

NAME:

DATE:

## MAKING A CASE FOR TAKING THE CASE

- Read the narrative of Gail, *Firm about 'Flim Flam.'* Let's try to describe what she may have been thinking.
- Split into pairs. One partner assumes that they are Gail and has just decided not to represent the woman charged with the 'flim flam.' The other partner is Gail's close friend, also a defense attorney, who has just learned from Gail about her decision, and disagrees with her.

If you're playing Gail... **Write down five reasons that justify your decision.**  
**STAR** your two best reasons.

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If you're playing Gail's colleague... **Write down five reasons arguing that Gail should not have rejected the client.** **STAR** your two best reasons.

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### DISCUSSION QUESTIONS

1. Which of Gail's hypothetical answers are honest, and which seem to simply justify her behavior? Is she lying to herself, or is she giving good reasons?

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2. Are the responses of Gail's colleagues too critical? Do they take into account the practical, real-life situation of being a female defense attorney at a time when cases are hard to come by? Do they consider Gail's personal values?

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3. What do these responses tell us about the competing forces that influence our decisions? What is important in navigating these circumstances?

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