

EAT your HEART OUT

HOW DID
THEY
DO IT?

7 OF CALIFORNIA'S
TOP LAWYER-NOVELISTS
AT A GLANCE

By William Domnarski



ALIFORNIA LEADS THE NATION IN MOST EVERYTHING, including lawyer-novelists, and perhaps rightly so since a Californian, Erle Stanley Gardner of Ventura, was there first and most prolifically. All he did was sell more than 200 million copies of his 82 Perry Mason novels. Maybe

the real money is in the bookstore, not the courtroom.

There hadn't been anything like Erle Stanley Gardner (1889–1970), practitioner-turned-novelist, in U.S. publishing until Scott Turow came along in the mid-1980s. Not only did Turow sell nearly 5 million copies of *Presumed Innocent*, he changed the nature of the legal novel itself. That book and the novels that followed it featured more of the lawyer protagonist's personal and professional life. There was still the whodunit element, but a life in the law was being more fully sketched for the growing number of readers interested in the profession's increasingly prominent role in American culture, popular and otherwise. With the proliferation of television shows featuring lawyers, and after television news (both network and cable) started

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becoming all law all the time, an interest in the profession naturally followed.

Always eager to follow profitable trends, lawyers across the nation looked up from their desks and thought they could do as well or better than Turow or John Grisham, his more swashbuckling, frenetic peer. Dozens got into the act, and soon a full-blown publishing phenomenon emerged. Newcomers sometimes make their mark, but a steady stable of lawyers-turned-novelists churn out dependable page-turners season after season. Turow and Grisham lead the pack, but there's also Phillip Margolin, Lisa Scottoline, David Baldacci, Philip Friedman, Brad Meltzer, Linda Fairstein, Paula Sharp, William Bernhardt, and James Grippando.

California's list of lawyer-novelists, which has close to 20 members, boasts not just some of the best-selling lawyer-novelists but also some of the very best stylists. Here I describe several of those I consider at the top of the form, including two of the biggest sellers, Richard North Patterson

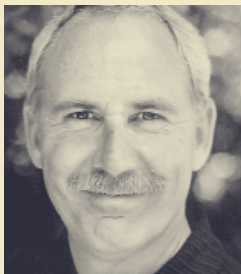
and Steve Martini. James Huston and Sheldon Siegel are million-book club members, and Perri O'Shaughnessy (the pen name of sisters Pamela and Mary O'Shaughnessy—Pamela is the one with the Harvard Law School pedigree) is heading toward 9 million books sold. They are joined in talent and quality by two who haven't sold as well but are equally worth reading, Walter Walker, the thinking-lawyer's novelist, and Patricia Benke, who must be consulted to understand life and law in San Diego County.

All in the group practiced for many years and use that experience in their novels. Martini, Patterson, and O'Shaughnessy now write full-time. Siegel writes full-time and practices corporate law part-time. The others juggle full-time legal and writing careers: Huston practices aviation and product liability law in a large firm; Walker is a partner in a small personal injury practice; and Benke sits on the appellate bench.

Legal novels are not the guilty pleasures they used to be. They still offer the standard mystery- and crime-genre

CALIFORNIA'S **TOP** LAWYER-NOVELISTS

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**JAMES
HUSTON**

1. Admitted to California Bar: **1984**
2. Law school: **University of Virginia School of Law**
3. Nature of practice: **Partner in Gray Cary Ware and Freidenrich in San Diego practicing aviation and product liability law**
4. Number of legal novels: **6**
5. Number of books sold: **1 million+**
6. Best-selling novel: ***The Price of Power***
7. Last advance: **Mid six figures**
8. Current project: **A book about the International Criminal Court and American Special Forces**
9. On practicing law and writing

fiction: **"You have to love both to do either:"**

10. Favorite quotation from a review: **"[*The Price of Power*] reads like a collaboration between Tom Clancy and John Grisham."—*Kirkus Reviews***
11. Favorite writer: **Patrick O'Brian**
12. Actor you would cast as your lawyer protagonist: **Russell Crowe**



**PAMELA
O' SHAUGHNESSY**

writing under the name Perri O'Shaughnessy

1. Admitted to California Bar: **1977**
2. Law school: **Harvard Law School**
3. Nature of practice: **Formerly, solo**

practice and small firms in Monterey, Carmel, San Pablo, and South Lake Tahoe specializing in criminal defense, personal injury, and family law

