



A LONG WAY FROM HOLLYWOOD: Before he chose a legal career, Isaac Lidsky was a child actor on a sitcom.

For Blind Clerk, The Sky's the Limit

Isaac Lidsky has been an associate at Jones Day's D.C. office for only three months, so he was unsure where to find the Erwin Griswold conference room, where our interview would take place. He asked for my elbow to guide him.

I had never been to the conference room either. But I can see. Isaac Lidsky is blind. As I followed signs, and Jones Day workers showed me the way with Lidsky at my side, the magnitude of what lies ahead for Lidsky became real.

Courtside

By Tony Mauro

Starting July 14, Lidsky will be making his way through the marble halls of the Supreme Court as a law clerk—the same maze-like hallways that famously confound new, sighted justices for the first months of their tenure.

A small number of clerks with disabilities have served the Court, but, before Lidsky, no blind person has taken on the reading-intensive job that entails digesting hundreds of petitions and writing memos and rough drafts of decisions.

Lidsky himself is awed by the prospect, though not because he is blind. Clerking at the Supreme Court has been a dream of his ever since his father, a Cuban-born lawyer in Florida, began telling him as a child about “this thing called the Supreme Court.”

That was when Lidsky was a child actor, starring in dozens of commercials in Miami. When he wasn't acting or in school, he'd follow his father around in court. “It was a blast seeing my father argue before a judge,” he recalls. About 15 years ago, “I learned about this idea of clerking” from his father, he says, and it stuck.

It was also around then that Lidsky went to an eye doctor. Two of his three sisters had already been diagnosed with retinitis pigmentosa, a degenerative eye disease that leads to blindness, and his parents wanted to find out if he had it, too. He did, but at first, he says, “I didn't really realize I saw any worse than anyone else.”

His acting career soon reached its peak when he played Weasel on the NBC show “Saved By the Bell: The New Class” in 1993.

But Lidsky says that with law school as his single-minded goal, he never intended to stay with acting.

First came Harvard College, then Harvard Law School, *Harvard Law Review*, an appellate clerkship, and then the Justice Department's Civil Division. The 29-year-old applied for a high court clerkship four times before finally getting a call in late December from retired Justice Sandra Day O'Connor—just as he was about to take a job with Jones Day, a venerable firm chock full of former clerks.

Before Lidsky begins at the Supreme Court, he has something to take care of that he is equally passionate about: a June 18 gala to introduce the foundation he created, called Hope for Vision, to the D.C. community. Its mission is to build awareness of blinding eye diseases and generate research into possible cures—research that is beginning to produce major breakthroughs. The event, hosted by Rep. Ileana Ros-Lehtinen (R-Fla.) who heads the Congressional Vision Caucus, will take place on Jones Day's Capitol-view rooftop. Jones Day, Sidley Austin, and Burson-Marsteller are among the sponsors.

"Come July, I will obviously have to take a less active role in Hope for Vision," Lidsky says. "That's why I have a sense of urgency."

Lidsky masks that urgency with a confident calm. His boyish face and wide, unseeing eyes betray no nervousness about his next year. Lidsky has blown past every challenge before him. Putting on a major gala and clerking at the Supreme Court should be no different.

"Isaac will excel in any job he does," says former Acting Attorney General Peter Keisler, who hired Lidsky in the Civil Division. "Appellate work is what he enjoys doing, and he does it extremely well." Keisler, himself a former clerk, is now a partner at Sidley Austin.

Lidsky has argued more than a dozen cases before several courts, including the U.S. Court of Appeals for the D.C. Circuit, where he once appeared before Judge David Tatel, whose blindness was caused by the same disease that befell Lidsky. The two have compared notes, and Tatel gave Lidsky valuable tips on ways to handle his work. "Judge Tatel is beyond inspirational to me," Lidsky says.

Thomas Ambro, the judge on the U.S. Court of Appeals for the 3rd Circuit who hired Lidsky as his clerk in 2004, says that when he recommended Lidsky to the justices, he and others "decided to be upfront about his vision impairment." He assured the justices Lidsky can carry a full workload, with brilliance and creativity. "Give him a shot and he will do well by you." Adds Ambro, "Here's someone who wants to make a difference on his own terms, and on merit. He's not asking for any favors."

Ambro is delighted Lidsky will finally be clerking at the Court. "He's always dreamt of going there."

O'Connor was unavailable for comment, but she is known as a demanding boss who will keep Lidsky busy. Some snarky comments have appeared on the Above the Law gossip blog suggest-

ing that because he will be working for a retired justice, Lidsky's clerkship doesn't count as much as those for sitting justices.

But by long tradition, clerks for retired justices are detailed to another justice to perform the same case-screening and opinion-drafting duties as the other clerks—and then some. Since O'Connor also sits by designation on two or three circuit court cases per term, he'll work on those cases as well as aiding with her busy schedule of speeches and conferences.

"Isaac will have as robust an experience as any other clerk," Keisler predicts.

One case Lidsky won't get involved in, by the way, is any appeal that might arise from *American Council of the Blind v. Paulson*, the May 20 D.C. Circuit ruling that U.S. currency disadvantages the blind because all denominations are the same size. Lidsky was involved in the case at the Justice Department, so will be recused, he says. As for himself, Lidsky adds, "Heretofore I have depended on the kindness of strangers" to tell him the denomination of his bills.

How will Lidsky manage his yearlong, often seven-day-a-week clerkship? He is reluctant to offer details about the O'Connor chambers, but says he has kept abreast of the technology available for blind people ever since Harvard Law, when his ailment "crossed the line from nuisance to disability." Harvard Law paid for his cane training and ensured his equal access to its offerings. "They couldn't have been more embracing."

Optical character recognition software now enables Lidsky to "read" scanned and digitized pages by listening as the computer recites the printed words to him. He can speed up the reading, to the point where "I can listen to things as fast as people can read them. I can do the functional equivalent of skimming." He has become proficient enough that he can even listen to two documents at once. But he says, "Reading handwriting is very challenging."

After his year at the Court, Lidsky heads to London with his wife, Dorothy, who postponed getting a master's degree in art administration there because of his sudden clerkship. Jones Day had already promised Lidsky he could move to its London office before the clerkship arose.

"We hope he'll rejoin us," partner Michael Carvin says. Adds partner Glen Nager, "Isaac reminds us all what hard work, determination, and talent mean."

Lidsky takes a more modest view of himself. "I'm not out to set records, and I've been very fortunate in my life. For many others with vision impairment, it's a different story."

And that is why he is committed to his Hope for Vision foundation and the June 18 event instead of taking a pre-clerkship break. "It's critically important for people with vision loss to see that they can accomplish what they want to achieve. It's not a limitation. It's not a death sentence."

Courtside is an occasional column on developments large and small at the Supreme Court. Tony Mauro can be contacted at tmauro@alm.com.



For more information about Hope for Vision,
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