

**THE SATISFACTIONS OF KIMBERLY BASCOMB: AN
INTERVENTION INTO THE WORLD OF LOWELL KOMIE'S
FICTIONAL WOMEN LAWYERS**

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Snip. Julia K., she said to herself. Stop worrying. Stop building a psychodrama. She caught the fine strands of her hair on the papers on her desk. She had taken off two inches all the way around. Now, if she could just hold the rest of herself together until she got on the plane.

There was a soft knock on her door. Claudia stood there with a fresh-faced young woman, dressed in a long woolen sweater, no cosmetics, about twenty-two, obviously a student. "Julia, this is Kimberly Bascomb; she has an appointment with you, an interview."

"I don't know anything about an interview."

"Julia, it's in your diary." Claudia looked at her.

"Sit down, Ms. Bascomb," Julia said to the young woman. Claudia shut the door.

Julia made a paper cone for the hair trimmings, like a funnel, and let them all fall into her teak wastebasket.

"Why do you want to be a lawyer, Ms. Bascomb?"

"I think I really want to help people."

"This is a bad place to help people, Ms. Bascomb. We don't help people here."

The young woman was silent.

"This firm of eighty-five men and three women is not exactly the cutting edge of the legal profession, Ms. Bascomb." Julia held her scissors up. "We help hamburger corporations and toilet paper manufacturers, but we don't help people." Julia put the scissors down.

"I would still like to apply."

"I don't think you should," Julia said quietly. "In fact, I won't permit it. Go someplace else. Go where the sun shines occasionally. You can always come back and get yourself a tailored suit and a briefcase and be an advisor to chicken franchisers."

"Ms. Kiefer, you've become a partner in this firm. That's an accomplishment."

"Is it?"

"I think it is."

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“Don’t be beguiled.” Julia began making another paper cone. She picked up the scissors and snipped an inch of her hair and dropped the cuttings in the paper cone.

“Here, Ms. Bascomb, is a cornucopia of sorts. Take it with you. Someday, when you think about our meeting, you’ll realize that I really gave you something.”

—from “The Cornucopia of Julia K.”¹

Kimberly Bascomb had not wanted to go to that interview—all the way to Chicago and in winter—but she was dutifully following the advice of Mr. Moshango. “You must take advantage of every opportunity to interview,” he advised, not adding the obvious fact that she needed the practice. But he should, she thought, have told her to wear her suit, no matter the weather, no matter how thin its material. Kim had felt awkward in her long woolen sweater, even before the woman partner had mentioned she could get herself a “tailored suit and a briefcase.” Kim had suppressed an urge to tell the woman partner she had both of those things, the tailored suit at home in Florida and the briefcase sequestered in the office of Claudia, the woman partner’s secretary. Kim also curbed a desire to remind the woman partner that she had no need to find someplace the sun shone occasionally. If this Julia Kiefer woman had bothered to read Kimberly Bascomb’s resume, she would have recalled that Kim lived in the Sunshine State. And the way things were going, Kim could not wait to return. She had been on some very strange interviews in Florida, certainly, but at least no one had handed her a paper funnel full of hair. Being the only vegetarian at the call-back interview held at a fancy steakhouse in Tampa could not compare with what was happening in Chicago.

By the time Kim got back to Mr. Moshango, she’d turned the day into a series of amusing anecdotes. The huge and dirty airport, the kamikaze cabdriver, the passive-aggressive secretary, the male partner who asked her to reveal her LSAT score and then did not believe her, the female partner who must have been drunk or high. Why else would someone snip their hair at their office desk, without even a mirror, and attempt to give their dead ends to someone she did not even know?

¹ Lowell B. Komie, *THE LEGAL FICTION OF LOWELL B. KOMIE* 69-76, at 75-76 (Chicago: Swordfish/Chicago, 2005). Some of the details in this piece, a “fictional intervention” into Komie’s fiction, are borrowed from Komie’s work, including the story *The Cornucopia of Julia K.* Subsequent citations and references appear in a postscript rather than as footnotes.

“Crazy up there,” Kim would say, shaking her head. Mr. Moshango would smile his half-smile, in which Kim always thought she could detect a fleeting frown, a tightening of the corners of his lips, a quick shift in his gaze. In his serious voice, he asked her about other upcoming interviews.

