

Book Review

Nancy Levit and Allen Rostron, eds., *Beyond One L: Stories About Finding Meaning and Making a Difference in Law*, Durham, N.C.: Carolina Academic Press, 2019, pp. 296, \$30 (paperback)

Reviewed by Stephanie Roberts Hartung

Scott Turow's *One L*, the widely read account of his first year at Harvard Law School in 1975, is said to have “frightened, informed, and inspired a generation of lawyers-to-be” (xi). *Beyond One L: Stories About Finding Meaning and Making a Difference in Law*, published nearly 45 years later, is billed as a “collection of stories taking a further look at the often dramatic and sometimes traumatic experience of embarking on the study of law” (xi). While *One L* ostensibly described “universal truths” (xi) about law school in the 1970s, *Beyond One L* illustrates how dramatically the law school experience has changed since Turow arrived at Harvard as part of a first-year class that was overwhelmingly “male, white, and straight” (xii). At the same time, *Beyond One L*'s collection of essays, which includes entries from several well-known figures in legal education, reminds us how many aspects of legal education remain the same.

In the face of difficult and polarizing times, when lawyering and the rule of law are frequently perceived as under attack, *Beyond One L* offers “an antidote to disillusionment with the legal profession” through storytelling (xiv). Contributors to this wide-ranging collection tell stories that deviate dramatically from Turow's original perspective. The book, importantly, succeeds in elevating the perspective of attorneys who, unlike Turow, experienced law school through the lens of historically marginalized people and communities. The collection of essays is divided into eight parts, which are loosely organized chronologically around the decision to go to law school, the law school experience and the bar exam, post-law-school career paths and, finally, finding meaning and fulfillment in the practice of law. Collectively, these essays provide an array of perspectives that will likely appeal broadly to prospective law students and practicing lawyers alike.

In Part I, *One L: The View in the Mirror*, Turow muses about the astounding and widespread popularity of his book, and on the ways that legal education has both changed and stayed the same in the ensuing decades. He acknowledges the persistent law school “profit center” model as a motivator for keeping faculties small and student bodies large, and notes the minimal change from

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the Socratic method and single final exam approach in most doctrinal courses (7). However, in Part II, *Law School or Some Other Path*, a series of authors reflect on their decision to pursue a legal education and highlight some of the changes for the better in recent years. In his essay *Theodicy*, Ian Ayres reflects on his decision to study law as essentially a response to a profound personal loss and a “turning toward law as a bulwark against evil” (16). In *Mistakes Were Made: Lessons Drawn From My One L Experience*, David Lat recalls his first year at Yale Law School in the mid-1990s as frenetic and anxiety-filled. He remembers fearing “public embarrassment” in civil procedure, performing poorly on a constitutional law exam, and failing to secure summer employment (17). Looking back at his life as a 1L, he regrets not enjoying the experience as much as he could have, and offers suggestions for aspiring lawyers. He suggests taking time off and gaining life experience before taking the law school plunge, and also recommends making friends while in school, rather than merely succumbing to the often competitive atmosphere. He touts the value of socializing not just for the personal pleasure of developing meaningful relationships, but also because of the positions of power that many of one’s law school classmates will likely eventually hold.

In *Neurotic, Paranoid Wimps: Nothing Has Changed*, Andrew Jay McClurg, who is currently a law professor himself, recalls first reading Turow’s *One L* in 1978, and opines that Turow’s portrayal of the impact of the 1L experience on the student psyche remains true today—especially the competitive atmosphere, bonding among students, mental and physical exhaustion, and an introduction to a new way of thinking.

The chapter ends with the perspective of two women who, each in their own way, report feeling a version of the imposter syndrome during their first year in law school. In *How You Gonna Keep Her Down on the Farm*, Lisa Pruitt recalls her 1L experience as a first-generation law student at the University of Arkansas in the mid-1980s. She muses about the origins of her decision to study law, given the absence of lawyers in her family and rural community. She also recalls entering law school feeling like an outsider. Now, decades later, as a law professor and feminist legal scholar in the area of rurality and class, Pruitt looks back and recognizes the lack of critical perspective she brought to her 1L experience. She recalls a dearth of female faculty, save for her legal writing “instructor”, but acknowledges that this inequity was not notable to her at the time. Similarly, in *Take Two*, Saira Rao highlights her feelings of inadequacy in a short vignette about her very first day of class at Georgetown Law Center.

