consider.

Lee Burgess: I think the publishable notes topic is something that a lot of people listening may not really know what that is about.

You know, a lot of these law review articles that are submitted to the schools you for publication, a good chunk of them are written by students, some professors and practitioners, but both at your own school's law review and other law reviews. And so some people who write a really great research project and paper in law school can try and be published, which is another really prestigious thing to have on your resume.

And some schools even require you do that note or comment as part of your requirement for law review. So I actually had to write a note or a comment as

part of my law review requirement. Although if I did one in conjunction with a class, that met the requirement. I didn't have to publish it. I just had to write it.

Did you guys do something like that?

Alison Monahan: Yeah, I think that's pretty standard. I mean, typically when you join the Law Review as a 2L, you'll be doing two different sets of things. One is the site checking and editing of other people's articles, typically professors, but not always. And the other thing is the publishable note.

So basically you pick a topic, you write a paper. and some subset of those papers get published as the notes in the law review, which are kind of shorter articles usually than what the professors do, but yeah, it's very prestigious. Again, I had literally no interest in publishing my note, so I was quite happy to write it, turn it in, and be done with it.

Actually, on the Girl's Guide to Law School, we have a good set of articles about how to write a publishable quality note, so if someone's listening to this, you might be It would have been useful for me if I'd had it at the time. But yeah, you didn't have to be published, but you did have to do it. But it filled your writing requirements, so it was fine.

Lee Burgess: Yeah, exactly. I actually took a class that was basically an advanced research and writing type of a class where we all worked on our publishable note or comment, but I ended up throwing out my topic halfway through the class and starting over around spring break, and by the time that paper was written, the last thing I wanted to do was submit it somewhere and work on it for another year.

Alison Monahan: No, mine was sort of similar. It was that I just didn't have enough sort of material. So, you know, my topic was great for a five to 10 page paper, but not great for a 30 page note. And I just was like, there's no, I have nothing else to say.

Mm-Hmm. You know, like I filled some space, but it wasn't particularly great. I mean, the problem is you just don't know that until you sort of get into it in some cases. The other problem with the notes is that you tend to have to pick a topic, like, early your second year, and you haven't really taken an in depth class in, well, anything at that point.

So, you know, you really want to start working with a professor early and listening to what they tell you about your topic. I mean, in this case, the

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professor I worked with was like, Oh, I love it. It's great. Yeah, it's gonna be awesome. And then I started into it and I'm like this is actually not great, but there's too late to do anything about it.

Lee Burgess: Yeah, I think that that's a really good point is, you know, use those mentors and those professors to help flesh out the topic.

Alison Monahan: Or you just-

Lee Burgess: Oh, so just so you don't end up throwing out, you know, a ton of work at some point or do a ton of work and then not have something that could be publishable if that's what you're looking for.

Alison Monahan: Yeah, or you can even go to the people who teach the classes or topics you're interested in and say, look, you know, I'm looking at writing a note. What are some areas you think might be, you know, interesting, up and coming, you know, and they can caution you or they can sort of give you direction on, oh, I think this is a really interesting area that hasn't been fully explored.

You know, take a look at this. So, I mean, you just don't know enough really on your own.

Lee Burgess: No, but I would encourage you if, if this is something you're interested in to really think about topic areas that interest you because you will be spending a lot of time with this topic.

Alison Monahan: I guess if it's always fascinated you.

Lee Burgess: Yes, I like that, and he does need to fascinate you because you don't want to be saying if I have to read one more article about XYZ, you know, I'm just going to beat my head against the table. That's really not what you want to go into this experience thinking. You want it to be, you know, a pet project, a pet or a passion project so you can be excited as much as you can be excited about academic work about the research and the writing you're going to be doing.

Alison Monahan: Yeah, I definitely wrote papers later on that I was much more inherently interested in, and they came out a lot better, because I was super happy to go off and read, you know, treatises on asylum law or something, when I was not willing to do that for, you know, the preclusive effect of international arbitration agreements or whatever I was writing on.

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Because that was definitely the category of like, God, if I have to look at this one more time, I'm going to like, gash my eyes out.

Lee Burgess: You know, what's funny is my topic that I ended up throwing out was also on arbitration agreements. And I ended up tossing it for this idea of about the right to die and whether or not you could get drugs for physician assisted suicide from a state where it was legal and carry them into another state where it was illegal.

Alison Monahan: That sounds pretty interesting.

