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Clinical Education in a Different Voice: A Reply to Robert Rader

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CLINICAL EDUCATION IN A DIFFERENT VOICE: A REPLY TO ROBERT RADER

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Robert Rader's *Confessions of Guilt: A Clinical Student's Reflections on Representing Indigent Criminal Defendants*,[1] maddening as it is, makes a number of contributions to our understanding of the goals of clinical legal education and our efforts to bring those goals to fruition. His *cri de coeur* is a cautionary tale for those of us who both toil in the clinical vineyards of the lower courts and attempt to talk and write about the meaning of intense clinical experiences. While Rader's clinical vision is flawed and inevitably partial, and his clinical voice too often whiny and self-indulgent, we ignore his warnings about our goals and methods at our peril. In this brief essay, I wish to identify some of these warnings, both explicit and implicit, while at the same time suggesting some of the ways in which Rader's observations and conclusions are distorted and ultimately unavailing.

Before examining the particulars of Rader's lament, however, we should note the importance of hearing from our clinical students in forums such as this journal. While many of our current discussions about clinical scholarship decry the absence (or appropriation) of client voice in clinical scholarship, students may be even more invisible in our writing and at our conferences. Even when clinical articles describe representation by clinical programs, the precise role and contribution of students may be unclear.[2] And while law reviews contain occasional articles by clinical students, these articles are likely to be

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1 1 CLIN. L. REV. 299 (1994).

2 *E.g.*, in Clark D. Cunningham, *The Lawyer as Translator, Representation as Text: Towards an Ethnography of Legal Discourse*, 77 CORNELL L. REV. 1298 (1992), the students representing the client seem curiously absent from some of the most important conversations between Cunningham, the lawyer/supervisor, and the client. *See, e.g., id.* at 1326-27 and 1327 n.48, where Cunningham and the client discuss an "important" change in trial strategy (having the client directly cross-examine the state's key witness) in the absence of the student attorneys. Cunningham acknowledges that pre-empting the students "probably was a mistake in terms of clinical pedagogy." *Id.* at 1327 n.48.

more about substantive issues and lawyering efforts than the affective side of the clinical experience rendered by Rader.[3]

Writing by clinical students is also important for the insights it can provide concerning how students interpret and come to understand such concepts as non-directive supervision, the role of supervisor feedback, the importance of representing economically disadvantaged clients, and our own attitudes about what it means to be a good lawyer. Rader's article provides observations on all these fronts,[4] and while these observations sometimes may be painful they are nevertheless important for us to consider.

We should also recognize that when our students write about us or our programs, we may feel exposed in a way that feels uncomfortable but that can give us pause as we think about how those *we* write about might react to our efforts to derive meaning from our interactions with *them*. My reaction to the Rader article is necessarily different from Abbe Smith's,[5] not only for any differences in perspective the two of us may have[6] but also because Rader was her student and not mine. Even though Rader has obvious respect and affection for Abbe, there are places in his article where I note in the margin "How come this did not arise during supervision?"[7] My own respect for Abbe's work (previously from a distance and now from across the hall), as well as the knowledge that my students often have very different perceptions from mine regarding our clinical interactions (both substantively and emotionally), leads me to withhold negative judg-

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[3] *See, e.g.*, Victoria Clawson, Elizabeth Detweiler & Laura Ho, *Litigating as Law Students: An Inside Look at Haitian Centers Council*, 103 YALE L.J. 2337 (1994) (student article on litigating Haitian refugee case).

[4] *See, e.g.*, Rader, *supra* note 1, at 313 (quoting journal entry) (frustration with supervisor's "hide-the-ball" style), 317-18 (importance of receiving "reality check" from supervisor), 315 (quoting journal entry) (picking up supervisors' lack of respect for prosecutorial adversaries), 336 (negative reaction to supervisor's embrace of full-throttle empathy for clients).

