

Completely Unbiased Endorsements

*You should definitely read this book. I mean, I didn't read it.
Who has time for that? It's 326 pages. You think I'm going to sit
down and read 326 pages? I've got a four-year-old and a newborn.
But my sister wrote it, so it's good for sure.*

DENNIS MONESTIER (AUTHOR'S BROTHER)

*Students, you should buy TWO copies of this book.
One to read at home and one to read at school. I'm not just saying
this because Tanya will make money off each purchase.*

GRAZIANO MONESTIER (AUTHOR'S FATHER)

*My wife is blunt. I often have to keep her away from customer service
representatives; she's been known to make them cry. But, in this case,
the bluntness works to your advantage. You are never going to find
anyone else to give you the real inside scoop on law school.*

DAVID COOMBS (AUTHOR'S HUSBAND)

I'd buy it. Then again, I'd read anything she writes. . . .

TYLER MARTIN (AUTHOR'S FORMER RESEARCH ASSISTANT
AND RESIDENT SUCK-UP)

Sh*t No One Tells You About Law School

Sh*t No One Tells You About Law School

Tanya J. Monestier

PROFESSOR OF LAW
UNIVERSITY AT BUFFALO SCHOOL OF LAW



CAROLINA ACADEMIC PRESS
Durham, North Carolina

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Library of Congress Cataloging-in-Publication Data

Names: Monestier, Tanya J., author.

Title: Sh*t no one tells you about law school / by Tanya J. Monestier.

Other titles: Shit no one tells you about law school

Description: Durham, North Carolina : Carolina Academic Press, LLC, [2022]

Identifiers: LCCN 2022010623 (print) | LCCN 2022010624 (ebook) |

ISBN 9781531024758 (paperback) | ISBN 9781531024765 (ebook)

Subjects: LCSH: Law students--United States--Handbooks, manuals, etc. |

Law schools--United States. | Law--Study and teaching--United States.

Classification: LCC KF283 .M658 2022 (print) | LCC KF283 (ebook) |

DDC 340.071/173--dc23/eng/20220524

LC record available at <https://lcn.loc.gov/2022010623>

LC ebook record available at <https://lcn.loc.gov/2022010624>

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
(919) 489-7486
www.cap-press.com

Printed in the United States of America

For my dad, Graziano Monestier, who inspired me to write this book. Not for the reasons you think. My dad believes that I have too much “free time” as a law professor and that I should earn some extra money with a side hustle. He has suggested multiple times that perhaps I could be a Starbucks barista.*

Instead, I wrote this book in the hopes of getting him off my back.

* This book is also dedicated to my mother, Oriana Monestier. But my dad is a bit of an attention seeker, so after consultation with my mom, we decided it would be best if Dad got the spotlight and Mom got tossed into a footnote. She doesn't mind. I promise you. Oh, and I should mention that the book is also dedicated to my brother, Dennis, because if I don't mention him, I'll never hear the end of it. Not that he will read it. He hasn't read a book since *Tales of a Fourth Grade Nothing*. He fully owns the fact that he hates reading. Books are “too long” and “too boring” for him.

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Foreword

by Mindy Lahiri

I know I am a fictional character,¹ but I was nonetheless honored when Prof. M. reached out to me to write the foreword for her book. I'm not a lawyer or a law student or anything, but even *I know* that this book is hella fresh. As I read the book, I felt that Prof. M. was my sister from another mister. And not just because we're both obsessed with pizza. But because we are strong women who tell it like it is. There's no uncertainty where you stand with us. We are an open book.

What I liked most about the book was that it was easy to read. I don't want to read a book in my spare time that is a snooze fest. I'm too busy for that (after all, I am an ob/gyn!). You can pick it up, read for ten minutes, take a donut break, and then pick up where you left off. It doesn't hurt your head to read, which is my main criterion for selecting a book. "Criterion" is a weird word, isn't it? Sorry, off track.

Prof. M. also doesn't try to scare you about law school. I've seen some of the other books, and they convinced me not to go to Princeton Law School. I'm obviously a proud member of Gen Z (or whatever generation is younger

1. There are a lot of fictional characters that give great life advice. Take for example James Bond ("Shaken, Not Stirred"), Jerry McGuire ("Show Me the Money"), Forrest Gump ("Life Is Like a Box of Chocolates"), and the Dalai Lama ("Know the Rules So You Can Break Them Effectively").

than that). So, I scare easily. I am more snowflake-y than a snowflake and I need to be treated with kid gloves.

I loved her stories about her Italian family, especially her dad. He's legit hilarious. I want to get a t-shirt printed that says "Mathematics Is Not an Opinion." In yellow, of course. And her brother, Dennis... I totally want to do shots of tequila with him. He seems like he knows how to have a good time. I hear that Papa M. once locked him out of the house because he came home at 7:00 in the morning. That dude can party.

I also think it's super cool that Prof. M. is a *real* person and not some stuffy, tweed-wearing, scary automaton like most law professors are. Or I think they are—you've all seen *Legally Blonde*, right? She makes learning fun and talks to you in "real people" language. She does not use words like "ipso facto" and "prima facie" like other law professors do.

I love, love, love that Prof. M. is obsessed with shoes. Now that's a woman after my own heart. She tells me that she even has a pair of yellow heels! I mean, that's next-level serious about shoes. She is also a really good dresser. Classic, but trendy. It's hard to find that combination nowadays, so good on her. I feel like I'm meandering here, but that's what you get when you ask a fictional character to write a foreword.