She laughed when she got an offer from that firm. She turned it down without too much deliberation. Julia Kiefer was a bad omen, even if Kim had wanted to represent “hamburger corporations and toilet paper manufacturers,” as the partner had accurately encapsulated the firm’s practice. It was not a place she could imagine herself, or the lawyer she wanted to become.

Mr. Moshango, however, did not find it amusing. “It’s a good firm,” he told her. “And with a woman partner already. You could have a mentor.”

“She seemed crazy,” Kim replied. “And I’ve got you as my mentor.”

Mr. Moshango smiled his tight smile with its fleeting frown.

Later Kimberly would wonder why she had not had a professor as a mentor. After all, she was an editor on the law review and had the second highest grade point average in her class. But in 1979, it had not seemed odd to her that she should be following the advice of Mr. Moshango, the financial aid officer who distributed her scholarship monies and her student loan checks. There were no women or openly gay men on the faculty.

Mr. Moshango told her not to judge her professors so harshly. She had confessed that she thought the professors paraded their privileges, incessantly pointing out that they had attended more elite law schools than the one at which they now taught. One even bragged that he had been classmates with some of the Watergate felons, as if that was worth boasting about. They seemed disinterested in their students. And particularly, Kim thought, disinterested in her. Or wary.

Yet a few had agreed to write Kim letters of reference supporting her applications for a federal clerkship. This was the *crème de la crème*, Mr. Moshango had told her. His assessment was confirmed by her professors; they were not optimistic about her chances.

“It’s very competitive,” the Dean told her. She was his research assistant and had thought he liked her work. Now he seemed dismissive. “You might try the lower levels, like the magistrates, or maybe a bankruptcy judge. And the protocol, of course, is that you must take the first one you are offered. You can’t parlay these offers like you can for law firms.”

“Which court did you clerk for?” Kim had asked.

The Dean did not answer, but simply repeated that he remained pessimistic. “But you can try, certainly. What the heck?”

So she tried and she was called for an interview. Then another. Then a third.

She wore her suit.

Her rehearsals—moots—with Mr. Moshango prepared her to discuss substance. She had polished responses not only about her strengths and weaknesses (“Make your weakness look like a strength,” he had counseled), but about her favorite and least favorite courses, her favorite and least favorite opinions, her favorite and least favorite Justices on the United States Supreme Court. She had individualized answers for each judge about why she wanted to work for him specifically, focusing on an opinion or a newsworthy trial. And she had a response to the dreaded question, “Do you have any questions for me?” She rehearsed the best way to ask him which of his written opinions was his favorite. Was it too bold to ask which of his opinions he would want a future clerk to emulate?

Such preparation was useless for two of the three judges. She should have practiced answering questions about whether she had a boyfriend and what her father did for a living. In the first interview, she answered that she did not have a steady boyfriend but preferred to date casually, since she wanted to focus on law school, and that her father was dead. Neither of which was a lie, exactly.

She certainly did not have a steady boyfriend and did not anticipate having one; she did date casually. She was not naive enough to volunteer the fact that her dates were exclusively women. As for her father, as well as her mother, they might as well be dead. They had told her she was dead as far as they were concerned. She continued to feel very much alive, so, with a logical twist or two worthy of a LSAT question, she reasoned that if someone was dead, and she was alive, then her parents must be dead. “A tragic accident when I was quite young,” she explained to the judge, and cast down her eyes.

The judge who interviewed her second did not seem interested in boyfriends or parents or even assessing her clothes. Judge Hopkins asked her the kind of questions Mr. Moshango had anticipated. Overcoming her self-consciousness, she realized that she and the judge were having a *conversation*. Out in the hushed hall afterwards, she had a surge of delight. She would get an offer. She would enjoy working for this judge. This was meant to be.

She did not want to go to the third interview, with Judge Kiefer, but Mr. Moshango told her what she already knew: it would be impolite to cancel. Not to mention that Judge Hopkins might not extend an offer or that Judge Kiefer could be even better.