[5] *See* Abbe Smith, *Carrying On in Criminal Court: When Criminal Defense is Not So Sexy and Other Grievances*, 1 CLIN. L. REV. 723 (1995).

[6] For example, Abbe was an experienced public defender before becoming a clinical teacher. I was a litigator in the Department of Justice's Civil Rights Division, where I represented the government in cases brought against abusive and inadequate institutions for people with mental disabilities, juvenile "training" schools, prisons, and nursing homes. Abbe's clinic is a one-semester, defense-only criminal justice clinic. My clinic is a two-semester criminal clinic in which students spend one semester prosecuting criminal misdemeanors (under the direct supervision of prosecutors) and one semester representing indigent criminal defendants in juvenile delinquency and misdemeanor (and some felony) cases. We do, however, share an appreciation for popular culture, a common interest we have been able to nurture this semester because she is a visiting professor in American's criminal justice clinic during the spring 1995 term.

[7] *See, e.g.*, Rader, *supra* note 1, at 310 & n.47 (complaining about inability to get his motions for discovery set for hearing).

ments about the quality of Rader's supervision. But in doing so, I am incorporating a perspective extrinsic to the article itself. This critical perspective surely is important not only when people write about our colleagues but when our colleagues write about others (clients, students, adversaries, judges) of whom we have more limited knowledge.

After reading Robert Rader's article, I think it is not by accident that it is entitled in part "Confessions of Guilt." As James Elkins has written:

> Confessions are never straightforward, as in the recital of facts; they are no more truthful in this literal way than any other description of human affairs. Confession takes us into a labyrinth of rationalization, self-deception; a world of entangled stories, stories that conflict and confound; stories in which we ask for forgiveness (from ourselves and others) and it is not forthcoming, or it comes too late, or comes but with reservations.[8]

Confessions such as Rader's show us the "dark, shadow side of professional life,"[9] and require some courage because they seem to violate the professional norms of competence, certainty and heroism.

> Confessional pathologizing, even if a distinctively human necessity, is awkward. We are warned against it, against whimpering and self-pity, of making private failures public; we fear being seen as sick, weak, vulnerable, confused, conflicted, impotent, inept, incompetent. . . . We believe in the virtue of having one self for the world to see (a comforting, non-doubting persona) and another for use when the world is not watching (a self that encompasses all that we are not willing to have the world to see and know).[10]

Rader's confession demonstrates many of these characteristics. The picture that emerges of his clinical work, and of his personality,[11] is not pretty but it does have the ring of authenticity, if only because it is self-critical to a fault.

Rader's article is helpful in its recitation of the often mundane reasons why many of our students enroll in clinical programs in the first place. He indicates he was merely "trying out a new experience

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[8] James R. Elkins, *Pathologizing Professional Life: Psycho-Literary Case Stories*, 18 VT. L. REV. 581, 635-36 (1994).

[9] *Id.* at 641.

[10] *Id.* at 634.

[11] Rader describes himself as cynical, egotistical, and highly competitive. Rader, *supra* note 1, at 302. From reading his article, I would add self-centered, *see id.* at 308 n.42 (quoting journal entry) ("How come everyone in class seems to have great war stories except me?"), self-important, *see id.* at 330 ("Don't *I* deserve better?"; emphasis in original), aloof, *see id.* at 335 (prefers to avoid "messy contact" with clients by communicating with them by letter), and guilt-ridden, *see id.* at 342 (feeling guilty about his own privileges). He also appears to be brutally honest and self-critical, though one would have to know him better to know how insightful he is about himself and his personality.

to see how it fit."[12] He was not dissatisfied with his pre-clinical legal education, nor, significantly, was he seeking to enhance his capacity for self-reflection.[13] A self-described dilettante,[14] he admits "I can't say that I thought about [the decision to enroll] that much."[15]

The author's lack of thoughtfulness regarding his reasons for taking the clinical program may not be unusual. But in addition to making the "failure" of his clinical experience—as he defines it— virtually inevitable,[16] his and his colleagues' prosaic motivations may make clinicians' often lofty pedagogical goals difficult if not impossible to achieve. When compared to the various goal statements clinicians and other legal educators have fashioned,[17] Rader's "boys just want to have fun"[18] attitude[19] is cause for concern and, possibly, re-examination of the goals themselves.

