

Rising Star: Williams & Connolly's Sarah Harris

By Emily Lever

Law360 (June 8, 2021, 2:54 PM EDT) -- Williams & Connolly LLP appellate partner Sarah Harris argued before the U.S. Supreme Court in two high-profile cases related to denied disability and retirement benefits, earning her a spot among the appellate attorneys under age 40 honored by Law360 as Rising Stars.

HER MOST NOTABLE CASES:

Both of Harris' highest-profile Supreme Court cases were arguments for clients "facing Byzantine administrative law schemes," she told Law360.

In *Carr v. Saul*, Harris' client, Willie Earl Carr, sought a review of the denial of his disability benefits after an earlier Supreme Court decision had found a number of administrative law judges to be improperly appointed. The case hinged on whether Carr had forfeited his right to challenge the denial of benefits by not raising the issue during administrative proceedings.

"I love the challenge of getting a story out of not very promising ingredients," Harris told Law360. "It was a true battle royale over statutory interpretation principles."

The court sided unanimously with Carr in an April 2021 decision, which also gave approximately 1,000 other applicants for benefits the ability to have their denials reviewed as well.

In November 2020, Harris got another victory for her client Manfredo M. Salinas, who was seeking judicial review for a denial of retirement benefits in *Salinas v. United States Railroad Retirement Board*. The court sided with her client 5-4.

ON HOW SHE NAVIGATED HER HIGH-PROFILE CASES:

Both of the Supreme Court cases were similar, Harris said, and not just because she argued both times opposite the same government attorney, Austin Raynor.



Sarah Harris
Williams & Connolly

Age: 39
 Home base: Washington, D.C.
 Position: Partner
 Law school: Harvard Law School
 First job after law school: Clerk for Judge Sandra Lynch of the First Circuit

"There is a puzzle piece aspect of appellate practice," she said. "How do you fit together a really complicated argument? How do you also talk about the scheme in a way that will not be either impenetrable, or so boring that no one wants to listen to you?"

Harris also had to balance her cases with other challenges: She gave birth to her daughter in April 2020 and was caring for a newborn while preparing for both cases.

HER MOST FUN CASE:

Harris' practice is not all arcane administrative law disputes; she even described a May 2020 case she briefed before the Supreme Court as "truly fun."

Patent and Trademark Office v. Booking.com hinged on whether it was possible to combine two generic words — "booking" and the suffix ".com" — to make one name that was distinctive enough to trademark.

"That was a question you could debate at the Thanksgiving table," Harris said. "You can debate that with any non-lawyer or any lawyer and people will have an opinion."

Although previous decisions had held that two generic words could not be combined to make a word that can be trademarked, Harris had an epiphany while going past The Container Store that the current commercial landscape is rife with distinctive brand names made up of two generic words.

"I wrote in my brief that 'if the government's theory is correct, then Waffle House is toast,' she recalled.

The Supreme Court ruled 8-1 in the online company's favor, saying on June 30, 2020, that the ".com" addition could protect the name.

HER ADVICE FOR APPELLATE ATTORNEYS:

Any attorney hoping to argue before the Supreme Court needs a mentor to get them there, she said. For Harris, that was Lisa Blatt, who has appeared before the highest court in the country more than any other woman lawyer.

As a specialist Supreme Court appellate bar emerges, lawyers in that rarefied circle should pay it forward to ensure that attorneys from underrepresented groups in the legal profession can break into that world as well, Harris said.

"How do I make sure associates who are junior to me are also getting opportunities?" Harris said. "Not being a jerk is a cardinal rule of appellate practice."

— As told to Emily Lever

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2021 Rising Stars winners after reviewing more than 1,400 submissions. Attorneys had to be under 40 as of April 30, 2021, to be eligible for this year's award. This interview has been edited and condensed.