

## Chapter Two

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### The Law World Gets Real

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There you stand.  
All dressed up,  
in high heels.  
In the hall.  
Heels in the hall. Hell in the halls. Heels in hell.  
You stand.  
You pace.  
You stare at the closed door in front of you.  
You check your watch.  
Finally, the door opens and your classmate exits.

A firm man stepped forward. “Ms. Waugh?”  
I went in.

—Brenda Waugh, *A Theory of Employment Discrimination*<sup>1</sup>

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“Why do you want to be a lawyer Susan?”  
“I guess I want to feel like I’m participating in the system. I can probably do some good. Also, I’d like to make some money.”  
She crossed her legs.  
“If you could buy any kind of a car, Susan, what kind of car would you buy?” He stared at her, expressionless.  
“Probably a Porsche. A black Porsche.”  
“Do you know what your SAT score was?”  
“My SAT? That must have been five years ago.”  
“Don’t you remember?”  
“No I don’t remember.”  
The phone rang. He turned away from her.

—“The Interview,” in *The Fiction of Lowell B. Komie*<sup>2</sup>

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<sup>1</sup> Brenda Waugh, *A Theory of Employment Discrimination*, 40 J. Legal Educ. 113, 117-118 (1990).

<sup>2</sup> “The Interview,” in Lowell B. Komie, *THE FICTION OF LOWELL B. KOMIE* 1-11, at 10 (Chicago: Swordfish/Chicago, 2005) [all of the Komie stories referred to here are found in *The Fiction of Lowell B. Komie* unless otherwise indicated].

*A Lawyer.* We don't know the man's name or his age. What we know is the man was once a law student at the University of Michigan and then transferred to Northwestern. He doesn't tell us much more about himself. All we know is that as a young law student he floundered. He quit going to class, and, for some reason, decided to write a novel. Whether the floundering led to the idea of writing a novel, or the effort to write a novel led to his problems in law school, we don't know.<sup>3</sup>

The lawyer, looking back now on those troubled days, says, "I never finished the novel. I never got beyond three pages. It was about a young man in Ann Arbor who dropped out of the university. The young man is described sitting on the front porch of his rooming house, looking out on the world from behind a veil of hollyhocks. That's as far as I got, the veil of hollyhocks."<sup>4</sup>

The story that unfolds from the time-of-the-unwritten-novel is the bubbling up of a lawyer's memory, an admission that as a young law student he had to deal with unnamed demons. Fortunately, the demons were not of the soul-devouring kind; they allowed the young man to get on with his life, to gain "admittance to the law."

What kind of life does the young law student who survives his demons and gains admission to the law end up living? The lawyer in Lowell Komie's "Spring" allows himself to step through the portal of memory of his law school days, a time of stories, and a time of loss: a fellow student committed suicide—a student with demons he was unable to subdue. The young man who commits suicide isn't named; we know nothing about him or what might have prompted him to take his life. The season—the semester—of this suicide remains lodged in the recesses of the lawyer's memory.

¶ ¶ ¶

*Susan Eliofson.* We catch up with Susan Eliofson in Baltimore.<sup>5</sup> She's in Baltimore for an interview at a law firm, Reavis & Ferris, where she is seeking summer employment. Summer employment is a preoccupation that descends upon a student like a fever-driven, anxiety-laced dream. Summer employment is a time when law firms sample the wares, ponder the ripe fruit, and decide who they will pluck for induction into

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<sup>3</sup> The lawyer's reminiscence is drawn from Lowell Komie's "Spring," *The Fiction of Lowell B. Komie*, at 13-21.

<sup>4</sup> *Id.* at 14.

<sup>5</sup> Komie, "The Interview," 1-11.

Law Firm life. For students who have avoided distractions, survived law school's *rite of passage*, sparred victoriously with their demons and landed atop the law school hierarchy, finding work is like attending a grand banquet; for some students it can be a diet of slim pickings. Susan will have her own share of bad news along the way. In Baltimore, she learns an Indianapolis firm she visited will not be extending an offer.

We don't know exactly where Susan is going in life, what drives her, or what fears claw at her as she gropes her way toward the future. What we do know is that Susan Eliofson is trying to get on with her life. But what life? Which life? What fable is she going to take up in her life? What fairy tale will she cozy up to and allow to shape her future? How will her time in law school—this liminal time, with the familiar *before* and the promised *after*—figure in the story she has set out to plot for herself?