Break time. I need a snickety-snack.² Going to grab my morning Bear Claw. BRB.

Where was I? Oh, I hear that Prof. M. is an amazing professor. Like my dad, Tarun Lahiri, who is also a professor. My mom had a good line about my dad that I also think applies to Prof. M.: "Your father doesn't have office hours because he teaches it *right* the first time." Her classes are fun and engaging. But maybe a little... intense. I Zoomed into one of them and needed a nap afterward.

Prof. M. is also very scholarly when she needs to be. She writes about super academic (read: boring) stuff in addition to writing for law students. There's not a lot of people who can do that. To use an analogy, it's like she's comfortable in both a ball gown and Lululemon leggings.³ So few of us can pull off both looks.

2. I got that expression from Dennis. "Snickety-snack" makes it feel like there are fewer calories than just a "snack."

3. Who are we kidding? Prof. M. would never wear Lululemon leggings. *\$100 for a pair of fricken leggings... where do they get off?* The latter is one of her favorite expressions.

In conclusion, I really think you should read this book. She shoots straight from the hip (total old person expression—what does that even mean?). She gives great advice, but gives you agency. I know, I used the word “agency” (correctly!). You are the master of your own destiny, you are the heroine in your own novel, you are the McDreamy in your own medical TV drama. Make your choices count. And follow her advice.

Author’s Note: In case you didn’t figure it out, *I* wrote this pretending to be Mindy Lahiri, a fictional character from *The Mindy Project*.⁴ Mindy Kaling, Fox, Hulu, Universal, and any other person or entity associated with the show: I do not intend to infringe on any right of publicity or violate any intellectual property rights associated with a fictional character’s name. Please don’t sue me.⁵ I love Mindy.

4. If this comes as a surprise to you, maybe law school is not your calling.

5. I do not have an indemnity agreement in place.

Introduction

Success is not an accident. Success is a choice.

STEPH CURRY

Welcome to my book! So exciting (for me, I mean). First off, I want to talk about the title of the book. I went back and forth on the title. Initially, the publisher had “concerns” about the title because this is an “academic book” by an “academic publisher.” They suggested a variation of the title: “Stuff No One Tells You About Law School.” *Borrriing*. They were worried that professors might not recommend the book because there was a *swear word* in the title. Bust out the fainting couch. Eventually, I convinced them that students and professors alike would not be offended and that the unusual title was, in fact, a selling point. They reluctantly acquiesced. No guts, no glory. Thank you, Carolina Academic Press, for being so #brave.

No academic success book can possibly cover every topic related to law school. This book will focus on the topics I know something about and not the ones that I have no real experience with—such as “How to Make Friends in Law School” and “Be Sure You Exercise.” I did not have many friends in law school, so I can’t really help you there. And it would just be hypocritical for me to recommend that you exercise. Walking up a flight of stairs gets me winded. Accordingly, my focus is going to be on stuff I *do* know about. Stuff like how to read for class, how to take notes, how to outline, and how to approach exams. This all seems like pretty basic law school stuff. But I think you’ll see that my “take” on this is a little different (oooh . . . foreshadowing).

Before we talk about you and your law school experience, let's talk about me.

1. I Did Not Speak English Until I Was Five

You know what they say about when you “assume.” You make an a** out of you and me. People are nonetheless prone to making assumptions. Students make assumptions about me. I went to an excellent law school. I graduated #1 in my law school class. (More on that later.) I had a prestigious clerkship. I summered at several premier law firms. All of this is in my faculty bio, so it is natural that when students meet me, they bring with them certain assumptions.

They assume that I am from a highly educated family and that I grew up with all the resources in the world. They assume that my family sat around the dinner table talking about Kant and Descartes. They assume that I have read *War & Peace* in its native Russian. They assume that I was a highly scheduled child, who balanced piano, French lessons, and ballet.¹ All these assumptions could not be further from the truth.

My parents are both immigrants from Italy. They moved to Canada in their early twenties with (literally) \$50 in their pockets. They both grew up in small villages in Northern Italy. They have no formal education. As was typical at the time, they both quit school after the 5th grade. At the age of 11, they went to work: my mom in a silkworm factory, and my dad in construction.

When they moved to Canada a decade later, they did not speak a word of English. When I was born, I did not speak English for the first five years of my life. I learned English only after I started kindergarten. I didn't even know that until fairly recently. I also learned that I wasn't breastfed, which for some reason was jarring to me. *Mom, you gave me formula?* Yes, it was the 70s.

My mom stayed at home to raise me and my brother. And my dad became a tile setter. He and my godfather (no, not that kind of godfather) started their own company: Pro Tile. Imaginative, I know. Dad would leave the house at six-o'clock in the morning, after drinking his *caffè corretto*.² He'd be wearing

1. I actually did take ballet lessons for a short while. Until my dad concluded that I wasn't “very graceful” and that he “did not see a future” in it. I was six.

2. With grappa. No, he did not have a problem with alcohol. This is actually “a thing” in Italy.

his construction clothes and carrying his gray lunchbox which invariably contained a mortadella and Friulano cheese sandwich, and two pieces of fruit.

Growing up, we sat around the dinner table talking about the food on the table (potatoes are overcooked, rapini have too much garlic) and planning the next dinner. Food was, and still is, a big topic at my house. I kid you not, most of our family arguments revolve around food. My parents' favorite television show is *Blue Bloods*, and it is solely because of the Sunday dinner scene in every episode.