Lee Burgess: I know. It was very interesting. The legality of it got a little crazy, which was why the paper just kind of took on a mind of its own because it was very murky and, you know, it was very interesting, but it was also a little crazy. It would have been better if I'd spent more time talking to professors and fleshing it out before I dove headfirst into it.

Alison Monahan: Yeah, it sounds like a pretty big topic.

Lee Burgess: Yeah.

Alison Monahan: So, that's a whole probably separate webinar, or a separate podcast we could do about how to pick a good law review note topic. But let's, let's focus back on this write on, since that's what people tuned in to talk about.

Lee Burgess: That's true.

Alison Monahan: So, all right, we've kind of covered, like, how long does it take?

Usually, it's about a week. When does it happen? Typically, unfortunately, sad to say, right after final exams. I mean, one of the things I made the mistake of doing was thinking, like, oh, I'll just pick up the packet right after I finish my exams, I'll knock it out in a couple days, I'll start my job, and then I'll turn it in, like, while I'm working.

That was a terrible idea. Do not do that.

Lee Burgess: Yeah, I think so. You want to give it time. So if you're going to spend time doing it, like, give it your best shot.

Alison Monahan: Yeah, absolutely. Well, on that note, is there anything people can do now, like, in advance to prepare?

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Lee Burgess: I mean, not a lot. I think you definitely, though, want to buy a blue book. And-

Alison Monahan: Hopefully they already have a blue book.

Lee Burgess: I know. Hopefully you already have a blue book. But if you don't, make sure you have one. And some people find it really helpful tabbing their blue books, which really does take your geekiness to like a whole new level. You can go to the pages for commonly cited areas.

So, cases statutes, you know, books, law review articles. So you can quickly flip through your Bluebook. It's very exciting. And then not be like, oh, where's page forty six? Or looking things up all the time in the index. But other than getting comfortable with your Bluebook, I think the best thing you can do is like, try and get some rest and just be ready to be focused and do your best on it.

Alison Monahan: Yeah, I agree. I mean, if you don't know, if you're bad at Bluebooking on your legal writing assignments, now is the time to get some help on that. And there are lots of techniques, you know, you can sort of make, you know, write down the citations you're going to need commonly so you make sure they're consistent, make sure they're correct the first time.

So you're, because this is really, I mean, this is one of the situations where your citations really do make a difference because you're probably not going to get admitted on the law review if your citations are terrible. That's just the reality.

Lee Burgess: Yeah, it's an attention to detail type of thing.

Alison Monahan: I mean, this is what they're looking for.

Lee Burgess: This is what they're looking for.

Alison Monahan: Like, of course, you'll be trained, but citing basic things like cases or ids or whatever, like, you really need to get that right. Yeah, I mean, other than that, I'd say clear your schedule. As I said, it was stupid to start working beforehand. That was not a good idea.

I mean, other than that, I would say just study for exams because getting really good grades is going to position you to be accepted more easily, which means you might have a little more leeway if your citations aren't great or your article is not amazing.

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Lee Burgess: Exactly. So when you get a package like this, you know, a thick package of, of articles, cases, whatever might be in it, I mean, what do you do when you get the packet?

Do you just, like, toss it on your kitchen table and go out for drinks?

Alison Monahan: Yeah, wait a few days.

Lee Burgess: Yeah.

Alison Monahan: I figure you'll get started on it after you take a little break. I mean, there's nothing wrong with taking a little break, but I would say at a minimum, you know, you want to sort of get your bearings, see what you've been asked to do, kind of think through the question, you want to read the materials, get organized.

This is an example of where our favorite tool, Trello, might really come in handy.

Lee Burgess: Ooh, yes.

Alison Monahan: You know, I'm envisioning a situation where, say, you have a hundred pages, you have, you know, ten cases, you have ten articles, you have five or ten other things. How are you going to keep track of those? Well, you can make yourself a nice Trello board.

And then you can put each article on there. And then when you read it, you make yourself some notes and you kind of think about like, Oh, how do these fit together? You could even have, you know, different lists for issues you think might arise. And you could sort of put your cards under the different lists.

Sorry, I'm going crazy on a Trello thing now, but it'd be amazing. You know, you want to sort of get your bearings and get organized and then you've got to figure out a plan.

Lee Burgess: Yeah, I 100 percent agree. I think if you're not as into using tech tools, a solid binder you know, with notes after everything you read saying, you know, this case, you know, talks about this and this is why it's important, is a good idea.

And when I got the packet, I like to, I think I went home and I just read the whole thing.