Kiefer was definitely not an improvement over Hopkins. Judge Kiefer was a short man and he asked her how tall she was. He asked

about her father and boyfriends, and asked her if she was pregnant. He folded his hands across the top of his head and asked her how it felt to be a “young woman in a man’s profession.” Kim had replied that it felt “fine, just fine,” and had tried to smile, smoothing the skirt of her suit.

“You know, when I was in law school, there weren’t many of your kind. And it seemed that all women law students eventually hanged themselves or else became librarians.”

“That’s not the way it is now.” Kim forced herself to look at the judge rather than the ceiling. “There were actually more than eleven thousand women students who started law school the same time I did. Of course, only twelve are in my class.”

“That many?”

“Below the average. Nationwide it was twenty-eight percent in 1976. I think it’s higher now.”

“You keep up with statistics, do you?”

“I had to do some research for the Dean.” Kim Bascomb could feel her neck, and then her face, redden. “I was his research assistant,” she confessed.

“So, I’ve heard. Fine man, your dean. I’ve known him for years. Maybe even your law school will have a woman dean one day. Do you think that’s possible? Things are certainly changing.” Judge Kiefer shook his head in seeming disbelief. “My own niece is a partner in a major law firm. And there are women in my courtroom. Smart and confident, with silk bows on their blouses and gold rims around the soles of their shoes.”

Kim did not have a silk bow on her shirt or gold-rimmed shoes. She assumed that meant she would not get an offer from Judge Kiefer. She felt relieved as she left the same courthouse where she had interviewed with Judge Hopkins. He had told her to call him if she got another offer; wasn’t that a good sign?

It was Judge Kiefer who telephoned to offer her a clerkship. The last judge to interview her was the first one to call. She asked for a day to “think it over,” and telephoned Judge Hopkins even before she spoke to Mr. Moshango. Judge Hopkins congratulated her, and said he wished he would have been quicker. And he said he would see her around the courthouse.

Mr. Moshango could see no way around it.

“It’s a temporary position. And very prestigious. There is no reason not to take it. Unless you think it is somehow dangerous?”

“Dangerous?”

“To your soul. To your integrity.”

Kim looked at Mr. Moshango. He had never spoken in such terms before, not so directly. It embarrassed her. She quickly responded, “I suspect my soul will be fine.”

“And the souls of others?”

“I’m not sure what you mean. You weren’t saying this about the hamburger law firm.”

Mr. Moshango smiled his tightest smile.

“The one in Chicago,” Kim continued. “You told me to take the job.”

“I did not.” Mr. Moshango frowned more completely now. “I would have asked you the same questions had it seemed likely you would take that job.”

“I’m not sure what you’re saying.”

“You will be,” he said.

The Dean announced her clerkship at the graduation ceremony. It was in a list of positions “our esteemed graduates” would be assuming after the “rigors of the bar examination.” Although Kimberly was not named, everyone seemed to know it was her. She had graduated first in her class, somehow surpassing the male student she had trailed for the last two years. When the class standing was announced, from tenth to first in reverse order, she thought she sensed a ripple of disappointment in the audience when Dan Watson was accorded second place. The announcement of first in the class garnered only polite applause. Her family was not there to cheer as some other families did; she had not invited them. And Mr. Moshango was not the type of person to effervesce, although she could easily spot him in the crowd, smiling.

He had told her she must attend the graduation ceremony. He had told her she should attend the reception in the garden, and that she should thank the Dean and the professors who had written her recommendations; she should mingle with her classmates.

“It’s a pity she doesn’t even have a family,” she overheard the Dean say.

“Maybe they’ve disowned her,” a faculty member replied.

“Why would they do that?”

“There’s the matter of a black man twice her age.”

“Excuse me?”

“Dean, I don’t want to spread rumors. But surely you’ve heard about Miss First-in-her-class and our esteemed Bursar, Pieter Moshango.”

“I haven’t. I guess I’ll need to look into that.”

“It’s the problem with admitting women students if you ask me. They look for mentors in all the wrong places. And then it turns sexual.”

“That’s a bit of an overstatement, professor, don’t you think?” The Dean’s tone was more conciliatory than convincing.

Kimberly left the reception without thanking or mingling.

Clerking for Judge Kiefer was not as difficult as she had feared. He was intelligent and diligent, and she thought their working relationship was solid. She was learning a great deal. Observing attorneys in trial was especially enlightening, and she valued the judge's comments about the lawyers' performance which she measured against her own reactions. At times, her interactions with the judge could be fraught.

