

Commentary on “The Summer Associate,” by James D. Redwood

This story is a continuation of a series derived from the author’s experiences teaching English and helping in the administration of a social welfare project in South Viet Nam in the early seventies, before embarking upon the study of law, the practice of law, and ultimately the teaching of law. The story is intended, whether successfully or not, to operate on two levels: first, the difficulty, or perhaps impossibility, of shelving one’s past as one proceeds into the future, and second (and more specifically), the threat to the competent and effective practice of law posed by the personal debilities of the attorney who remains imprisoned in that past. I have long been intrigued by the intersection of law and literature (I teach a seminar on the subject), and I am now in the process of developing a textbook which will in part examine legal ethics as that somewhat troublesome area has been handled in the fictional works of selected literary masters (Anton Chekhov, Anthony Trollope, Bret Harte, O. Henry, John Mortimer, among others). “The Summer Associate” is the first of two contributions which I intend to make to the field, although I would hardly presume to call myself a “literary master.” But the story, I hope, illustrates the nettlesome line-drawing that goes on constantly in the law and that can be a trap for the unwary. Does Griswold cross the line into unethical behavior? Has he any right to judge the summer associate, or the partner for whom they both work? Has he committed an ethical violation by identifying too closely with Harold Warren and opposing counsel? Has he disserved the client, Venturecom Capital Corp.? What about his disturbing treatment of Mary Thuy at the end of the story?

Just as the conclusion of the story is up for grabs, I think, so too must I admit that I have no clear-cut answers to any of these questions. But that, alas, often seems to be how the law, life, and literature all work.