

Deneen Howell

WILLIAMS & CONNOLLY (WASHINGTON, D.C.)



DENEEN HOWELL

BY KATRINA DEWEY

INSPIRED BY HER MOTHER AND LEGAL

dramas such as “L.A. Law” and “Hill Street Blues,” Deneen Howell decided to become a lawyer. At the outset, she was eager to translate her love of performance, drama and film to the practice of law as a trial attorney. She majored in Film Studies at Yale University and studied the impact of the Rodney King video for her senior thesis. She then took a gap year to work as an Investigation Coordinator within the Child Abuse Bureau of the Manhattan District Attorney’s Office, where her interest in law and film could come together in support of children who might need to tell their stories via videotape testimony, before matriculating at Stanford Law School where she earned her J.D.

But life, as we know, is what happens when you’re busy making other plans. And that’s just what happened a little farther down the road when she joined Williams & Connolly and met Bob Barnett.

The rest, as they say, is her story. Today, Howell co-chairs two practice groups at the elite D.C. firm, Employment Counseling and Litigation as well as Transactions and Business Counseling and enjoys being part of the nation’s leading practice advising former government officials; authors, ranging from Barack and Michelle Obama to Madeline Albright to James Patterson; media professionals, ranging from producers to correspondents to anchors working in broadcast, cable, radio and digital media; and senior executives assuming roles with major corporations, both publicly and privately held; as well as foundations, colleges, and universities.

Lawdragon: Can we talk about who or what inspired you to become a lawyer?

Deneen Howell: I’d have to say one of my primary inspirations has to be my mom. She was a college professor, with her Ph.D. in sociology, and taught courses in criminology and juvenile justice when I was growing up. She had pursued joint degrees when she was in college at Temple University, and initially enrolled in both the law school and in the Ph.D. program for sociology. She ended up focusing on her Ph.D. and after we moved from Pennsylvania to Massachusetts, she taught at Massachusetts College of Art and Design and then she taught for a few years at Wellesley College. She finished her career with a joint appointment at Suffolk University in Boston at both the undergraduate school and the law school. So, like many children, my decision to go to law school was influenced by mom’s interests and thoughts

about what she might have done if she had continued to study the law.

LD: I can see why she was your inspiration.

DH: I also just love the drama of law, and I loved talking with my mom about her work. She and I both loved watching the popular legal dramas of the day, like “Hill Street Blues” and “L.A. Law.”

I also was inspired to go to law school because of something you might find less obvious: the theater. I was really into drama in high school. I lettered in drama, I even got the letterman jacket. It was a little strange to some, I suppose, that I wore a letterman’s jacket because it wasn’t for a sport, but I proudly displayed my comedy/tragedy face pin where others might have a football or a basketball.

I think my mom still has that jacket somewhere. To me, and I’m not alone, the drama of the courtroom has overtones of the theater. It seemed a natural extension of what I’d been busy doing on stage growing up, to transition that into the law. Of course, life being what happens when you’re busy making other plans, I never did become a trial lawyer. But I’m still drawn to the drama that a career in the law can bring. Now, I would say my practice focuses on the drama of real life.

LD: What led you to study film at Yale?

DH: The film major at Yale is more like an English major on celluloid. I took a couple of classes in photography and videography, but the vast majority of the course load there is studying the text of the film, and then writing about it. I had the opportunity to write my senior thesis on a topic that brought law and film together: the 1991 beating of Rodney King by four Los Angeles police officers captured on video by chance.

I graduated college in 1993, and that videotape and the ensuing trials, lawsuits and riots had been the focus of national attention. Now cameras are ubiquitous, there’s a cell phone camera everywhere, but having videotape of that beating was unique. And it was a case of first impression, to a degree, as to how it could be used in the courtroom. Was it appropriate or ethical to freeze-frame the video and analyze, frame by frame, what actions were culpable and which were not? I found that really compelling, a first in the ethical implications of technology and film in the courtroom.