When we weren't talking about food, we were probably gossiping about so-and-so's kids or some extended family drama. *Did you know that Maria dropped out of university? I heard that Gino and Dario are not talking anymore. Gino was offended that he didn't get invited to Dario's daughter's wedding.* The conversations were not exactly highbrow.

As a child, I did not have any scheduled activities or play dates. *Do your homework and play or watch TV. But turn off the TV before your father comes home.* When dad came home, we had to greet him at the door to welcome him home. Anyone from a European family will probably relate. The rest of you will probably think it's weird.

I do not play an instrument, which is probably for the best because I am not highly musical. I was in choir in elementary school and my teacher, Mrs. Black, kept telling me to pipe down. My dad once got it in his mind that he wanted me to play an instrument. I kid you not, that instrument was... *wait for it...* the accordion. A man came to the house a couple of times to give me lessons. And I guess my parents eventually figured out that I was not going to be an accordion virtuoso.

Birthdays were pretty ordinary. There would be cake at the house and Zio Decimo, Zia Velia, Lisa, Stephanie, and Robert (the godparents and their kids) would come over. So would Tom,³ Rose, Michael, Anthony, and Claudio (the

3. Tom was like a second father to me. A much softer version of my father. Tom passed away of brain cancer eight years ago. He is always in my heart. My favorite memory of Tom: When I was eight years old, my dad decided to send me to sleepaway camp because he thought it would "build character." I did not want to go. I was a very shy child and had never been away from home. Tom and my mom put me on the camp bus and followed behind in the car to make sure I got there okay. When we all arrived, I was bawling. I wanted to go home. Tom started crying too. He begged my mom to take me back home. But my mother knew that would not fly with my dad. So, I stayed at the camp for the two full weeks and hated every minute of it.

neighbors and their kids). There were no McDonald's birthday parties. I'm not bitter—really, I'm not.⁴ There were no loot bags. There were no themes. There was an Italian bakery cake, candles, and singing. That's it.

In my career, I always kept my personal life separate from my professional life. When I taught, I never shared information with students about myself, my background, or my upbringing. To be clear, it was not because I was embarrassed. It was because I did not think it was relevant. In recent years, however, I have come to rethink that position. I have realized that where I come from has profoundly influenced who I am. It is not irrelevant. It is part of my story.

2. I Have Lived the First-Generation Experience

My parents, particularly my father, always emphasized the importance of education. For my father, it was important for me to get an education so that I did not have to do the kind of back-breaking work that he did. I saw my dad struggle with shoulder, knee, and back problems for 30 years. That sh*t leaves an impact. I felt that my parents had come to Canada to give me a better life and that I had to make the most out of the opportunities that were given to me.

While my parents provided emotional support, they couldn't provide concrete assistance with my schoolwork or guidance on academic matters. So, I went at it alone. I learned from a very early age how to learn and how to succeed in school. And succeed I did.

At every stage of my academic career, I was at the top of my class. I was #1 in my Father Serra Elementary School class. I was #1 in my Bishop Allen Academy High School class. There were no rankings at York University, but I graduated with the highest distinction, so I think that counts as #1. I was #1 in my Osgoode Hall Law School class (what we, in Canada, call the "Gold Medalist" and what you, in the U.S., call "the valedictorian").⁵ And I graduated with First Class Honors from Cambridge University. Again, they don't rank, but we'll also call that #1. The point, other than bragging, is to tell you that I know how to "do" school.

The pride that my parents felt in those accomplishments was immeasurable. On one occasion, I received the Italian-Canadian Business and Professional

4. I am.

5. I got a real gold medal that is currently hanging in my parents' living room.

Association Scholarship. There was a reception in my honor at the Four Seasons hotel in downtown Toronto. The Minister of Education was in attendance, as was the then-President of York University, Dr. Lorna Marsden. The President was chatting with my dad and asked him where he had gone to school, assuming that he had completed post-secondary education. My father, without missing a beat, said to her, “Fifth elementary, Prodolone, third floor.” She was confused and asked him what he meant. He explained that he completed the 5th grade in the town of Prodolone, Italy—population 750—and that his classroom was on the third floor. The President seemed a little stunned. Later that week, I received a personal letter in the mail from Dr. Marsden, where she included a hand-written notation saying, “I really enjoyed getting to meet your father.”

On the day of my law school graduation, my dad marched up to the front of the auditorium and sat down in the front row, which had been reserved for honored guests. My mother followed along, embarrassed by his brazenness. An usher told him that the spots were reserved and that he could not sit there. My dad said, “My daughter is graduating with the Gold Medal today, and I’m going to sit here and watch her graduate.” The usher let them sit front and center. As an aside, my parents threw a giant party at a banquet hall for my graduation. Like 100 guests, sit-down six-course dinner, speeches, DJ, and open bar. I think at that point, they weren’t sure if I’d ever get married,⁶ so might as well take the chance to celebrate when you can.

As I made my way through my academic career, however, I was always acutely aware that I wasn’t like other students. My parents weren’t doctors, lawyers, and teachers, as it seemed everyone else’s parents were. My parents weren’t able to help me with complicated math, book reports, or history and geography assignments, though they did buy me the full set of World Book Encyclopedias to help me out.

I learned how to be self-sufficient and teach myself. This was the most valuable skill I learned growing up, and the skill that I want to help impart to you. It is, in fact, the reason I went into teaching. My dad still shakes his head every time he thinks about the \$250,000 law firm salary I turned down 15 years ago.

