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A Satire of Law Firm Employment Practices

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BOOK REVIEW

A Satire of Law Firm Employment Practices

REVIEW OF *Anonymous Lawyer*, by Jeremy Blachman.

REVIEWED BY MIRIAM A. CHERRY*

We're a law firm. Time is billable. The client doesn't pay for small talk. Every minute you spend away from your desk is a minute the firm isn't making any money off your presence, even though you're still using the office supplies, eating the muffins, drinking the coffee, consuming the oxygen, and adding to the wear and tear on the carpets. You're overhead. And if you're not earning your keep, you shouldn't be here.¹

Jeremy Blachman's new book, *Anonymous Lawyer*, is a black-humorous stab at the hearts and souls of large elite law firms everywhere (if firms had such things as hearts and souls).² The novel had its beginnings as a weblog, with someone named "Anonymous Lawyer"—ostensibly a hiring partner at a large elite law firm—posting entries on the internet. Anonymous Lawyer's posts discussed everything from over-the-top summer associate outings complete with fireworks and drunken debauchery³ to lamenting Daylight Savings Time and the loss of hundreds of billable hours.⁴ In December 2004, the author of the blog was revealed to be Jeremy Blachman, not a hiring partner at all, but rather a student at Harvard Law School with a flair for creative writing.⁵ A book deal ensued, and

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1. JEREMY BLACHMAN, *ANONYMOUS LAWYER* 3 (2006).

2. The book also is accompanied by the Anonymous Law Firm website, a satire of "typical" law firm websites. Anonymous Law Firm sells itself as a "firm with clients," extols the virtues of its Baghdad office, and has fictitious lawyer biographies. See Anonymous Law Firm LLP, www.anonymoulawfirm.com (last visited Apr. 13, 2007).

3. Anonymous Lawyer Blog, Monday, June 26, 2006 Entry, <http://anonymoulawyer.blogspot.com/2006/06/firm-launched-our-online-job.html>.

4. Anonymous Lawyer Blog, Saturday, April 02, 2005 Entry, <http://anonymoulawyer.blogspot.com/2005/04/this-is-terrible-day.html>.

5. Sara Rimer, *Revealing the Soul of a Soulless Lawyer*, N.Y. TIMES, Dec. 26, 2004, at 91 (revealing Anonymous Lawyer's identity).

the result is *Anonymous Lawyer*, a full-fledged novel that retains the irony and wit of the original blog.⁶ The book is an awful lot of fun, although it leads readers to the conclusion that working as an associate at a large elite law firm is simply awful.

In this review, I will discuss why the blog struck a chord with so many readers, and why the book *Anonymous Lawyer* contains a serious message about employment at law firms. Although the book is certainly amusing, it is at the same time a frontal assault on law firms that are portrayed as parasitic, dehumanizing, and morally bankrupt. To be sure, Blachman's book is not the first, and will surely not be last, to poke fun at the expense of law firms. Rather, it belongs in a long tradition of satire about the practice of law, and more generally, authoritarian and hierarchical workplaces.⁷ As one commentator put it, satire "is more than parody, burlesque, or simple humor, in that satire implies ridicule of folly and vices that have a social significance and ill effect."⁸ Blachman's version, however, has a substantially nastier tone than previous lampoonings of law firms, and it is my contention that the change in tone is probably due to changes that have taken place in the "industry" for legal services.⁹

Part I of this book review provides a brief overview of the novel. In Part II, I place *Anonymous Lawyer* within the tradition of satire surrounding the legal profession. Specifically, I compare Blachman's novel to John Jay Osborn, Jr.'s earlier novel, *The Associates*, which also takes large law firm life as its subject.¹⁰ Then, in Part III, I examine how this novel fits into the literature that describes working life at a large elite law firm. *Anonymous Lawyer* highlights the issues of associate turnover, work-life imbalance, and workplace hierarchies that seem to characterize employment at large law firms. Ultimately, I conclude that *Anonymous Lawyer* adds—humorously and in blatant terms—to the formal academic discourse on law firm culture. With these objectives in mind, I turn now to a brief summary of the novel itself.

