The Life and Career of Christopher Landau, Partner, Kirkland & Ellis, LLP

Christopher Landau, 41, grew up traveling the world. The son of a diplomat, Mr. Landau was born in Spain and spent much of his childhood in South America. Intrigued by international relations, Landau planned to follow in his father's footsteps, even while in law school.

"I cannot say since I was six years old, I had a burning desire to be an attorney," he said. "I'm always a little bit suspicious of people who say that's their path. I went to law school because I thought it would be good training for pursuing a career in any number of fields."

In fact, just a few weeks into law school, Landau was miserable. He wasn’t familiar with the legal lingo and wondered what he was doing and why. Landau knew law school was a good way to sharpen his analytical skills, but he didn’t really want to practice as an attorney. He stuck it out and even began to enjoy it.

And he excelled. Landau graduated magna cum laude in 1989 and won the Sears Prize, awarded to the two students with the highest GPAs their second year. He was also articles editor at the Harvard Law Review. When asked how he went from struggling to understand the lingo to top of the class, Landau pauses, searching for the right words.

"It’s funny. It took a while," he said. "I'll always do what’s at hand. But I certainly didn't—well, it just didn't come naturally to me."

His hard work paid off. Landau clerked for Judge Clarence Thomas on the U.S. Court of Appeals, DC Circuit, in 1990 and then was asked to clerk for Justice Antonin Scalia on the Supreme Court from 1990 to 1991. When Justice Thomas moved up to the Supreme Court, Landau joined him again. And now he runs Kirkland & Ellis' appellate practice.

But it was the experiences clerking that convinced Landau to pursue a career in law instead of diplomacy.

"I enjoyed being able to figure out and work my way through complicated cases and reach the right result under the law," he said. "It's very challenging and a big responsibility to get it right. And I just really enjoyed that role. I enjoyed trying to help out and give advice to my justices about things. I think for me at least, academics was fun and interesting; but I like to actually feel like my work is making a positive effect, having a positive effect in the real world on people's lives."

Kenneth Starr gave Landau his first big break when Starr was on the DC Circuit Court of Appeals. Landau also did a stint at the Justice Department.

"I worked in the Justice Department for a few months, and one of my jobs was to work on the confirmation of Clarence Thomas in the DC Circuit. He was nominated to the Appeals Court, where he served for a about a year and a half, before he went to the Supreme Court," he said. "I worked on his confirmation; then he asked me to be a law clerk of his on the DC Circuit."

Landau still considered taking the Foreign Service exam to pursue a diplomatic career, but he changed his mind. The law proved to be an interesting career. He moved to Kirkland & Ellis 12 years ago. He said he is often pleased that his practice has an international perspective.

"I'm somewhat pleasantly surprised at how a lot of these international issues do come up in my practice," he said. "One of my big cases now is about a dispute over the right to drill for oil between Australia and East Timor halfway around the world. And there's some really interesting and tricky international law there."

He will also be arguing a case in Ninth Circuit in a few weeks concerning the enforcement of a judgment from Nicaragua against several American companies for $470 million.

Landau's rise from unsure student to appellant expert should encourage anyone doubting him/herself in law school or early in his/her career. He said he believes it’s common for young attorneys to feel nervous about their jobs and that it gets easier over time. Now an experienced attorney known for strong oral arguments, Landau said he used to worry about being called on in law school.

"In law school, it was my first exposure to the Socratic method; and I remember always being terrified of
being called on," he said. "I was one of the quiet people in law school."

Honing his argument skills took practice, he said. He observed his mentors in the Supreme Court and elsewhere.

"Looking back on my first few oral arguments as an attorney, I certainly got very uptight; and it was not a skill that came naturally to me," he said. "Now, I’m much more relaxed when I get up and do a case, but that was certainly a skill I acquired."

Although Landau has worked on several cases and briefs in the Supreme Court, he will soon be arguing his first case there as lead counsel. Buckeye Check Cashing, Inc. v. Cardenga is a Federal Arbitration Act case that will decide whether the Act allows a party to avoid arbitration by claiming the underlying contract containing an arbitration clause is illegal.

"And we’re saying no," Landau said. "If you’re not saying that the arbitration agreement within the contract is illegal, then the court has to enforce the arbitration agreement, and the arbitrator has to decide whether the underlying contract is illegal. You can’t leapfrog over the arbitration clause just by saying the underlying contract is illegal."

Landau, who lived in France for a year before law school and is fluent in French and Spanish, said he found his niche in appellate work and encourages others to keep looking until they find what makes them happy.

"I’ve always focused on appellate practice and along the way worked my way up and now I’m running that practice," he said. "I think the great thing about our profession is there are so many ways to take a law degree and take legal training and create a career that you enjoy."

And if at first you don’t succeed, never give up, he said.

"I would say it’s important to show everyone else that you care about your work, that you take pride in your work, and that you’re there when the chips are down and you can pull through in a crunch," he said. "It gets so much easier as you get experience in this business—maybe that’s true in any business—that your comfort level just goes up dramatically as you do things."