



PROGRAM MATERIALS
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Real Lessons for Lawyers in the Movies: Lawyer Movies with Teaching Points for Lawyers-part 2

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REAL LESSONS FOR LAWYERS IN THE MOVIES

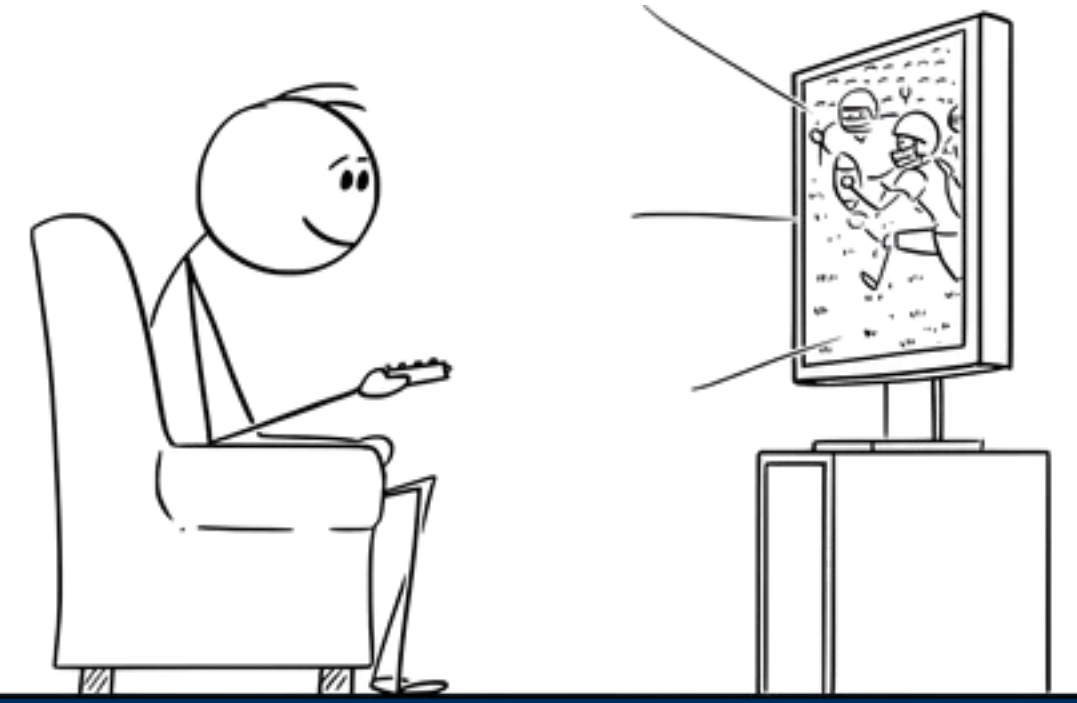
Lawyer Movies with Teaching Points
for Lawyers – No. 2

With
GUY O. KORNBLUM

What We Can and Cannot Do in This Format

– Realistic Learning Expectations





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The Movies Help!

Agenda

1. **The Basics of Courtroom Etiquette . . . Keep in Mind . . .**
2. **The Examination of a Key Witness**
3. **The Cross-Examination of the Expert – Discipline is the Key**
4. **The Dramatic Direct Examination – Focus on Witness**
5. **Where is the Line Drawn on Client Preparation? (repeat)**
6. **Marshall Courtroom Clips**
7. **Using the Courtroom Effectively**
8. **Controlled Cross-Examination**
9. **Let's Not Forget we Are a Business *AND* a Profession**

1. The Basics of Courtroom Etiquette

Keep in Mind

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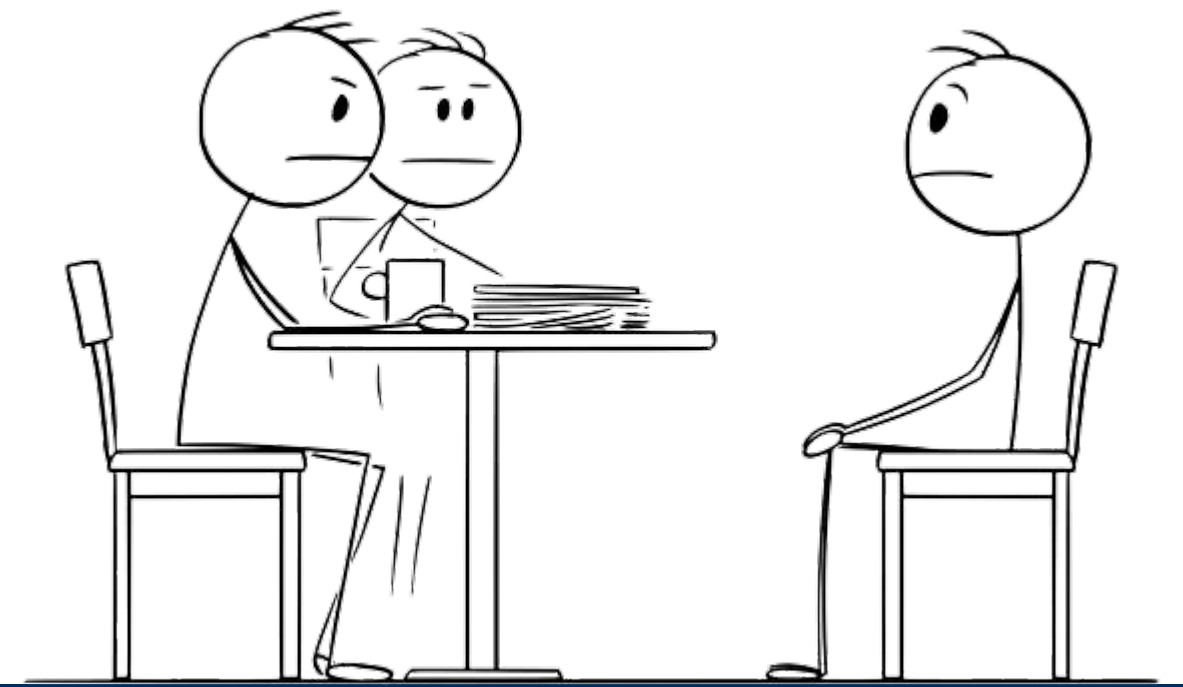
The Basics of Courtroom Etiquette