6. "Blog" is short for "weblog," a combination of a newsletter/online journal that allows for commentary by readers. See Blog Entry, Wikipedia.com, <http://en.wikipedia.org/wiki/Blog> (last visited Apr. 13, 2007).

7. Satirical and humorous depictions of work and offices loom large in the popular imagination. These satires run the gamut from the popular movie *Office Space*, to the comic strip *Dilbert*, to the television series *The Office*.

8. Peter Goodrich, *Satirical Legal Studies: From the Legists to the Lizard*, 103 MICH. L. REV. 397, 399 (2004).

9. See Marc Galanter, *Tournament of Jokes: Generational Tension in Large Law Firms*, 84 N.C. L. REV. 1437, 1445 (2006) ("The world of dignified reticence, little lateral movement, and enduring retainer relationships with loyal long-term clients has dissolved. In its place has arisen a world of rapid growth, mergers and breakups, overt competition, aggressive marketing, attorney movement from firm to firm, fears of defection, and pervasive insecurity."); see also *infra* Part III. But cf. Monroe Freedman, *The Good Old Days, For Good Old Boys*, LEGAL TIMES, Feb. 28, 1994, at 31 ("I have long suspected that the cant about a non-existent age of 'civility' and 'professionalism' in the legal profession is at times merely a euphemized yearning for the days when lawyering was the monopoly of the right-thinking white males and when legal ethics meant self-protection of the professions.").

10. JOHN JAY OSBORN, JR., *THE ASSOCIATES* (1979).

I. ANONYMOUS LAWYER'S TALE

The novel is, as its names implies, the story of Anonymous Lawyer, its protagonist and narrator, a mid-level partner at a large law firm. Part of what makes the book such a compelling read is its unique point of view. While there are many disgruntled associates willing to talk about their situations—one need only look at the “Greedy Associates” website to hear from them¹¹—there are comparatively few accounts from the perspective of a law firm partner. Within the first page or two, the reader quickly realizes that he or she would, never, ever, ever, in a million years (ever) want to be the associate assigned to work for this partner. Anonymous Lawyer’s tale begins with him saying that he sees a poor hapless associate in the hallway, stealing his secretary’s candy.¹² Worse yet, he vows that he will remember the candy incident in great detail when it is time to cast his vote on who will make partner.¹³ Almost immediately, he shares with readers his nicknames for the associates at the firm, which, far from being cute, are actively cruel: “The Short One, The Dumb One, The One With The Limp, The One Who’s Never Getting Married, The One Who Missed Her Kid’s Funeral.”¹⁴

After this introduction, the reader follows Anonymous Lawyer through several e-mail exchanges with his “Anonymous Niece” about weblogs, which ultimately result in Anonymous Lawyer starting his own blog.¹⁵ This allows Anonymous Lawyer to vent his day to day issues and frustrations—anon-ymously, of course—on the internet.¹⁶ Although his decision to blog is never particularly well-explained, or even remotely believable, Anonymous Lawyer’s fateful decision does provide a plot device that allows for a tie-in with the original blog postings. Most of his blog posts have to do with the law firm, how little the associates are working, how the associates whine about work-life balance, and how the associates are not giving up enough of their personal lives to promote the firm’s interests.¹⁷

These types of comments struck a chord with blog visitors—an audience familiar with the law firm environment. Blachman’s choice of a curmudgeonly partner as narrator made his blogging effort stand out. At the same time, Blachman’s ability to create a believable “voice” for Anonymous Lawyer is somewhat hampered by Blachman’s own limited work experience. Although many of the small details are certainly there, excessive time in both the book and the blog are dedicated to discussing aspects of the law firm’s summer associate

11. Greedy Associates, www.greedyassociates.com (last visited Apr. 13, 2007) (providing a website forum for sharing salary news as well as other information of concern to law firm associates).

12. BLACHMAN, *supra* note 1, at 1.

13. *Id.*

14. *Id.*

15. *Id.* at 11-13.

16. *Id.* at 11.