Part III, *One L Revisited*, shifts from the decision to study law to the first-year experience itself, and again, highlights the perspective of women and people of color. In *Two Pink Lines*, Melissa Anderson tells an impressive tale of surviving—and thriving—in her 1L year while raising five small children and pregnant with a sixth, with a husband on active duty in Iraq. Anderson’s story reminds the reader of the range of backgrounds and experiences among law students, and highlights that students can succeed in law school with the right attitude, even in the face of challenging circumstances. In *Classroom Storytelling*,

Alafair S. Burke, who became a prosecutor after law school and currently writes crime fiction, recounts a moving experience during her 1L criminal law class as the catalyst sparking her desire to practice criminal law. And in *One Low Brick Road*, Hala V. Furst describes leaving her midwestern upbringing in Kansas for an idealized New England law school experience. After excelling as an undergraduate with minimal effort, she quickly came to appreciate the particular rigors of the 1L curriculum and the need for heightened effort. Despite significant challenges and struggles, and in the face of pervasive self-doubt, she found meaning in her law studies, ultimately becoming not just a practicing lawyer, but a new person as well.

In *Contested Meanings: Achievement and Ambition at an Elite Law School*, Deborah Waire Post provides a moving antidote to Turow's account of the fierce and ultracompetitive law school experience. Reflecting on her 1L experience as a woman of color at Harvard Law School, she draws comparisons to her current students' experience at Touro Law School, where she is a professor. Although she started with Turow in 1975, her experience contrasts sharply with those recounted in *One L*. Hailing from a small town in upstate New York, and having worked as an executive secretary before law school, she knew nothing of Harvard's elite atmosphere. She describes ultimately finding a feeling of community, especially among the small group of students of color in her 1L class. She also recounts an all-too-common incident in which students in her section "attacked" a novice female professor, challenging her authority (95). She also reports that she and many other students of color opted out of many of the currencies of prestige within an elite law school—law review, judicial clerkships and law firm placements. Instead, she found meaning and value in learning the law and legal skills, and in developing the relationships that shaped her life and career.

In his essay, *I Love Crits*, Cameron Stracher eloquently and humorously describes his law school infatuation—and eventual disillusionment—with the critical legal studies (CLS) movement. He entered Harvard Law School as a 1L in 1983, having previously worked as a writer. He recounts becoming enamored with Duncan Kennedy, his property professor, and a lion in the emerging field of CLS, at a time when "the Crits were hot" (101). Yet even in an era of "fear and loathing" between faculty and students, when students would not dare to visit professors in their offices or reach out to them by phone (e-mail was not yet available) (103), Kennedy wore a denim shirt to class and insisted on being called "Duncan". While Stracher was "in love with the philosophical debates and the act of deconstruction itself," (105) he later concluded that the CLS approach failed to teach substantive law or critical lawyering skills in any meaningful way, but instead offered implausible solutions to societal problems while stoking the ego of its proponents.

Following a series of essays on the storied 1L experience, Part IV, *Two and Three L*, provides a foray into the less frequently discussed second and third years of law school. These essays, at turns, both confirm and confront that old adage that the average law student is scared to death in the first year, worked

to death in the second year, and bored to death in the third year. In his essay, *One L in a Different Voice: Becoming a Gay Male Feminist at Harvard Law School*, the late Marc E. Poirier begins with a vignette about Harvard Law School remaining open during the Boston blizzard of 1978 as a metaphor for the arrogance of the institution itself. Another classmate of Turow's, he bemoans many of the common historical complaints about the Langdell-inspired casebook method—overly large class sizes, insufficient focus on teaching skills, and an unnecessarily competitive atmosphere. As a gay man, Poirier also laments the utter lack of personal or professional role models at the time. In fact, he reports, there were no openly gay faculty at Harvard Law School until 2000. His assessment is that the culture at HLS has improved significantly since the 1970s with an expanding curriculum featuring gay and queer studies, and more women and outwardly gay faculty and staff. By contrast, in *One L and Beyond*, Gary Spence, who entered Wyoming Law School in 1949, calls himself a “country boy” (123) and describes a law school experience that inspired him to dedicate his career to fighting for the “little guy” (126). At the same time, law school instilled a lasting fear in him that has persisted throughout his practice—a fear of failure that has motivated him to work hard and achieve victories on behalf of his clients. Finally, in *Tales from the Back Bench*, Robert R.M. Verchick provides yet another account of the “heady days” (135) at Harvard Law School in the 1980s, when he fell under the spell of Professor Duncan Kennedy and the emerging discipline of critical race theory.