– How Soon We Forget

- *Stand when speaking – addressing court or jury (except very brief comment)*
- *Never speak directly to opposing counsel (address the court)*
- *Objections succinct, non-argumentative (“Objection, hearsay”, “Non-Responsive”, “Beyond the Scope” (of the question))*
- *Key phrases: “May I be heard?”*
- *Watch bench conferences (jury overhears)*
- *Request: “May I be heard out of the presence (of the jury)”*
- *Witness introduction: “We call to the stand our expert on [name]”*
- *Keep it formal and professional even if court relaxes the standards.*

The Examination of a Key Witness

- Who are you?
- Why are you here?
- What is the foundation/basis for what you have to say?
- What do you have to say that is this helpful to this case?



2. An Examination of a Key Witness – The Rainmaker

The Rainmaker

Rudy has passed the Tennessee bar exam, but is not yet properly licensed to stand as an attorney. When Bruiser, his new boss, fails to show up for court, Rudy attempts to argue the case, but Judge Harvey Hale scolds Rudy and tells him to first get his license.

Defense attorney Leo F. Drummond offers to stand for Rudy as Rudy is sworn in before the judge. Afterwards, Rudy discovers that the [FBI](#) has raided Bruiser's office, and Bruiser has disappeared.

The Rainmaker

Before fleeing, Bruiser gave Rudy and Deck \$5500 each, as payment for a successful case. They pool their money to open a practice. They file suit for middle-aged couple Dot and Buddy Black, whose 22-year-old son, Donny Ray, is terminally ill with [leukemia](#) but could have been saved with a [bone marrow transplant](#) that their insurance carrier, Great Benefit, denied.

The Rainmaker

Rudy, having never argued a case in court before, now faces experienced lawyers led by Drummond from the prestigious firm Tinley Britt. In chambers, Hale tells Rudy and Drummond that he is set to dismiss the case, seeing it as a "lottery" case that slows down the judicial process. However, Hale suffers a fatal heart attack before he grants the petition for dismissal.

The Rainmaker

A more sympathetic Judge Tyrone Kipler, a former civil rights attorney, replaces Hale. Kipler, known by Deck as disliking Tinley Britt, immediately denies Great Benefit's petition for dismissal. He agrees to fast-track the case so Donny Ray Black's testimony can be recorded before he dies.



Leading Up to the Key Point – Manage the Exam

- Use of non-leading questions
- Interlacing of leading questions
- Building up to the key points
- Where are you IF you can move around?
- Using Your Questions.
- Construct to jury hears key answers
- The Witness is the emphasis, *not you!*

3. The Cross -Examination of the Expert: Discipline is the Key

The Verdict

Once-promising attorney Frank Galvin is an alcoholic ambulance chaser. As a favor, his former partner Mickey Morrissey sends him a medical malpractice case which is all but certain to be settled for a significant amount. The case involves Deborah Ann Kaye, who was left comatose after choking on her own vomit when she received general anesthesia during childbirth at a Catholic hospital. The plaintiffs, Kaye's sister and brother-in-law, intend to use the settlement to pay for her care.

A Catholic diocese representative offers Galvin \$210,000 (equivalent to \$576,000 in 2024^[5]). Deeply affected by seeing Kaye, Galvin declines and states his intention to try the case, stunning the defendants and the judge. While preparing for trial, Galvin encounters divorcée Laura Fischer in a bar, and they become romantically involved.

The Verdict

Galvin experiences several setbacks. His medical expert disappears, and a hastily arranged substitute's credentials are challenged. Nobody who was in the delivery room is willing to testify that negligence occurred. The hospital's attorney, Ed Concannon, has a large legal team that is masterful with the press. Kaye's brother-in-law angrily confronts Galvin after Concannon's team tells him of the settlement offer that Galvin rejected.



Components of the Disciplined Cross

- “No questions, Your Honor”?
- Constructive (Hitchhiking)?
- Professor Younger’s ‘Ten Commandments.
- Keep a Tight Leash on Witness!
- Moving to Strike Non-Responsive Answers?
- Can You Add to the Story?
- Arguing Your Case (without arguing with the witness).
- Testifying Using Your Questions.

