

Preface

I knew Asa as my neighbor in the big corner office just down the hall when I was a new, but fairly senior, associate at Debevoise & Plimpton. Although we never worked together, he was one of my first friends at the firm. He stopped in occasionally to say hello. I visited his office from time to time to ask questions. Later, long after he had retired and left New York for Alabama and I was myself a seasoned partner, I followed in his footsteps and was elected Chair of the American Bar Association Litigation Section. The shared experience rekindled our friendship, which I enjoyed the last several years of his life. I feel honored that he was a friend, and admire to this day his ability to have fun while practicing law as intensely and professionally as could be done.

Once he showed me a brief he was about to submit and asked for my comments. Although reluctant to be critical, I did tell him I did not care for one very clever (too clever) phrase in the brief. He thought

about it, and then said that he advised his young colleagues that, if there is one word or phrase that they especially love in a brief, they should take it out. It draws attention to itself and away from the argument. The writing, he said, should be transparent. He said that he had failed to take his own advice and would take out the offending phrase.

That advice was in the spirit of the memorandum that is the central work in this book. We passed the memo around at the firm from generation to generation. After Asa died, his wife, Helen Hill Rountree, and I wanted to find a way to share it with a broader audience. Helen (as interesting a partner as you might expect of Asa) first brought forward the idea of publishing the memo, with proceeds from its sale to fund pro bono work by the Litigation Section to honor Asa.

To Helen, the memo is not only an invaluable guide for how to be a fine lawyer, but also a wise and thoughtful primer on how to be a worthy practitioner of any profession. Helen deserves the credit for supplying several other of Asa's writings included here, as well as providing the portrait of Asa shown on the back cover.

Thanks also to my judicial assistant, Barton Lewis, for his invaluable help in readying the book for production.

Asa's advice is timeless and true, but also hints at the pleasure that can be had in aiming to practice law at the highest level.

Judge Lorna G. Schofield