The gap between the clinician's and the student's goals comes across most powerfully in Rader's inability (or unwillingness) to empathize with his clients. That enhancement of students' ability to empathize with and understand clients often quite different from

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[12] *Id.* at 301.

[13] *Id.* at 299-301.

[14] *Id.* at 343.

[15] *Id.* at 299.

[16] *See* discussion *infra* at text accompanying nn.30-33.

[17] *See, e.g., Report of the Committee on the Future of the In-House Clinic,* 42 J. LEGAL EDUC. 508, 511-17 (1992) (listing pedagogical goals of in-house, live-client clinical programs as: developing modes of planning and analysis for dealing with unstructured situations; providing professional skills instruction; teaching means of learning from experience; instructing students in professional responsibility; exposing students to the demands and methods of acting in role; providing opportunities for collaborative learning; imparting the obligation for service to indigent clients, information about how to engage in such representation, and knowledge concerning the impact of the legal system on poor people; providing the opportunity for examining the impact of doctrine in real life and providing a laboratory in which students and faculty study particular areas of the law; critiquing the capacities and limitations of lawyers and the legal system; and integration of all of the above goals). *See also* Anthony G. Amsterdam, *Clinical Legal Education—A 21st-Century Perspective,* 34 J. LEGAL EDUC. 612 (1984) (clinical programs expose students to kinds of thinking not encountered in non-clinical curriculum; teach students how to learn from experience; use problems that are concrete, unrefined, complex, and the kind that arise in practice; allow students to confront problems in role; and utilize rigorous methods of critique that address past experiences and aim to provide students with models to address future experience); Abbe Smith, *Rosie O'Neill Goes to Law School: The Clinical Education of the Sensitive New Age Public Defender,* 28 HARV. C.R.-C.L. L. REV. 1, 10-13 (1993) (clinical method involves "learning from experience, learning from synthesis, learning from critique, and learning from responsibility."); *cf.* AMERICAN BAR ASSOCIATION SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—AN EDUCATIONAL CONTINUUM, REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP, Chapter 5, The Statement of Fundamental Lawyering Skills and Professional Values (1992).

[18] *Cf.* Cyndi Lauper, *Girls Just Want to Have Fun* (Portrait Records/CBS, Inc. 1983).

[19] *See* Rader, *supra* note 1, at 345.

themselves is a goal of Harvard's clinical program seems plain from the writings of Charles Ogletree[20] and Abbe Smith.[21] Yet Rader comes away from his clinical experience despairing of his ability to empathize with those different from himself.[22] Provocatively entitling this section of the article "Fear of the Other,"[23] he ends his clinical experience, and soon his law school career, content in the knowledge that in his post-law school law firm employment he will be able to spend time with lawyers and clients who "will also come from Ivy League schools, read interesting books, and debate the meaning of films they see."[24] So much for the broadening value of the clinical experience.

Rader's comments, unsettling as they may be, remind clinicians that mere exposure of students to economically disadvantaged clients and their communities is no guarantee that they will develop the habits and attitudes we wish they would have. It is easy to beat up on Rader on this point of empathy, and his arch prose makes him an easy target. But if clinicians are honest, we will admit that his concern that his "clients' neediness seemed unending"[25] is one that many of us also have felt.[26]