Many of you reading this book will relate to my story. For you: I understand the pressure and expectations that come with being the first in your family to undertake post-secondary education. I understand what it’s like to struggle

6. My parents describe me as “difficult.” When I eventually did get engaged, my dad told my now-husband that there was a “no return” policy. Thanks, Dad.

and feel like you don't have anyone to ask for help. I understand what it's like to feel like you are an outlier in your own family. I understand what it's like to feel less than other students because you don't come from the same background that they do. This understanding gives me a unique insight into your world. Much of my experience and background makes me well placed to understand you, your struggles, and your challenges. Because of that, I hope you take to heart at least some of the advice that I'm giving you in this book.

Here is a message I recently received from a first-generation student who saw himself in my story:

I can honestly say that you are the only professor, or even teacher, I have ever had that has really represented my background. To me, it was really important. I specifically remember in your review session when you mentioned that you were the daughter of immigrants, a first gen student, and your parents came from a working class/blue collar background. To me, that was like an “oh sh*t” moment because my background is exactly the same. First, I thought to myself, okay no more excuses. Here is a highly educated legal scholar who comes from a similar background, so no more feeling like my background is an obstacle to my success in the legal field. Second, I finally felt like I could take advice from a professor at face value. With other professors, I tend to take advice with a grain of salt because their law school journey usually looked different than mine. So not only did I feel represented, but I also felt motivated because I could see that your hard work has paid off . . . You have truly helped me work towards fulfilling the notion of the ‘American Dream.’

3. I Graduated First in My Law School Class

In case you missed it, I graduated first in my law school class. First out of almost three hundred students. I received A's or A+'s in every class I took in law school—except Evidence.⁷

I usually received the top grade in every class I took. I got the highest grade in Family Law, Criminal Law, and Wills & Trusts—things that are not even re-

7. Damn you, Professor Morton! I took Evidence my final semester of law school. When grades were released, I saw that I got a B+ in the course. I was pretty upset about a B+ ruining my pristine law school transcript. A few days later, I got a call from the Dean informing me that I had graduated first in the class. I was obviously thrilled. But the B+ still nagged at me and I wanted to appeal it. I exercised extreme self-restraint and decided not to appeal the Evidence grade. Even *I* realized that would be obnoxious. But the B+ bothers me to this day.

motely in my wheelhouse. I tell you this because you don't need to be a "tax person" or even a "numbers person" to do well in Tax Law. You don't have to be at all interested in the subject to do well. Doing well is not about liking the course or the professor. It is about assimilating everything you learned, even if it's boring or you disagree with it, and then giving it back to the professor on the exam.

When I went to law school, there were no "how to" guides.⁸ I had to figure out law school on my own. Because of that, I know what it takes to do well in law school. And I hope to share that information with you, so you don't have to go through trial and error. In law school, there isn't much room for trial and error. Your grades are very important, and if you bomb your first semester, there is a good chance that it will have some sort of impact on your academic career. Now, don't get alarmed. Your grades are not everything, but they are very important.

I want to be clear on one thing. I was not the smartest person at my law school. I was actually nowhere close to the smartest person at my law school. I know that, and I'm okay with it. But I knew what needed to be done and how to do it. Doing well in law school is not about being the smartest person in the room. It is about doing things the right way to maximize your potential for success.

4. I'm a Good Teacher (I Think)

The publisher told me that I have to tell you why I am an authority on the topic of success in law school and why you should listen to me. I feel like I've already bought some street cred by telling you about my background and my academic performance in law school. Can you say *superstar*?

But I'll also tell you that I think I'm a pretty good teacher. I've been teaching for well over a decade now. And whether I teach in a classroom or through a book, it's all teaching. Students tell me that I have a way of explaining things that resonates with them. I can take complicated things and make them simple. I can get students to understand the "why" behind things.

If you are potentially going to follow advice from an academic support book, I think it is important that the person authoring it should be a good teacher. It's weird because I've looked up some academic support book authors, and they

8. This is partly because I went to law school a while ago, and partly because I went to law school in Canada, which is not as saturated with legal books as the U.S. is. I digress.

have terrible Rate My Professor reviews.⁹ Is that petty of me? I don't know. In any event, that would make me think twice about following their advice.

Also, and I'm sure this will piss some people off, I would be skeptical about following advice from someone who did not graduate at or near the top of their class. Being a good student is a skill. One that is best learned from someone who has demonstrated that skill in practice, not in theory.

Let me provide you with some cherry-picked student evaluations from my Contracts, Sales, and Conflict of Laws classes telling you how great I am. Hopefully this convinces you that I am a trusted authority and that you should believe everything I say.¹⁰

Professor Monestier is the greatest teacher I have ever had. And I used the word “teacher” intentionally because that’s why she’s my favorite—Professor Monestier never misses an opportunity to teach. Most professors, when they cold call and someone gets it wrong, they just move on to someone else—not Monestier. If she calls on someone and their answer is not quite right, she will pause the entire class to make sure that everyone is clear on the answer to the question she asked. It sounds small, but very few professors do it and it’s so thoughtful and helpful. It feels like she really cares about our learning and wants to take every chance she can to ensure we understand the material. Also, she never misses a chance to make us feel appreciated! If you explain something correctly during class, she’ll refer back to your answer for the rest of the class, which really just makes all the studying worth it. I absolutely love Professor Monestier, because I absolutely love learning and she makes it feel so easy and so rewarding.

Professor Monestier is truly the best professor I have ever had. She fair, she is considerate, she is organized and straightforward. Best of all, it is clear how much she actually cares about the long-term success of her students. She is also approachable and helpful and has made me feel so comfortable asking any questions. She takes the time to answer them thoroughly. Again, Professor Monestier is the best professor I have ever had. Her class is the class I look forward to most every week. I appreciate the format and structure of her

9. A student recently brought to my attention that I have a nasty Rate My Professor review, where the reviewer surmises that I have “no friends” and I sit at home reading Contracts books all the time. *Can you say harsh?* You Millennials/Gen Zs are kind of mean.