Alison Monahan: Yeah, exactly. Like you're just trying to get a sense of it.

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Lee Burgess: Yeah, just to get a sense of like what I was taking on, you know, and then I think the next day I got up and started organizing it and pulling it apart, but you just kind of need to know, you know, what's your end goal so you can, you know, create a plan of attack so you know what to do the next day when you get up.

I think one of the mistakes students make is they feel like, and they do this with their legal writing assignments too, you think you have five days or seven days or however many days you have, and you're, and you're just kind of like, oh, I'll just read the packet, and then I'll wake up the next day, I'll read the packet again, and then maybe I'll like, you know, pull out the staples and staple it into individual documents, maybe I'll put them in a binder, oh, maybe I'll read them again, you know, without actually pushing yourself to have these milestones, you know, it's like, okay, well, it's great to read it a couple of times, but when are you going to, you know, start working on your outline?

When are you going to start drafting your your paper? When are you going to start doing citations? When are you going to do the multiple rounds of proofreading that are going to be required? Because when I was on the Law Review Board and I was grading write ons, when I saw stuff that clearly had not been proofread, it made me really angry.

Alison Monahan: Oh my god, I get, like, I remember sitting, I was working in London for part of the summer and they sent me the law review submissions to read and I remember sitting there with my office mates just being like, oh my god, I cannot believe that these people are making me waste time reading this crap. Like, I mean, one submission had no periods in it.

How do you even do that?

Lee Burgess: I know.

Alison Monahan: It's just like, did you look at this?

Lee Burgess: Yeah.

Alison Monahan: And like, I mean, you know, maybe they're totally brilliant, but nobody's gonna like, I'm not putting that on the law review. I can't publish an article without periods in it. Like, come on.

Lee Burgess: You know, it's, it's just shows a lack of professionalism.

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And I think sometimes in law school, we can get so caught up in the fact that we're in school, and that we kind of forget that it's still your professional reputation, you know, like, you-

Alison Monahan: Hey, I mean, these are graded anonymously, but let me tell you, if I had known who the No Periods person was, I would never have hired them as a lawyer for the rest of my life.

Lee Burgess: No, and even if they're graded anonymously, you still, you don't want to just, well, why spend, waste time even writing it if you're going to do something like that?

Alison Monahan: t's like, why bother even turning in something that's totally terrible? Yeah. It's like, just don't even apply. Save yourself the trouble.

Lee Burgess: Or, I remember getting submissions that, you know, had clearly not had proofreading done in the citations.

It's like, why are you even sending this to me?

Alison Monahan: And it's kind of sad because two people spend a lot of time and effort on it, but it's these last minute things, you know, I think part of the problem is people wait until the last minute to do these. And, you know, you should be making sure your citations are perfect from, you know, draft number two, basically, because inevitably you're going to run out of time to do everything you want to do.

And you might think, like, oh, fitting in this one last brilliant legal argument is really, really important. But you have to understand that people looking at this are like, is this somebody I want to work with? And one of those signals is like, did they get, is it, you know, did they proofread? Are the citations correct?

That's a really, I mean, I would say it's much more important even than legal writing.

Lee Burgess: I mean, I think that that's probably true. I would really recommend, if you have five or seven days to do this, Like, your last day should really be about proofreading, and you should proofread for a variety of things. You know, do a proofread just for grammar, but do a proofread just for citations.

Alison Monahan: Oh, absolutely.

Lee Burgess: You know, and maybe two,

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Alison Monahan: And make sure they're all consistent. Like, that's, that one just infuriates me. It's like, even if you're wrong, at least be consistently wrong. Like, at least then it's like, okay, maybe we can work with this person and explain to them how to actually do this citation correctly, but if you do it four different ways over the course of 10 pages, that's just like, you don't pay attention to things.

Lee Burgess: And I think that's where this gets so tricky, because with footnotes and things like that, every time you edit or you move a paragraph or do anything like that, your citations will change. And, you know, or what they need to look like will change. And what so often happens is, you know, you do your final proofread where you make structural changes to the work, and maybe you're like, oh, this should, paragraph should really be re org'd, then you re-org it.

Alison Monahan: Or this whole section.

Lee Burgess: Or this whole section, and then you come back and you never go through a proofread to correct your footnotes, well, then your footnotes are going to be a disaster.

Alison Monahan: Yeah, I mean, this is something you have to do on paper. You cannot do it on a computer.

Lee Burgess: No.