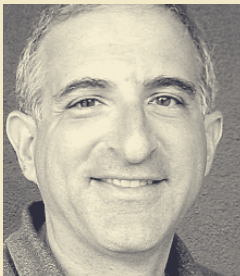
4. Number of legal novels: **9**
5. Number of books sold: **about 9 million**
6. Best-selling novel: ***Unfit to Practice***
7. Last advance: **"Alas, all I can say is that I'm doing much better as a writer than I did as a lawyer, but maybe that's just a reflection on my lawyering."**
8. Current project: **The tenth book in the Nina Reilly series and a book of short stories**
9. On practicing law and writing fiction: **"The latter is a lot more fun than the former."**
10. Favorite quotation from a review: **"Any review that doesn't use the terms *spunky* or *feisty*."**
11. Favorite writer: **Steve Martini**
12. Actor you would cast as your lawyer protagonist: **Catherine Bell of *JAG*, "or maybe Maria Shriver, if she isn't booked."**

hooks—intricate plotting, surprise endings, recurring characters, and more than a dollop of action. But for the California versions, at least, the emphasis has shifted: We learn enough about practicing law in these novels that we should be able to earn CLE credits for reading them. Young lawyers in particular could do far worse than to read the California legal novelists to learn about ethics, cross-examination techniques, the rules of evidence, and proper objections to make at trial. But we also learn how to think about a case, how to deal with clients, how to handle the business end of a practice, how to treat opposing lawyers, and how to negotiate the bureaucracies of large law firms and various court systems. More to the point, we learn about the lawyer's life and the symbiotic relationship between personality and practice.

Happily, these more substantive issues do not detract from the novels' more literary pleasures. Skillfully drawn characters and often penetrating thumbnail sketches of recognizable personality types at the bar and on the bench

populate the books. Wit, humor, and an impressive display of intelligence leaven the plots. By mixing legal and broader literary themes, the authors show a keen understanding of human nature and a sensitivity to social issues. These novelists are good company to keep. On the downside, though, you can't miss some hobbyhorse riding and some awe-inspiring flashes of egotism and narcissism.

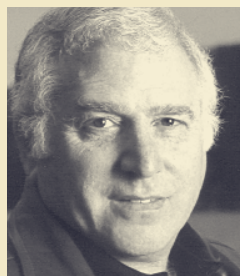
California lawyers are perhaps the ideal readers for these California lawyer-novelists. In contrast to what Erle Stanley Gardner did with his Perry Mason character, our lawyer-novelists seem to want to engage their fellow lawyers with commentary, observations, and assessments about the state of both the profession and the judiciary. They have been fulfilling one role in acting as a liaison with the general public when it comes to the profession, but in this newer role of writing for other lawyers, these novelists have given us a fresher, more urgent incentive to read them. **CL**



**SHELDON
SIEGEL**

1. Admitted to California Bar: **1983**
2. Law school: **U.C. Berkeley's Boalt Hall School of Law**
3. Nature of practice: **Of counsel to Sheppard, Mullin, Richter & Hampton in San Francisco specializing in corporate and securities law**
4. Number of legal novels: **4**
5. Total number of books sold: **1 million+**
6. Best-selling novel: ***Criminal Intent***
7. Last advance: **Six figures**
8. Current project: **The fifth book in the Mike Daley series**
9. On practicing law and writing fiction: **"It's hard to juggle two careers, but I like both my jobs and the rewards outweigh the late nights."**

10. Favorite quotation from a review: **"A page-turner of the finger-burning kind. By the time the whole circus ends up in the courtroom, the hurtling plot threatens to rip paper cuts into the reader's hands." —San Francisco Chronicle**
11. Favorite writer: **Scott Turow**
12. Actor you would cast as your lawyer protagonist: **Tom Hanks**



**STEVE
MARTINI**

1. Admitted to California Bar: **1974**
2. Law school: **University of the Pacific McGeorge School of Law**
3. Nature of practice: **Formerly public practice doing administrative law and general practice in small Northern California firms doing civil, criminal, and bankruptcy law**