John Raymond, the first partner that Susan talks with at Reavis & Ferris is civil, but the interview is interrupted when Raymond takes a telephone call and begins discussing a deal he's working on. Susan sits idly and listens in on Raymond's lawyer talk. The interview doesn't amount to much. John Raymond is preoccupied with his deal, and Susan gets hastily dispatched; Raymond is too busy and too preoccupied to be bothered to even try to be civil to her.<sup>6</sup>

Shown into the office of Peter Lindauer, a second lawyer scheduled to interview her, Susan finds Lindauer "immaculately dressed in a gray flannel pin-striped suit," "perfectly shined" shoes, his hair "scissored in neatly cut layers." Lindauer lets Susan know that the firm's invitation to invite her for an interview was a mistake. He bluntly tells her that her grades are lower than other students that Reavis & Ferris are interviewing for summer positions. This insult—to which Lindauer seems oblivious—is compounded when he asks Susan about her college

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<sup>6</sup> Charles Reich, in a portrayal of the emptiness of Law Firm life, notes that the kind of distractions a lawyer succumbs to in "The Interview" end up robbing the lawyer of the curious surprises that might be occasioned by attending to something as menial as a student's job interview. Reich notes that, "[t]he most obvious forms of interference were interruptions, phone calls, distractions. But these had to be expected in a lawyer's life: a lawyer took whatever came along, without priority, form, turn, or order; he had to glory in his ability to play many parts instead of one." Charles Reich, *THE SORCERER OF BOLINAS REEF* 27 (New York: Random House, 1976). Reich makes clear, however, that "the trouble" with distracted lawyers lies more deeply than the fact that a lawyer must deal with "interruptions and multiple tasks." *Id.*

SAT score! The interview with Lindauer goes nowhere, a further waste of time.<sup>7</sup>

Susan's experience with the lawyers at Reavis & Ferris may be nothing more than a reminder of the boorish interview techniques of lawyers, or it may provide a murky glimpse at what lies ahead. Susan Eliofson's encounter with the Reavis & Ferris lawyers prompts the reader to consider Susan's future. On the evening before her interviews at Reavis & Ferris, Susan meets Steven, an affable SEC lawyer from New Orleans. Steven tells Susan there's a lawyer fish—*Lawyer Americanus*—at the Baltimore Aquarium and he wants her to see it. (There does appear to be a fish, the burbot, known to fishermen as "lawyers"; they are reputed to be ugly, slimy, bottom-feeders.) Steven and Susan have champagne and visit the Aquarium, where, on a daring whim, Susan tells Steven that for \$100 she will dive into the aquarium tank and swim with the lawyer fish; Steven accepts her bet and she discards her clothes and takes the swim.

The next day, at her interviews at Reavis & Ferris, Susan is on a restroom break when she discovers a leech has adopted her as a host during her swim in the Aquarium. She removes the leech, and without giving conscious thought to what she is doing, wraps the leech in Kleenex, and puts it in her jacket pocket. When Peter Lindauer receives a phone call and turns his back to her to talk on the phone, Susan removes the leech she has saved and places it on Lindauer's flannel gray pin-striped suit. She leaves her interview with Lindauer—a scolding as much as it was an interview—and tells him, "Thank you."

Susan Eliofson needs a job; she is readying herself to take a step toward her future. She's got a boyfriend, Peter, a fellow law student back in Madison, Wisconsin, but he seems to have no more secure place in her future than does a summer job. When Susan calls Peter from Baltimore, we hear in their conversation a possible disconnect in the relationship (a problem that Susan does not seem to fully appreciate). Susan's call to her friend Peter, and her relationship with Peter, reminds me of Mark Strand's comment on the couple in Edward Hopper's painting, *Summer in the City* (1949): "[A] woman sits pensively at the edge of a bed on which a naked man lies with his face buried in a pillow." In this painting, "we are drawn to search for a clarifying

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<sup>7</sup> For a telling account of the interview process, see Brenda Waugh, *supra*, note 1. I am especially fond of Waugh's exposé since the interviews she describes took place down the hall from my office. Brenda Waugh survived the absurdities of the interviewing season and continues to practice law.

narrative.”<sup>8</sup> Like the woman in Hopper’s *Summer in the City*, Susan, posed in pensive placement at the edge of a new life is in search of a clarifying narrative. And as Strand says of the Hopper painting, we can say of Susan, that “whatever the problem” she may be having with Peter, “there will be no happy escape from it . . . . It is a scene whose troubling content we cannot know. We know only that it bears the burden of an accusing light and that the couple will be free of their mortal misery only when darkness falls.”<sup>9</sup> What darkness, we wonder, awaits Susan Eliofson?