Alison Monahan: Like your last, you know, not even your last draft, you know, your sort of semi last draft of citations, you need to be there with a highlighter, with a, you know, pencil or pen, on paper, literally making sure, you know, flipping the pages, like, you know, see it at seven.

It's like, is that actually on page seven now? And if not, you know, get out your red marker and big circle and make sure you correct it. Because you can't really, I mean, you sort of can rely on your, you know, technology to do this for you, but not ultimately.

Lee Burgess: No, and I actually would always sit down with a ruler.

Yeah, and go line by line because I think one of the other things, especially as you get tired and burned out and when you're doing this after finals, you're already tired and burned out. Yep. It's really easy to look at a whole footnote, you know, and just say like, oh, the footnote looks good versus literally looking line by line at each part of the file.

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Alison Monahan: Well, and going back to the primary sources. Yes. You know, like you might have mistitled a case and you might have been mistitling it in your entire thing. Go back to those original sources and triple check, okay, this is the actual title of this case, you know, it's company, it's not whatever. Because those details ultimately are gonna make a difference.

Lee Burgess: Yeah, they do. And again, I think this all goes back to the fact, if you're going to spend any time doing this, just do it right.

Alison Monahan: Right. It's like, either decide you're gonna do it or not gonna do it. There's no point in sort of like, dialing it in and doing a half hearted effort because like, at that point, just don't do it.

Lee Burgess: Yeah.

Alison Monahan: There's nothing wrong with not doing it. You can just decide I'm not going to do this for this reason, and move on with your life, like, you know, join a different journal, like, do whatever, but if you're gonna do it, you may as well give yourself the best chance that you have, which means, you know, really planning your time so you're not running out of time, being strategic, you know, tracking how you're doing if you make your schedule, and it's like, I want to have, you know, an outline done by day two, and I want to have a first draft by, like, lunch on day four.

Are you doing that?

Lee Burgess: 100%. And creating a reasonable work schedule for yourself. I think that's also something to think about. You are going to be tired going into this, and so you're probably not going to want to work 12, 14 hour days on this project.

Alison Monahan: Well, and it's not necessary.

Lee Burgess: It's totally not necessary.

Alison Monahan: I mean, it's not designed to spend, you know, 15 hours a day for a week.

Lee Burgess: No.

Alison Monahan: It's designed basically to be like, you know, I don't know exactly, but probably somewhere in the order of, you know, Say 15 to 20 hours total.

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Lee Burgess: Yeah. I mean, and it can be the variations of like, are you the person who edits, edits, edits, are you the person who, you know, writes a pretty good first draft? But regardless, this shouldn't be taking you from sunup till, you know, midnight to-

Alison Monahan: No, I mean that, that's excessive.

Lee Burgess: Yeah. So what are some other pitfalls or horror stories that we've heard that we can share with students so they can avoid them?

Alison Monahan: Oh god, the number one one. Please, please, please back up your word.

Lee Burgess: Oh, back up your word, guys. Back them up.

Alison Monahan: Like, if you're not using Dropbox or something equivalent to Dropbox, please start using it. It's free. It can save you from an unbelievable set of disasters. Like, we have heard stories of people doing the competition and losing all their work the morning they're supposed to turn it in.

Lee Burgess: Yeah, and so then they don't get on the law review and they wasted a whole week of their life.

Alison Monahan: Yeah, they spent a whole week doing this and then nothing came from it because they did not back up their work.

Lee Burgess: I would say even to have one more layer of protection is, you know, every day, like, printouts of at least.

Alison Monahan: Print it out, change the, I mean I would change the file names every day so you know in the, at night I would set up my draft for the, where I was going to start the next day. And change the file name from, you know, Wednesday to Thursday, and then I never touched the Wednesday draft again. So, like, absolute worst case scenario, I lost one day's worth of work.

Right. And print it. I mean, I would basically print out Wednesday's draft, too.

Lee Burgess: Yeah, just so you have it in a few different places.

Alison Monahan: I mean, this seems paranoid, but I'm telling you, things happen.

Lee Burgess: Oh, things happen. I mean, I remember-

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Alison Monahan: I would email it to myself. I mean, anything you can think of.

Lee Burgess: Back in the Stone Age, when we were in undergrad, I remember writing my thesis and I had it on like all these different floppy disks and that was it was the same thing at night you had to be like floppy disk number one that stays at this workstation floppy disk number two that goes in my backpack.

I mean because you didn't know like what if one of those floppy disks got corrupted. It doesn't really matter that we have, you know, the cloud and all this other stuff now you still, if something's critical and, you know, if you lose it there's no going back, you need to take steps to make sure that, you know, you can only lose so much work.

