

# ABOVE THE LAW

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- **BOOK CLUB, BOOKS, HOLIDAYS AND SEASONS, SHAMELESS PLUGS, SHOPPING, SHOPPING FOR OTHERS**  
**The Twelve Books of Christmas (2010)**

By DAVID LAT

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- Now that you've figured out what to give **your secretary** this holiday season, what about the lawyers in your life? Many of you have friends or family members who are lawyers or law students, and if you haven't done so already, you need to get them — **forgive the expression** — Christmas presents (or holiday gifts, if you prefer).

Lawyerly types can be tough to shop for. As we've previously discussed, lawyers **aren't great** about giving gratitude, and they're often very critical — so your gifts might not be warmly received. Also, many lawyers earn good incomes, meaning that when they actually need or want something, they often just go out and buy it themselves (or let their firm to buy it for them — e.g., the **iPad**).

So what should you get for the lawyers in your life this holiday season? We have some suggestions....



Many lawyers love to read (especially things other than asset purchase agreements or deposition transcripts). So we've prepared a list of possible holiday gifts that we've called **THE TWELVE BOOKS OF CHRISTMAS**.

These are books you might want to consider if you're looking for last-minute gift ideas. You can stop in at a Borders or Barnes & Noble — or an independent bookseller, if one still exists near you — on the way home tonight. Or you can order **on Amazon** (rush delivery, to make it in time for Christmas Eve).

Some prefatory comments:

1. The list is limited to books that were (a) published in 2010 for the first time and (b) law-related.

If we weren't limiting ourselves to books from 2010, we would have included [The Curmudgeon's Guide to Practicing Law](#), by ATL in-house columnist Mark Herrmann. If we weren't limiting ourselves to law books, we would have included [The Master Switch: The Rise and Fall of Information Empires](#), by Columbia law professor Tim Wu. (It's more about technology, innovation and business than about law.)

**UPDATE:** We'd also recommend [Life is a Brief Opportunity for Joy](#), by ATL columnist and in-house therapist Will Meyerhofer. It's not a law book specifically, but the wisdom imparted in its pages should be useful to many of you.

2. The list is an idiosyncratic collection of interesting-looking books — some of which we've read, and some of which we haven't. Please don't impute any Oprah-style vouching for these titles. These are just some books that caught our eye; we aren't saying they will change your life.

3. Because this isn't a comprehensive listing of all important law-related books from 2010, we welcome additional recommendations of noteworthy titles — **IN THE COMMENTS**. (Please do not email us; we get too many emails about books as it is.)

And now, on to the list. We've divided up our 12 books into six categories.

#### **FOR FICTION READERS:**

1. [Law of Attraction](#), by Allison Leotta: This is a riveting yet realistic legal thriller, starring a federal prosecutor in D.C. Read my interview with Leotta, herself a federal prosecutor in D.C., over [here](#).

2. [Blind Man's Alley](#), by Justin Peacock: This book, also a legal thriller, features an associate at an elite Manhattan law firm as its protagonist. It's the second novel of Justin Peacock, himself a former associate at Proskauer Rose and Patterson Belknap. Read Kash's interview with Peacock over [here](#).

#### **FOR INTELLECTUAL HISTORY BUFFS:**

3. [Scorpions: The Battles and Triumphs of FDR's Great Supreme Court Justices](#), by Noah Feldman: This is an intellectual history with contemporary relevance, as a Democratic president once again faces off against a more conservative Supreme Court. The New York Times named it one of 2010's [100 most notable books](#) (along with Jeff Shesol's [Supreme Power: Franklin Roosevelt vs. the Supreme Court](#), which also looks at FDR and SCOTUS; but Supreme Power is a whopping 656 pages, while Scorpions is a comparatively slender 528).

Oh, and Scorpions is by Harvard Law School professor Noah Feldman (with whom I went to law school). Feldman's no stranger to ATL's pages, as half of the celebrity couple [Feldsuk](#). The other half, Feldman's wife, Jeannie Suk,

recently became the [first Asian-American woman](#) to win tenure at HLS. (She also wrote an acclaimed book, [At Home in the Law: How the Domestic Violence Revolution Is Transforming Privacy](#) — but it was published in 2009, so it's not on our list.)

