Episode 64: Developing Grit in Law School

Lee Burgess: Welcome to the Law School Toolbox podcast. Today we are talking about grit and why you need it in law school. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess. That's me. We're here to demystify the law school and early legal career experience so you'll be the best law student and lawyer you can be.

We're the co creators of the Law School Toolbox, the Bar Exam Toolbox, and the Catapult Conference. Alison also runs the Girl's Guide to Law School. If you enjoy the show, please leave a review on iTunes. And if you have any questions, don't hesitate to reach out to us. You can reach us via the contact form on LawSchoolToolbox.com. And we'd love to hear from you. And with that, let's get started.

Alison Monahan: Welcome back to the Law School Toolbox podcast. Today we're talking about something we think every law student needs, and it's not a laptop, it's grit. So let's get started. First off, Lee, what do we even mean by grit? I mean, people kind of throw this term around, but I mean, we're not talking about dirt here, right?

Lee Burgess: No. When someone has grit, they have courage and resolve. They're able to conquer the challenges placed in their way and overcome failure. They work towards their goals for weeks, months, or even years. Someone who has grit can persevere even when things aren't going their way. And as you mentioned, grit has become a really popular buzzword and was brought to the forefront by a woman named Angela Duckworth, who was catapulted to the forefront of the field after delivering a TED Talk that we're gonna link to in the show notes.

Alison Monahan: Very nice.

Lee Burgess: So in your free time, you can check out a TED Talk. Grit, not in the library time, in your free time. There's a lot of talk about the importance of grit, especially in the academic setting, even starting with young children, but it is a very important thing you have to have in law school. So, you know, Alison, some people might be saying, okay, well why is grit so important in the law school space?

Alison Monahan: Well, I think it's really similar to the podcast we did on mindset, like way back in the day, we can link to that one too. I think grit and mindset really have a lot in common, but, you know, the reality is most people are going to be faced with challenges in law school that are sort of a different magnitude almost, at least

Episode 64: Developing Grit in Law School

academically, of the challenges they've faced before and how you react to that is really going to have a huge impact on your ultimate success and your happiness.

Lee Burgess: Yeah, because law school is full of speed bumps and reality checks.

Alison Monahan: Yeah, I mean the reality is, you know, anyone who got into law school, by definition, has done pretty well in their previous educational experiences or otherwise they wouldn't be in law school. So, I think for a lot of people it can be sort of a rude awakening about, you know, the, how much they're gonna have to work or how well they're ultimately gonna do, or what they're gonna have to do in order to do really well.

Lee Burgess: Yeah, I mean, the reality of law school is, I think when you start, it almost feels like you're starting a foreign language. I mean, it can really feel like you, every single thing you do is challenging in a way it hasn't done. Like reading becomes very challenging.

Alison Monahan: Yeah, absolutely.

Lee Burgess: Especially those early cases are in like old, old English and seem could be in Greek.

Alison Monahan: Yeah, exactly. Like, you know, if I told you now, like, oh, you know, so in the plaintiff move for summary judgment, you understand what that means. But if I tell someone who's in their first week of law school, the plaintiff move for summary judgment, they're going to look at me and be like, they did what?

Lee Burgess: Right, and then they're going to look it up in Black's Law Dictionary, and they're still not gonna understand it.

Alison Monahan: Yeah, and it's gonna be like four pages and referring to Rule 56 and they're gonna be like, Rule 56 of what? Like, what are we even talking about here?

Lee Burgess: Exactly. Not to mention, you're gonna be sitting in class and your professors are gonna start throwing around terminology that you're just not comfortable with and that can be really, really confusing, and frustrating for folks who are, you know, used to be high achievers.

Yeah, exactly.

Alison Monahan: I mean I think a lot of people, you know, they're, there's certain types, shall we say, who end up in Law School and, you know, the academic overachiever type,

there are a lot of those people. You might identify yourself as one of those people who's always been the straight A student, been the teacher's pet, gotten a lot of great feedback, you know, that's why a lot of people want to continue their education because this is something you're good at.

Lee Burgess: Right.

Alison Monahan: Or at least how you perceive yourself to be good at. And you know, as we talked about on the mindset, like that perception of I'm good at this or I'm not good at this can be really challenging to your ability to actually figure out how to be good at something.

Lee Burgess: Right. Or even I'm smart enough.

Alison Monahan: Right. Like I'm smart and I'm a smart person. That's why I went to law school. Right. Well, so is everyone else.

Lee Burgess: Right.

Alison Monahan: Yes, you are a smart person. That's great, but that's not sufficient.

Lee Burgess: Right. Everybody else in the room is smart too. I think the other thing, you know, we talk about it a lot on this podcast that everybody needs a little grit for is that curve, you know, those grades are nasty. And I think most of us who you know, come to law school, we did pretty well academically, we're used to seeing pretty good grades, we were pretty proud of those. And maybe you've never been in a situation where you have a forced curve, you're going to see grades that may be even considered pretty good that would not be considered pretty good in your, past life and you have to be able to deal with that.

