

NATIONAL

Not the Usual Suspects at High Court

First-Time Advocates Win Surprising Decisions

Catching the Supreme Court Bug

Lindsay Harrison, a 30-year-old associate at Jenner & Block, says without hesitation, “I don’t scare easily.” So when an immigration case she was assigned to handle pro bono last year started making its way toward the Supreme Court, Harrison says that at no time did she secretly hope a more senior lawyer would take the case away from her, as partners usually do.

Surprisingly, no one at Jenner even tried to bigfoot her. She argued before the justices in January—her first argument in any court anywhere. But she more than held her own and came away feeling she might win. “The questioning could have been a lot more critical,” Harrison recalls.

On April 22, the Court sided with her client in *Nken v. Holder* by a 7-2 vote, and Harrison is now officially hooked on arguing before the justices. “Definitely the greatest honor is to be part of the Supreme Court Bar,” she says.

Harrison says she first caught “the Supreme Court bug” when she worked at Jenner as a summer associate in 2002, part of the team helping partner Paul Smith file the petition in the landmark gay rights case *Lawrence v. Texas*, and assisting partner Donald Verrilli Jr. with the death penalty case *Wiggins v. Smith*.

As she prepared for her own argument, Harrison knew that the individual plight of client Jean Marc Nken, who contends he was persecuted for challenging the Cameroon government before coming to the United States in 2001, would stay “in the background,” while more routine questions of statutory interpretation would decide the case. In the 4th Circuit, where

Nken’s case originated, strict standards make it hard for aliens to obtain a court stay to delay deportation while their asylum appeal is pending. She argued that traditional rules governing stays should prevail, not a 1996 federal law aimed at making deportations quicker.

That appeal to traditional rules carried the day when the Court found that the 1996 law did not apply. Harrison says that Nken, who is being held in Maryland, was “elated” to hear of the victory.

The case has special meaning for Harrison in another way. Her father and grandparents emigrated from the Soviet Union a few years before she was born. Her grandfather had been a lawyer in Tashkent, but he ended up working in a kosher delicatessen in Dallas, where she was raised.

“It’s great to think that within one generation,” Harrison says, “my family has gotten back to being lawyers.”



PATRICE GILBERT

FIRST AT-BAT: Jenner & Block associate Lindsay Harrison won her first case before the Supreme Court. She says she doesn’t “scare easily.”