The reader of Komie’s “The Interview” is left with minimal clues: Who is Susan Eliofson? Where is she going? What will happen to her in the Law Firm World? What does the future hold for her? At her Reavis & Ferris interviews, Susan doles out banalities in response to most of the questions she is asked; she gives her interviewers responses designed not to offend the men who presumably hold her future in their hands. Yet, we see Susan, in her plunge into the Baltimore Aquarium, her swim with the lawyer fish, and her affectionate way with Steven the SEC lawyer, not to be nearly so banal as her scripted answers to ill thought out interview questions might suggest. Is Susan’s impulsive dive into the Baltimore Aquarium an aberrant moment or a sign of real life that resists her mind-numbing efforts to secure a summer clerkship? One of my students, reading the story, said, “Maybe it didn’t happen, this meeting with Steven, and the swim with the lawyer fish. Maybe she’s dreaming it. This part of her story seems so fairy-tale-ish.” And, if the student is right about this fairy tale quality of the story, how is the fairy tale to be imagined: *Once upon a time, a young woman, on her way to being a lawyer, still young at heart, an ordinary ash girl—Cinderella—in waiting—meets the prince but this prince is destined for some other romance, at some far away place. The ash girl must await her future.*<sup>10</sup>

On the evening before her Reavis & Ferris interviews, Steven tells Susan she “doesn’t belong in the corporate army.”<sup>11</sup> Susan doesn’t respond, at least directly, to Steven’s remark; she says nothing about

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<sup>8</sup> Mark Strand, *HOPPER 53* (Hopewell, New Jersey: Ecco Press, 1994).

<sup>9</sup> *Id.* at 53-54.

<sup>10</sup> The association of Cinderella as an “ash girl” goes back to the Grimm’s version of the fairy tale. Readers will remember that Cinderella was refused by her cruel step-sisters even the decency of a bed of her own. Weary at night, she slept, like a cat, by the cinders in the kitchen heart where ash dust streaked her face. “And because the girl had ash and cinders in her hair they [the step-sisters] called her ‘Cinderella.’” See *FAIRY TALES FROM GRIMM* 202-213, at 203 (New York: Oxford University Press, 1999) (Peter Carter trans.).

<sup>11</sup> Komie, “The Interview,” at 4.

what his comment might say or imply about her future. We don't know whether Susan is committed to the idea of joining the Law Firm corporate army or not. Will she push on, join a big law firm, and ignore signs that would trouble a cautious soul?<sup>12</sup> Has Susan seen anything in the boorish behavior of the lawyers at Reavis & Ferris to prompt her to change direction? Or will her experience with John Raymond and Peter Lindauer be mentally tagged as isolated instances of lawyer arrogance by lawyers who are still obsessed all these years later with the glorious future promised by their SAT and LSAT scores and law school grades, lawyers who can view others only through the lens of their own self-proclaimed success? Susan now finds she is in a situation where she must relate to men who are unable to step back from the vampire-ish work that consumes them<sup>13</sup>—work that seems to be implicated in their inability to respond to the real human in their presence.

Who are these men? Who are these lawyers at Reavis & Ferris? How have their lives brought them to a state where they treat a student seeking a summer position in such a shabby fashion? *Who are these men?*

The law has produced a glut of Reavis & Ferris men. Consider Mr. Bridge, the lawyer for whom Evan S. Connell, Jr.'s novel, *Mr. Bridge*, is titled:

Often he thought: My life did not begin until I knew her [Mr. Bridge is talking here about his wife].

She would like to hear this, he was sure, but he did not know how to tell her. In the extremity of passion he cried out in a frantic voice: "I love you!" yet even these words were unsatisfactory. He wished for something

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<sup>12</sup> We know, from reading Herman Melville's "Bartleby, the Scrivener," that even the most cautious lawyer can be awakened, his soul stirred from its quiet security. See "Bartleby, The Scrivener," in Jay Wishingrad (ed.), *LEGAL FICTIONS: SHORT STORIES ABOUT LAWYERS AND THE LAW* 224-258 (Woodstock, New York: Overlook Press, 1992). Robertson Davies reminds us that, "We all have slumbering realms of sensibility which can be coaxed into wakefulness by books." Robertson Davies, *A VOICE FROM THE ATTIC: ESSAYS ON THE ART OF READING* 13 (New York: Penguin Books, rev. ed., 1990).