In Part V, *Taking the Bar*, the discussion moves from the law school experience to the challenges associated with preparing and sitting for the bar exam. In *A Coney Island for the Mind*, the Honorable Marilyn Skoglund tells the story of “reading for the law” (143) in Vermont, one of the few states that allows bar admittance without completion of a law degree. With an appealing dose of humor and humility, she tells an inspiring tale of the arc of her career starting as an apprentice with the Attorney General's Office in Vermont, while also studying for the bar and caring for a small child as a single mother, and culminating in a seat on the Vermont Supreme Court. By contrast, in *Conquering the Elephant*, Wanda M. Temm, who teaches the bar prep course at her law school, discusses the better-known challenges of the traditional bar exam. She relays that her coach role has proved to be rewarding in surprising ways. She sets out some standard advice for succeeding at the bar, including preparing adequately, keeping anxiety in check, and recognizing that mere proficiency is the goal. She also recounts a litany of often-retold bar exam nightmares—the bar taker whose wife filed for divorce on the eve of the bar exam; another who missed the bus on the day of the test and barely arrived on time; or the woman whose water broke during day one of the exam.

Part VI, *Job Search*, shifts the focus from law school to professional life and finding a career in the law. The collection of essays in this chapter illustrates the serendipity often involved in landing a law job post-graduation. These stories provide examples of the often-circuitous path to a rewarding career in law. In *From Being a One L to Teaching One L*, Josh Blackman narrates his journey from

uninformed neophyte 1L to self-described “Supreme Court nerd” (165) with a postgraduate federal clerkship lined up. As the first in his family to attend law school, Blackman hadn’t read *One L* and was not familiar with even the most basic law school jargon—law review, circuit court, tort, or even casebook. He recalls a harried existence working full time at the Department of Defense while attending George Mason Law School as an evening student. He learned the ropes quickly, and ultimately landed an editorial position on law review and, later, a series of prestigious federal clerkships. He marvels that he now teaches 1Ls himself, and makes sure to define all terms on the first day of class.

The next two authors offer advice about appreciating law school and navigating the challenges of law practice. In his essay, *Some Advice*, Mike Laussade, who wrote the wildly successful Buffalo Wings & Vodka blog in law school, describes blogging as a “an exercise in aggression and catharsis” (187). While the tone of his essay is light and witty, he ends with an astute observation. He takes a nostalgic view of the law school years as a time when there was so much shared experience, rich with the potential for parody and humor. By contrast, he notes, the practice of law is often profoundly isolating, for example, in his big-firm practice when even the attorney in the office next door might not have a nuanced understanding of the work he does. He ultimately finds the work gratifying, but misses the camaraderie of his law school days. In a similar vein, Jonathan Little’s essay, *Hustle*, describes the importance of mentoring in law practice. Little reports that as a new law graduate, he decided to hang a shingle but quickly learned that he had made a few critical errors. For example, as a criminal defense practitioner, his decision to rent an office in the suburbs was ill fated. But a chance encounter with a seasoned local defense attorney in a county jail lobby turned into a meaningful mentor experience. Little second-chaired multiple trials with his new mentor, learned valuable courtroom skills, and began to appreciate the importance of listening to your client and connecting with your clients’ communities.

In Part VII, *Game Changers*, and Part VIII, *Making a Life in the Law*, the final series of essays delivers on the book’s promise with a discussion about how a career in law can provide a meaningful path. First, in *Full Circle: Build a Life in Public Interest Law*, Cait Clarke tells a compelling story of finding meaning in her law career through a commitment to public interest work, beginning as a soup kitchen volunteer during law school. She went on to hold a series of public interest positions, including starting a street law clinic while on the faculty at Loyola College of Law in New Orleans, and ultimately landing as the chief of the Federal Defender Services Office. She reflects on her Catholic upbringing and focus on “service” as early inspiration for what she describes as a “fulfilling (though challenging)” legal career (204).