10. JK. One of my first pieces of advice is for *you* to independently decide what advice to follow.

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classes and how she explains things so clearly and fully. Her teaching methods and skills have made me a far better student than I was prior to taking her courses. Additionally, I feel more confident in my own abilities as a student after having her as a professor.

I have been told Contracts is one of the hardest courses in law school however, it has been one of the easiest courses I have taken and that is only because of Professor Monestier. She is thorough and organized which makes learning the doctrines easier. She also starts off with questions which is a good review before starting with examples. Her videos are also effective because repetition is important for this course. I feel more comfortable talking about the material and applying my knowledge after watching her videos prior to class. She also likes to use “bad” cases where the courts may have rendered the decision incorrectly. I appreciate that she does this because it gives us an opportunity to critique the decision, which makes us think deeper about the concepts. I also appreciate that she puts funny memes in her slide shows to break up different concepts. It not only is hilarious but makes her extremely relatable in a subtle way. Everything Professor Monestier does is effective. She comes to class organized and her routine makes learning effective and fun. The law school should know Professor Monestier is the greatest asset to the law school. We are fortunate to have such a knowledgeable professor who cares deeply for students’ success and tries to adjust her approach based on class needs. Professor Monestier is easily my favorite professor and I know a lot of my peers feel the same way. She is hilarious and approachable which makes the learning environment more comfortable. I wish I could take Professor Monestier for every course.

She is incredibly clear. She does a great job previewing the future material in a subtle way so that when we get to it, it does not feel brand new. But most importantly she teaches us how to be better at teaching ourselves.... I hope the law school realizes how lucky we are to have Professor Monestier. She makes you work hard but tells you how to work hard. She teaches us to be better students, better future lawyers, and all around better critical thinkers. This class was hugely inspiring because it made me realize I can do better work than I ever thought I could. Professor Monestier is incredible!

Professor Monestier is one of the toughest but fairest professors I have had here so far. She doesn’t hide the ball, she wants you to understand the material, succeed in her class, and she wants you to grow as a legal thinker. Even on a cold

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call when she was asking me tough questions, I knew she was doing it because she wanted me to get it right and did not judge me if I did not get it right the first time. If asked, I would recommend her class to anyone. She is a valuable asset to [the law school]. Thank You Professor Monestier!

Prof Monestier is the best professor I have had yet at [the law school], maybe even out of every school I have attended. She is intimidating, but really cares about students and wants them to succeed. Very helpful materials, videos and lectures were awesome. Videos were very effective. Best online course I have taken.

Our professor does a brilliant job explaining the course material. This is coined as the law school's hardest class, and it did not feel difficult at all after we finished the class discussion. . . . This was the first course I've ever taken where we did not just take the information out of the book and memorize it. Our professor was able to teach me how to analyze opinions and critique them myself to determine the correct answer. This has been my favorite class I've taken in law school and that is due to Professor Monestier.

Professor Monestier is a phenomenal professor. She encourages us to strive for excellence and to think for ourselves despite what may already be established in case law. She is always available to her students for questions, or even just to talk. Words cannot adequately express how amazing she is as a professor and a person.

Professor Monestier was my FAVORITE professor and I am so excited to take classes with her next year. She has VERY high expectations, but I think that made me a better student. Although she has high expectations, she doesn't just leave her students out to dry and figure out how to meet her standards on our own. She does everything she can . . . for us to learn this material in order for us to meet her standards.

Incredibly organized, Prof. Monestier is the best teacher I have ever had in my entire life. She will make you work for it, but I now feel like I know the Law of Contracts. I cannot stress how great she is. She put in so much work to make us better.

Professor Monestier has helped me become the law student I am today. Moreover, has helped me develop a growth mindset—which was something I did not believe was a thing at the beginning of the semester!

She's the best professor I've had. Very thorough and knows her stuff.... Wish you taught criminal classes. Keep doing what you're doing and don't change it up. I'm able to recite various aspects of contracts law at the drop of a dime because of you.

Professor Monestier does an amazing job of taking complicated and confusing legal concepts and breaking them down in a totally comprehensible way. She is very transparent on how to succeed in her course and she provides the most resources out of any of my classes. Her teaching style is effective, but it is also enjoyable! I would take any class she offered.

Organizes and explains the law impeccably well—sets the standard for every other professor I've had (and they don't often measure up.) I consistently leave feeling that I know the law, the depth and the breadth of it, better than in my other classes. Is capable of teaching to various levels and is patient with questions. She is brilliant and it shows.... Thank you so much for the effort you put into making sure students learn the law. It does not go unappreciated. You are an amazing teacher.

Great professor. All professors could learn a thing or two from her in regards to what is best in terms of student learning and information retaining.

Prof. Monestier is an amazing professor. She is brilliant but does a wonderful job explaining the material in a way that is easy to understand, which is NOT easy to understand on its own! She does an amazing job catering to the various levels of understanding of contract subjects.... I very much appreciate the effort that Prof. Monestier has put into our course, particularly since we switched to online learning. I can tell how much she is concerned with our understanding the material and has put in so much effort to make her lectures clear and easy to understand.