17. *See generally id.*

program. This is likely because all of Blachman's law firm experiences were confined to a summer program.¹⁸ And, while many of the issues that *Anonymous Lawyer* satirizes are complaints that associates have long levied, much of the book's humor derives from extreme behavior that few law firms would likely tolerate.

The book is almost completely centered around *Anonymous Lawyer's* observations; the plot appears to be mostly an afterthought. Not much happens, but then, not much needs to happen. It is enough entertainment simply to read *Anonymous Lawyer's* rants, raves, and complaints about everything from the laziness of the associates, to the general stupidity of those around him, to several ridiculously extravagant summer associate events that he has planned. For example, *Anonymous Lawyer* reflects on the firm's summer associate program, saying:

Last night's scavenger hunt was a wild success. No team found more than two-thirds of the items and they all went away feeling like failures. That's exactly what we aim for. A couple of the items were too easy. All of the teams found an associate who'd been in the office for thirty-six hours straight, and an unsent suicide note. A couple of the items were too difficult. None of the teams found a piece of sporting equipment in the office or an ethnic minority. We'll know for next year.¹⁹

Aside from such rants, the reader learns that *Anonymous Lawyer* does have a family, but that he seems both emotionally detached and, frankly, belittling, to his "Anonymous Wife" (who goes on buying sprees to fill her otherwise emotionally empty life) and "Anonymous Kids" (who will eventually keep a number of therapists employed).²⁰ But mostly the novel contains acerbic observations on work, life at the law firm, the associates, and other related topics.

To be sure, there are a few plot elements, most of which boil down to a rivalry between *Anonymous Lawyer* and "The Jerk."²¹ The aforementioned Jerk is another partner whose office is exactly seven square feet smaller than *Anonymous Lawyer's* office.²² Both men compete for the position of chairman of the firm after the firm's current chairman suffers a stroke and dies.²³ Ultimately, it is his competition with the Jerk that leads to *Anonymous Lawyer's* downfall. It is of course *Anonymous Lawyer's* tragic flaw—his compulsion to express himself on the internet—that contributes to this particular outcome. As readers, we sympathize with *Anonymous Lawyer* because, however distasteful we find

18. See Rimer, *supra* note 5.

19. BLACHMAN, *supra* note 1, at 217.

20. *Id.* at 153-54.

21. *Id.* at 222-24.

22. *Id.* at 51.

23. *Id.* at 133, 142-44. The chairman calls for an ambulance only after he sends an email to all the lawyers at the firm requesting coverage for his big client. *Id.*

him, we have been pulled into his bizarre world of competition and hierarchy. At the same time, we rejoice at his downfall because Anonymous Lawyer is nothing if not the paradigmatic personification of Holmes' "bad man."²⁴ With that summary, I turn now to placing the book within the tradition of legal satire.

II. ANONYMOUS LAWYER AND THE TRADITION OF LEGAL SATIRE

Anonymous Lawyer is part of a rich tradition of legal satire. In his article *Satirical Legal Studies: From the Legists to the Lizard*,²⁵ Peter Goodrich chronicles this history, describing a genre that has been around for virtually as long as there have been laws. As Goodrich describes at length, legal satire often takes the form of an argument against unjust laws, the "system" itself, or particular modes of thinking within judging or the legal academy.²⁶ In addition, I would add that there is a fairly well-developed oeuvre that satirizes the legal profession itself. Whether it is lawyer-jokes,²⁷ or the books and TV shows around *Rumpole of the Bailey*,²⁸ the fact is that there is a long tradition of satire about the legal profession preceding *Anonymous Lawyer*.

For the purposes of situating *Anonymous Lawyer* in this tradition, I will compare it to the satirical novel that I found to be most telling and relevant, both in terms of style and subject matter, John Jay Osborn, Jr.'s *The Associates*.²⁹ While Osborn is perhaps best known as the author of *The Paper Chase*³⁰ and the creator of the infamous Professor Kingsfield, the law professor almost everyone loves to hate,³¹ in this later novel Osborn took a humorous look at life of large law firm associates. And, while *The Associates* is also a satire about law firm life, comparing it with *Anonymous Lawyer* is like comparing a bread knife to a chainsaw. *The Associates* includes a love story and ends on a hopeful note, whereas there is no such reprieve granted to anyone in *Anonymous Lawyer*.

