

Judge, law clerk both harbor ‘Supreme Ambitions’ in taut legal drama

By: Alex G. Philipson March 12, 2015

Late last year, in a Reuters article titled “The Echo Chamber,” we learned how a cadre of elite lawyers shapes the docket at the U.S. Supreme Court.

The piece analyzed nearly a decade’s worth of cases, revealing that of the 75 attorneys who appeared before the court most often, the vast majority represented big business. Many were former Supreme Court law clerks.

The article proved, once again, that prestige begets influence. Not covered, though, and perhaps less amenable to statistical analysis, is what begets prestige.

For instance, what makes a person want to work for the Supreme Court, either as a law clerk or justice? Love of the law? Raw ambition? Both? Can the two be reconciled?

Questions like those are better explored in fiction than journalism, at least when we have an author like David Lat to guide us. His engaging debut novel, “Supreme Ambitions,” does for law clerks what *One L* did for law students: shows us what clerking for a federal appeals court really looks like. Add the scheming of a judge and her law clerk to win respective positions at the Supreme Court and you have the makings of a suspenseful legal drama, one where the story is propelled as much by matters of law (how principles of jurisdiction limit what a judge can do) as by matters of conscience (how much deception a person is willing to peddle to get what he or she wants).

The novel opens with Audrey Coyne, a Yale law student, traveling to Pasadena, California, to interview for a clerkship with 9th Circuit Judge Christina Wong Stinson. She gets the job on the spot, and we fast-forward one year, when she starts work.

We know Audrey has entered a brave new world by the sight of Judge Stinson’s Chanel and Armani suits and Monolo Blahnik heels. Yes, there are more than a few nods here to “The Devil Wears Prada.” (Keep your eyes peeled near the end of the book for a memorable line borrowed from the lips of Meryl Streep, as Miranda Priestly.)

The characters who populate “Supreme Ambitions” are distinctive and fun. There’s the ne’er-do-well co-clerk who landed a job with Judge Stinson only because his father is an Oscar-winning director; the uptight National Spelling Bee champion who is Audrey’s stiffest competition; and the handsome colleague who flatters Audrey off her feet. Especially lively is Harvetta Chambers, a tart-tongued neighbor of Audrey’s who is as fluent with four-letter words as she is with the Stanford Law Review.

The focus, though, is on other chambers: those of Judge Stinson. There, Audrey and her co-clerks do what clerks do: write bench memos to prepare the judge for oral argument, help draft opinions, and review petitions for rehearing en banc.

The close-ups concern an immigration appeal involving an asylum-seeker fleeing a repressive regime, and a challenge to California’s Proposition 8, the ballot initiative that outlawed gay marriage. Both cases are vehicles for showing how the clerks vie for the favor of their judge, and how Audrey and Judge Stinson maneuver to improve their chances of getting to the high court.

Stinson “like[s] to be a judge who’s going places,” and Audrey dreams of riding her robe-tails. But put the Prop 8 appeal at the cusp of a presidential election, and the fates of both judge and clerk — not to mention their morals — become uncertain.

At times, Audrey’s SCOTUS worship gets a little much; she equates clerking for the court with “immortality.” But, hey, that’s the shtick the author has become known for. “Supreme Ambitions” is a showcase for Lat’s first-hand experience.

Lat clerked for the 9th Circuit himself — though, regrettably, not for SCOTUS — and he gives shout-outs to federal judges far and wide. Examples: fictional Judge Frank Polanski is a veil for real Judge Alex Kozinski, and Supreme Court Justice Hannah Greenberg stands in for Ruth Bader Ginsburg.

More signs of real life show up when Judge Stinson becomes the subject of a blog called Beneath Their Robes, a not-so-obscure reference to Underneath Their Robes, the cheeky blog that Lat began some years ago under the guise of “Article III Groupie.” Today, it’s known as Above the Law.

The novel is heavy on plot but light on reflection. Still, there are a couple of passages in which Audrey meditates on the themes of ambition and ordinariness. The ruminations coincide with her shifting fortunes. When she’s riding the crest of the wave, she spouts, John Galt-like, about how America was built by ambition (mercifully, in far fewer pages than Ayn Rand took). But when she descends into a trough, feeling more Salieri than Mozart, she tries to convince herself that there’s honor in ordinariness.

Judge Stinson has her own musings. On whether judges need to draft their own opinions, she says: “Judges today aren’t writers but managers. I am the CEO of this chambers: I use my expert judgment and accumulated wisdom to make the big important decisions ... I decide how a case should come out ... and my team executes.”

Ideas like those make jurists like Richard A. Posner cringe. But the novel itself doesn’t; he gave Lat a blurb for the book jacket, calling it a “fine novel” that “provides disquieting insight into the secretive world of federal judges and their brilliant anxious young law clerks.”

The book jacket is noteworthy for another reason. It carries the imprint of the American Bar Association’s new trade line: Ankerwycke (the name refers to an ancient yew tree where Magna Carta was said to be signed).

I was delighted to learn of the ABA’s branching out. My first job after college was as a publications assistant at the ABA Press. Back then, the Press was best known for titles such as “Beyond the Billable Hour” and “Improving Accounts Receivable Collection.” Useful, yes; scintillating, no.

How grand, then, to see the ABA taking a chance on a broader publishing program. Its inaugural title, “Supreme Ambitions,” is an auspicious way to begin.

Alex G. Philipson is founder of the appellate boutique Philipson Legal in Newton Centre.

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10 Milk Street, Suite 1000,

Boston, MA 02108

(800) 451-9998