Or if you get grades that you're not happy with, you have to persevere and figure out how to be better at it. And that is, you know, really I think the challenge for most law students is how they're going to handle that bump in the road when it comes because. I don't, I know very, very, very few law students who don't have some sort of reality check at some point in there.

Alison Monahan: No, I mean, even if you talk to most people who've ended up being law professors, almost all those people will have some story of, oh gosh, no, I remember my first year contracts class, you know, I got a C. And these are people who became a law professor. You said something actually a minute ago, you said that, you know, you have to do persevere.

Episode 64: Developing Grit in Law School

I think it's actually more like you have a choice about how you're going to do this. You know, you can like, I think one of the key takeaways here is how you respond to these challenges is really within your control. And your grades ultimately are not within your control. You know, this is something that you do your best, but then your professor gives you whatever grade they give you.

And so I think getting fixated on the outcome can actually cause problems. You know, I, I always laugh when we get calls from, I mean, not laugh haha, but sometimes kind of laugh a little. You know, when we get calls from incoming 1Ls who are like, I really want to make all A's in law school.

And it's just like, you know what? I don't care how smart you are, I don't care how much you study, the odds of that happening are are almost none. Like, there is literally no one at any school who is making straight A's or straight A pluses. Like, you can have an amazing GPA. You can be the top person in your class, and you're still not going to make straight A's. Like maybe you have some A minuses, maybe you have a B plus, like that's just the reality.

Lee Burgess: Yeah, I think that's true. And this is also something, you know, looking down the road, if you are new to the law school experience, that's a very big deal in the bar exam, because that's another place where you can't be just fixated on the results. Of course, you wanna pass the bar exam, but we can't control what happens once you submit your materials to the graders. You know, you just kind of have to do your best and give it up to them, and, and the grades will fall where they may. It's. It's so much about the process, and I think that's a really uncomfortable place for a lot of people.

Alison Monahan: Oh, absolutely. I mean, of course everyone wants to do well, but, you know, I think you just have to accept the reality that you can't actually control the outcome, and once you give up controlling, trying to control that outcome, you can actually focus on the things that ultimately are most likely to result in a positive outcome.

For example, you know, I could spend six hours a day, like, worrying about whether I'm going to get an A on my TORTS exam. And I can guarantee you, there are people who do that, who like fixate on like, well, what if I don't, like, you know, my parents are going to love me. I'm going to get kicked out of school.

Like I'll never get a job. I mean, these are easy, easy pathways to go down and like, I get it. Or you could spend that time taking a step back and saying, okay, you know, where am I in this class? What do I need to do to position myself to

do well and spend those time, you know, that six hours, like actually taking practice exams and getting feedback and going to office hours.

People have a choice about what to do and how to spend their time.

Lee Burgess: Yeah, and I think there's also a lot of stuff that will happen during the law school experience because as we often at times like to say, life doesn't stop for law school or the bar exam. You know, there are going to be external things that happen.

You know, we talked to a lot of students who run into their own health issues you know, in law school or those of family members, significant others, pets, you name it. There's often you know, financial things that come up or even good things. You know, you meet the love of your life. You want to plan your wedding.

I mean, there's all sorts of stuff that will happen. And I think those good or not as great things that will happen in life, they can also be points where you have to have grit to persevere either to make sure everything gets done and that it's done well, but also if you need to overcome something that's difficult.

And that doesn't mean that you plow through it and don't work through the hard things in life, but you do have to you know, have the willingness to continue to march on.

Alison Monahan: Yeah, I read an interesting interview recently with someone who was a Supreme Court clerk, I think for Scalia. And then they were talking about what he asked about in the interview.

And one of the things he asked about in the interview for this woman he ultimately ended up hiring was, why were you not on the law review? And she says, well, I'll give you the honest answer. The honest answer is I was in the middle of writing my law review packet entry and my cat got hit by a car. And was like really injured and I was too distraught to carry on.

And he looked at her and he said, you know, sometimes life happens. That's okay.

Lee Burgess: Yeah. Well, and props to her for being honest, actually. I mean, I'm sure it's, well, I mean, obviously Scalia's gone, but I bet he was an intimidating interviewer.

Alison Monahan: Yeah, no, I thought it was really interesting. I thought both sides of that were interesting.

Episode 64: Developing Grit in Law School

A, that she was sort of like, well, this is what happened, and like, you can judge me or not, but like, I just, you know, shit happened.

Lee Burgess: Right.

Alison Monahan: You know, it's like, we have a student, you know, whose computer died, and he hadn't backed up his submission right before he applied. Does that mean that he wasn't worthy of being on the law review?

No, I mean, shit happens.

Lee Burgess: Yep.

Alison Monahan: In that case, he should have backed up.

Lee Burgess: Yes, use Dropbox. Embrace the cloud.

Alison Monahan: Yeah, we don't actually think that he should tell someone that in an interview. He probably should make up a story about his cat dying. But, point being, you know, and I'm sure at the time, like, that was devastating for this woman.

She's like super high, I mean, she's sufficiently high achieving that she got a Supreme Court courtship. Like, obviously, like, a very high achieving law student. And I'm sure at the time it was devastating. You can see the pathway that you'd go down like, Oh, I'm not on law review. I'm never going to get a clerkship.