Very organized, knows the material like the back of her hand, very professional, cares about her students' success in law school and the bar. Professor Monestier is wonderful! She explains course material in a way that is clear and easy to understand. She creates a classroom environment that facilitates and encourages participation—I've never seen as much student participation in any other class. She obviously cares about her students and is enthusiastic and knowledgeable about the material.¹¹

11. One of the comments from my editor was, "Can this section be shorter?" Uh, yes, *it can be*. But why would I want to do that?

To counterbalance the deluge of good student evaluations, let me also tell you that I am not everyone's cup of tea. Those largely looking to phone it in don't really like me that much. Those who want tips and tricks on how to get an easy A don't really like me that much. Those who don't embrace learning and struggle don't really like me that much.

Accordingly, there is a small subset of my class that writes mean things like this:

Maybe more suited for 2Ls and 3Ls.

She's hardcore.

Memorizing vast amounts of detailed information is a real jerk move.

Not as accommodating as other professors first semester.

Could you perhaps be nicer?

I feel that Prof. Monestier may be an expert in her field, but teaching may not be her strength.

Her Yelp review would be two stars.

These are actual, verbatim, student evaluations from my 2015 Contracts class. Why would I share these with you? Because my 2015 Contracts class was the graduating class of 2018. And they voted me Professor of the Year. Yes, the class that hated me as 1Ls somehow decided that they loved me three years later. Go figure.

Sometimes 1L students are not the best judges of who is, and who is not, a good professor. They are so focused on getting good grades and having the "right" answer that they fail to see what law school should be about: learning how to become a better legal thinker. Somewhere, my group of 1L naysayers figured out what I was doing for them and were appreciative in the end. It was a b*tch of a semester for me, though.

My most meaningful teaching evaluations, however, are not found on the piece of paper that the school hands out, collects, and puts in some file marked "Tanya Monestier." They are the emails, notes, and letters I get from students who have had the benefit of time and distance to reflect on their learning. Here is one of the most touching ones I received:

It dawned on me about halfway through the summer that I will no longer have you as a professor because I have taken all the classes you teach. I just wanted

to say thank you for everything. Throughout my academic career, I have always heard from students promoting college to high schoolers, or promoting grad school to undergrad students, that they will meet a professor that will change their lives for the better. I was always skeptical of that...because school to me has always been a chore. But I just wanted to let you know that you were that professor for me. You have changed my life for the better as a student and as an individual.

I loved every single class (not just subject) that I have taken with you, and you may not know it, but you have helped me a lot outside of the classroom as well. You have always challenged me and it has made me a better student and person all around. You have taught me how to think on my feet with all the cold calls you threw at me 1L year. You have taught me how to critically think and question decisions of others. You have taught me how to be professional and address my peers with confidence. You taught me technical skills as well such as how to outline which I have been able to carry over to everything else I have drafted since. I would try to always speak with you after every couple of classes in regard to some legal doctrine we discussed, and to you that may not have been a lot, but for me that was the most I have ever talked to any other professor by a long shot. I think the professor I have spoken with the most aside from you is Professor Coombs and I have only talked to him on two separate occasions. (And if he wants another student to help him work on his drive aside from Richard, I do love golf haha). I get a lot of anxiety when I step into the school so it took a lot to be able to volunteer in class and approach you after, but you made it very doable. It is no surprise to me how you won professor of the year and it would be no surprise to me if you were to win it again.

I just wanted to take some time before school starts back up to let you know how appreciative I am for all that you have done for me inside and outside of the classroom.

Break out the Kleenex.

5. I'm a Good Writer (I Think)

I'm not sure how far the publisher wants me to go with this whole "why you should believe me" thing. I'm erring on the side of caution (total legal expression) and giving you more information rather than less. It also gives me an opportunity to brag more.

I think I'm a good writer.¹² This means that you will find the contents of this book manageable. You will probably not have to read paragraphs over and over again to understand what I mean. If you do, there's one of two things happening: (1) either I did a bad job of explaining myself, which can happen . . . unlikely, but possible; or (2) you don't belong in law school. The latter is a joke. Sort of.

I have never written any sort of academic support article. The articles I write would probably be considered boring by even the nerdiest among you. I say that with affection as I, too, am a total nerd. Here are the titles of, and citations to, some of my previously published work:

Registration Statutes, General Jurisdiction, and the Fallacy of Consent, 36
CARDOZO LAW REVIEW 1343 (2015).

Sounds like a page turner, I know! But this is one of the most impactful pieces of scholarship I have produced. It was used by a court to strike down a piece of legislation. That's a big deal. Trust me. It's also been cited in dozens of cases.

Transnational Class Actions and the Illusory Search for Res Judicata, 86
TULANE LAW REVIEW 1 (2011).

Ooooooh, so many big words that non-lawyers would never use (“transnational,” “illusory” and “res judicata”). This article was a beast to write, but it's good. Very academic-y. This might not mean much to you, but it was initially accepted for publication by a *really* fancy law review. That really fancy law review then screwed me over. Long story short, I ended up publishing with another law journal. I'm still bitter though. Like McDonald's birthday party bitter.

Amazon as a Seller of Marketplace Goods Under Article 2, 107 CORNELL
LAW REVIEW 101 (2022).

Now this is something that might seem somewhat interesting to you. It's about Amazon and whether they should be liable for defective and dangerous goods sold by third parties on their website. Specifically, it is about wheth-

12. My 10th grade English teacher would beg to differ. She told my mom at a parent-teacher conference that my writing needed work. *Really, Mrs. Benevides? How many books have you written?*

er Amazon is liable under Article 2 of the Uniform Commercial Code. To be liable under Article 2, Amazon needs to be a merchant “seller” within the meaning of §2-314 of the statute. Being a merchant seller normally means that you must have title to the goods in question, which Amazon doesn’t have with respect to third-party goods. Have I lost you yet? The article is published in *Cornell Law Review*, which is amaze-balls.

