

# The Texas Lawbook

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## Record-Breaking SCOTUS Advocate Lisa Blatt Talks Texas



AUGUST 3, 2020 | BY TONY MAURO

Lisa Blatt is best known for arguing more cases before the U.S. Supreme Court than any other woman in the nation's history – 40 cases, to be exact, of which 37 have been wins.

Her 40th argument became news in May because she was the first private practitioner to argue from home, without actually being at the Supreme Court. Because of the pandemic, the justices on May 4 began hearing arguments via teleconferencing. And in another first, the court allowed the audio to be broadcast to the public in real time.

What is less known about Blatt is her Texas roots. Born in San Angelo, Tom Green County, Blatt embraces the state's "Don't Mess with Texas" bravado, as well as her years at the University of Texas School of Law – even as she practices in the rarified, Harvard-Yale air of Supreme Court practitioners.

Blatt revealed her Texas past in a *Texas Law Review* article in February, titled "Reflections of a Lady Lawyer." She recounted her arrival at the law school in 1986 as "an insecure, anxious and very unhappy twenty-one-year-old whose main dietary staple consisted of lettuce that I allowed to marinate in my hot locker until lunchtime."

Her law review essay also touched on her clerkship with Ruth Bader Ginsburg, then a judge on the U.S. Court of Appeals for the

D.C. Circuit, and her time at the U.S. solicitor general's office. In 1990 she went to Williams & Connolly where she met her future husband, David Blatt. She returned to the firm in 2019.

In the essay she also lamented what she called the "appalling dearth of female Supreme Court advocates." Last term, she said, only 8% of the lawyers in private practice who argued before the high court were women. "Corporations overwhelmingly hire men," Blatt wrote. "This should either alarm you, depress you, or both."

Blatt took time from her busy life to discuss Texas and other topics:

***Please talk about your Texas upbringing and how you decided to go to Texas Law.***

I've never left my Texas roots. After all, they are roots! Being from Texas means you think bold and big, and you walk the motto of the State: Don't Mess with Texas. Perhaps the biggest thought, though, that I've taken from my Texas roots is my attitude towards people of different political persuasion: embrace them. When I grew up in Texas, Democrats were conservative and Republicans were liberal; everybody got along and treated each other as friends and with respect. I distinctly recall discussing *Roe v. Wade* with my fellow law students for hours

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and hours, and my religious friends would out-debate me and my pro-choice stance.

If anything, their passion about the subject made me like them more. I think that's why I still love conservatives. I like being around people with a different point of view than mine. Perhaps Texans are just secure in their own views or are just friendlier.

As to UT, I was born and raised in Texas; I went to college at UT (and applied to no other college); and I planned to practice law in Texas. I never considered going anywhere else.

***What memories do you have about law school other than marinated lettuce? Which professors influenced you the most?***

I remember feeling at home and comfortable academically for the first time in my life. The late and great Charles Alan Wright was the professor who influenced me the most in terms of wanting to learn more about the Supreme Court. Then Dean Mark Yudof influenced me the most in terms of my career.

***What was your path from Texas law to RBG and the SG office?***

The aforementioned Charles Alan Wright is how I got the clerkship with RBG. He was one of my recommenders. The SG's office first approached me about applying when I was at Williams & Connolly and Ken Starr was SG. I knew of Ken Starr mostly because he was a Texas alum.

***How does it feel to be chair of a venerable Supreme Court and appellate practice?***

What makes me most happy is being at Williams & Connolly, not being chair of a practice. The place is home. I never want to leave. That being said, I also like helping and advising younger people and making sure other lawyers are getting oral arguments. I am very proud that my partner, Sarah Harris, will have her first argument in the Supreme Court next term.

***How is it working in the same office (or home) with your husband?***

Ha! Working with my spouse feels quite natural and is pretty much like it was from 1990 to 1993 when we also worked together. We commute and sometimes even have lunch together. Our friends overlap but our jobs don't. I love being at the same firm with him. He's got a very different personality — he's quieter but funnier than I am, and he works a lot harder than I do.

***What's your advice for lawyers who may be arguing in a teleconference format as you did in May?***

Joe Palmore from Morrison & Foerster gave me great advice: Use a headset. I also treated the argument as best as I could as if it were in person, and so I dressed for court and stood at a podium. And I wore my heels. I think only the first sentence, though, counts as "advice."

***As the female lawyer who has argued more Supreme Court cases than any other woman, you are asked a lot about the dearth of women who advocate before the Supreme Court. At W&C, you've brought in a number of women to the practice. Do you see the number of female Supreme Court advocates increasing soon, and how?***

I run the practice with Amy Saharia, who clerked for Justice Sotomayor and Sarah Harris who clerked for Justice Thomas. And we just hired Whitney Hermandorfer (Justice Alito; Kavanaugh, D.C. Circuit; Judge Leon) and Kim Broecker (Justice Kavanaugh; Kavanaugh, D.C. Circuit). Clients have many talented and exceptionally credentialed women out there now to choose from, so the problem is certainly not the pool.

But unfortunately, I don't see the numbers changing, especially in private practice. As you know, I've made my views clear in "Reflections of a Lady Lawyer." I welcome the dialogue and any disagreement. At the end of the day, I just want more women standing up in court.