Rader also has something to contribute in his obsessive concern with the need for balance in his nascent professional life.[27] While, as discussed below, I think he misconceives the ease with which he can achieve balance in his law firm position, his concern with the seemingly endless demands placed on him by the clinic and his cases rings true when I consider my own students' reactions to clinical work. Paradoxically, the generally lower caseloads in clinical programs (when compared to legal services or public defender offices), which we rightly justify for sound pedagogical reasons, may prevent students from learning the inevitable limits of legal representation in the real world. Our lawyering models that emphasize filing every motion and tracking down every investigative lead[28] may leave students unpre-

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20 Charles J. Ogletree, Jr., *Beyond Justifications: Seeking Motivations to Sustain Public Defenders*, 106 HARV. L. REV. 1239, 1271-75, 1289-94 (1993) ("empathy as a sustaining motivation" for public defender work). Rader discusses Ogletree's emphasis on empathy at page 336 of Rader, *supra* note 1.

21 *See* Smith, *supra* note 17, at 17 (clinical program exposes students to dealing with difference).

22 Rader, *supra* note 1, at 338-39.

23 *Id.* at 334.

24 *Id.* at 339.

25 *Id.* at 331.

26 *See, e.g.*, Lucie E. White, *From a Distance: Responding to the Needs of Others Through Law*, 54 MONT. L. REV. 1, 10 (1993) ("Confronting so much difference from people who came to me for help was somewhat overwhelming.").

27 *See, e.g.*, Rader, *supra* note 1, at 324-27.

28 *See, e.g., id.* at 314.

pared for the trade-offs in practice between competing professional demands[29] and between professional and personal lives.

Having pointed out these important contributions of the Rader piece, however, I must make my own "confession": I think Mr. Rader fundamentally fails to make the case that his clinical program failed him. His clinical experience cannot be fairly described as a failure because, at least as he defines success, there was virtually no way the clinical program could have succeeded *for him*. Despite his characterization of the paper as "the story of a failure" because he "tried, and failed, to be sold on doing the work of a public defender,"[30] it is clear from his own account that *he never wanted to be a public defender in the first place*. As noted previously, he came to clinical work with few clear goals except to "try . . . out a new experience to see how it fit."[31] Insofar as he had a career goal within the criminal justice system, he "had thought about becoming a *prosecutor*."[32] Under such circumstances, it is unreasonable to think that a one-semester clinical program, however intensive and oriented towards encouraging people to become public defenders, could be expected to turn Rader around. To be sure, such conversions sometimes happen (from prosecutor to defender and vice versa), but that does not mean that a program's success should be measured by the extent to which they occur.

If Rader's personal goal was incapable of being achieved, it also is unclear from his article whether the clinical program or its instructors had as their goal the minting of new public defenders. Abbe Smith can write more directly to this point, but while Charles Ogletree's and her writings suggest their own deep commitment to public defender work,[33] they do not suggest that their goal is to transform all of their students into public defenders. Indeed, if that was their primary goal, one would have expected them to adopt criteria for admission to the clinical program that would have sought to exclude students like Rader whose non-serious attitude makes extraordinarily

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[29] My own justification for having lower caseloads is the familiar one that it is important for us to teach our students the "right way" to handle a case, which requires us to take many fewer cases than practitioners would. Once in practice, students will learn the inevitable compromises and shortcuts all lawyers must take. But as Danny Greenberg (former director of Harvard's clinical program and now executive director of the Legal Aid Society in New York) pointed out to me on numerous occasions, the transition from ideal to more realistic work setting is not a seamless one, and unless we train students to function under conditions of greater scarcity we may not be providing them with optimal information on how to become competent lawyers in real-world practice settings.

[30] Rader, *supra* note 1, at 299.

[31] *Id.* at 301.

[32] *Id.* at 301 (emphasis added).

[33] *See* Ogletree, *supra* note 20, at 1271-77 *et seq.*; Smith, *supra* note 17, at 51-56.

difficult the development of the skills and commitment necessary to become a public defender.