24. Oliver W. Holmes, Jr., *The Path of the Law*, 10 HARV. L. REV. 457, 459 (1897).

25. Goodrich, *supra* note 8, at 399.

26. *Id.* at 399-400 ("In the last century, satire played a varying yet visible role in scholarly movements critical of law ranging from legal realism to law and economics, from legal anthropology to critical legal studies. The accessibility and humor of satirical legal studies afforded it unusual scope. Satire transcended the established political and doctrinal boundaries that defined legal studies.").

27. See Marc Galanter, *Changing Legal Consciousness in America: The View from the Joke Corpus*, 23 CARDOZO L. REV. 2223, 2237 (2002) ("For the present, the contours of joking about lawyers have changed radically. From specific foibles to general condemnation the tone of joking about lawyers has moved from ribald mockery to scorn and aggression. The changes in joking about lawyers have tracked both a decline in public esteem for lawyers and an increase in their presence and visibility.").

28. See, e.g., JOHN MORTIMER, *THE FIRST RUMPOLE OMNIBUS* (1984); JOHN MORTIMER, *THE SECOND RUMPOLE OMNIBUS* (1988).

29. OSBORN, *supra* note 10.

30. JOHN JAY OSBORN, JR., *THE PAPER CHASE* (1971).

31. But see Michael Vitiello, *Professor Kingsfield: The Most Misunderstood Character in Literature*, 33 HOFSTRA L. REV. 955, 960 (2005) (arguing provocatively that Professor Kingsfield was misunderstood, rather than evil).

Despite these differences, *The Associates* shares many of the elements found in *Anonymous Lawyer*. Neither novel is plot driven—what little plot exists in either novel revolves around the law firm itself. Certain other themes are also shared. Under the direction of the remote and distant firm founder Cosmo Bass, the three central associates in *The Associates* pull all-nighters,³² work on litigation and corporate matters, and deal with difficult partners.³³ Somewhere in the midst of this, one of the most abusive partners, who has a penchant for screaming at associates in the hallway, has a heart attack—rather like the chairman of “Anonymous Law Firm.”³⁴

The protagonist and narrator of *The Associates* is a newly minted Harvard Law School graduate, Sam Weston.³⁵ He falls in love with fellow associate Camilla Newman, with whom he shares a tumultuous romantic relationship.³⁶ While working for an excessively demanding litigation partner, Sam Weston befriends Craig Littlefield, a Yale Law School graduate who bounces around the library, comically writing briefs and legal memos while high on speed.³⁷ Littlefield is ultimately fired because a legal brief he wrote contains no citations to cases, only to Cicero and Wittgenstein.³⁸ Littlefield, however, has the last word when the *Yale Law Journal* accepts his brief for publication and he wins a position as an assistant professor at Yale Law School.³⁹ Meanwhile, Weston and Newman overcome the silly arguments they had, fall in love, and promote themselves to partners (in both law and life) by opening their own law firm and getting engaged.

There are some notable differences between the two novels, however. In *The Associates*, the focus is, as the name implies, on the associates who work at the firm, not on any of the partners. The characters are considerably more sympathetic than those in *Anonymous Lawyer*, and consequently, the reader actively rejoices when Littlefield lands his faculty position and Weston and Newman pair off. *Anonymous Lawyer* is not merely *The Associates* told from the perspective of a partner. The crucial difference is the tone in which the stories are told. This tone is, in my opinion at least, partially a product of the time in which each book was written.

In *The Associates*, the law firm of Bass and Marshall is portrayed as a high pressure environment. The partners are portrayed as excessively demanding and some ridiculous scenes ensue, especially when the associates accidentally proofread out the “upside down ampersand” in the names of one of the firm’s

32. OSBORN, *supra* note 10, at 13, 28, 89, 143, 224.

33. *Id.* at 150.