On the Friday afternoon of September 25, 1981, Judge Kiefer approached Kim as she was copying a case at the large Xerox machine and put his arm around her.

"I suppose you are happy now."

Kim's first thought was that the Judge would tell her about a new position. Her two-year clerkship would come to an end in June, and she was not sure what to do next. The same law firms that had courted her when she was a student were courting her again, although now there was a ten thousand dollar per-year-of-clerkship "signing bonus" (as if she were a baseball player, she had told Mr. Moshango in one of their telephone calls).

But the Judge was referring to another woman's career. "Now that you have one of your kind on our nation's highest court."

"Not the kind I would have wanted," Kim blurted.

"Excuse me?"

"When I'd hoped there would be a woman Justice, I guess I wasn't thinking it would be a woman who worked to elect Goldwater."

Judge Kiefer laughed. "What if I voted for Goldwater?"

"I'd think you did," Kim said. She knew his sympathies by now, and he had not strayed from the politics of the President who had appointed him, President Nixon.

"But that's fine for a man?" Judge Kiefer teased.

"Maybe she'll turn into Earl Warren," Kimberly Bascomb teased back.

It was a parlay that Judge Kiefer did not forget.

At the annual clerk and former clerk gathering, Judge Kiefer never neglected to mention Justice O'Connor. "No Earl Warren yet," he'd usually taunt. Although after *Casey* in 1992, in which the Court refused to overrule *Roe v. Wade*, Judge Kiefer sounded more beleaguered than beleaguering. Perhaps that was the reason he launched into a diatribe about Supreme Court Justices' summer sojourns to Salzburg. Or perhaps it had become obvious by then that Judge Kiefer himself was not destined for the nation's highest court.

Kim dreaded those yearly quasi-social occasions not only because of Judge Kiefer's comments. Indeed, he had become more moderate over the years, at least on the issue of gender. Nothing had surpassed the offensiveness of his initial introduction of her as his "first woman clerk

and a real bra-burner,” especially since she had not been wearing a bra. After she finished her clerkship, she grew annoyed with his inquiries about how things were with the “poor folks” she was representing. He had told her in no uncertain terms that he was disappointed with her choice to go into legal services. “It’s not the sixties, young woman,” he had said. “And I didn’t take a chance on you so you could throw away your experience on bleeding heart causes.”

Mr. Moshango had simply said, “You don’t need me to tell you that your judge is wrong.”

But Mr. Moshango had also told her she should attend these gatherings. “It is good to keep in contact. You never know what might happen. It is not a bad thing to have friends in power. Even if they are not true friends.”

So she calendared the event and attended. Facing problems more vexing than Judge Kiefer’s stupid barbs—the problems presented by the other attendees.

Julia Kiefer was always a possibility.

“We’ve met,” Kim had said when the Judge had introduced her to his niece at the first event she had attended. “Though you might not remember me,” Kim said. “It was a very short interview.”

Julia Kiefer snorted. She looked as emaciated as she had when Kim had seen her in Chicago during her interview. Or perhaps even more so. And her hair was shorter. Kim wondered if she had cancer.

“Well maybe now that you’re working for my illustrious uncle my firm will look more favorably on you.”

“Actually, Ms. Kiefer, I got an offer. But I turned it down.”

“Turned down a mediocre law firm in Chicago for a clerkship? Smart move.”

Kim did not correct Julia Kiefer’s assumptions about the chronology.

Another year, Julia had attended the judge’s gathering in a mink coat, complaining about everything and drinking something clear, gin or vodka, Kim supposed.

“Why is it so cold in here?” Julia had leaned into Kim.

“Because you’re eighty-two pounds?” Kim had replied, not unkindly.

“My dear mother lives in Sarasota, did you know that?”

“I did,” Kim said, looking for an escape.

“My brother has been divorced twice. His lawyer had to sue him for her fees, isn’t that outrageous? Then he sent her a check written in blood.”

Kim thought there must be some tendency to self-mutilation among the Kiefer clan.

“Have you ever been divorced?” Julia continued.

“No.”