Like, I'm never going to get a job. I mean, she was probably just at a school where you can get a job without law review. But you know, I mean, judges legitimately, like, want you to be on law review.

Lee Burgess: Or wonder why you're not.

Alison Monahan: Or gonna ask, you know, and like, Oh, I'm gonna have to be explaining this for the rest of my life.

And like, what if I tell them my cat died and they think I won't be serious about it? I think the cat didn't even die. The cat just got hit by a car. But you know, what if I tell the person who's interviewing me that like, instead of like persevering and like plowing through and submitting it, I was in the cat hospital, like they're never going to think I'm serious. They're never going to hire me.

You could go down this pathway, but none of those things are actually true as it turns out.

Episode 64: Developing Grit in Law School

Lee Burgess: Right.

Alison Monahan: So you have a choice about, and of course in the time you're going to be upset. But I think, you know, learning to kind of take that step back and be like, okay, you know, this is not a great situation, but probably people will understand, and if they don't understand, maybe I don't want to work for them anyway.

Lee Burgess: Right.

Alison Monahan: You know, I'm sure I'll still get a job, like, I'm not going to give up on trying to do well in my classes, because that whole, like, self sabotage thing. Like, oh I'm not on the law review, I'll never get a clerkship, so I can just stop studying for the next two years.

Lee Burgess: I think it's interesting, too, when you think about grit, that it isn't about, you know, just to stay on the cat analogy, not to like freak people out of cats.

I mean like we love cats, but but this idea that like it's not like you can't stop and be present and be upset about something. It's more what happens after that. And are you going to let that become your story, or are you going to say this thing happened, it wasn't moving me forward, but now I've moved past it. Now I can pick up and continue to march on. I think that's more what grit is about. Because I think in a way, sometimes when you read about it, and I was reading articles preparing for this podcast. It can feel a little like, you know, just keep marching forward no matter what happens. And that's, I don't think what they're going for.

Alison Monahan: Never be upset.

Lee Burgess: Never be upset. You know, don't be authentic. Don't you know, and, and we're the mindfulness camp, right?

You need to be present. You need to be able to be with what's going on with you at the moment.

Alison Monahan: I mean the easiest way, at least in, you know, what I understand from the sort of like mindfulness community is, the easiest way to stop being upset about a bad thing that's happening to you is to be upset, but to drop that storyline.

Lee Burgess: Yeah.

Episode 64: Developing Grit in Law School

Alison Monahan: You know, so, and there's lots of great stuff. We can link to Pema Chödrön's books on like Tonglen Buddhist practice, which even if you're not Buddhist are really helpful, just sort of practices where it's not that you just like pretend that you're not upset about your cat being hit by the car.

Like, of course you're upset about that. That it's an upsetting situation. That's a normal reaction.

Lee Burgess: Mm-Hmm.

Alison Monahan: But you have to sit with that reaction and literally like, feel that reaction, but then not start this whole storyline process about this is gonna like, destroy the rest of my life. Like I should just drop out of law school, I'm never gonna amount to anything if I can't like pull it together and pretend that I'm fine.

Lee Burgess: Mm-Hmm.

Alison Monahan: Because that's really. where, you know, things can definitely go off the rails.

Lee Burgess: And lawyers are amazing worst case scenario people. I mean, I definitely, I'm guilty of that all the time. It's such an easy thing to do, and we're kind of trained to think that way.

Alison Monahan: Yeah, exactly. You're being paid, basically, to figure out someone's worst case scenario, particularly as a corporate lawyer, like, all the time. Or even as a litigator, you know. How many conversations did you have as a litigator about, like, well, what's the worst thing that could happen here? And I would say we had those conversations a lot more often than, like, what's the best case scenario.

And it's interesting, because, like, if you're in a room with, like, the business people and the lawyers, the business people immediately go to what's the best case scenario. And from the lawyer perspective, they're just being really unrealistic. But, I would say it's 50 50, like who's right? The lawyers are like, well maybe that could happen, but more likely, like this disastrous thing, or this disastrous thing, or that disastrous thing is going to happen.

And I think, you know, it's a valuable skill for your professional practice, but I think you have to be careful with that in real life.

Episode 64: Developing Grit in Law School

Lee Burgess: And there are interesting writings out there by folks that we know, and we can link to a few of them, in the notes that, you know, some of that line of thinking also makes it difficult to like be in relationships.

Alison Monahan: I have a whole series on this.

Lee Burgess: But it, you know, it can be really challenging when you start to look at the world in this way of the worst case scenario that it can make you a challenging partner at times in your personal life. So that's always something to think about. Okay, but we've talked a lot about how you need grit, but I think it's always interesting to look at something like this and say, well, is this something I just have?

Right? Like, are just people like full of grit or not? Or is it something that can be cultivated?

Alison Monahan: Yeah. I think sometimes people, you know, you might be listening to this thing, you're like, well, that sounds great, but like, I'm just not an optimistic person.

Lee Burgess: Mm-Hmm.

Alison Monahan: And now you're making me feel even worse about myself.

I should just give up.