My own view is that it is important to accept at least some students into clinical programs who have doubts about whether they want to be criminal defenders, or litigators, or even lawyers. Clinical programs can provide an unparalleled opportunity to explore what it means to be a lawyer, what it means to represent a client, and how one can function as a lawyer within a flawed legal system. Some of the Harvard students—and some of my students—will find the experience personally and professionally transformative and some will choose to become public defenders because of it. As clinicians, we may take pride in this development, and, if we are public defenders ourselves, we may feel vindicated when it happens. When it does not occur, it is not a failure.

Rader's story of failure may, however, be saying something slightly different from the promised story of career disappointment. Faced with learning at the feet of such dedicated and successful public defenders as Smith and Ogletree, he may have felt that his failure was in not measuring up to them. Like it or not, clinical teachers, *contra* Phoenix Suns basketball player Charles Barkley, are role models for some of our students. To the extent our students see us as standing for something—whether it is as a heroic public defender, a feminist, or progressive lawyer—they may internalize their "failure" to live up to what they believe are our expectations of them. That's a heavy burden to shoulder, even for "the stereotypical high-achiever who is in control and can accomplish things."[34]

Rader's focus on the big picture "failure" of not wanting to become a public defender also obscures some of the successes and insights he gained from his clinical experience. Some of these he recognizes, such as a reduced need to control everything in his environment, greater (and healthier) detachment towards his work, and an improved ability to "roll . . . with the punches."[35] He also appears to have learned some important insights about himself, his lawyering, and practice in the lower courts. He learned that one must develop mechanisms for evaluating one's work that do not depend solely on the opinions of others, whether clients or judges.[36] He learned that lawyers for poor people who practice in the lower courts spend a lot of

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[34] Rader, *supra* note 1, at 308.

[35] *Id.* at 339-42 (text and quoting journal entries).

[36] *See, e.g., id.* at 333 (clients' pleasure with "mediocre outcome" not sufficient measure of success), 339-40 (quoting journal entry) (rejecting court's criticism of him for filing discovery motions).

time on minutia,[37] which can make it difficult if not impossible to translate legal rights into concrete achievements. He learned that taking responsibility for even a portion of another person's life can be a frightening and eye-opening experience.[38] He learned that professional competence is attained slowly, one day at a time, and involves mastery of the little things before the big picture emerges with clarity.[39]

I agree with Rader that there were some failures here, but they are not necessarily the ones he identifies. Rather, the failures I see are: his failure to link his personal observations to a broader critique of the legal system; his inability to recognize that his desire for control and his assumption that he *is entitled to control* his life circumstances are elitist attitudes that limit him in profound ways; his crabbed view of the optimal ways in which professionals work, in particular, the desirability of isolated, individualistic professionalism; and his naive sense that he can avoid all the messiness, responsibility, and imbalance of lower-court criminal practice in the sanitized and rarefied world of civil law-firm practice. Left unchecked, Mr. Rader's attitudes are likely to deny him the professional happiness and "fun" he so desperately seeks. I turn to these themes in the remainder of this essay.

Rader's account offers occasional possibilities of going beyond his particularized experiences and linking them to broader concerns within the legal system, but he fails to pursue these leads. How effective are the discovery rules on the books when prosecutors and judges routinely violate their provisions?[40] Is it by chance that the rules are violated with apparent impunity when poor people are the supposed beneficiaries? Is the antagonism Rader observes between prosecutors and clinic defense lawyers merely a function of the former's inability to understand the role of advocates in the adversarial criminal justice system, as he suggests?[41] Or are the prosecutors (and judges)—presumably drawn more from less elite law schools than from Harvard—resentful of the privileged status of the clinic students?[42] Do the pros-

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[37] *Id.* at 310.

[38] *See id.* at 324, 334.

[39] *See id.* at 322 (importance of getting information and developing a sense of progress).

[40] *Cf. id.* at 309-311 (text and quoting journal entries).

[41] *Id.* at 314-17 (text and quoting journal entries).