4. The Dramatic Direct Examination – Witness is the Focus, Not Examining Counsel

Judgement at Nuremberg

This is a 1961 American epic legal drama film directed and produced by Stanley Kramer, and written by Abby Mann. It features Spencer Tracy, Burt Lancaster, Richard Widmark, Maximilian Schell, Werner Klemperer, Marlene Dietrich, Judy Garland, William Shatner, and Montgomery Clift. Set in Nuremberg, in the then American occupation zone in Germany, the film depicts a fictionalized version – with fictional characters – of the Judges' Trial of 1947, one of the twelve Nuremberg Military Tribunals conducted under the auspices of the U.S. military in the aftermath of World War II.

Judgement at Nuremberg

The film centers on a military tribunal led by Chief Trial Judge Dan Haywood (Tracy), before which four judges and prosecutors (as compared to sixteen defendants in the actual Judges' Trial) stand accused of crimes against humanity due to their senior roles in the judicial system of the Nazi German government. The trial centers on questions regarding Germans' individual and collective responsibility for the Holocaust, with the backdrop of a tense international situation including the onset of the Cold War, the Berlin Blockade, and the geopolitical ramification of the later Nuremberg Trials upon German support for the Western Bloc, placing great pressure on Haywood's efforts to reach a just verdict.



Just a Difficult Witness

- Key: Get the the key points out efficiently.
- Use leading questions if you have to.
- Control the testimony/story – you may have to interrupt.
- Once witness begins tendency is to keep talking.
- Listen carefully to make sure you have what you need in admissible form.
- On cross watch for a) new areas, b) witness going beyond the question (may need to move to strike)
- Get the witness on and off quickly – interruptions?

Basics of an Effective Direct Examination

- Sequence witness order effectively.
- Keep it focused/brief; get what you need.
- Focus on proper questions for needed answers.
- Use the present tense.
- Put aside the script but know your outline.
- Show when it is appropriate; pictures ‘plant’ information.
- Focus on adding to the story in storylike fashion.
- Embrace the witness’s style for talking/testifying.
- Have a flexible ‘plan’ – be alert for needed changes.
- Let your witness know how the exam is planned but

5. Where is the Line Drawn on Client Preparation: *Anatomy of a Murder* ?

ABA FORMAL OPINION 508 (8/2023)

“A lawyer’s role in preparing a witness to testify and providing testimonial guidance is not only *an **accepted professional function; it is considered an essential tactical component of a lawyer’s advocacy*** in a matter in which a client or witness will provide testimony. Under the Model Rules of Professional Conduct¹ governing the client-lawyer relationship and a lawyer’s duties as an advisor, ***the failure adequately to prepare a witness would in many situations be classified as an ethical violation.*** But, in some witness-preparation situations, a lawyer clearly steps over the line of what is ethically permissible. Counseling a witness to give false testimony or assisting a witness in offering false testimony, for example, is a violation of at least Model Rule 3.4(b). The task of **delineating what is necessary and proper and what is ethically prohibited** during witness preparation has become more urgent with the advent of commonly used remote technologies, some of which can be used to surreptitiously “coach” witnesses in new and ethically problematic ways.”

ABA FORMAL OPINION 508 pp. 2 -3

“Some quantum of Client and Witness preparation is appropriate and an affirmative ethical responsibility. **But lawyers ‘must respect the important ethical distinction between discussing the testimony and seeking improperly to influence it.’** There is, in general, a distinction between manipulative conduct during client/witness preparation and active interference with or attempts to influence testimony while a witness is testifying.”

Overall. . . .

“A lawyer’s duty is to extract the facts from the witness, not to pour them into him; to learn what the witness does know, not to teach him what he ought to know.”

In re Eldridge, 82 N.Y. 161, 171 (1880).

The Basic Principle. . .

Lawyers must stay within the boundaries and rules and use common sense to govern themselves by a sense of fairness and propriety.

So, What Is the Ethical Approach?

- Don't lie
- Don't guess
- Answer (only) the question
- Take your time

So, What Is the Ethical Approach?

- What if the perceived favorable witness refuses to meet before testifying?
- What can a lawyer do to persuade the witness to meet?
- Should a lawyer delegate witness preparation to a young lawyer or paralegal?

So, What Is the Ethical Approach?

- What if a witness insists on a story that is not true (e.g. the police report is in conflict)?
- What if a witness insists on being paid?
- Do the rules change for Zoom depositions?

How Do You Get Them to Tell their Part of the Story?

- Establish rapport – essential, determine limits of willingness to cooperate.
- How does the witness communicate?
- Can they explain so a court and jury understand.?
- Demeanor should be as a teacher – avoid arrogant or dismissive

Should You. . .?

- Review a witness's statement with that witness?
- Review other witness's statements?
- Show the witness photos?
- Help the witness recollect the facts to bridge gaps?
- Generally, inform the witness what will take place, and how to approach without improperly influencing testimony?

Permissible Activities. . .

- Reminding the witness of the oath they take
- Emphasizing the importance of telling the truth
- Explaining that telling the truth can include a truthful answer of, “I do not recall” or “I don’t know”

Permissible Activities. . .