Lee Burgess: Yeah. The answer is no, you shouldn't. So I think you can cultivate it. I think that's actually one of the things that a lot of this research around grit is trying to focus on. They are working with kids and trying to, you know, cultivate grit in children because they are saying that that is something that children of this generation apparently are seen as lacking.

But I think you know, as an adult, and believe it or not, in law school you're an adult, actually an adult, whether you feel like it or not. You can still practice having grit. And I thought one of the things that they told children or parents to do with their kids, which I thought was really interesting, which I think you can still do as an adult, is just practice doing things that are hard or that you're not good at and get comfortable with that.

I mean, we've talked about that as one of the things we recommend people to do before law school is like, take a class that can be really challenging because you have to just get used to not being good at something.

Alison Monahan: Yeah, I think absolutely. I mean. For me, I think I'm a little weird, but like, that's basically the main reason I went to architecture school is that I could tell, you

know, like as an undergrad and before that, like I was just good at school and like, I wasn't that challenged and everyone gave me great feedback and was like, oh, you can graduate with highest honors, even though you did your honors thesis in three weeks and picked a topic, spring break, true story.

But you know, at some point I was like, I could tell that because I wasn't really being challenged that that was ultimately like, I was kind of afraid to push myself. And so it was a way to just kind of push myself into the deep end, you know, query, whether it was the best use of whatever, a hundred thousand dollars.

But, you know, I do say I took away from that one of the things I really learned was this ability to like fail and be absolutely beaten down. You know, it's a really harsh environment. Basically the process is you spend weeks working on a project, blood, sweat, tears. You know, you're cutting yourself, you're bleeding like literal, literal blood.

You know, you're not sleeping. You're putting your entire effort into this. It's very personal. And then you put it on the wall and a bunch of strangers tell you in front of your entire class why it sucks. And that was not fun. But it does kind of make you more comfortable with these like lower grade type of failures that you may have to experience later.

So I look at it as a very valuable experience. I'm not saying everyone should drop this and like go to architecture school, but I think that mindset of like, you know, it's useful. And you could apply this to law school. Like for a lot of people, this really is the most challenging thing they've ever done.

And that's not a bad thing.

Lee Burgess: No, I think that's true. And sometimes just doing other things, you can even like do things that are challenging that would also be good for you. So, you know, like playing on a sports team and doing something that is physically challenging.

Alison Monahan: Yeah, or something like taking up a new, you know, skill based sport, like skiing or yoga or tennis.

Yeah. It doesn't have to be like competitive with other people.

Lee Burgess: Yeah, it was interesting today, I was in a yoga class not too long ago, and the teacher was talking about, you know, the, the importance of not judging yourself in class, and the fact that your body's going to be in a different place every day, and like just appreciating where your body is in the moment, and you know,

that, that the practice is, you know, doing the practice is what's important, not like how flexible you are, this or that.

And it is just good to say like, oh, even in these different activities that we do, some of these themes, you know, still come out anytime that you're pushing yourself. You have to watch for judgment.

Alison Monahan: Right? And I think there's a reason that a lot of these things are called practice. Like why do we practice law?

Why do we practice yoga? It's not like you're ever gonna be perfect at any of these things and that's not the point. The point is not to reach like. The perfection of like being the perfect yogi or being the perfect lawyer. It's always, always, always, going to be a work in progress.

Lee Burgess: Oh yeah. And I'm also the perfect yogi.

Alison Monahan: Yeah. Like the sooner that everybody gets comfortable with this idea that like this whole, this whole thing is a work in progress. Like that's the reason we have this language around it.

Lee Burgess: It's true. And I think some things, one of the things I like about yoga is that it is such a fascinating thing to Study when you do it in a group of everybody just having such amazing different challenges and you're all doing this thing together, but all of our bodies are so different and I'm not very flexible and so it doesn't matter how many years I've been doing yoga and I've been doing yoga for years, there are just certain things that I just can't do.

Alison Monahan: Yeah, and like I happen to suck at arm balancing, you know, like I'm very flexible, but you ask me to do like anything beyond like the very most basic, like sometimes I can do the crow, I think, or whatever, it's-

Lee Burgess: Oh, I'm terrible with the crow.

Alison Monahan: Yeah. But like anything else, you know, I mean they're in the, of course it's like hard not to feel bad if you're in this class with like these people who are doing this like insane stuff and you're like, how is that even physically possible?

But then the reality is like sometimes you'll have a teacher who will literally like spend a lot of the class prepping you to do some arm balance thing and then that will really break it down like step by step And occasionally like very very

Episode 64: Developing Grit in Law School

infrequently, but occasionally I've done what they said to do and you're like, oh my god It actually works.

Like this is actually not impossible.

Lee Burgess: Yeah and sometimes There's a lot of value in falling over in front of other people and being able to like, be okay about it,

Alison Monahan: And just laugh about it,

Lee Burgess: You know,

Alison Monahan: And it's kind of like a law school class. You might feel like everybody's laughing at you in yoga class, but they're actually more concerned about their own stuff.

Lee Burgess: Yeah. Like I can't. can probably tell you anything about any of the people in my yoga class today.

Alison Monahan: Of course not.