Alison Monahan: Yeah. You wanna have redundancy. Yep. You know, worst case scenario, it's like, okay, if you had to, you could retype your entire draft if you have it on paper.

Lee Burgess: Exactly.

Alison Monahan: Or you could, you know, well, I guess for a law review, they can't like hire a TaskRabbit to do it for you. But I love that suggestion.

Lee Burgess: Recently TaskRabbit is one of your solutions to everything right now.

Alison Monahan: It's pretty much like what can I outsource? Probably you cannot outsource your law review competition.

Lee Burgess: I don't think you could do that. And you can't, you can't outsource it to our tutors either. Don't,

Alison Monahan: No, don't ask. They'll say no.

Trust me. We've been asked.

Lee Burgess: We will not write your law review write on for you.

Alison Monahan: We will not write it. We will not review it for you.

Lee Burgess: Exactly. Exactly. One, the other thing though is once somebody's kind of accepted if you have your sights set on maybe being on the Law Review Board you know, again, think about this as an organization where you want to act in the most professional way possible.

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If you want the leadership of the Law Review to vote you into a board position the next year, make sure that you are kind of on task and you know, doing high quality work and being professional from day one.

Alison Monahan: Absolutely. I mean that, you know, and getting along with people.

Lee Burgess: Yeah.

Alison Monahan: You know, if you want to be editor in chief you need to get along with the people on the law review board.

Lee Burgess: That is very true.

Alison Monahan: And with the people in your class, you know, the reality is, like, they're not looking for someone who's going to cause problems. So, you know, you want to be your best professional self, like, competent and enthusiastic and, you know, getting stuff done on time and all these sort of things you would be looking for if you were going to hire someone.

Yeah. I mean, you could think about your submission that way, too, you know, is this someone you would want to hire? Is what you're, is what you're giving us something that you would say like, yes, I am very enthusiastic about this person. Like, you know, they clearly did the, they stayed on task, they answered the question, I mean, that's another one. Answer the question, please. You know, this is, this is not an opportunity for you to write a discourse about whatever you want. That's what your note is for.

Lee Burgess: Right.

Alison Monahan: This is a closed universe assignment. Answer the question. If the question has three parts, answer all three of those parts.

Put headers for each one of them. You know, these are like basic skills, but you, I mean, I don't know what you thought. I was pretty underwhelmed by a lot of the submissions I got.

Lee Burgess: I mean, I was pretty underwhelmed. It was clear that a number of people were just banking on the fact that they got good grades.

Alison Monahan: Exactly.

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Lee Burgess: And, you know, they thought that that would just carry them. And I'm sure it carried some people, but it's not going to carry everybody.

Alison Monahan: Right. I mean, A, people don't really know exactly where they, well, maybe they do if you have a strict curve and they tell you where you rank. But like at Columbia, you didn't know where your ranking was.

So you might think that your grades are high enough to just sort of like dial it in and get on, but you don't really know that. You know, you might think that you're in the top 5% and you're actually in the top 10%.

Lee Burgess: Yeah. I think it's also interesting to think about it from the perspective of the editors who are making these decisions.

You know, the people that you bring on to the Law Review Board do that first line of defense work on all of these articles that the board ends up proofreading and many, many, many times. And so if you are not hiring, you're basically hiring people,

Alison Monahan: Exactly. We can, before I go to, like, a job, it's basically an unpaid job.

Lee Burgess: It is. I mean, if I'm, if I'm basically trying to quote unquote hire my law review staff who are going to come and work for me and do citation checks and do, you know, research checks for me and go through primary sources and all of that kinda stuff, if that group of people doesn't have a great attention to detail, it makes my job as an editor much worse.

And that's not what I wanted to do as an editor. It was hard enough to edit these documents multiple, multiple times by the time they got published.

Alison Monahan: Absolutely. So make your submission look like someone who would be diligent and get their stuff done. Because that's what, basically, when you're reading this, you're looking for.

Yeah. I mean, brilliant legal reasoning, fantastic. But, I mean, the reality, too, is, like, a lot of this is just, like, you need to do a very competent job. You don't need to be making, like, crazy arguments.

Lee Burgess: Yep.

Alison Monahan: If you, I mean, if you do a solid job and answer the question directly and completely, I can guarantee you you'll be, like, in the top percent of the people who submit their essays.

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Lee Burgess: I think that's very true.