34. *Id.* at 184-86.

35. *Id.* at 3.

36. *Id.* at 18-25.

37. *Id.* at 28.

38. *Id.* at 218-19.

39. *Id.* at 247-48.

prestigious investment bank clients the night before a rights offering.⁴⁰ Notwithstanding such scenes, the reader of *The Associates* gets the sense that merit counts at Bass and Marshall, and that hard work will result in success and promotion. Although ultimately all three of the associates leave the firm, Weston and Newman become law partners themselves, hoping that they can eventually replicate the success of Bass and Marshall.⁴¹ They are essentially following the path of their former boss Cosmo Bass when he struck out on his own, in his own earlier response to greedy and begrudging partners.

In contrast, the law firm in *Anonymous Lawyer* is only a meritocracy in the barest sense. The partnership decision seems to rest on any number of factors, including insanely high billing targets, personal grudges, and who can avoid the ire of difficult partners. The lawyers in *The Associates* would often talk about cases, precedents, themes in the law, and they seemed intellectually engaged. In contrast, the lawyers in *Anonymous Lawyer* never talk about substantive legal issues; all they seem to discuss is billing and what fancy restaurant they will go to for lunch. But billing by itself is also insufficient, unless one brings in clients. One associate in particular is singled out. As *Anonymous Lawyer* muses:

She thinks she'll be a partner someday—she thinks she's earned it—but she won't. She puts in the hours, but no one thinks she'll ever be able to land a client. She doesn't know she isn't on the partner track, but we'll tell her eventually, after we wring a few more 2800-billable-hour years from her. We string the associates along sometimes. It's good business.⁴²

Compared with the calculated exploitation that these comments reveal, the difficult partners who yell in the hallway in *The Associates* seem almost quaint and mild-mannered. *Anonymous Lawyer*, on the other hand, is out to show what a cutthroat business this is—this business of law—and one can simply not afford the niceties that were the domain of a previous era.

It would appear that the difference in tone between these two books is, at least in part, the result of the passage of time and developments in the legal profession during the intervening years between their publication. *The Associates* was published in 1979 and, while the move to a more bottom-line oriented approach at law firms was already well underway, that trend vastly accelerated after the book was published.⁴³ In recent years, the provision of legal services has become

40. *Id.* at 148.

41. *Id.* at 269.

42. BLACHMAN, *supra* note 1, at 49.

43. See, e.g., ABA Commission on Billable Hours Report 3-5 (2001-2002), available at <http://www.abanet.org/careercounsel/billable/toolkit/bhcomplete.pdf> (describing increase in billable hours since the 1970s); AMERICAN BAR ASSOCIATION, COMMISSION ON WOMEN IN THE PROFESSION, LAWYERS AND BALANCED LIVES: A GUIDE TO DRAFTING AND IMPLEMENTING WORKPLACE POLICIES FOR LAWYERS 5 (1990) (“The extraordinary increase in expected billable hours over the last fifteen years, from 1,300-1,500 to in excess of 2,000, is making it extremely difficult for lawyers to pursue . . . other interests [such as pro bono work, political work, continuing legal

more like a business and less like a profession—a development that many have lamented.⁴⁴ This evolution is undoubtedly reflected in the tone of these two satires.

Having examined how *Anonymous Lawyer* fits into the context of legal satire, I now turn to how the book illuminates certain aspects of large law firm working life.

III. A CRITIQUE OF LAW FIRMS AS EMPLOYERS

Anonymous Lawyer derives much of its humor from making fun of particular aspects of employment practices at large elite law firms. *Anonymous Lawyer* often mentions how expendable associates are, how he can find particularly difficult tasks that will make associates extremely unhappy, and how, in order to make partner, one must sacrifice any and all interests outside of work, including family. The reason such comments are humorous—indeed, they are the center of the black comedy that is the book—is because they reflect uncomfortable aspects of working life in large law firms. The central points made in the book concern the high turnover rates among workers, the lack of work-life balance for lawyers, and the hierarchical structure of large law firms.