Lee Burgess: I mean, I remember what the teacher was wearing, but that was because I was looking at her during the class, but nobody else. I mean, you're not, you know, it is important to just realize that it's really about your own performance and, and your own experience.

Alison Monahan: Yeah, I think, absolutely. And I think keeping in mind that, like, you can cultivate this stuff. And that you know, You're not born gritty, you're not gritty. Of course, some people are born like one way or another, but for most people, you know, these are really skills that you can actually cultivate. So I mean, what, what are sort of some of the characteristics here?

Lee Burgess: Yeah. So I did some interesting research before this podcast and it seems that there are five characteristics of grit. So we're going to quickly talk through them. And I guess if you don't have some of these characteristics, the next step is to try and figure out you know How you can cultivate them or practice them or at least be aware of that in yourself and look for those moments When you know, we do fall on our patterns of not our best self.

Alison Monahan: Yeah, and I think it's you know, this might sound like really dreary and you're like Oh god, like I have to spend more time like cultivating the perfect self.

Episode 64: Developing Grit in Law School

It's like no this could actually be fun. I would think people would ideally, you know, outside of school, if they want to sort of work on some of this stuff, ideally pick something that you think is inherently fun and interesting and try to get better at it. You know, so for me, I've been learning to ski, for example, and taking lessons, and yeah of course you fall down.

Or for a while I was doing pottery and if you want to cultivate some zen grit, that is a good way to do it. You know, get yourself the pottery wheel and some clay and you're like, how hard could this be?

Yeah, it's a lot harder than it looks.

Lee Burgess: Yeah. I think it is just a really interesting challenge to yourself to, you know, find those challenges.

One article that I was reading, Was about kinda tips for parents, and it was talking about that some people in their household have a one hard thing rule. Mm. And that everyone in the household, including the parents, always has to be learning or trying to do one hard thing, one thing that's hard for them.

So then the kids get to model the idea from the parents that everybody's always doing something that's hard for them. And I thought it was kind of an interesting idea that what if we all kind of went through life saying like, we should all be kind of taking on one challenge. I mean, law school might be enough of a challenge, you might not need like pottery or anything else on top of that.

But but what is kind of your one thing that you're working on, you know, and what's your one challenge? And, and I thought that was kind of an interesting idea of of a way to just make, you know, this idea of having grit be part of your daily existence.

Alison Monahan: Yeah. I've also heard about either people or families or companies or groups or individuals having a designated like amount of failures that they need to have in a certain amount of time, you know, so maybe, and they'll actually keep a record like in a spreadsheet or a box or whatever, but like, what are the three things I failed at this week?

And if you can't come up with that, then chances are good that you're not actually pushing yourself.

Lee Burgess: Yeah, that's true.

Alright, so let's go back to our five characteristics of grit.

Episode 64: Developing Grit in Law School

So the first one that they seem to talk about is courage, and this is really about not having a fear of failure. Fear of failure is something all of us high performers Really typically have to worry about

Alison Monahan: Yeah. And I think in this case, it's not that you don't have the fear. Again, like you might be afraid to jump outta that plane when you're skydiving.

Lee Burgess: Mm-Hmm.

Alison Monahan: But if you wanna try skydiving, you're gonna have to do it anyway. Yeah, that's very true. So, you know, it's not like you pretend like I'm not afraid of this.

You can acknowledge like, yeah, this is scary, but I'm going to do it anyway.

Lee Burgess: And I think the other thing that comes with courage too that I would kind of add to this in the legal space is something that we've also talked about, is really the courage to be your authentic self. And you know, we've done a podcast on authenticity, but this is something you know, that you also have to look at, you know, are you being courageous and not just like, pretending a perseverance type way, but being courageous and being who you are and putting yourself out there in the ways that you decide to do it.

I mean, there are so many times I think as in running a business, as we frequently talk about that, like, we'll have these moments of like, should we be doing X, Y, Z or like we putting ourselves out there. You know, even starting this podcast, we were just like, we're like, should we do this? No one really has to listen.

List of family and like our good friends who like we guilt into listening to us. And but you know what, if we just hadn't been willing to say like, well, we could put it out there and it fails, it fails, and we were really. Like humbled by the response of the listeners, but it was a really great reminder that sometimes you just have to like throw it out there and see what happens.

Alison Monahan: Yeah. And I think as Brené Brown who's like, do you have the courage to show up?

Lee Burgess: Yep.

Alison Monahan: You know, and show up in the way that makes you feel seen.

Lee Burgess: Mm-Hmm.

Episode 64: Developing Grit in Law School

Alison Monahan: I mean, the problem is if you are pretending to be something that you're not, or someone that you're not, you never have that opportunity for someone to really like, get you.

Because the person you're showing them is not like your authentic self. And so I think a lot of people in law school feel like they have to have this persona of like the perfect law student or the perfect young lawyer, and that's just not always realistic. And so, you know, you might find like, Oh, I'm not feeling a lot of support when something bad happens because I'm not telling anyone about it.

Like, how can they help you if they don't know?

Lee Burgess: Right. And it kind of goes back to the injured cat story from earlier, but you know, I think that one of the things that's also cool about that story, she was being very authentic. She's like, this is who I am.

Alison Monahan: These are my priorities.