Whose Law of Personal Jurisdiction? The Choice of Law Problem in the Recognition of Foreign Judgments, 96 BOSTON UNIVERSITY LAW REVIEW 1729 (2016).

There’s a whole bunch of stuff here you won’t understand yet: “personal jurisdiction,” “choice of law” and “recognition of foreign judgments.” When a U.S. court chooses to recognize (give effect to) a foreign court judgment, it must assess whether the foreign court had the power (jurisdiction) to render the judgment. In doing so, it must decide whether to assess jurisdiction using U.S. law or foreign law. This means there is a choice of law problem within a foreign judgments problem. Kill me now.

There’s a lot of other stuff I’ve written, including a ton (OK, maybe not a ton) about Canadian law. I will have you know that the Supreme Court of Canada has cited my work on multiple occasions. In one judgment, the Supreme Court of Canada cited three different articles of mine. That’s unheard of. When it happened, I told the Dean about it, but he didn’t really seem to care. He was basically like, *Oh, that’s nice*. I assume it was because it was the Supreme Court of *Canada*—which, to you Americans, is obviously inferior to the U.S. Supreme Court.¹³ I went ahead and made a big deal of it on my own. Cause why not? I told a colleague about it who sent out an email blast to everyone. I mean, I could have sent the email myself, but that just would have been tacky.

I feel like I might have lost my ultimate point here, so let me regroup. The point is that I generally do a very good job of communicating in writing. I have persuaded judges of my position and have started important conversations in academia. It’s at least worth considering what I have to say.

13. When one of my colleagues was cited in a dissenting U.S. Supreme Court decision denying certiorari (i.e., not a real decision), the school practically threw a parade in his honor.

6. I'm Decidedly Middle Age

When I started teaching, and for some years after, I fancied myself the young, *cool* professor. I don't actually think I was ever cool. But I could pretend. Plus, my comparison group was law professors who had been teaching for 30 or 40 years—so I had to be cooler than them, right?

In any event, over the past couple of years I have come to realize that I am decidedly not cool and decidedly not young. Some people say I look young. Last year the photocopier repair guy asked me what exam I was studying for. Definite highlight of my day. But looking young and being young are two different things.

What clued me in to the fact that I was getting old? It didn't happen all at once. It was gradual. One morning really solidified it for me though. I was lying in bed and it was raining. My first thought was, *Awesome. The rain will be good for the grass. And we'll save money by not having to run the sprinkler.* That is definitely an old person thought.

Then I got to thinking about all the other little things that have crept into my life in recent years that bring me further and further from my youth. For those of you wondering whether you've crossed into "old person" land, at least in comparison to the typical law student, the following list might be helpful.

1. I buy multiple Fiber One products. They are delicious, low-calorie, and good for you.
2. I know the difference between a Hibiscus, a Hyacinth, and a Hydrangea. So does my husband.
3. I make weekly trips to Home Depot. And not only do I not mind going to Home Depot, I actually enjoy it.
4. I have no idea what words the "cool kids" are using and/or what they mean. I know "lit" was popular a few years ago. There's something I heard about "tea" recently. And "fire."¹⁴ But it's too much effort to get up to speed.
5. I DVR the news every night. And two for one, I have a DVR.
6. I have been known to call and complain about my Verizon cable/phone/internet bill. *How can we get this lower? Are there any bundles or discounts?* My dad's favorite hobby is calling Rogers (the Canadian equivalent to Verizon)

14. *That's fire? That's *the* fire? She's on fire?* Who the f**k knows?

and complaining.¹⁵ He has made it into a sport. I think they have a “frequent caller” notation next to his name. The apple does not fall far from the tree.

7. I have a landline.
8. My bedtime has crept earlier and earlier (10:30 p.m. now feels late) and so has my wake-up time (7:00 a.m., rise and shine!).
9. I own about a dozen tablecloths. They are arranged in a drawer by season.
10. I have appealed a tax assessment on my home. I beamed with pride when the tax assessor said he had never seen a more comprehensive appeal. There was a 30-page binder with pictures, tabs, and a table of contents.
11. I have a plumber, painter, and electrician (Joe, Jack, and Tim, in case you’re wondering).
12. I eat dinner at 6:00 p.m. I can pretend it’s “for intermittent fasting.” But it’s not. I like eating early.
13. I like gardening. That one hit me hard.
14. My mom and I like the same clothing. We own a couple of the same tops. And while we’re on the topic of clothing, I own something from Talbots. It’s just one thing (a cute sparkly owl top). But, yes, it’s from Talbots.
15. I sometimes shop at Joann, Michael’s, and Hobby Lobby. Where else would you buy a wreath for the front door? A door looks naked without a wreath.
16. I splurge for Sensodyne toothpaste and Glide floss. Oral health is really important.
17. I have had plantar fasciitis. I had to tell my class about it since I was having trouble walking. One student oh-so-helpfully informed me that his grandmother had plantar fasciitis as well. *Thanks. And do I give a f**k?*
18. I went on a swing at the local park, and it made me dizzy.
19. I can’t have coffee after 2:00 p.m. or I will be awake all night. Even decaffeinated black tea is a gamble in the afternoon.