4. Number of legal novels: **10**
5. Total number of books sold: **20 million+**
6. Best-selling novel: ***The Arraignment***
7. Last advance: **"Steve ... feels that propriety dictates [private financial matters] are indeed best left private."—email from an assistant**
8. Current project: **Book about the aftermath of terrorism in a democratic republic**
9. On practicing law and writing fiction: **"I found it exceedingly difficult to meet the demands of an active law practice and fiction, particularly after realizing success in the early books. I have deep admiration for those lawyers who have been able to do both."**
10. Favorite quotation from a review: **"Mr. Martini writes with the agile, episodic style of a lawyer quick on his feet and one step ahead of his many enemies." —John Grisham, *New York Times***
11. Favorite writer: **F. Scott Fitzgerald**
12. Actor you would cast as your lawyer protagonist: **Brian Dennehy, who played protagonist Paul Madriani in a network miniseries based on *Undue Influence***

Continued on page 63



**WALTER
WALKER**

1. Admitted to California Bar: 1974
2. Law school: University of California Hastings College of the Law
3. Nature of practice: Partner in two-person plaintiffs personal injury trial firm in San Francisco
4. Number of legal novels: 5
5. Number of books sold: 250,000+
6. Best-selling novel: *A Dime to Dance By*
7. Last advance: \$82,500
8. Current project: A novel where a former professional athlete who is

charged with the murder of a local politician turns to the one person who has the most cause to hate him—a quadriplegic lawyer whose injury he caused in a high-school accident

9. On practicing law and writing fiction: “Both attorneys and litigants are living through what-if scenarios. But their reactions are real, as are their motivations. By observing those reactions, we can make our fictional characters more genuine, their plights more universal, and their fates more relevant.”
10. Favorite quotation from a review: “Walker’s books are far more complex than genre mysteries. He takes the elements of any good whodunit and arranges them like a scaffold to support larger themes of betrayal and self-identity, ethnic and class conflict, infidelity and moral obligation.”—*San Francisco Chronicle*
11. Favorite writer: John Mortimer
12. Actor you would cast as your lawyer protagonist: Kurt Russell, Chris

O’Donnell, Jeff Bridges, Matt Damon, Johnny Depp, James Woods (“It’s fun to think about.”)



**RICHARD
NORTH PATTERSON**

1. Admitted to California Bar: 1984
2. Law school: Case Western Reserve University School of Law
3. Nature of practice: Formerly an SEC attorney and a partner in McCutchen, Doyle, Brown & Enersen (now Bingham McCutchen) in San Francisco practicing securities litigation

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4. Number of legal novels: 12
5. Number of books sold: 25 million
6. Best-selling novel: *Degree of Guilt* and *Silent Witness* (tie)
7. Last advance: "Ric never publicly discusses things like money."—email from an assistant
8. Current project: *A Sentence of Death*, exploring the death penalty in America
9. On practicing law and writing fiction: "It's awful to try to do both, and for the last decade I've only written."
10. Favorite quotation from a review: "With *Protect and Defend*, Richard North Patterson lays further claim to being one of America's best contemporary popular novelists."
—*Detroit News*
11. Favorite writer: Scott Turow
12. Actor you would cast as your lawyer protagonist: "I don't even care if my books become movies. The characters are so fully realized in my mind that

they are themselves. An actor—no matter how terrific—simply could not become them."



**PATRICIA
BENKE**

1. Admitted to California Bar: 1974
2. Law school: University of San Diego School of Law
3. Nature of practice: Associate justice on Fourth District Court of Appeal Division One (formerly criminal appellate specialist, Office of the Attorney General, State of California)
4. Number of legal novels: 4
5. Number of books sold: 200,000+
6. Best-selling novel: *Guilty by Choice*
7. Last advance: "I don't think my agent would be happy if I released any proprietary information about advances."
8. Current project: Nonlegal novel tracking Arab communities in western Pennsylvania over a period of 50 years
9. On practicing law and writing fiction: "My goal has been to write novels which, when read together, offer the reader insight into our legal system and reveal the mix of people who make the system operate."
10. Favorite quotation from a review: "[*Above the Law*] is a very good book by a very talented author."
—*Amazon.com*
11. Favorite writer: Franz Kafka
12. Actor you would cast as your lawyer protagonist: Catherine Zeta-Jones, Gwyneth Paltrow, or Jamie Lee Curtis **GL**

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