I deferred attending Stanford for a year because I didn’t want to go straight from college to law school. Many of us benefit from something of a gap year, or real-life experience, before going to graduate school. I found a

one-year position as an investigation coordinator in the child abuse bureau of the Manhattan District Attorney's Office, so I moved to New York. It was, of course, important work to me, to be involved in the process of trying to protect children.

I also picked that office because there was a little room in the back with a video camera for purposes of taking child testimony because it was permissible under New York law for victims to have their testimony videotaped so they didn't have to be in the courtroom and see their abusers. And that was an interesting question, too, that the fundamental right of a defendant to confront their accuser is deferred in that way, in the interests of the child. After that year before going to law school, exploring yet another way film can intersect with law, I went to law school.

LD: So there's always been this storytelling theme running through your career?

DH: Yes, absolutely. I love stories, whether translated on screen or on the stage, or shared in person. And the practice of law, at its root, depends on the art of crafting and telling stories. When advising my clients, most of whom are individuals, as opposed to companies, I have the opportunity to make personal connections and learn about their individual stories and figure out how to best weave those stories into our negotiations. It might be an employment story (why someone is the best person for a particular job (and should have a commensurate contract with certain terms and conditions)), or it might be a licensing story (why a particular author is the best person to write a certain book and why that book should be published). It all resonates around storytelling, and trying to help people figure out what story they're trying to tell. I've even had the pleasure of working with clients who are directly involved in film and theater, advising playwrights and authors on film option deals. So it all gets to come back together in this practice, which is probably why I've been doing it for as long as I have.

I love working with my clients to help them make their lives work, to advise them about the choices they have and what the consequences of making particular decisions might be. Should I sign this contract or that contract? What will this clause mean for me? How will it affect me in my life? Looking at my own origin story, it might seem that I was headed to a place very different from where I wound up, but, the common theme is a love of stories and storytelling.

LD: What did you take away from your experience as President of the Stanford Law Review?

DH: What I loved most about serving as President was working together with an excellent Managing Board and

learning how to be an effective leader as we worked to publish each issue. How to see the big picture of what we're trying to accomplish and also address the small details. Sometimes that meant enforcing deadlines and even cutting pieces of professors whose manuscripts had been accepted but who couldn't get their final drafts completed in time. For the most part, it meant working with and supporting my team to manage internal and external expectations, develop a workable schedule and make sure that our output was excellent. In my practice, I aspire to do the same. With each of my clients, I work to understand their big picture, and then sweat the details of the pieces to make sure that the contract terms are workable and fit within their lives while also facilitating their livelihoods.

LD: Is your work on the Law Review partly what led you to the Times Mirror Co.?

DH: I'm sure that I was attracted to Times Mirror because of my work on the Law Review and that I could be instrumental in a legal counsel role, working to support the business of getting the Los Angeles Times printed and published. I also was attracted to the company because of one particularly unique thing about Times Mirror at that time - namely, that, among a department that was relatively small, numbering fewer than ten attorneys, there were two who preceded me that also had come to the company straight from law school. Because of them, I could be confident that I would have opportunities to grow as an attorney. And I had wonderful experiences there. However, after about a year in Los Angeles, and after having already spent three years in California for law school, I felt the draw to come back to the East Coast.

LD: Time to go home.

DH: Yes. Or, at least closer to home, and to where I would have gone had the opportunity to go to Times Mirror never arisen, but to join a practice I likely wouldn't have had I not spent a year with Times Mirror.

At the same time that I got the offer from Times Mirror, I also received an offer to join Williams & Connolly. I had targeted the firm because of its reputation as a litigation powerhouse. But, I also anticipated that I might wind up in-house and, ultimately, I was persuaded to try that first. But, fast-forward a year, I called Heidi Hubbard, then chair of the hiring committee and now on our executive committee, and asked if the firm would consider having me come then. Happily, she said yes!

That was in 1998 and after Heidi said, "Sure, you can still come," I asked, "Can I talk with the people who are practicing corporate and transactional law?"