Lee Burgess: These are my priorities.

Alison Monahan: And it's not like that's going to stop when you're like a lawyer.

Lee Burgess: No. And to be honest, I would like somebody working at the Supreme Court who is authentic about, you know, having, you know, important things in their lives and things that are more important than other, you know that-

Alison Monahan: No, and I think it's, you know, I think ideally you need to sort of get clear on what your boundaries are before you start working.

I mean, I could tell you a crazy story about, you know, some money in the law firm, like telling me not to go visit my dying grandmother. And I had a choice where it's like, do I get on that plane and basically say, you can like literally say you can fire me if you want to, but I'm going, or do I keep working?

Lee Burgess: Yeah.

Alison Monahan: You'll face those choices.

Lee Burgess: Yeah.

Alison Monahan: It's just the reality of business.

Episode 64: Developing Grit in Law School

Lee Burgess: It's the reality of that. Yeah. Okay. The second characteristic is conscientiousness, and they describe it as having like two types, achievement oriented. or dependable. And what I thought was different about this, or interesting about this distinction was, is they were saying, you know, like being dependable is really important, but what is grit is not just being dependable as far as like getting things done, but it's getting things done and being successful at them, which is really where the achievement oriented part comes in.

And I thought that was an interesting distinction. It kind of goes back to what you were saying about Brené Brown. You know, it's not just about showing up and being dependable. It's like showing up and then doing a great job and being excellent.

Alison Monahan: No, that's a really interesting point. I mean, so I think sometimes people think like, say that you're, you know, on the board of a club or something, but you're like pretty low level and you think like, well, I showed up to the meeting. I can like check that box. I'm done. And I go, okay, great. That's like better than somebody who didn't show up. But that person who shows up like with ideas, who's done some research, who's willing to like take a leading role, that person's really like the most valuable player.

Lee Burgess: Yeah. I also think something in this current digital age, that's made me interesting to think about this in this context too, is I think being achievement oriented and being conscientious also comes with being present.

And you know, these days being present is so much of like not multitasking and just, you know, like going to the meeting and being in the meeting. or studying and just studying, or being with someone you are working with, talking to, love, and just talking to them, or being with them, because I think that-

Alison Monahan: Or like being in class, and paying attention, instead of being on your laptop, like, buying stuff on the internet, and playing solitaire.

Lee Burgess: Exactly, and I, and I think it-

Alison Monahan: Just showing up to class is only step one,

Lee Burgess: Right.

Alison Monahan: You have to actually be present, paying attention.

Episode 64: Developing Grit in Law School

Lee Burgess: It's a very unique challenge, and again, presence is something that we can practice, I think it's harder now for us then it used to be just because of all the digital distractions, but.

And I think it is something to just constantly kind of keep in mind is that, you know, show up, but be like your whole self and not be like half of the brain.

Alison Monahan: No, and I think this is a great example of where you could literally practice this. You know, if you know that distraction is an issue for you and you're afraid it's impacting your class performance.

Just decide for one week you're gonna leave your laptop at home and only take a piece of paper and just pay attention. Like, does that help you be more present? Probably leave your phone at home too. You know, leave all of your digital devices so that you're literally just there with a piece of paper and a pencil taking notes.

Yeah. How does that change things? I mean, this is a great example of. a skill that you can develop that is not really rocket science.

Lee Burgess: Yeah, I know. I was just thinking the other day actually about, you know, pre cell phone travel.

Alison Monahan: Yeah, it was so nice. Just like disappear.

Lee Burgess: Yeah, we used to go to Europe and like, I remember it was a big deal when the internet cafes were there because we could actually like check email.

Alison Monahan: Yeah.

Lee Burgess: But I mean, we wouldn't check email every day. You'd check in just like every few days, you know, and sometimes it was really expensive to check email, but there was no, you know, cell phones going off in the middle of the night while you're in Europe and,

Alison Monahan: Well, and somehow you still managed to like find a place to sleep, find a place to eat.

Lee Burgess: Yeah.

Alison Monahan: Like you didn't die like you weren't, I mean, you know, you figured out what the train schedule was,

Episode 64: Developing Grit in Law School

Lee Burgess: Right.

Alison Monahan: Somehow or another you figured out like when the ferry was leaving and,

Lee Burgess: Yeah.

Alison Monahan: You know, sometimes you'd show up and they're like, sorry, there's not another one for a week. And you're like, oh, okay. I guess I'm stuck in Denmark for a week. , there are worse things, you know, like Yeah, there are worse things.

Lee Burgess: Yeah. I think it is just interesting to really. think about the fact that, you know, just doing, you know, one thing or unplugging or being present is something that, that I think actually makes you have more grit.

I think you can, cause you have more energy and you have more focus and you can actually process things.

Alison Monahan: Yeah. And you just have, your brain is not like so distracted all the time. I mean, I think a lot of like, a lot of grit is really about this focus, like being deliberate about where you're putting your focus and where you're putting your time.

And if you're so scattered because you've got 14 devices going off at all times and people are pinging you from Slack and from WhatsApp and from Facebook and you're, you're actually like interrupting yourself, like, that's not really a great way to live.