- Explaining case strategy and procedure, including the nature of the testimonial process or the purpose of the deposition and trial testimony.
- Suggesting proper attire and appropriate demeanor and decorum.
- Providing a context for the witness' testimony.

Permissible Activities. . .

- Inquiring into the witness' probable testimony and recollection.
- Identifying other testimony that is expected to be presented to explore the witness' version of events in light of that testimony.

Permissible Activities. . .

- Reviewing documents or physical evidence with the witness including using documents to refresh a witness's recollection of the facts.
- Identifying lines of questioning and potential cross-examination.

Permissible Activities. . .

- Suggesting a choice of words that might be employed to make the witness' meaning clear.
- Telling the witness not to answer a question until it has been completely asked.
- Telling the witness not to elaborate on volunteer information or opinion.

Permissible Activities. . .

- Emphasizing the importance of remaining calm and not arguing with the questioning lawyer.
- Telling witnesses to testify only about what they know and not guess or speculate.

Permissible Activities. . .

- Familiarizing the witness with the idea of focusing on answering the question, *i.e.* not volunteering information.

Anatomy of a Murder

In the Upper Peninsula of Michigan, small-town lawyer Paul Biegler, a former **district attorney** who lost his re-election bid, spends most of his time fishing, playing the piano, and hanging out with his **alcoholic** friend and colleague Parnell McCarthy and sardonic secretary Maida Rutledge. One day, Biegler is contacted by Laura Manion to defend her husband, US Army Lieutenant Frederick "Manny" Manion, who has been arrested for the murder of innkeeper Bernard "Barney" Quill. Manion does not deny the murder, but claims that Quill raped his wife. Even with such a motivation, getting Manion cleared of murder would be difficult, but Manion claims to have no memory of the event, which suggests he may be eligible for a defense of **irresistible impulse**—a version of a **temporary insanity** defense.



6. Marshall Courtroom Clips

Marshall Courtroom

In April 1941, Thurgood Marshall is an NAACP lawyer traveling the country defending people of color who are wrongly accused of crimes because of racial prejudice. Upon his return to his New York City office, he is sent to Bridgeport, Connecticut, to defend Joseph Spell, a chauffeur accused of rape by his white employer, Eleanor Strubing, in a case that has gripped the newspapers. In Bridgeport, insurance lawyer Sam Friedman is assigned by his brother to get Marshall admitted to the local bar, against his will.

At the hearing, Judge Foster, a friend of the father of prosecutor Lorin Willis, agrees to admit Marshall, but forbids Marshall from speaking during the trial, forcing Friedman to be Spell's lead counsel. Marshall must guide Friedman through notes, such as when he advises Friedman to allow a woman of Southern white descent into the jury because of her assertive and questioning personality.

Marshall Courtroom

Spell swears to Marshall that he never had any sexual contact with Strubing and leads the lawyers to a patrolman who stopped Spell that night while he was driving Strubing's car. Marshall and Friedman investigate Strubing's story that Spell tied her up in the back seat of her car after raping her and drove to a bridge to throw her.



The Fast Pace of a Trial When it Gets Hot

- Note the pace – is it realistic
- Note the objection, then ruling – simple, basis . . .
- Respect an adverse ruling but preserve objection out of presence later!
- Make your record clear for appeal.
- No side bars if you can avoid – not a great way/