“Oh, that’s right. You wouldn’t be. Have I ever told you the story of Derek Haughton, an attorney who did not make partner?”

“You have,” Kim said, but that did not stop Julia.

“He killed himself in London, you know. Jumped seven floors to his death. Had AIDS. A pity.”

“Too bad you couldn’t have helped him,” Kim said, not for the first time.

“He was closeted. Who knew? Do you know what that dipping sauce is?” Julia pointed to the buffet table.

“Not sure. Though I think it tastes like balsamic vinegar.”

“How could they? Do you know how many calories that has?” Julia Kiefer had looked panicked, and even smaller for the fur coat she secured around her. Kimberly turned away; the coat made her feel overheated in the Florida humidity.

And then there were the other law clerks. The first year of the gathering she brought Lucia, her partner, the other law clerks had stared. Sure, Lucia was attractive, but that was not the cause of their awe. Three of the judge’s former clerks came up to her and told her how brave she was, to be “out” to the judge.

“What’s he going to do, fire me? I haven’t worked for him for years,” Kim had said.

“Still . . .”

Sharing a sexuality with a few of the former clerks did not mean she could have a real conversation with them. Like the others, they worked for firms and spoke of stocks and land development and deals. The fact that she litigated far more than they did, had many cases in federal court—she was always suing the state and the federal government, at least before Congress had cut funding for class actions—did not seem to impress them. What seemed to impress them was bigger cars and bigger houses. And boats, several of them had boats. They sailed and they played tennis and their children attended private schools. They spoke in code, as obscure to her as the labels on their clothes.

They supposed, she thought, that she envied them.

And for moments, she did.

Walking up to the Judge’s stately residence, she would think: *I would do anything for a house like this*. She was, even if momentarily, absolutely beguiled.

She coveted the Spanish stucco, the courtyard, the tiled pool. The fuchsia bougainvillea curled around the portico, seemingly stickerless. The double hibiscus bloomed as if they were made from silk, their colors never mottled and the leaves looking as if they had been shined. The house numbers were deep blue tiles, matching patterns that were repeated elsewhere. The rugs were oriental, floors of polished wood, large

and spotless windows. The only thing the house lacked was an ocean view.

Yet even if it were beach front, Kim knew the truth. Sometimes it stunned her. It just wasn't true that she would do anything for a house like this. There were some things she would not do. There were many things she would not do.

She wouldn't represent hamburger companies and she wouldn't lie about her sexuality and she wouldn't bill hours and she wouldn't live in a place where the sun didn't shine and she wouldn't go to places where Lucia wasn't welcome and she wouldn't represent clients she didn't want to represent and she wouldn't . . .

"Attorneys can't afford to work for Legal Aid," the Judge had said. She had been standing close by, but hadn't contradicted him. *Do I look like I'm starving?* she had wanted to say. *Your niece is the one starving herself. And maybe I have less debt than anyone in this room. And fewer regrets. Perhaps more satisfactions.*

Which was not, Kimberly Bascomb knew, the same as not having disappointments. She had plenty. The Supreme Court for one. No Earl Warrens had materialized, although Justice Souter proved disillusioning to the first President Bush and his neo-con advisors.

More personal, she would admit, was her disappointment in Mr. Moshango, a disappointment she internalized. Yes, she kept in touch, although he had not made it easy. He told her she did not need to contact him, sometimes scolded her for thinking she still had an obligation to him. She protested that obligation was not her motivation and continued to write and telephone him. But still, she remembered the gossip she had heard at her graduation. She did not want to jeopardize his job at the school. So, in some ways, it was easier when he retired. But then, in no time at all, he was in a nursing home. He wasn't that old, she had thought. But he looked terrible.

Cancer, she assumed.

Thursday was the day she visited him. She tried for the morning, but sometimes she had a calendar call and sometimes she had a trial, and there were times when she had to postpone her visit until Saturday. He was certainly deteriorating, but he got along. The workers called him "Professor" and "Counselor." Kim did not correct their impression; did not tell them he had only been a financial officer at the law school. He had other visitors, she knew, but never while she was there. He did not want her to talk about what he meant to her, or about the past, or even what she might do for him now. So, she told him stories about her practice, her life, and her clients.