<sup>13</sup> In Lowell Komie's "The Law Clerk's Lament," the law clerk, on his evening commute home, recognizes a lawyer he knows who had been editor of the *Chicago Law Review*. "He was carrying a briefcase inscribed with the initials of his firm in gold letters. We ran for the train together and he staggered as we hit the stairs. The train was moving as we jumped. I thought for a minute he was going to fall back out of the door under the wheels, and I stuck my hand out and grabbed him as the doors hissed shut. He didn't say a word to me. I could see by his eyes that he was really out of it. He just stood gasping for breath on the platform between cars. I wonder if I'll become like this guy in a few years, dazed and burnt out from overwork. I think if I hadn't grabbed him he would have been decapitated." "The Law Clerk's Lament," in Lowell B. Komie, *THE JUDGE'S CHAMBERS* 66-74, at 67-68 (Chicago: American Bar Association, 1983) [reprinted in Lowell B. Komie, *A LAWYER'S NOTE* 167-182 (Chicago: Swordfish/Chicago, 2008)].

else to say. He needed to let her know how deeply he felt her presence while they were lying together during the night, as well as each morning when they awoke and in the evening when he came home. However, he could think of nothing appropriate.

So the years passed, they had three children and accustomed themselves to a life together, and eventually Mr. Bridge decided that his wife should expect nothing more of him. After all, he was an attorney rather than a poet; he could never pretend to be what he was not.

He seldom spoke to his wife about what went on at the office or in court. Before they were married and for a while afterward she had inquired, doing her best to appear interested, trying to comprehend the life he lived apart from her; but he had answered briefly because he knew she did not really care, so that as time went by she asked less and less, and now it had been reduced to a ritual like a fragment excerpted from a play. She would greet him at the door, glance at the briefcase, and put on an expression of dismay or resignation, saying, "Now truthfully, Walter, couldn't whatever it is wait till tomorrow?" By this she demonstrated her concern for his health and reminded him that he did not need to work such long hours for the family's benefit. They had plenty of food, a nice house, and money enough to pay the bills. Then he would reply that he was only planning to work a little while after dinner or that he was going to finish a few things which should have been taken care of a week ago, or he might remark that it was Julia's [his secretary's] fault.

This familiar and lifeless scene was not as unnatural as it appeared; after all, he himself did not care what happened at the house during the day. There was no more reason for her to be curious about his work than for him to be concerned with groceries, laundry, getting the children to school, and whatever else she did. Yet it would seem rude, almost brutal, to drop the pretense and admit that neither particularly cared what the other was doing. A display of interest, however shallow, made life easier.<sup>14</sup>

As for Susan Eliofson, who has dared a plunge into the Baltimore Aquarium to swim with the lawyer fish, how will she make a life in a law firm with men like Mr. Bridge? With lawyers—and men—like Peter Lindauer and John Raymond? How will she live with the plucky, risk-taking aspects of her own character that we see in her no-holds-barred swim with the lawyer fish at the Baltimore Aquarium? Does Susan Eliofsen have some deep-lying wildness—some Artemis energy—that will keep her safe in the corporate army she now seems destined to join?

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<sup>14</sup> Evan McConnell, *MR. BRIDGE* 1, 8-9 (Washington, D.C.: Shoemaker & Hoard, 2005).

Susan Eliofson must surely see that Lindauer and Raymond are callous, and more troubling, they are oblivious to their callousness. Is this callousness in some way associated with their law work, with the work that Susan has set out to do? Or does the law attract men (and women) who need a way to accommodate the narcissism that blinds them as they distance themselves from others? Readers may come to see what Susan has not yet fully realized: she does not “belong in the corporate army,” and if she joins the Law Firm World she will have to learn to work with men like John Raymond and Peter Lindauer and will be infected and endangered by the demons these men carry with them. Has Susan readied herself for a plunge into the Law Firm World, and her swim with lawyer fish like Raymond and Lindauer? If not, will she find a different path forward before it is too late?