7. Dealing with Inconsistencies



8. Controlled Cross -Examination

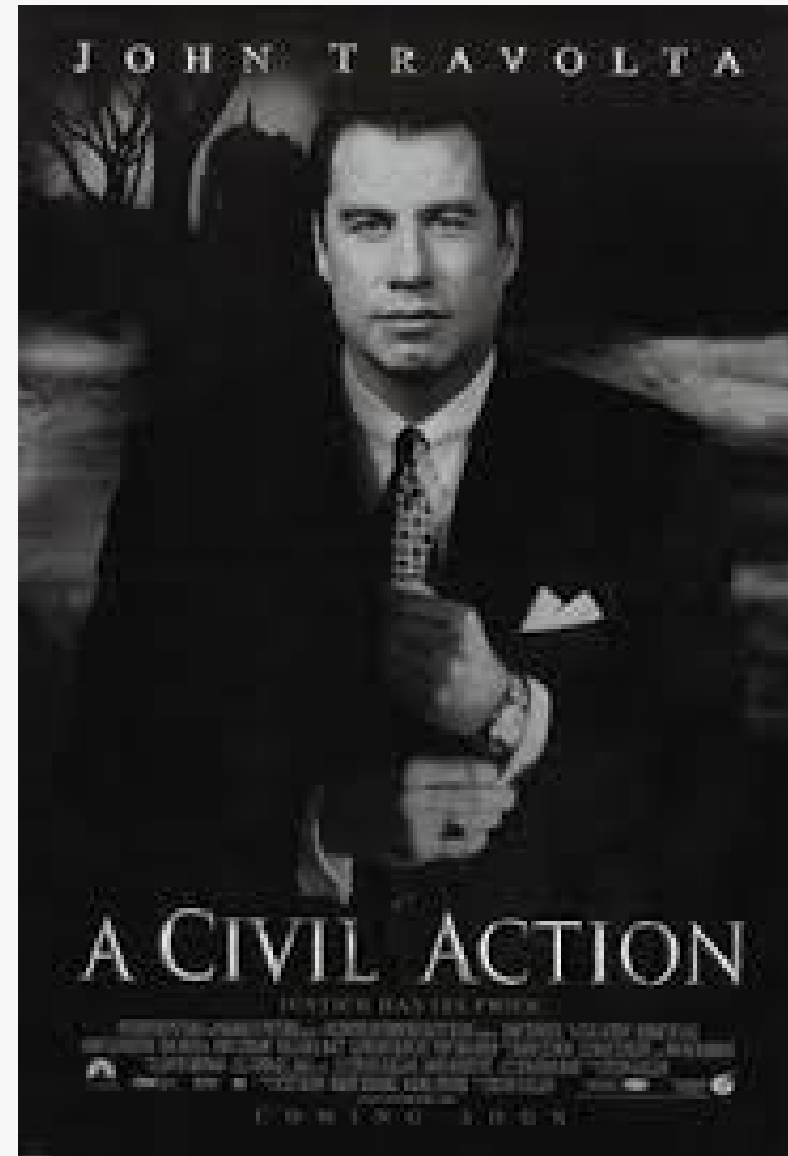


Moving About the Courtroom (if permitted)

- Impact with first questions
- Then get the basics done
- Maintain control
- Move to strike to protect the transcript
- Approaching the witness
- The focus should be on the witness response
- Don't embellish – end when you have what needed
- Don't overcross – small 'victories'!

9. Let's Not Forget We Are A Business *AND* a Profession

Movie to Watch . . .



A Civil Action

Your Tasks!

Tell 'em what your gonna tell them

Tell 'em

Tell 'em what you told 'em!



These principles and guidelines are helpful
BUT it is still up to the *lawyer* to learn the
fundamentals *and apply them* !

REAL LESSONS FOR LAWYERS IN THE MOVIES

Lawyer Movies with Teaching Points
for Lawyers – No. 2

With
GUY O. KORNBLUM

Summary of Our Movies for Webinar No. 2¹

Rainmaker

Recent Memphis State University Law School grad Rudy Baylor has no high-paying work prospects lined up. He takes a job at a Memphis bar where he meets the bar's owner, J. Lyman "Bruiser" Stone, who is also a ruthless but successful [ambulance chaser](#). He hires Rudy as an [associate](#).

Bruiser's associates only get paid by finding cases and working them up for trial. Rudy says he has cases, including an [insurance bad faith](#) matter he boasts could be worth several million in damages. Interested, Bruiser introduces Rudy to office [paralegal](#) Deck Shifflet, a former insurance adjuster of questionable ethics who has a law degree but has failed the [bar exam](#) six times. Bruiser employs him because he is resourceful, finds cases, is adept at gathering information, and has useful knowledge of the insurance industry.

Rudy has passed the Tennessee bar exam, but is not yet properly licensed to stand as an attorney. When Bruiser fails to show up for court, Rudy attempts to argue the case, but Judge Harvey Hale scolds Rudy and tells him to first get his license. Defense attorney Leo F. Drummond offers to stand for Rudy as Rudy is sworn in before the judge. Afterwards, Rudy discovers that the [FBI](#) has raided Bruiser's office, and Bruiser has disappeared.

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Rudy, having never argued a case in court before, now faces experienced lawyers led by Drummond from the prestigious firm Tinley Britt. In chambers, Hale tells Rudy and Drummond that he is set to dismiss the case, seeing it as a "lottery" case that slows down the judicial process. However, Hale suffers a fatal heart attack before he grants the petition for dismissal. A more sympathetic Judge Tyrone Kipler, a former civil rights attorney, replaces Hale. Kipler, known by Deck as disliking Tinley Britt, immediately denies Great Benefit's petition for dismissal. He

¹ From Wikipedia.

agrees to fast-track the case so Donny Ray Black's testimony can be recorded before he dies.

While seeking new clients at the hospital, Rudy meets Kelly Riker, a [victim of domestic violence](#), whose husband Cliff has beaten her numerous times causing her to require hospitalization. Rudy and Kelly become romantically involved. Rudy persuades Kelly to file for divorce. This eventually leads to a bloody confrontation with Cliff, resulting in Rudy nearly beating him to death. To keep Rudy from being implicated, Kelly orders Rudy to leave the house. She then kills Cliff herself, telling the police it was [self-defense](#). Based on Cliff's long history of domestic abuse, the district attorney declines to prosecute Kelly.

Donny Ray dies days after giving a video [deposition](#). The case goes to trial, where Drummond gets the vital testimony of Rudy's key witness, Jackie Lemanczyk, stricken from the record as it is based on a [stolen manual disallowed as evidence](#). Nevertheless, thanks to Rudy's determination and some clandestine reference help from now Caribbean-based fugitive Bruiser (with whom Deck is connected by intermediaries), Jackie's testimony and the Great Benefit Employee Manual are finally admitted into evidence, to Drummond's dismay.