Alison Monahan: Unfortunately. It was demoralizing, I'll admit, to read these submissions sometimes.

Lee Burgess: Yeah.

Alison Monahan: But then when you got one that was sort of like, okay, this person did a good job, like, everything's in order, they got the arguments, you know, you're like, oh, yes, I love them so much. Can we please have this person work there?

Lee Burgess: Yep.

Alison Monahan: And sometimes those were not the people who had the best grades. You know, I had friends who were shocked that they made Law Review, but they were great writers and they did a really good job on their submission.

Lee Burgess: Yep. So it's not something to just decide that you can mail in.

Alison Monahan: No. Well, all right. A couple of final thoughts before we're out of time here.

Do you have any thoughts about this diversity essay? I know people get really sort of torn up about this one.

Lee Burgess: You know, I actually, my school didn't have the diversity essay. Interesting. So I'm not, I'm not 100 percent sure how it could be factored in. I mean, our admissions process was just a balance of your class ranking and your score on the write on.

Alison Monahan: Yeah, so a lot of schools have started doing more of a, like, diversity component, largely because, like, for example, the Miss JD Law Review Survey points out that, you know, these are bastions of, like, basically white guys. And a lot of schools are like, you know what, that's probably not really okay, given that this is such a gatekeeping function for other things like clerkships and jobs, like, we need to make more of an effort, you know, to be more inclusive. So a lot of them do allow some sort of diversity essay. I mean, I think basically almost everyone should write it. I mean, you know, doesn't matter.

Lee Burgess: What's the downside?

Alison Monahan: Yeah, exactly. It doesn't matter who you are, there's probably something about you that's different from everyone else.

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And I think you may as well write about that. Other than that, I mean, I don't have a lot to say. Yeah, I mean, I think in some cases, it probably makes a difference. In some cases, it doesn't make a difference. You have no way of knowing that. So you may as well go ahead and make a good faith effort and do it.

Lee Burgess: Yeah, I think so. And if you don't do it, I can't reflect that, I mean, I can imagine it just looks like you maybe didn't want to take the effort to do it.

Alison Monahan: Well, or it just looks like you're a white guy.

Lee Burgess: I guess that's true, too.

Alison Monahan: Yeah, I mean, basically everybody else is gonna write it.

Lee Burgess: Yeah, that's true. And then what if you don't get onto the Law Review?

Is your legal career over?

Alison Monahan: Yeah, I think so. You should probably just quit. No, I'm kidding. No, I mean, people get so worked up about the Law Review. It really doesn't matter that much. I mean, if you want to have that journal experience, you can almost certainly join a different journal. I think a lot of the resume stuff is just, like, do you have a journal on your resume?

Like, yes, of course, it's better to have Law Review, but if you have a different one, you're still gonna get, like, 80 percent of the credit.

Lee Burgess: Mm hmm. Exactly. I think the reality is you do gain skills by working with a journal. And so if that's something that interests you, you can find that experience.

Another place of law review doesn't work out.

Alison Monahan: Yeah. And there are just so many other things you can do that, frankly, might be more interesting.

Lee Burgess: Mm hmm. There are advocacy competitions, but there are also my school also had a student run moot court board, and so students were also applied to be moot court case counsel, and then the 3Ls would be on the board and they basically ran our moot court program.

A lot of people who wanted to do litigation thought that was better experience.

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Alison Monahan: It sounds way more fun.

Lee Burgess: Yeah, than law review. You know, but if you have passions about these different things, throw yourself into what you think you're going to enjoy because you're likely going to be better at it.

Alison Monahan: Yeah, and the other thing is there's still ways that if you want to write a note, you know, you can write a note, you can even submit it to other schools law reviews, which would be kind of cool, because then you're in the position of being like almost like the professor where other students are toiling away on your note.

Exactly. And you're sitting there saying, well, I'm not sure I'm going to accept these changes, which let me tell you is probably a lot better than being the one who's like in the bowels of the library trying to find that crazy source that you cited from like 1812.

Lee Burgess: So true.

Alison Monahan: So you know, yeah, you might be disappointed, but you might end up being in a better position in the end.

Lee Burgess: That, that is quite true. Well, with that, I think we are out of time. If you enjoyed this episode of the Law School Toolbox podcast, please take a second to leave a review and rating on iTunes. 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 us at Lee@LawSchoolToolbox.com or Alison@LawSchoolToolbox.com, or you can always contact us via our contact form at LawSchoolToolbox.com. Thanks for listening and we'll talk soon.