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*Cecelia Maria Sandavol*. The corporate law firm world and the pathology and perversity of its inhabitants—lawyers more and less like John Raymond and Peter Lindauer—are taken up again in Lowell Komie’s “The Ice Horse.”<sup>15</sup> Cecelia Sandavol is a student law clerk with a Chicago law firm where she must deal with men every bit as oblivious to her as the lawyers at Reavis & Ferris are of Susan Eliofson, and a lawyer—Edward Parkhurst—who acts oblivious but is not: he has illicit designs on her. “The Ice Horse,” a story at once darkly brooding and infused with hope, leaves us wondering, as we were with Susan Eliofson, where Cecelia will go and what kind of place she will make for herself as a lawyer. It’s the mystery of fiction and the fiction of a person’s life that has us contemplating Cecelia Sandavol’s future.

We are told of Cecilia’s distinct beauty, her “dark features and long shining black hair,” that she has the “face of an Aztec princess.”<sup>16</sup> Cecilia fantasizes that she might leave Chicago and practice law in a small town in New Mexico, a far away place she associates with her grandfather who lives in the Sangre de Cristo mountains—a place “absolutely silent,” a place “mute as the ancient mountain stones of the mountains, waiting for the white deer to come to . . . drink in the moonlight.”<sup>17</sup>

The men who introduce Cecelia to the world of law are preoccupied by their work and their own lives. Cecelia is no more than an employee

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<sup>15</sup> “The Ice Horse,” at 23-35, at 23. For a scathing account of a law student’s encounter with boorish lawyers, see Waugh, *supra* note 1.

<sup>16</sup> Komie, “The Ice Horse,” at 23.

<sup>17</sup> *Id.* at 27.



minion in their law firm world. Most of the lawyers at the firm where Cecelia works at night as a law clerk simply ignore her. Edward Parkhurst, the firm's chief antitrust litigator, and the man directly responsible for Cecelia's work, makes clear that she is of little consequence to him or the firm. He gives her menial work and expects her to be something of a personal servant; then, he begins to make inappropriate sexual advances.

Cecelia finds the corporate law firm world an alien place. "Cecilia watched them [the lawyers in the firm] with a mixture of awe and hatred that she'd reserved for them [white men] all her life."<sup>18</sup> Susan Eliofson may mischievously place a leech on the collar of the impeccably-clad Peter Lindauer, but with Cecilia we have a clear sense that some long-existing, deep-lying part of who she is will steer her away from aggrandizing men: she fantasizes how she will kill Edward Parkhurst, the demeaning, patronizing, arrogant, sexually-exploitative lawyer who serves as her supervisor. At the end of the story, Cecilia, thankfully, has killed no one; she attends a law firm celebration that has turned into a drunken debacle as the lawyers try unsuccessfully to climb onto a sculptured ice horse. Cecilia decides—for reasons of her own—to climb the ice horse that the lawyers have failed to mount, and after she is able to do what the lawyers have not, she dismounted the ice horse at the party of drunken lawyers, "found her coat and left them forever."<sup>19</sup>

Cecelia sees the future more clearly—and starkly—than Susan Eliofson did. She knows she must stay clear of Edward Parkhurst's world. But we're still left with a haunting, blank screen for her future: Where will Cecilia go? What will she do as a lawyer? How will Cecilia Sandoval find a place for herself in the world of law, in a world of lawyers she views with "awe and hatred"?

If there was a remote patch of wildness and a hint of rebellion to be found in Susan Eliofson, the wild is far more deeply rooted in Cecilia Sandoval. For Cecilia, whatever it is that shields her—if indeed anything will—from the ravages of the Law Firm World, we can speculate that it is connected at some deep-lying level to her images of New Mexico mountains and her grandfather. Cecilia's images of this place—a place far from Chicago—seems to give her a grounding, a sense of self that Susan Eliofson may not have. We simply don't know what Susan may carry with her—what demons? what protective angels?—because we don't know where Susan comes from and we don't know what kind of home she will find for herself in the world.

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<sup>18</sup> *Id.* at 23.

<sup>19</sup> *Id.* at 35.

The problem that Cecelia faces is murky but not beyond articulation. One evening after leaving the firm's office, Cecelia says of the law firm men, "I don't understand them. I will never understand them. But I must become one of them. My people have no lawyers. We are alone. I must become one of them."<sup>20</sup> The real world for Cecelia Sandoval is a world of men who are at times incomprehensible, arrogant, and who act in sexually exploitative ways. Cecelia is a reluctant participant in this world. She is a witness to the corruption that parades itself as the ordinary affairs of men of the law. What she will ultimately make, or do, with what she has witnessed, we cannot say.

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<sup>20</sup> *Id.* at 29.