Rudy skillfully [cross-examines](#) Great Benefit's [CEO](#), Wilfred Keeley. As part of his closing argument, he plays an emotional excerpt from Donny Ray's deposition. The jury finds for Donny Ray's family for both actual damages and enormous punitive damages that Great Benefit cannot pay. It is a great triumph for Rudy and Deck, with Keeley being arrested by the FBI and investigation proceedings into Great Benefit launched in multiple jurisdictions. The insurance company declares [bankruptcy](#), allowing it to avoid paying [punitive damages](#). There is no payout for the grieving parents and no fee for Rudy or Drummond. Dot expresses satisfaction at putting Great Benefit out of business, leaving the company unable to victimize other families.

As this success will create unrealistic expectations for future clients, Rudy decides to abandon his new practice and become a law teacher. He and Kelly leave town together.

The Verdict

Once-promising attorney Frank Galvin is an alcoholic [ambulance chaser](#). As a favor, his former partner Mickey Morrissey sends him a [medical malpractice](#) case which is all but certain to be settled for a significant amount. The case involves Deborah Ann Kaye, who was left comatose after choking on her own vomit when

she received [general anesthesia](#) during childbirth at a [Catholic hospital](#). The [plaintiffs](#), Kaye's sister and brother-in-law, intend to use the settlement to pay for her care.

A Catholic [diocese](#) representative offers Galvin \$210,000 (equivalent to \$576,000 in 2024^[5]). Deeply affected by seeing Kaye, Galvin declines and states his intention to try the case, stunning the defendants and the [judge](#). While preparing for trial, Galvin encounters divorcée Laura Fischer in a bar, and they become romantically involved.

Galvin experiences several setbacks. His [medical expert](#) disappears, and a hastily arranged substitute's credentials are challenged. Nobody who was in the delivery room is willing to testify that negligence occurred. The hospital's attorney, Ed Concannon, has a large legal team that is masterful with the press. Kaye's brother-in-law angrily confronts Galvin after Concannon's team tells him of the settlement offer that Galvin rejected.

In chambers, Judge Hoyle has a heated exchange with Galvin and threatens him with [disbarment](#). Galvin dismisses Hoyle as a "[Bag Man](#)" for the local political machine and "a [defendant's](#) judge" who "couldn't hack it" as a lawyer. Hoyle denies Galvin's motion for a [mistrial](#) and threatens to have him arrested. Galvin storms out.

Galvin notices that Kaye's admitting nurse, Kaitlin Costello, filled out a form which included the question, "When did you last eat?" Galvin tracks down Costello in [New York City](#) and travels there to request her testimony. While Laura arranges to meet Galvin in New York, Morrissey finds a check from Concannon in her handbag and realizes she is Concannon's spy. Morrissey also travels to New York and informs Galvin of Laura's betrayal. Galvin confronts her in a bar and strikes her, knocking her to the floor. On the flight back to Boston, Morrissey suggests moving for a mistrial due to Concannon's ethics violation, but Galvin decides to continue the trial.

In her courtroom testimony, Costello says she wrote on the admitting form that Kaye ate a full meal one hour before arriving at the hospital. On cross-examination, an incredulous Concannon asks how she can prove this. Costello reveals that her superiors coerced her into changing the form from "1" to "9", but before doing so, she made a [photocopy](#) which she brought to court. Concannon objects that for legal purposes, the original document is presumed to be correct; however, Hoyle unexpectedly reserves judgment. Costello further testifies that the [anesthesiologist](#) later confessed he had failed to read her admitting notes and

administered general anesthesia, which is dangerous for someone who ate only one hour prior. When the anesthesiologist realized his error, he threatened to end Costello's career unless she changed the form.

After Costello's testimony, Concannon again objects on the grounds that the original admitting document has precedence. Hoyle agrees and declares Costello's testimony [stricken from the record](#). Afterward, a diocese lawyer praises Concannon's performance to the bishop, who asks "Did you believe her?", and is met with embarrassed silence.

Despite feeling his case is hopeless, Galvin gives an impassioned [closing argument](#). The jury finds in favor of the plaintiffs, and the foreman asks whether the jury can award more than what was sought. Hoyle resignedly replies they can. As Galvin is congratulated outside the courtroom, he glimpses Laura watching him from across the atrium.

That night, a drunk Laura drops her whiskey glass, drags her telephone towards her, and dials Galvin's office number. Galvin is sitting with a cup of coffee. He moves to answer the call but changes his mind and lets it ring.

Judgment at Nuremberg

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This is a 1961 American [epic legal drama](#) film directed and produced by [Stanley Kramer](#), and written by [Abby Mann](#). It features [Spencer Tracy](#), [Burt Lancaster](#), [Richard Widmark](#), [Maximilian Schell](#), [Werner Klemperer](#), [Marlene Dietrich](#), [Judy Garland](#), [William Shatner](#), and [Montgomery Clift](#). Set in [Nuremberg](#), in the then [American occupation zone in Germany](#), the film depicts a fictionalized version – with fictional characters – of the [Judges' Trial](#) of 1947, one of the twelve [Nuremberg Military Tribunals](#) conducted under the auspices of the U.S. military in the [aftermath of World War II](#).