She did not tell him about the cross that had been burned on her lawn. It just seemed too weird, atavistic, emotional. When the police

officer had asked her if she had any idea who might do such a thing, she had answered, “I’m the litigation director at Florida Legal Services,” and the police officer had nodded as if she had provided all the necessary explanation.

She did tell Mr. Moshango about the parrots. Feral *Amazona* parrots flocked in the spindly palm tree outside their little house, the harsh squawks sometimes sounding melodious. Kim and Lucia learned to identify the variants: the ones with lilac or red-colored crowns, the ones with entirely yellow heads, the ones with blue foreheads. And always the brilliant green, which was sometimes invisibly black in the palm fronds. There were also the macaws, which brayed like donkeys and did not seem to mingle.

On their block was a man who had a parrot—or perhaps it was a large parakeet or a lovebird—he kept in a cage. In the evenings, he would bring his bird in its cage and hang it from a hook on his porch. He’d sit in a wicker chair on the porch and smoke a cigar. When it was dark, and the cigar finished, he’d bring the bird in its cage back inside.

Lucia’s daughter—and Kim’s daughter now—had suggested that they try to free the bird. Belinda was persistent. So they imagined circumstances—usually involving fire or the cigar—resulting in a bumbling confusion and the door of the cage opening. After a while, Lucia and Kim realized that Belinda was taking their conversations much too seriously. So they changed from plotting liberation to parental warnings: If free, the bird would not know how to live in the wild. If free, the other birds would not accept it. If free, the man would be very sad. This kind of talk was not as much fun, Kim confessed to Mr. Moshango.

“Please don’t expect me to say something wise,” Mr. Moshango had replied. There was no trace of a smile on his face. Kim had no retort, except to return every Thursday.

She stopped going to visit him only when he stopped living. When Mr. Moshango died, Kim received an invitation to his memorial that had a cover of brilliant colors and an address in Ft. Lauderdale. Who did he know in Ft. Lauderdale?

Mr. Moshango—whose first name was Ngoako, not Pieter as she had thought—had in fact been an attorney and at times a professor, in a place far away called “home.” Kim listened for the name of a country, or a town, but only heard “home” as man after man spoke about what Ngoako Moshango had done in his life. He had been brave enough to defy the government, defending those who needed defense, staying until the second failed assassination attempt on his life. After he came to the United States, he sponsored other lawyers, and other dissidents, most of them living in exile waiting to return “home.”

“He was our mentor,” one of the men said.

Kim felt a twist of jealousy in her lungs, an unearned possessiveness mixed with the shame of her own ignorance. She had asked Mr. Moshango about his own life, hadn't she? She stopped herself from crying out only by breathing deep. Lucia, sitting next to her, held her hand tightly.

On the way back home, a small bitterness replaced the pain.

"All those men. I think we were the only women there," Kim said.

"Really. You never told me that Mr. Moshango was a member of the tribe."

"Tribe?" Kim echoed. How would she know which tribe? She barely knew the nations of Africa, never mind the tribal groups. She was still trying to figure out what country Mr. Moshango had once called home; she was not about to ask anyone there.

"A brother! The worldwide tribe of homosexuals everywhere. Lucky he recognized you!" Lucia laughed. "I can't believe you never mentioned this."

"I'm not sure I knew," Kim conceded.

The gathering at Judge Kiefer's the next year seemed especially unwelcoming with the knowledge that she wouldn't have Mr. Moshango to hear her anecdotes. Kim had left legal services after the restrictions imposed by Congress made the work she wanted to do nearly impossible. The limitation on challenging the constitutionality of acts of Congress would itself be held unconstitutional by the United States Supreme Court, Justice O'Connor dissenting and Justice Souter in the majority. The other restrictions, like those against class actions and representing "illegal" immigrants remained in place. It felt too little, too late.

Kim was now working at her old law school, in the clinic, in a wing named for Dan Watson, the classmate who had graduated second and who had donated the money. Dan Watson represented the biggest hamburger chain in the world; Kim could, she supposed, do anything in the clinic she wanted to do except sue Watson's corporation. So, of course, the students she directed had filed a complaint in federal court against that very company. The causes of action invoked the Fair Labor Standards Act and OSHA. The stores that had not paid overtime or have safe working conditions were local; the students were now researching franchise law. The case was assigned to Judge Kiefer.