Lee Burgess: No, it's really not.

Alison Monahan: And it kind of leads into this next factor, which is like the ability to have long term goals and endurance.

Lee Burgess: Yeah. And where this really plays into, I think, the law school experience is this idea of practice, practice, and more practice and studying and really, you know, like knowing that it takes work to get to excellence and that you don't wake up one morning and have a very successful academic career.

You don't wake up in the morning and have a super successful law practice.

Alison Monahan: I think sometimes people like get confused about this because there's so much out there about like just follow your passion. Follow your passion. If law is your passion, follow your passion. It's like, well, that's great that you're passionate about this, but you still don't know anything.

Episode 64: Developing Grit in Law School

Lee Burgess: Right.

Alison Monahan: You need to actual valuable skills. Like if somebody came to me, if I'm like a hiring partner and a law firm and they're like, I'm so passionate about the law. And I'm like, well, that's great. Could I see your transcript? Like, could I see your resume? Like, can you tell me like what you can do for me that's actually useful?

Because I don't actually care about your passion. I care as a hiring partner about what you can provide for me as an employer.

Lee Burgess: And a few years back, Malcolm Gladwell came out with that book Outliers, which he talks about kind of this idea with his look at how many hours of practice truly phenomenal people put in. I think it was-

Alison Monahan: And not just practice, but like dedicated,

Lee Burgess: Deliberate,

Alison Monahan: Deliberate practice.

And you know, it's like you're practicing the violin, but you're practicing scales incorrectly,

Lee Burgess: Right.

Alison Monahan: Not really gonna help.

Lee Burgess: No.

And then a lot of these people practiced, you know, 10,000 hours or some like unbelievable numbers.

Alison Monahan: Yeah. And the best ones did like an extra hour a day or something over the course of like their entire life basically.

Yeah. hour a day, five hours a week, 20 hours a month. Like that adds up pretty fast.

Lee Burgess: Well, and I think it's interesting when you think outside of the academic world about if you have any friends or know people who are truly kind of that type of dedication to a craft, like friends who are dancers or friends that are professional athletes or, you know, musicians and it is phenomenal when you talk to them about how many hours that they dedicate to this sort of work or did dedicate

when they were younger, because I think most of us don't necessarily have that amount of dedication to something like a rapture to academic work until maybe we're really pushed to it by a specific challenge.

Alison Monahan: A friend of mine who's a musician actually wrote a book called practice and it was about practicing the, he was I think like a Spanish guitar player or something. And it was interesting because he said, you know, one of the things when he was like doing this work where he was practicing like hours and hours a day, he's like, you know, my friends who work downtown as lawyers or business people or whatever in these offices, they would say to me like, oh, I just can't believe that you put in this much time practicing. And he's like, I would watch them walk to work and I would watch them come home and they were doing more hours in the office than I was, but they just didn't see it that way.

Lee Burgess: Mm-Hmm.

Alison Monahan: He's like, your practicing too, this is what you do.

Lee Burgess: Yeah, it's just different. So if you have some free time on a break that Malcolm Gladwell's Outliers book is quite good. And it's a good thing to help you kind of, think about the mindset of, of really building a craft, I guess.

Alison Monahan: Yeah, think of law school as like a three year process.

It's not like, oh, I have to do, you know, perfectly on my first semester exams, It's like, this is a process. And your, your legal career is a process. Like, I mean, if you think law school is hard, try working as a lawyer. You're going to get out and be like, Oh, great. I did really well in law school and suddenly you show up to your first job and they're like, you don't know anything.

Lee Burgess: Yeah.

Alison Monahan: You know, like, or you get a new case and it's like, this isn't a topic you don't know anything about, like you're going to constantly have to be doing this.

Lee Burgess: Yeah.

The next characteristic is resilience, which they describe as optimism, confidence, and creativity. And, I mean, resilience is something we talk about all the time.

Episode 64: Developing Grit in Law School

You just, you can't be, well, you can be knocked down, but you gotta get back up.

Alison Monahan: Yeah. Well, I mean, again, like you have a choice, like you could stay on the ground and be trampled or you can figure out how to right yourself and like right the boat and get whatever help you need to get moving again. I mean, again, like we always have a choice about how to respond to these things.

And, you know, sometimes people say, well, I'm just not naturally an optimist. And it's like, okay, well, you can learn to be more optimistic, or a minimum you can learn to be more objective.

Lee Burgess: You know, it's interesting. I was talking to somebody else kind of about this idea about optimism specifically and how many times within our day we have a choice to be optimistic and especially in our world of information where the majority of our information is negative. You know, that, that we really do have a choice on how we, how we look at the world and what we consume and then what we do with that information. And it always makes me think of this Mr. Rogers, from Mr. Rogers and the Neighborhood quote, which I know is pretty crazy. But after, I think it was after 9 11, he was being interviewed and he said that his mother would always tell him that anytime something horrible happened it was very important that you look for the helpers that it wasn't about the people who did the horrible things it was always about the helpers.

Alison Monahan: Yeah, cause there was always someone who stepped in who was doing some heroic thing.

Lee Burgess: And, and the idea that there were always more helpers then the people who did the one, you know, awful thing.