A. THE EXPENDABLE ASSOCIATE AND LAW FIRM LABOR ECONOMICS

Numerous articles have been written about the “tournament of lawyers” in large elite law firms.⁴⁵ This theory is based on the fact that many associates are hired but only a few can become partners.⁴⁶ Associates therefore compete for few spaces, with a significant amount of voluntary attrition, as well as a number of associates being dismissed every year or in the years directly leading up to the partnership decision.⁴⁷ As the hiring partner at the firm, *Anonymous Lawyer* comments sarcastically on attorney attrition and dissatisfaction:

education, and other teaching].”); William G. Ross, *The Ethics of Hourly Billing by Attorneys*, 44 RUTGERS L. REV. 1, 3 (1991) (discussing increase in billing at law firms).

44. See, e.g., Galanter, *supra* note 9, at 1445.

45. See, e.g., Marc S. Galanter & Thomas M. Palay, *Why the Big Firms Get Bigger: The Promotion-to-Partner Tournament and the Growth of Large Law Firms*, 76 VA. L. REV. 747 (1990); David B. Wilkins & G. Mitu Gulati, *Reconceiving the Tournament of Lawyers: Tracking, Seeding, and Information Control in the Internal Labor Markets of Elite Law Firms*, 84 VA. L. REV. 1581 (1998).

46. See Galanter & Palay, *supra* note 45, at 783 (“Firms can conduct the tournament in various ways, so long as they promote a fixed percentage of associates in the end and they offer a total compensation package competitive in the market for associates. Some firms may eliminate associates at given intervals (say, yearly); others may make decisions more randomly; while still others, at least in theory, might wait until the end of the tournament to notify the losers. The precise rules depend upon the incentives the firm wants to maintain, the structure of its compensation package, and firm culture. But by eliminating some associates early on, the firm improves the chances for partnership of the surviving associates, thereby increasing, for a given money wage, the expected value of the survivors’ total compensation.” (citations omitted)).

47. See *id.*

We have students lining up to hand us their resumes, yet we've got a 30 percent annual turnover rate. And it's not just us. It's everywhere, all our peers, the whole industry. That makes my job a bit of a challenge. How to stay positive about selling students on the excellence of this place when we have to make sure the boxes of copier paper aren't tied up with rope – because the rope is just too tempting. One hanging every so often is to be expected, but when there's another one every time we get new office supplies it starts to get a little difficult to work.⁴⁸

It is both surprising and perhaps even a bit refreshing to hear Anonymous Lawyer “tell it like it is”: that, contrary to law firm promotional brochures and websites, attrition and firings are commonplace.⁴⁹ To put it another way, Anonymous Lawyer points out in a colloquial way what many commentators have described in the purely academic terms of the “the tournament.” That is, that many large law firms use a “weed out” model of staffing.

Many of the associates who are hired have extraordinary and impressive credentials. Yet, the typical law firm hiring model often fails to utilize their talents in an effective manner. Instead, associates are trained—often at considerable expense—only to be let go when the economy takes a downturn or when it becomes evident that the associates are not landing clients or billing enough hours to qualify them for partnership.⁵⁰ Many large firms have created “alumni” programs to capitalize on the network effects of having many people formerly associated with the law firm.⁵¹ But, while these alumni may enjoy networking with those who are also no longer associated with the firm, are these networks effective? Will they actually refer business to the firm that in many instances fired them, pushed them out, worked them so hard that they had to quit, or otherwise made them feel unwelcome? All of these are concerns that Anonymous Lawyer presents in a humorous, but sadly bleak, manner.

B. WORK-LIFE BALANCE

Another salient issue that *Anonymous Lawyer* tackles is the lack of work-life balance at many large law firms. There has been a great deal of scholarship on this topic that attempts to define the problem and to help discern solutions.⁵²

48. BLACHMAN, *supra* note 1, at 6.

49. See, e.g., William D. Henderson, *An Empirical Study of Single-Tier Versus Two-Tier Partnership in the Am Law 200*, 84 N.C. L. REV. 1691, 1693 (2006) (describing law firm labor economics).