Kim would not mention this at the annual gathering. No *ex parte* communications and possible ethical violations by Kimberly Bascomb.

She did tell the Judge that "little Belinda," her daughter, who was now 23, was going to law school. She'd done exceptionally well on the LSAT test. The number of women in law school had almost reached half, causing some to worry that the profession would lose prestige. The

number of racial and ethnic minorities, however, had not similarly climbed.

“How do you feel about that?” Judge Kiefer had asked.

“About Belinda becoming a lawyer?” Kim thought there must be something more to his question.

“Yes,” the judge answered simply.

“I think it could be good. But I have told her law is a dangerous profession.”

“Dangerous?” Judge Kiefer asked. His eyebrows had grown bushy in his advanced age, Kim noticed as he raised them.

Kim was not ready to have a conversation with Judge Kiefer about anyone’s soul, not her own soul and not the souls of others. Not now, not with his niece Julia so recently dead and one of his colleagues, Judge Hopkins, under indictment for bribery.

But maybe she should, she thought.

Maybe she would.

Notes and Allusions
(in order of appearance)

An interviewer asks the applicant about her LSAT score in “The Interview,” Lowell B. Komie, *The Legal Fiction of Lowell Be Komie* 1-11, at 10 (Chicago: Swordfish/Chicago, 2005)[hereinafter, Komie].

A woman applicant is asked whether she is pregnant, and after she is hired, has a sexual affair with a male member of the hiring committee in Komie, “Mentoring,” 47-54.

He “had thought that all women law students eventually hanged themselves or else became librarians. Then suddenly they reappeared as confident young women with silk bows on their blouses and gold rims around the soles of their shoes. Eyes flashing, some of the young ones had even whipped him badly in argument in the federal court.” Komie, “The Balloon of William Fuerst,” 55-60, at 59.

According to the ABA, in 1976, there were 11,354 first year women starting law school, out of a total population of 39,038, for 28%. www.abanet.org/legaled/statistics/femalestats.html. The Law School Admissions Council provides slightly different statistics for first year total enrollment in 1976 (39,996), but the same total number of first year women (11,354) and the same percentage of women (28%) in the first year entering class. Law School Admission Council, *Databook on Women in Law School in the Legal Profession*, Table 29: First-year Enrollment in ABA-approved Law Schools 1947-2002 (percentage of women), at 49 (2003).

The information regarding Justice O'Connor’s career is from Joan Biskupic, *Sandra Day O'Connor: How the First Woman on the Supreme Court Became Its Most Influential Justice* (New York: ECCO, 2005).

Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992); *Roe v. Wade*, 410 U.S. 113 (1973).

References to Supreme Court Justices’ summer sojourns, including Justice Kennedy in Salzburg, occur in Komie, “Skipping Stones,” 61-68, at 63, and “The Law Clerk’s Parrot,” 119-127, at 123.

Jonathan Kiefer appears as the client character who does not pay his divorce attorney and then sends her a check which might be written in blood (or red ink), in Komie, “The Divorce of Petra Godie,” at 93-103.

The story of Derek Haighton is from Komie, “Who Could Stay the Longest,” at 151-155.

“The firms were cutting back anyway and many of the young lawyers would be let go. Where would they go? Legal Aid? The federal defenders office? That’s where they were needed but they couldn’t afford to work there.” Komie, “The Honorable Alicia Beauchamp,” 161-173, at 164.

The information regarding Justice Souter is from Tinsley E. Yarbrough, *David Hackett Souter: Traditional Republican on the Rehnquist Court* (New York: Oxford University Press, 2005).

For a different experience with a parrot, see Komie, “The Law Clerk’s Parrot,” at 119-127.

Although the character of Mr. Moshanga is not specifically from South Africa, and if he were, he would have presumably returned to South Africa after 1993, I have relied on Kenneth Broun’s excellent book, *Black Lawyers, White Courts: The Soul of South African Law* (Columbus: Ohio University Press, 2000). For a discussion about HIV/AIDS in Africa, see <http://www.avert.org>; <http://www.aidsandafrika.com/>

For the restrictions on legal services see, *Legal Services Corporation v. Velazquez*, 531 U.S. 533 (2001).