Alison Monahan: Oh, exactly. So you can, you can kind of fixate on either of those that you choose.

Lee Burgess: And, you know, they talk about that and talking about to kids about awful things. But then, you know, it's interesting cause we look at our adults and I'm like, if I read Facebook and see one more article about something horrible that's happening in the world, you know, you just get into this mindset of like wow-

Alison Monahan: Actually the world is the safest it's ever been.

Episode 64: Developing Grit in Law School

Like I read the other day, this amazing thing that was, you know, with the peace agreement in Columbia, assuming that that actually finally, is finalized.

Lee Burgess: Mm-Hmm.

Alison Monahan: Someone's like, there's literally no war in the Western Hemisphere or like I think it was in the entire Americas.

Which they're like, it's been, you know, it's been hundreds of years since that was true.

Lee Burgess: Right.

Alison Monahan: And suddenly with like one agreement, you're like, oh, this entire set of continents, there's no war.

Lee Burgess: Yeah.

Alison Monahan: Like that's kind of amazing. No one's reporting on that. Right. That doesn't, that doesn't get page views.

Lee Burgess: Exactly. And so, you know, deciding how you want to look at the world and making that choice about optimism.

Alison Monahan: And I think law too, like, you know, we're always, lawyers are dealing with a lot of the like bad stuff in life. You know, people don't typically see a lawyer when things are going well.

Lee Burgess: Not often, not often.

Alison Monahan: You know, so I think these characteristics of like being able to be empathetic, for example, as a lawyer without taking, you know, the burden of someone else.

I mean, God, think of someone who's like a family lawyer. You know, it's just like, how do you even do that day to day? Like, you've gotta be really conscientious about things.

Lee Burgess: Or death row work.

Alison Monahan: Yeah, exactly. Or like criminal defense work or criminal prosecution. Like anything, you know, criminal, it's like horrible things happen.

Lee Burgess: Yeah.

Episode 64: Developing Grit in Law School

Alison Monahan: How do you deal with that?

Lee Burgess: Yeah.

All right. And here's our last characteristic. Resilience versus perfection.

Alison Monahan: You mean excellence.

Lee Burgess: I'm sorry, excellence versus perfection. And that the idea, you know, a lot of lawyers are perfectionists, and we should probably do our own podcast episode about perfectionists.

Alison Monahan: Yeah, Brené Brown has some really interesting stuff on that

Lee Burgess:. Yeah, there's some really good stuff. But the idea that excellence is really an attitude, where perfection is more of an endgame. You know, you want to be perfect. Perfect. Something that's perfect doesn't necessarily mean it's excellent. It just means that it's perfect.

Excellent is kind of something that you strive for. And I think one of the things that we often forget in the law school space is you're trying to hone a craft and the idea that you're trying to be an excellent law student to become an excellent lawyer to serve your clients or in whatever capacity that you are working is very important and something that you should have pride in.

And I think it's lost in the shuffle.

Alison Monahan: That's something you should take seriously.

Lee Burgess: Yeah.

Alison Monahan: This is, I think people, you know, ideally should take themselves seriously as a professional, as a budding professional, you know, this is serious work, but that doesn't mean that you can do great work by putting all this pressure on yourself to be perfect at all times.

Lee Burgess: Yeah. And sometimes great things aren't necessarily perfect.

Alison Monahan: Well, the other problem is law, at least litigation, is a zero sum game.

Lee Burgess: Yeah.

Episode 64: Developing Grit in Law School

Alison Monahan: You know, like if you basically stake your entire, like self worth on whether you win or lose a case is exactly the same thing as do you get an a plus on an exam or not.

Lee Burgess: Mm-Hmm.

Alison Monahan: Like, that's actually out of your control.

Lee Burgess: Yeah.

Alison Monahan: So, you know, I think this perfection idea is like, I mean, a win every single case. That's not, there's no litigator alive who is not lost. I mean, if they're, if they're a litigator, they're sometimes gonna lose. That's the nature of being a litigator.

Lee Burgess: Yep.

Alison Monahan: So if you want to be perfect, you just can't do that.

Lee Burgess: Right. And you can't take risks.

Alison Monahan: Yeah. You can't take cases. You can't take a case.

Lee Burgess: Yeah.

Alison Monahan: But if your goal is, you know, to do the best job that you can possibly do for your client, both sides can do that regardless of who wins. And that, that I think is ultimately the goal is, you know, you take this seriously, you do your best work, you show up, you're present, you know, you're working hard, you have goals and you have endurance, but ultimately, you don't control the outcome.

Lee Burgess: Yeah, exactly. All right, well with that, I think we're out of time. There's a lot of stuff in there we got to keep talking about.

Alison Monahan: Yeah, we got some other ideas.

Lee Burgess: I know. Stay tuned for more podcast episodes on some of these themes. If you enjoyed this episode of the Law School Toolbox podcast, please take a second to leave a review and rating on iTunes because we'd really appreciate it.

And be sure to subscribe so you don't miss anything. We typically release episodes on Mondays. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at Lee@LawSchoolToolbox.com or

Episode 64: Developing Grit in Law School

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Thanks for listening, and we'll talk soon.