The film centers on a [military tribunal](#) led by Chief Trial Judge Dan Haywood (Tracy), before which four judges and prosecutors (as compared to sixteen defendants in the actual Judges' Trial) stand accused of [crimes against humanity](#) due to their senior roles in the judicial system of the [Nazi German government](#). The trial centers on questions regarding Germans' [individual and collective responsibility](#) for [the Holocaust](#), with the backdrop of a tense international situation including the onset of the [Cold War](#), the [Berlin Blockade](#), and the geopolitical ramification of the [later Nuremberg Trials](#) upon German support for the [Western Bloc](#), placing great pressure on Haywood's efforts to reach a just verdict. In addition, the judge faces emotional challenges in his personal

relationships with [German people](#) outside the courtroom who consistently [claim ignorance of Nazi atrocities](#), but who the judge suspects may have known more than they will admit.

An earlier version of the story was broadcast as an [episode of the same name](#) on the television series *Playhouse 90* in 1959.^[4] Popular interest in this effort caused an expanded focus on its dramatic elements. Maximillian Schell and Werner Klemperer portrayed the same characters in both productions.

In 2013, *Judgment at Nuremberg* was selected for preservation in the [United States National Film Registry](#) by the [Library of Congress](#) as being "culturally, historically, or aesthetically significant".^{[5][6]} The production's presentation of historical events has attracted interest over decades before and since then due to its place in the [narrative portrayals of the Holocaust in film](#).

Anatomy of a Murder

A 1959 American legal drama^[2] film produced and directed by Otto Preminger. The screenplay by Wendell Mayes was based on the 1958 novel of the same name written by Michigan Supreme Court Justice John D. Voelker under the pen name of Robert Traver. Voelker based the novel on a 1952 murder case in which he was the defense attorney.^[3]

The film stars James Stewart, Lee Remick, Ben Gazzara, Eve Arden, George C. Scott, Arthur O'Connell, Kathryn Grant, Brooks West (Arden's husband), Orson Bean, and Murray Hamilton. The judge was played by Joseph N. Welch, a real-life lawyer famous for dressing down Joseph McCarthy during the Army–McCarthy hearings. It has a musical score by Duke Ellington, who also appears in the film. It has been described by Michael Asimow, UCLA law professor and co-author of *Reel Justice: The Courtroom Goes to the Movies* (2006), as "probably the finest pure trial movie ever made".^[4]

In 2012, the film was selected for preservation in the United States National Film Registry by the Library of Congress as being "culturally, historically, or aesthetically significant".^{[5][6][7]}

Plot

In the Upper Peninsula of Michigan, small-town lawyer Paul Biegler, a former district attorney who lost his re-election bid, spends most of his time fishing, playing the piano, and hanging out with his alcoholic friend and colleague Parnell McCarthy and sardonic secretary Maida Rutledge.

One day, Biegler is contacted by Laura Manion to defend her husband, US Army Lieutenant Frederick "Manny" Manion, who has been arrested for the murder of innkeeper Bernard "Barney" Quill. Manion does not deny the murder, but claims that Quill raped his wife. Even with such a motivation, getting Manion cleared of murder would be difficult, but Manion claims to have no memory of the event, which suggests he may be eligible for a defense of irresistible impulse—a version of a temporary insanity defense. It is strongly implied that Manion is faking insanity, having been guided to it as a potential defense by Biegler. Biegler's folksy speech and laid-back demeanor hide a sharp legal mind and a propensity for courtroom theatrics that keeps the judge busy maintaining control. However, the case for the defense does not go well, especially as local district attorney Mitch Lodwick is assisted by high-powered prosecutor Claude Dancer from the Attorney General's office.

Furthermore, the prosecution tries at every instance to block any mention of Manion's motive for killing Quill. Biegler eventually manages to get the rape of Laura Manion into the record and Judge Weaver agrees to allow the matter to be part of the deliberations. During cross-examination, Dancer insinuates that Laura openly flirted with other men, including the man she claimed raped her. Psychiatrists give conflicting testimony to Manion's state of mind at the time that he killed Quill. Dancer says that Manion may have suspected Laura of cheating on him because he asked her, a Catholic, to swear on a rosary that Quill raped her. This raises doubt as to whether the act was consensual.

Brooks West (left) and James Stewart (right) face one another, as George C. Scott (center) looks on

Quill's estate is to be inherited by Mary Pilant, whom Dancer accused of being Quill's mistress. McCarthy learns that Pilant is Quill's daughter, a fact she is anxious to keep secret since she was born out of wedlock. Biegler, who is losing the case, tries to persuade Pilant that Al Paquette, the bartender who witnessed the murder, may know if Quill admitted to raping Laura and is covering it up, either because he loves Pilant or out of loyalty to Quill. Through Pilant, Biegler is unable to get Paquette to testify on behalf of Manion.

During the trial, Laura claims that Quill tore off her underwear while raping her; the underwear was not found where she alleged the rape took place. Pilant, previously unaware of any details of the case, hears this during the trial and then tells Biegler and later testifies that she found the panties in the inn's laundry room the morning after the alleged rape. Biegler suggests Quill may have attempted to avoid suspicion by dropping the panties down the laundry chute located next to his

room. Dancer tries to establish that Pilant's answers are founded on her jealousy. When Dancer asserts forcibly that Quill was Pilant's lover and that Pilant lied to cover this fact, Pilant shocks everyone by stating that Quill was her father. Manion is found not guilty by reason of insanity. After the trial, Biegler decides to open a new practice, with a newly sober McCarthy as his partner.