15. I can’t say I blame him. Recently, I spent about three hours on the phone with Rogers and almost lost my mind. I ordered a new cell phone for my parents which was supposed to arrive in five to eight days. Fine. Then I got an email saying that there was a four-week-“plus” delay (so who the hell knows when it was going to arrive). I called Rogers to cancel the order, and after being bounced around from person to person, I was told I need the “Buyer’s Remorse Team.” That set me off. I do *not* have buyer’s remorse. *You* don’t have the damned phone.

20. Gas mileage is a very important criterion in buying a new car. Maybe the most important criterion next to safety.¹⁶

But why am I telling you how old I am? Other than because it's therapeutic and I'm self-indulgent. Because, as they say, with age comes wisdom. I have a very different perspective on teaching than I did when I started 15 years ago. I have taught literally thousands of students. I have had dozens of the same conversation over and over again. I know who today's law students are, what drives them, what scares them, what they do wrong, and what they need to hear.

7. I Want This Book to Be Different

There are a lot of academic success books out there. I'm sure some of them are good. Truthfully, I'm not 100% sure because I have only read bits of pieces of some of them.¹⁷ Here's how I want this book to be different:

First, I want to talk to you directly. So, I write in the first person. I don't say, "In order to maximize success, students should [blah blah blah]." Instead, I say, "If you want to succeed, you should [blah blah blah]." This choice is deliberate. I want *you*—the reader—to hear me. I don't want to provide generic advice to "students."

Second, I want to write in a conversational tone, as though I were giving you advice in my office. I want you to really be able to hear and understand what I'm saying. When books are written in a stiff and formal tone, it's hard to process what the author is saying. Not to mention, it's super boring.

Third, I want to share some of my experiences with you. Everything I write about in this book is real. Sometimes, small details or names have been changed to preserve anonymity. The reason I'm telling you about my experiences is to show you that I'm not just coming at this from an academic perspective. When I say "be prepared for an interview" it's because I have lived out firsthand what happens when you are not prepared for an interview.

Fourth, I want to convey that *you* and you alone are the master of your own destiny. Many of the academic support books (I hear) present material like, "You *must* do this." I don't like doing that. No one likes being lectured. I'm

16. Okay, I think I've sufficiently convinced you that I am old. I'm going to put on my comfort Skechers and go for a nice walk around the neighborhood now to clear my mind.

17. To be clear, I haven't not read them because I think they are bad. I have chosen not to read them because I did not want to be inadvertently influenced by what they had to say.

going to tell you how I think you should do things, and what things I've seen successful students do. But ultimately, the choice is yours. Do not outsource responsibility for how you approach law school to an academic support book. You do you.

Fifth, I want to provide you with proof that some of the things I'm saying really work. It's one thing for me to tell you that you should outline every day. It's another thing to hear this advice straight from the horse's mouth (the horse being a student who implemented this technique after *not* implementing it initially). You will find real emails, evaluations, and comments in here.

Sixth, I want to tell it like it is. I am a direct person. It's who I am. It's a good thing and a bad thing all in one. I don't like pussyfooting around something. I am not aiming to spare your feelings here. I am not aiming to inspire you. I will not praise you for getting into law school.¹⁸ There are other books for that. I am aiming to be accurate, blunt, and realistic.

Seventh, I occasionally use mild or redacted profanity. You've probably guessed that based on the title of the book. That, in itself, probably makes this book different. On the one hand, it seems a little undignified, even to me. On the other hand, profanity has a history of being used effectively to underscore a point and is decidedly part of the human experience.¹⁹ For those of you who are offended by the language, I'm sorry.²⁰ My mother-in-law is a sweet, old-fashioned woman who would never ever swear. The closest she has come to swearing is "Gee willikers!" and "Gosh donnit." I guess she's not getting a copy of this book for Christmas.

Eighth, I want this book to be somewhat fun to read. I often insert small digressions, examples, stories, and footnotes²¹ to make it more interesting. You may think this is to up the popularity of the book. And it is. But there's also a pedagogical²² reason. Students are more likely to remember things if

18. Congrats. You and thousands of other students.

19. <https://www.nytimes.com/2021/05/04/books/review/nine-nasty-words-john-mcwhorter.html>.

20. Actually, I'm sorry/not sorry. If you can't handle some redacted swear words, you might want to reconsider your chosen profession.

21. I may have gone overboard with the footnotes. Just ignore them if you don't want to read them. Just like you'll ignore the footnotes in the cases you read.

22. Fancy word alert.

they are “sticky.”²³ When I teach, I try to make doctrinal material sticky. In this book, I have tried to do the same thing.

I think it’s also fair to tell you what this book is *not*. This book is not a play by play on every aspect of law school. It does not start with “The Common Law System” and then move to “How to Read a Case,” “How to Case Brief,” and “How to use IRAC.” There are other books for that. Instead, I focus more on what the other books don’t tell you about law school that you might be curious about. Every chapter is freestanding, and you can jump around the book as you choose. With that said, a portion of the book does focus on the study techniques I think work best. My advice about notetaking, outlining, and studying is not universally shared, so this book will likely deviate in many ways from the common wisdom.

I sincerely hope that some of what I say in this book is helpful to you. If it’s not, such is life. At least the book only cost, what, three Starbucks Mocha Frappuccinos?²⁴

23. That’s an actual term in the science of learning. I can’t take credit for it.

24. I constantly equate monetary value to food. My food of choice is Big Macs. For example, if I see a sweater I like that costs \$30, I ask myself, “Do I like it more than six Big Macs?” I realize that it’s not an either/or, but it’s nonetheless a helpful reference point.