50. Bruce A. Green, *Professional Challenges in Large Firm Practices*, 33 FORDHAM URB. L.J. 7, 12 (2005).

51. Charles Toutant, *Law Firms Leverage Alumni to Drum Up Business*, N.Y. LAW., Aug. 4, 2005, available at <http://www.nylawyer.com/display.php/file=/news/05/08/080405g>.

52. See, e.g., James J. Alfani & Joseph W. Van Vooren, *Is There a Solution to the Problem of Lawyer Stress? The Law School Perspective*, 10 J.L. & HEALTH 61 (1995-1996) (noting increased billable hours' contribution to attorney stress); Susan Saab Fortney, *Soul for Sale: An Empirical Study of Associate Satisfaction, Law Firm Culture, and the Effect of Billable Hour Requirements*, 69 UMKC L. REV. 239 (2000); Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 VAND. L.

Many articles examine the work-life question through the lens of gender inequality.⁵³ These articles lament that female attorneys often face even more of a time-crunch than their male counterparts because of the “double burden” expectation of unpaid work at home.⁵⁴ Although there have been continual calls for change, and many law firms have created “work-life balance” committees to try to address these issues, the problems still exist and in many instances seem to have become more entrenched.⁵⁵

The fact that some associates are trying to achieve a balance between work and home life places them solidly on Anonymous Lawyer’s hate list. For example, Anonymous Lawyer talks about one particular (male) lawyer who is dubbed “The One Who Loves His Kids”:

He’s one of the ones who tries to sneak out early on Fridays, 7:00 or so, to make it home for dinner. Yesterday I saw him take off at 3:30 – I was on the way to the bathroom when he was heading out, and he clearly took pains to avoid me. He did a 180-degree turn in the middle of the hallway, with his briefcase and the bankruptcy code under his arm. Never said goodbye, so how was I supposed to know he’d left?

So I went in there at about 4:00 and stuck a Post-it note on his computer asking him to see me as soon as he’s back. I put the date and time on it. “Check in as soon as you get this,” I wrote. “I have some important work for you to take home tonight. Hope it won’t be much trouble. Thx.” It’ll put the fear of God into him when he gets in today, just a bit. This is one tactic e-mail and voice mail have almost completely destroyed. Even if there was a way to change the

REV. 871 (1999). Professor Joan C. Williams heads the Center for WorkLife Law at University of California, Hastings, which has a number of innovative initiatives around the issue of work-life balance. See University of California, Hastings College of the Law, About Us, <http://www.uchastings.edu/?pid=3634> (last visited Apr. 13, 2007).

53. See, e.g., JOAN WILLIAMS, UNBENDING GENDER: WHY FAMILY AND WORK CONFLICT AND WHAT TO DO ABOUT IT (2000); Cynthia Fuchs Epstein, *Women in the Legal Profession at the Turn of the Twenty-First Century: Assessing Glass Ceilings and Open Doors*, 49 U. KAN. L. REV. 733 (2001); Mark S. Kende, *Shattering the Glass Ceiling: A Legal Theory for Attacking Discrimination Against Women Partners*, 46 HASTINGS L.J. 17 (1994); S. Elizabeth Foster, Comment, *The Glass Ceiling in the Legal Profession: Why Do Law Firms Still Have So Few Female Partners?*, 42 UCLA L. REV. 1631 (1995) (examining singular career path as a factor preventing women from attaining partnership status, and also analyzing prominent cases). See generally MONA HARRINGTON, *WOMEN LAWYERS: REWRITING THE RULES* (1994) (discussing career paths of women lawyers as told in first-person accounts, as well as barriers left to overcome).

54. ARNIE RUSSEL HOCHSCHILD, *THE SECOND SHIFT* 33-39, 43-44 (1989) (describing studies concerning division of household labor and childcare responsibilities between husbands and wives).