[42] *See id.* at 315 (quoting journal entry) (quoting prosecutor commenting on student's rejection of a plea bargain by saying "Harvard didn't think it was a good deal."). In my criminal justice clinic, there are certainly strains between prosecutors and clinic defense students from time to time. But more than a few of the prosecutors and judges went to the Washington College of Law, and several are former clinic students. In addition, because our students spend one semester prosecuting and one semester defending, they tend to be less susceptible to being "typed" by the prosecutors as over-zealous defenders (though the

ecutors sense the lack of respect the clinic supervisors have for them that Rader identifies,[43] and, if so, how does that affect their treatment of clinic students and clients? Are there ways to think about the appropriate role of the defense lawyer that avoid the binary choice he presents of either over-commitment towards clients or treating clients and their problems as a game?[44] The article would have benefitted from more careful consideration of these and other systemic questions and less attention to the personal angst of its author.

Rader's article presents him, and, by implication, his fellow students, as thoroughly committed to solidifying their privileged place in the world. Two passages, among others, are instructive on his sense of entitlement and his disappointment that the system in which he was operating did not recognize his obvious importance:

> Most law students are used to getting their way. When confronted with intractable situations where the ability to impose one's will on the environment is not possible, internal tension results. This is the simplest interpretation of my frustration; I can't get what I want. . . .[45]
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> A sense of one's own importance also fans the resentment. Don't *I* deserve better? I came to law school expecting to do important work and be well paid for it and instead I end up working for some "deadbeat who's guilty anyway"? There is a sense of a life wasted, or perhaps not utilized to its fullest. Where is the greatness that I came to law school to achieve?
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> The dinginess and irrational organization of the lower courts conflict with my own self-image as a professional. How can I have to work with *these* people?[46]

Although Rader does acknowledge feeling guilty about his privileged status, especially when compared to his clients,[47] he does not appear to see the ways in which this sense of privilege defeats his efforts to represent his clients, except by suggesting it provided unhealthy motivation for his wanting desperately to save them.[48] Seemingly simple matters such as writing his client a letter indicating he was " 'disappointed' " with her for not showing up for an interview,[49] or deciding to communicate with clients by letter rather than telephone in order

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same may not be true for some prosecutors' views of the clinical faculty). Having a combined prosecution and defense clinic does entail other trade-offs, however, including the possibility that students get less of a sense of the attractions of public defender work.

43 *Id.* at 315 (quoting journal entry).

44 *Id.* at 341-42 (quoting journal entry).

45 *Id.* at 321.

46 *Id.* at 330 (emphasis in original).

47 *Id.* at 338, 342.

48 *Id.*

49 *Id.* at 312 (quoting journal entry).

to limit " 'messy' human contact,"[50] communicate volumes about his ingrained attitudes of privilege and *noblesse oblige*. Perhaps it is for the best that, in the end, he chooses to "stick to his own kind,"[51] as Maria was advised in *West Side Story*.

In his struggles to develop a professional identity, Rader appears to accept a view of professionalism that is unduly individualistic. For example, he describes his need for feedback from his clinical supervisor as:

> somewhat disturbing in light of the nature of a profession. Professions invest a great deal of discretion in the individuals who carry on the work. There is often little formal review because of the assumptions of competency. This is especially true in the profession of law.[52]

He adds—perhaps unnecessarily—"I know I generally don't like help. But I need it."[53] Perhaps Rader could have saved himself some angst as a student if he figured out more ways in which to collaborate effectively with his clinical colleagues and supervisors.[54] More significantly, he perhaps can save himself from professional and personal anomie if he learns to collaborate with others (including his clients) and open himself up to their wisdom.[55] Alternatively, he can continue to drive to his unknown destination without stopping to ask directions.

