

# legally SPEAKING

## The Novelist

After serving as an assistant U.S. Attorney in Chicago for eight years, Scott Turow published Presumed Innocent (1987)—a runaway best seller that reinvented the legal thriller. Since then he has published eight more novels, including Innocent (2010), Presumed Innocent's long-awaited sequel. In February, Turow spoke with UC Hastings College of the Law's Associate Dean Evan Lee.



Scott Turow

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Legally Speaking is a series of in-depth interviews with prominent lawyers, judges, and academics, coproduced by California Lawyer and UC Hastings College of the Law.

You pursued your dream of becoming a novelist as a Stegner Fellow at Stanford's creative writing program. Then, faced with the choice of accepting a tenure-track teaching position at the University of Rochester's literature department or going to law school at Harvard, you chose the latter. Why?

I suffered from what I call writer's disease, which means I was having a very hard time building borders in my brain between what I was writing and the rest of my life.

I knew I needed something that was really involving to sort of pull me out of myself, and the thing that I discovered quite inadvertently when I wrote about a rent strike was how interesting the law was to me, which was a great shock. When I had graduated from college I had sort of ridiculed my roommates when they marched off to law school.

#### How did your father feel about that? I understand he was a physician who really didn't care for lawyers.

My dad was a prophet in his own time. He hated lawyers long before most doctors did. ... He just didn't get lawyers and all their rules. It was a way of thinking that was alien to him.

After graduating from Harvard you became an assistant U.S. Attorney, and during that time you wrote Presumed Innocent. Now, I've never been an assistant U.S. Attorney but I know a few, and I'm not under the impression that they have a lot of spare time.

When I made the decision to go to law school I took this solemn vow that I would not allow myself to go silent as a writer. It had been my dream, and I was not going to relinquish it. So I wrote on the commuter train on the way to work. I had that 23- to 25-minute period to write.

The other thing—and I have to give credit where credit is due-my ex-wife always felt that she had been the victim of a fraud: She married a writer and ended up with a lawyer. So she always encouraged me to write, and it was her idea that I take a summer away from the law to finish this book that I had been dragging around in my briefcase for eight years.

Is it true that there was a point during those eight years when you put the book down because you had to figure out the plot? Right.

So how does that work? Let's say you wrote the first half of this book. Something like 20 pages.

But Carolyn Polhemus is dead. She's dead. That much we know.

#### But you had no idea who killed her?

No, I had no idea. ... Two years later going through all the possibilities, I realized based on the 120 pages that I had written by then that I was stuck, that there were only two people who could have committed that murder despite the fact that I had created a large cast of potential suspects. And of course the logical thing to say is: "Well, why didn't you think about going back and changing it if you wanted somebody else to be the murderer?" And I find that this is one of the most amazing things about the creative writing process: You gotta have a place to begin, and once you've begun you don't want to give up the starting point, and so I was not willing to go back and rethink those 120 pages. I wanted to keep them. That was the universe I had created.

Your novels have what I would call a sort

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of funny relationship to the law: You revere the law and its institutions, but it seems that you find the people who actually carry it out to be deeply, deeply flawed. True or false?

I would say the way you've put it, false. Certainly I do revere the institutions of the law. But I don't find the people who practice law repellent. I enjoy being among lawyers, and I don't think the lawyers in my novels are all slugs.

In 2000, Illinois governor George Ryan declared a moratorium on executions in his state. He also created a blueribbon commission to study the reform of capital punishment. You were one of the 14 people he chose to serve on that commission. Now, going into that you were, you say, a "death penalty agnostic."

Well, I always say that I don't criticize anybody's opinion about the death penalty because I've held them all. ... but it just didn't seem right to me that a benevolent and self-respecting state would execute any one of its citizens. I just couldn't get my arms around it, and so I just would say I don't really know if I believe in this or not.

But you don't believe that taking a life for a life is necessarily morally wrong in all cases?

No. I don't.

When you are asked, "Why do you keep practicing the law?" your inevitable answer is "If it ain't broke, don't fix it." What does that mean?

Well, it means: If these novels that I have written have tumbled out of me in a way that satisfies me while I continue to practice law part time, then why would I want to give it up?

#### Because you could write more of them.

Well, that's true, but I really enjoy my involvement in the law in a really profound way. I mean, I took my mark well when I decided to go to law school. I still find the law incredibly interesting. •

To watch the full interview online, go to www .callawyer.com.