4. [The Ideological Origins of American Federalism](#), by Alison LaCroix: Fellow historians have praised LaCroix's book as a "great achievement," a "splendid book," and "an important book that will change the way we think about the American founding." LaCroix, like Feldman a Yale Law School graduate (we were YLS classmates), recently won tenure at the University of Chicago Law School.

#### **FOR ARTICLE III GROUPIES:**

5. [Justice Brennan: Liberal Champion](#), by Seth Stern and Stephen Wermiel: This is the [long-awaited](#) biography of liberal lion William Brennan, reflecting more than 60 recorded interviews with the justice and exclusive access to certain Brennan papers (including his famous case histories). In her New York Times [review](#), Dahlia Lithwick described the book as "the most comprehensive and well-organized look at the legendary liberal jurist to date."

6. [Making Our Democracy Work: A Judge's View](#), by Justice Stephen Breyer: I've heard Justice Breyer speak on several occasions, and he's a bit earnest and dry, like an eighth-grade civics lesson. The [self-published story collection](#) of [Judge Vanessa Gilmore](#), a mere district judge (S.D. Tex.), might be more fun to read.

But it's not often that a member of the Supreme Court writes a book — and Justice Breyer's book briefly made the NYT bestseller list. So maybe you should check it out, especially if you're liberal (and let me know how it is).

#### **FOR ASPIRING LEGAL EAGLES:**

7. [Swimming Lessons for Baby Sharks: The Essential Guide to Thriving as a New Lawyer](#), by Grover Cleveland: If you're a young lawyer looking for advice on how to succeed in the legal profession, this book's for you. Read my interview with Grover Cleveland — yes, I ask him about the origin of his name — over [here](#).

8. [Law & Reorder](#), by [Deborah Epstein Henry](#): This book surveys the changing landscape of the legal profession, analyzing the most important industry trends, and offers advice to both law firm leaders and young lawyers about how to navigate this evolving environment. Read my interview with Henry over [here](#).

#### **FOR LAW FIRM VOYEURS:**

9. [Masters of the Game: Inside the World's Most Powerful Law Firm](#), by Kim Eisler: Kim Isaac Eisler, an editor at [Washingtonian magazine](#), has covered the D.C. legal scene for years. In this book, he offers a "fascinating account of the ascendancy of Williams and Connolly to the highest reaches of the American law firm universe."

10. [Unbillable Hours](#), by Ian Graham: Graham used to work at Latham & Watkins, and parts of the book discuss his time there. But it's more focused on his work on a major pro bono case — a matter more exciting than typical law firm fare. Read my interview with Ian Graham over [here](#).

#### **FOR PARTISAN WARRIORS:**

11. [The Conservative Assault on the Constitution](#): Erwin Chemerinsky, the [founding dean](#) of the [UC Irvine School of Law](#), is known as a guru of federal jurisdiction — a subject he wrote the book on (a legendary [treatise](#)). But in *The Conservative Assault on the Constitution*, Chemerinsky takes off the gloves and goes after the right-wing judicial activists who are, in his view, damaging the Constitution — and the country.

12. [Crisis and Command: A History of Executive Power from George Washington to George W. Bush](#), by John Yoo: And in the opposite corner, wearing the red trunks, we find Berkeley law professor John C. Yoo. The expansion of executive power that Chemerinsky condemns is Yoo's subject in this book, a historical study of presidential power from George W. to George W. Deborah Solomon of the *New York Times Magazine* called the book “an eloquent, fact-laden history of audacious power grabs by American presidents.”

So there you have it: **THE TWELVE BOOKS OF CHRISTMAS**, as selected by Above the Law. Hopefully this list will prove helpful to the shopping procrastinators among you.

As noted above, we welcome your recommendations of other books for legal eagles, **in the comments**. Thanks — and Happy Holidays!

**DISCLOSURE**: As noted in the [comments](#), and also at various points throughout this post, we are friends or on friendly terms with several of the writers mentioned above (some of whom we've attended school with, interviewed for ATL, interacted with socially, etc.). The world of writers who cover the law and legal affairs is small. In addition, we have received free review copies of some of the books mentioned above. Finally, we participate in the [Amazon Associates program](#). Thanks.