Although I did have opportunities to get into court while working at Times Mirror, I learned that I most enjoyed my role as a counselor, treading the intersection between law and business realities, and also valued the opportunity to deal with a wide variety of legal issues, including questions of First Amendment, copyright and trademark law, employment and securities matters as well as mergers and acquisitions.

So, while I was still interested in litigation when I joined the firm, and early-on worked on some great employment and media-related litigation teams, I wanted to make sure I could also continue to develop my skills as a counselor advising clients on business and transactional matters. And then I met Bob Barnett, and in many ways ...

LD: The rest is history?

DH: Yes.

LD: What did you think when you met him?

DH: I don't think I fully appreciated him for the legend he was then, and still is. What I loved about him, personally, was just how warm he was, and how appreciative he could be, as a mentor and partner who was guiding my career and providing opportunities for me to learn and hone my craft. He would do small things. When reviewing my early assignments for him as a junior attorney, he would send notes back to me, inter-office, with feedback on my work that would say, simply, "Good Work!" adorned with a smiley face. It was really endearing. He also modeled for me: He taught me the importance of providing positive and constructive feedback early and often to the people you're working with.

He also has set an excellent example for me in terms of trying to achieve that elusive balance between work and family. He would always take calls from his wife and daughter when they wanted to reach him during the day. We would be on a call with a client, or in a meeting, and his cell phone would ring and he would excuse himself and take the call. That level of devotion and making time for his family during the workday, and the way in which that has evolved to encompass his devotion to his three grandkids, has been phenomenal and has helped me make space and time to develop and be committed to my own family.

To work in an environment in which I am encouraged to be involved in my children's lives, and in my husband's life, while also pursuing my career - those things are invaluable.

LD: That's a great role-model story. Do you remember the first book or high-profile project that you worked on with him?

DH: One of the earliest and most memorable projects was the first book deal that I worked on for Secretary of State Madeline Albright. We've now done, I think, seven books together. Her most recent is "Fascism: A Warning," which I negotiated the terms for just last year. That book came out a few months ago and has been a fantastic success.

I remember when I was an associate, and I would raise questions or concerns that required us to get input from the client, Bob would say, "OK, give her a call. Here's her number." To have conversations with the likes of a former Secretary of State, who showed me respect and deference for my craft and who would ask for and take my advice, was stunning. That is one of the most amazing things about the practice that I lead, because I do have this unique opportunity to interact with and provide value to an incredibly impressive array of clients.

The level of humanity and the respect that they each have shown me, as a lawyer and counselor, is hugely rewarding. And when there are clients that are happy enough with you, they refer you to new clients. That's the principal way I have grown my practice: making one client happy enough to tell friends and colleagues that they should call me, too. That is beyond gratifying. That just tells you that you are doing well, that you're doing right by your clients.

LD: Can you explain a bit the difference between a lawyer and an agent. Where are the dividing lines?

DH: I would say the principal difference, the practical difference, between my practice representing authors, media executives and media talent and that of a literary agent is that I don't work on commission. I charge for my time, for the hours that I spend working on my clients' behalves. My fee structure has no bearing on what my client might stand to earn or actually earn. Literary agents typically charge a commission of between 15 percent and 20 percent of the author's gross proceeds. Media talent agents typically charge 10 percent of gross proceeds. I am not financially incentivized to make sure my clients make a deal making it easier for me to help my clients decide if it's the right deal or if the best choice is to make no deal at all.

LD: You, of course, have the most high-profile publishing practice in the country. Can you talk a little about some of the other pressures?

DH: I have to be, like anyone, careful about the writers whom I represent. I would hate to have a client incur legal fees, only to be unsuccessful in finding them a publisher. Or, if I did find them a publisher, to see their advance consumed by my fees. None of us can afford to spend a lot of time trying to place a book and not succeed. Authors who are just starting out, who maybe haven't

yet been approached by a publisher, who don't have a proven track record as a writer, they can be a gamble for anyone. Like any agent or other author representative, you might turn down a project because you're concerned that it just doesn't make economic sense.

