La Maestra: Carrie Menkel-Meadow, Master Teacher

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On the first day of law school, the classrooms vibrate with nerves and insecurities. At Georgetown Law in fall semester 1998, my fears gave way to enthusiasm when Professor Carrie Menkel-Meadow began to speak in 1L Civil Procedure. We had found a master teacher who would not only unravel the knotty rules of Civil Procedure, but would lift our vision of the legal profession.

Before law school, I remember telling someone I did not want to be a lawyer because, "I didn't want to fight all day." I thought my natural inclination to broker compromise made me ill-suited to the craft. Then, I took every class I could from Carrie, including Alternative Dispute Resolution, Negotiations, and Consensus-Building for Multiparty Disputes. In her classes, I realized I loved law school and loved the idea of being a lawyer as she conceived of it. A lawyer, she taught, is a problem-solver. A lawyer finds a way to help resolve rather than stoke conflict. By re-theorizing the field, she helped make a place in the profession for value-added outcomes beyond the zero-sum of litigation. She taught that most of what lawyers actually do all day is to negotiate: with clients, with opposing counsel, with co-counsel, with partners, with friends. Skilled and principled negotiators and mediators helped to preserve ongoing relationships and empower clients. Her classroom was challenging and empowering, both demanding and fun.

As an attorney at the United States Department of Justice in the Civil Rights Division, I was junior counsel on a complex case of race discrimination under the Fair Housing Act. A federal magistrate judge was seeking to mediate a resolution to our case after several years of intense contentious litigation. As my senior counsel grew frustrated with the process and threatened to end mediation, I channelled my inner Menkel-Meadow! In my mind, I heard her principles and teachings urging me to focus on the interests of the parties and the risks of a litigated winner-takes-all result. I trace the negotiated resolution of that case,

without the relived trauma of trial testimony for the victims and with the assurance of significant compensation, directly to having been taught by Carrie Menkel-Meadow.

Now, I am a law school professor. It is daunting because I know what it looks like to do it at the highest level. I have watched Carrie be simultaneously a masterful teacher, a productive and consequential scholar, and a citizen of generational reach and impact. For so many in legal education, and certainly for me, Carrie is a kind of platonic ideal and role model. When I step into my classrooms, I aspire to take her sense of empathy and excellence with me. I aspire to instil the noble vision and values she taught in my own students. I hope to someday publish an article with the reach and influence that numerous of Carrie's books and articles have had, and will continue to have. Carrie has thought deeply about and shaped for the better legal pedagogy, the role of women in the profession, dispute resolution, access to justice, film and law, and many other topics of note.

Wherever she has gone, she has left those around her better than when she arrived, most especially her students. I count myself blessed to be one of them. To honour her many transformative contributions, taking legal education and the profession from monotone to symphony, I dedicate this humble haiku:

They knew but one note

But then the maestra re-scored.

Symphonies now play!

About the author

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Legislation, Regulations and Rules

Fair Housing Act 1985 (United States)