Rader's view of individualistic professionalism also bodes ill for his efforts to establish greater balance in his professional life. Throughout the article, Rader is positively obsessed with his need for balance and angry at his inability to achieve it in his clinical work.[56] Part of the reason he feels the lack of balance is the level of responsibility he feels for his criminal clients. But his belief that it will be easier to achieve a healthy balance between personal and professional concerns in civil litigation[57] is misplaced and dangerous. Not only do many civil matters raise concerns every bit as wrenching as the liberty

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[50] *Id.* at 335-36 (text and quoting journal entry).

[51] See *id.* at 339.

[52] *Id.* at 319.

[53] *Id.* at 321 (quoting journal entry).

[54] One gets very little sense of Rader's collaborations in the article. Perhaps he would benefit from reading David Chavkin's article in the same issue: David F. Chavkin, *Matchmaker, Matchmaker: Student Collaboration in Clinical Programs*, 1 CLIN. L. REV. 199 (1994).

[55] *See* Robert D. Dinerstein, *Client-Centered Counseling: Reappraisal and Refinement*, 32 ARIZ. L. REV. 501, 553 (1990) ("Collaborative decisionmaking also allows the lawyer to share with the client some of the weighty and often isolating responsibility that comes with the professional role") (footnote omitted); *id.* at nn.242, 244.

[56] *See, e.g.*, Rader, *supra* note 1, at 325, 326 (quoting journal entry), 327.

[57] *Id.* at 324.

interests implicated in criminal defense, but Rader's future private clients are unlikely to be very supportive of his desire for personal space when their financial interests are at stake.[58] Indeed, the literature on lawyer dissatisfaction identifies private law-firm practice as the most egregious example of the kind of practice that upsets the balance between the lawyer's personal and professional lives.[59] While I do not hold myself out as an expert on achieving personal and professional balance,[60] I do know that Rader is in for a rude awakening if he believes that his escape from the criminal courts will lead to an idyllic, balanced professional life.

In the final analysis, Rader's article is as "messy" as the reality from which it intends to retreat. His clinical voice is one to be reckoned with, not because it is especially accurate, but because it complicates the picture of clinical education we often wish to present to ourselves and our colleagues. For all our talk of fostering student empathy and encouraging students to embrace difference, our clinical charges sometimes refuse to cooperate. It is well for us to remember that from time to time.

Robert Rader writes, "This paper is the story of a failure."[61] But in another sense, it is the story of a success. For as Lucie White has written, law students need to ask themselves

> a series of self-focused questions. What kinds of day to day practical work activities really draw on your talents? What kinds of lawyering activities do you really love doing, for the sheer pleasure of the task itself, quite apart from its external rewards? What kinds of work activity give you energy, rather than taking energy away? What kinds of activity give you the sense of being the person you want to become?[62]

Rader's article tells us that, for him, the answers to these questions do not lead to life as a public defender. It's up to him to determine the positive answers to these "self-focused" questions. We should wish him luck. He'll need it.

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[58] *Cf.* JOHN P. HEINZ & EDWARD O. LAUMANN, CHICAGO LAWYERS: THE SOCIAL STRUCTURE OF THE BAR 365-73 (1982) (corporate clients exercise considerable control over the autonomy of their law-firm lawyers).

[59] *See, e.g.,* Judith L. Maute, *Balanced Lives in a Stressful Profession: An Impossible Dream?*, 21 CAP. U. L. REV. 797 (1992); Deborah K. Holmes, *Structural Causes of Dissatisfaction Among Large-Firm Attorneys: A Feminist Perspective*, 12 WOMEN'S RTS. L. REP. 9 (1990).

[60] Clinical teaching has many rewards but I have never found it especially conducive to maintaining a healthy balance between personal and professional concerns. Moreover, I work in Washington, D.C., which the Washington Post describes as a "workaholic's paradise." D'Vera Cohn, *Workaholics Find a Home In Washington*, THE WASHINGTON POST, March 13, 1995, at A1.

[61] Rader, *supra* note 1, at 299.

[62] White, *supra* note 26, at 4.