On the flip side, there are many authors who do have a proven track record. A number of our clients are well-established authors who had been represented by agents in the past and whose agent perhaps retired or left the business and who recognized the considerable cost savings they can achieve by switching from an agency to a law firm. Authors such as these no longer need an agent to open doors for them or the editorial support that a literary agency might provide. I can't necessarily say that every author in the world who is represented by an agent should fire their agent, and hire me. There has to be a personal connection and the individual has to feel well served by their choice. I have greatly valued the connections I have made to date and look forward to making many more.

LD: We've talked about Secretary Albright. Are there other projects you've worked on where you feel like, "Wow, I can't imagine doing anything more interesting or important than this?" or "This is why I love what I do?"

DH: Certainly. It's incredibly rewarding to work with authors like Wilbert Rideau, who wrote "In the Place of Justice;" and Khaled Hosseini, author of "The Kite Runner," "And the Mountains Echoed," "A Thousand Splendid Suns," and a new book that we just did a deal for this year, "Sea Prayer," which came out of his writings on the Syrian refugee crisis. I love to read, and it's been enormously rewarding to represent authors who write books that I can't put down, from James Patterson who is a master at writing well-paced and compelling thrillers, to the other authors we've mentioned who have made contributions to literature that will outlive all of us.

In the end, I became a lawyer because I want to connect with and help people, and I love my practice because I get to help so many different people do so many different things. I work with upwards of 100 different individual clients in any given year. It might be a series of cookbooks, like those we've done for restaurateur Lidia Bastianich. There are also the books that are just fun to read, like the spy thrillers written by Alex Berenson, who moved to novel writing after starting his career as a reporter for the New York Times; and books by Mary Simses, who writes love stories and is on her third novel after having written "The Irresistible Blueberry Bake Shop & Café," for example. I enjoy all of their books, and I also enjoy each of them as people.

So while it's particularly inspiring to get to represent some of the household names that I've gotten to represent, I don't need for my clients to be famous or infamous. I just need to connect with them, and for them to connect with me, and to help them navigate the pieces of their lives where a lawyer can be most helpful.

LD: So what are you reading now? In your personal time?

DH: Mostly I'm reading books to my kids.

LD: How old are your kids?

DH: My kids are 5 and 8, so my son is reading for himself, but still loves to be read to, and my daughter is starting to read, but we're still mostly reading to her. They have wide-ranging tastes. Right now, we are reading "The Magician's Nephew," which is the first book in the Narnia series. I never read that book as a kid, so I'm finding it's really fun, actually, to read some things to them that I missed and also to read what is popular today.

My son is obsessed with the Gregor series and Dave Pilkey books, my daughter loves the Magic School Bus and the Princess in Black series, and both of my kids are really into Roald Dahl books. We started to read the Harry Potter series, but it got a little scary for them, so we put those down. My son then picked up Stuart Gibbs' Spy School series, and he devoured those in about six days. Over the course of the last six months, because he has started to read so independently, I find that I'm now picking up books that he has already read. But, he also still loves to be read to, as does my daughter, so I spend as much time as I can reading aloud with them each night.

LD: It's enchanting, how books are a thread that runs through your personal life and your career.

DH: My kids often ask me, "What's your favorite thing, Mom? What's your favorite thing to do?" And I tell them, "Reading out loud with you is at the top of my list." I get to resurrect a bit of my theatrical past and take on the characters and give them different voices and personality, and also just enjoy spending that time together.

LD: I couldn't envision a life where books were not, and stories were not, an integral part of it. And it's wonderful that you shaped your life and an amazing law practice around this thing you love so much.

DH: It is. I will mourn the day when my kids don't want me to read to them anymore. I think I have a few more years, though, before that happens. And, in the meantime, I will continue to enjoy working with my clients, whether they are writing books or embarking on a new career opportunity, to understand and help them craft and tell their stories.