55. Susan Saab Fortney, *I Don’t Have Time to Be Ethical: Addressing the Effects of Billable Hour Pressure*, 39 IDAHO L. REV. 305, 308 (2003) (“[T]he most obvious consequence of the hour derby is a time famine for attorneys who do not have enough time for themselves and their families. While the general work force struggles to balance work and personal life, the intense time pressure inherent in law practice exacerbates the problem for attorneys. In my study, 66% of the respondents reported that billable hour pressure had taken a toll on their personal life.”).

date stamps on there, you know they're checking almost compulsively from wherever they are. But a Post-it note on the computer? It's perfect.⁵⁶

Anonymous Lawyer thus takes the concept of "face time" to an extreme. He values not productivity, nor even the associate's ability to respond and perform work via phone or e-mail, but rather the ability to find someone in the office at any and every hour of the day. Even technology that makes telecommuting and other forms of remote work increasingly acceptable⁵⁷ does not suffice for Anonymous Lawyer. The reason for this may lie with Anonymous Lawyer himself—it is not so much a matter of the work getting done—but a matter of his ability to control and exercise authority over the behavior of his subordinates.

The irony, of course, is that tracking the associates this way means that Anonymous Lawyer is also stuck in the office with them. The reader wonders why, if Anonymous Lawyer is really so powerful, he would even care about anything the associates did, so long as their work was turned in. Perhaps the answer is humorous hyperbole. At the same time, under this exaggeration lies a serious concern about work-life balance, or lack thereof.

C. HIERARCHIES WITHIN LAW FIRMS

Another aspect of law firm life that *Anonymous Lawyer* satirizes is the hierarchical nature of law firms. To be sure, an attorney with more experience and seniority should, justifiably, expect additional perks to go along with the job. But, as Anonymous Lawyer points out, many of the partners at the law firm take indicia of seniority extremely seriously—perhaps more than is warranted from business owners. For example, Anonymous Lawyer describes his pride in receiving a particular chair:

There are thirteen classes of chairs in the catalog for associates and partners to choose from, but no second-year associate can have a class III chair until all of the third-year associates have chairs from that category. The hierarchy dictates that we manage the chair situation, or sixth-year associates will be getting chairs nicer than the ones the partners have, and that's obviously an untenable situation. But if your chair breaks, you get to bypass the rules, and so I got a partner-level chair even though I was still an associate. I still have that chair. It's a good chair.⁵⁸

It is clear that power and authority, whether they are manifested in the type of chair that one sits in, or the size of one's office, are issues of importance to Anonymous Lawyer. His attitude seems to be that certain people are below him,

56. BLACHMAN, *supra* note 1, at 51.

57. Matt Villano, *Out of the Office, Into the Home*, N.Y. TIMES, Oct. 1, 2006, at 39 (discussing strategies for working at home); see Marek Fuchs, *Pay No Attention to the Man Behind that Home-Office Door*, N.Y. TIMES, Mar. 20, 2005, at 8 (discussing working at home and parenting).

58. BLACHMAN, *supra* note 1, at 9.

and so he proposes “partners-only water fountains.”⁵⁹ Even though he admits that the “other partners may be weird” he at least knows that they “all have good health care and live in respectable neighborhoods.”⁶⁰ He wonders “what diseases the word-processing guy is going to pass along.”⁶¹ While hierarchy is perhaps an inevitable part of the law firm workplace, *Anonymous Lawyer* points out how the hierarchical structure of law firms can be taken to extremes. In doing so, the book may set out an agenda for changing the more disturbing aspects of law firm culture.

IV. CONCLUSION

It appears that the tone of law firm satire has changed over the years, becoming bleaker and darker. At the same time, the prospects for seeking work-life balance while working at a large law firm have become correspondingly bleak. The acerbic commentary of *Anonymous Lawyer* highlights these changes in the workplace. The extreme critique of life in a large law firm set forth in *Anonymous Lawyer* lays down the gauntlet as to the problems that law firms face. Whether anyone in a position of power to do so will take up the challenge is perhaps the better question. In the meantime, we can all read *Anonymous Lawyer*, laugh, and wonder.

59. *Id.* at 95.

60. *Id.*

61. *Id.*