

What Lawyer-Novelist Learned From Being Lawyers

December 11, 2014

[This article was first published on Law360.](#)

Many lawyers have become best-selling novelists, and two previous Law360 articles have explored [“What Litigators Can Learn From Novelists”](#) and [“What Transactional Lawyers Can Learn From Novelists.”](#) Now it is time to turn the focus on lawyer/novelists and ask whether being attorneys helped them achieve success in writing thrillers and mysteries.

Brad Meltzer, author of best sellers such as “The Fifth Assassin” and “Inner Circle,” and star of the History Channel’s “History Decoded,” worked on his first novel while at Columbia Law School and found success as a novelist prior to entering the actual practice. He said that his mentor at Columbia was the late Professor Kellis E. Parker and that law school helped him “hone my writing.” Meltzer emphasized that law school taught him how “to research, write and argue,” and “it taught me how to be succinct, to get to the point, to have focus.”

Marcia Clark, whose works include not only the novels “Guilt by Association,” “Guilt by Degrees” and “Killer Ambition,” but also her best-selling nonfiction account of her work as a prosecutor on the O.J. Simpson case, “Without a Doubt,” admitted: “I always wanted to write since I’ve been a kid,” but that “I don’t know if I could have been a writer if I hadn’t practiced law. It probably is fair to say that my experiences on both the defense and prosecution side gave me something to say and brought me to this point.”

Clark said that her time in the courtroom was invaluable in creating thrillers, saying that a litigator has to think like “a story teller in putting together a case for a jury.” She noted that, because she had to “formulate a logical story” as a litigator, she is now able to write “tighter crime stories, because logic and proof become critical.” And, she added that knowing “what really happens in court imparts a greater sense of authority.”

Unlike Meltzer, who went from law school directly into novel writing, and unlike Clark, who was a criminal defense lawyer and then a prosecutor, Sheldon Siegel is a transactional lawyer who still practices law full time as well as being a New York Times best-selling author of seven critically acclaimed legal thrillers featuring San Francisco criminal defense attorneys Mike Daley and Rosie Fernandez. In a wide-ranging interview, Siegel admitted that not many transactional deals make it into the pages of thrillers, but said: “I read the crime section in newspaper daily and try to use a kernel of real events as the jumping off point.”

Siegel noted that being a lawyer not only gives his legal thrillers authenticity, but it also has opened the door to a variety of people who can provide insight to the locales and situations that he depicts in his books. For example, his thriller “Judgment Day” is about a death penalty case. Siegel was able to turn his contacts with

death penalty attorneys and his ability to get an inside tour of San Quentin and meet with death row inmates into a compelling novel.

Because he has worked in big law firms and on major transactional deals for big organizations for three decades, Siegel is appreciative that he has had the opportunity “to observe a lot of characters,” because “my books are character driven novels.”

Siegel warned, however, that not everything a lawyer does is useful for a novelist. “You have to unlearn lawyer writing,” he said. Marcia Clark concurred, saying that novelists must “skip the boring parts,” and “resist the urge to write in legalese.”

In addition to talking to Meltzer, Clark and Siegel, I attended Bouchercon, a huge convention of thriller fans and authors held last month in Long Beach, California. While there, I not only participated in a number of sessions as a novelist, but I also spoke with Siegel and other lawyer/authors who were in attendance. During one panel discussion, Susan Goldstein, author of “Hollywood Forever,” agreed with Siegel about the importance of characters. She said that, while avoiding disclosing any confidences, she has drawn from her law office practice as a divorce attorney. As Goldstein said, with a quote that she puts on her webpage: “The stormy events and colorful people I’ve encountered have provided me with an abundance of material and inspiration for stories of deceit, disharmony, and death.”

On that same panel, entertainment lawyer Robert Rotstein, author of “Reckless Disregard” and “Corrupt Practices,” and Ken Isaacson, author of “Silent Counsel,” who was a practicing lawyer for 35 years before he started writing crime fiction full-time, both stated that their knowledge of the intricacies of the law was invaluable in weaving compelling stories.

Meltzer, Clark, Siegel, Goldstein, Rotstein and Isaacson all emphasized one key point — the dogged perseverance that lawyers must have to succeed translates well into novel writing. Siegel said that he agreed with Malcolm Gladwell, whose nonfiction book “Outliers” contends that it takes roughly 10,000 hours of practice to achieve mastery in a field. Clark said that “if you don’t make time” to write, you won’t ever complete your first novel, and that “you sometimes learn the most from books that didn’t work.” And, Meltzer was thankful for Professor Parker’s advice. “He was open to letting me experiment. I would ask how am I doing, and he would say, ‘Keep going.’ He was encouraging. The most important thing was to keep writing.”

The consensus that emerged from all these discussions is that the traits it takes to be a great lawyer are invaluable in crafting first-rate mysteries and thrillers. Both thriller authors and lawyers possess a concentrated attention to detail allowing them to create a logical framework for their story, brief or courtroom presentation. Skilled novelists and attorneys emphasize a compelling theme that pulls the juror or reader along, all the while paring away irrelevancies and focusing on a powerful presentation, whether it is in a best-seller, in a pretrial filing, or in an opening or closing statement to a jury. And fine writers of every sort work diligently to avoid stale metaphors, obscure legalisms and trite phrases, trusting the power of their prose to propel their audience through to the end.

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