Additionally, several essays authored by members of the judiciary highlight the rewards of a career on the bench. For example, in *Being Prepared for Opportunity’s Knock on the Door*, the Honorable Fernando J. Gaitan, Jr., reflects on his long and circuitous journey from law school to an eventual appointment as a federal district court judge. Growing up Black in the era of racial segregation

in the Midwest, Gaitan had limited exposure to Black lawyers. He initially struggled as an undergrad at a local community college, focusing more on his social life and less on academics. Eventually he found himself at the University of Missouri, Kansas City Law School, where he succeeded despite feeling isolated and unsupported. He started his legal career as in-house counsel for a large utility company and decided to apply to become a judge after attending a panel about judicial placements at a National Bar Association conference. As with several other authors featured in the book, he marvels at how a chance encounter ended up shifting the path of his career.

In *Of Bus Rides and Bardos*, the Honorable Michael Zimmerman reflects on a long and varied career that landed him on the Utah Supreme Court at the age of forty, but involved a lot of stops along the way, both before and after. En route to becoming a judge, he secured a clerkship for a federal appellate judge named Earl Warren, who was nominated to the Supreme Court later that year. He then worked in big law for several years, became a law school professor, was appointed counsel to the governor of Utah, and returned to firm life. As a judge he came to appreciate the “idea that a lawyer’s art is in framing perspectives for decision makers (225).” After he became Chief Justice of the Utah Supreme Court, his wife was diagnosed with terminal cancer, and he left the bench after her death. He ultimately remarried and, along with his new wife, became a Zen master. At the end of a long and varied career, Zimmerman observes that “to decide to leave is no sign of failure” (227). Through it all, he has found the Tibetan Buddhism concept of “bardo”—the gap, or transition, between one place and another—to be useful. He reminds his readers to embrace the periods of “not knowing” in life and to trust oneself in making professional and other life decisions (228).

Finally, in *Finding Inner Peace and Happiness in the Law*, Honorable Donn Kessler describes another path to a fulfilling judicial career. As an appellate judge who has noted a culture of increasing discord and competitiveness in legal practice, Kessler reflects on turning to mindfulness as a means of finding “inner harmony” (249). He recounts lessons learned early in his career, working in the Attorney General’s Office in Hawaii, including time management and the importance of preparation. Later, moving to private practice, Kessler was disheartened by the “toxic aspects” of the practice of law (252). Ultimately, after becoming a judge, he sought ways to bring empathy, compassion, and mindfulness to his practice—and, finally, to bring joy into his life.

The Infinite Alchemy: A First Year Journey in Three Acts Spanning Three Decades, by the late Pamela Bridgewater, is one of the book’s most eloquent and powerful essays. Bridgewater essentially pens an homage to Professor Patricia J. Williams and her book *The Alchemy of Race and Rights: Diary of a Law Professor*, which had a profound impact on Bridgewater during law school. Bridgewater describes a “traumatic” law school experience as a woman of color who was often made to feel like an outsider (234). In particular, she recalls standing up to professors who made racist comments in class and relied on racial stereotypes in exam fact patterns. Williams’s *The Alchemy of Race and Rights* gave

her a voice and frame to understand and process her experience. Years later, as a law professor, Bridgewater reports having shared the book with a group of first-year law students who had experienced unprofessional bullying at the hands of a white male professor who assumed that they had written negative evaluations of his course based on their status as women of color. Ultimately, Bridgewater eloquently describes a phenomenon shared by many law faculty: feeling inspired by the grace and wisdom of our students.

Last Reunion, by Stephen L. Carter, provides a brief interlude with dramatic change of tone. It is apparently a purely fictional account of a law school reunion turned murder mystery. It was written in honor of Scott Turow, and was originally published in 2010. Finally, in *One L Redux*, Adrienne Katherine Wing closes out the book by returning to a theme raised by many authors: the isolating experience of students of color who feel like outsiders during their 1L year. Wing describes the added layer of trauma she felt, on top of the standard-issue 1L anxiety, as a student of color—one of fourteen in her first-year class at Stanford Law in the fall of 1979—enduring the prejudices of white students who frequently assumed Wing to be undeserving of her spot at the elite law school. Years later, as a renowned law professor and legal scholar, Wing brings us a long-overdue call for profound change in legal education. Some of her ideas are not new: increase opportunities for practical application of legal theory and doctrine in the 1L curriculum, and replace the demoralizing Socratic method with a more compassionate approach. Other ideas that have been less frequently emphasized in the legal academy include devoting greater emphasis to policy, passion, justice, and service in the 1L classroom.

Wing's closing thoughts provide a refreshing end to a collection of essays that at once reflect how much the law school experience has changed for students in the four decades since *One L* was published, and how far the legal academy still has to go.