The next day, Biegler and McCarthy travel to the Manions' trailer park home to get Manion's signature on a promissory note which they hope will suffice as collateral for a desperately needed loan. It turns out the Manions have vacated the trailer park, the superintendent commenting that Laura Manion had been crying. Manion left a note for Biegler, indicating that his flight was "an irresistible impulse", the same justification Biegler used during the trial. Biegler states that Mary Pilant has retained him to execute Quill's estate; McCarthy says that working for her will be "poetic justice".

Marshall

This is a 2017 American [biographical legal drama film](#) directed by [Reginald Hudlin](#) and written by Michael and Jacob Koskoff. It stars [Chadwick Boseman](#) as [Thurgood Marshall](#), the first African American [Supreme Court Justice](#), and focuses on one of the first cases of his career, the *[State of Connecticut v. Joseph Spell](#)*. It also stars [Josh Gad](#), [Kate Hudson](#), [Dan Stevens](#), [Sterling K. Brown](#), and [James Cromwell](#).

The project was announced in December 2015, along with Boseman's casting, and [principal photography](#) began in [Los Angeles](#) in mid-December 2015 and moved on to [Buffalo](#) and [Niagara Falls, New York](#).^[3]

The film premiered at [Howard University](#) on September 20, 2017, and was released in the United States by [Open Road Films](#) on October 13, 2017. It received positive reviews from critics, with praise directed at Boseman's performance and with criticism aimed at the screenplay. It went on to gross \$10 million against a \$12 million budget.^[4]

At the [90th Academy Awards](#), it received a nomination for [Best Original Song](#) for "[Stand Up for Something](#)".

In April 1941, Thurgood Marshall is an [NAACP](#) lawyer traveling the country defending people of color who are wrongly accused of crimes because of racial prejudice. Upon his return to his [New York City](#) office, he is sent to [Bridgeport, Connecticut](#), to defend Joseph Spell, a chauffeur accused of rape by his white employer, Eleanor Strubing, in a case that has gripped the newspapers. In

Bridgeport, insurance lawyer Sam Friedman is assigned by his brother to get Marshall admitted to the local bar, against his will. At the hearing, Judge Foster, a friend of the father of prosecutor Lorin Willis, agrees to admit Marshall, but forbids Marshall from speaking during the trial, forcing Friedman to be Spell's lead counsel. Marshall must guide Friedman through notes, such as when he advises Friedman to allow a woman of Southern white descent into the jury because of her assertive and questioning personality.

Spell swears to Marshall that he never had any sexual contact with Strubing and leads the lawyers to a patrolman who stopped Spell that night while he was driving Strubing's car. Marshall and Friedman investigate Strubing's story that Spell tied her up in the back seat of her car after raping her and drove to a bridge to throw her over. They wonder why Spell appeared to throw her over the calm side instead of the side with rapids. Spell is initially interested in a plea bargain offered by Willis, but Marshall talks him out of it. Later on at trial, though, a doctor testifies to finding pieces of skin underneath Strubing's fingernails, as well as bruises. Strubing herself testifies that she was tied in the back seat when the patrolman pulled Spell over. With this information, Marshall and Friedman confront Spell, who admits that he was lying about not having had sexual contact with Strubing.

At trial, Spell testifies that Strubing's husband inflicted the bruises through repeated acts of spousal abuse. That night, he went to ask Strubing for money to pay off a debt, finding a distraught Strubing wanting to have sex with him. Spell consented, and the two had several sexual encounters that night. Strubing then panicked about being found out and being pregnant. Spell tried to drive her to a doctor, but Strubing had to hide in the back seat when the patrolman questioned him. A hysterical Strubing forced Spell to stop by a bridge where she ran out and tried to kill herself. When Spell tried to stop her, she scratched him and jumped off the bridge, but survived and flagged down a motorist making up a desperate story about rape. When Willis asks why Spell didn't tell the truth to begin with, Spell talks about how black men get tortured and lynched in his native [Louisiana](#) for having sex with white women. Over Willis's objections, Judge Foster, who is shown to be horrified by Spell's revelation as are the members of the jury, allows Spell's statement to stand.

Before the verdict, Marshall has to leave for a case in [Mississippi](#). A desperate Willis offers Spell a much lighter plea bargain, but Spell feels emboldened enough to turn it down. The night before Marshall leaves, he and Friedman prepare the closing statement that Friedman then delivers on his own. The Southern white woman has now become the [jury forewoman](#), and she ultimately delivers a "not guilty" verdict. Soon after the verdict, the jury bursts into applause making Joseph

Spell overjoyed. Friedman happily breaks the news over the phone to Marshall, who moves on to his next case. Closing credits note that Friedman went on to work in many civil rights cases, while Marshall himself has an illustrious career as the [American Civil Rights Movement](#)'s principal legal strategist and the first African American Justice on the [Supreme Court of the United States](#).

The Lincoln Lawyer

This is a 2011 American [legal thriller](#) film directed by [Brad Furman](#) and written by [John Romano](#), based on the [2005 novel of the same title](#) by [Michael Connelly](#). It stars [Matthew McConaughey](#) as the titular lawyer, [Mickey Haller](#). [Ryan Phillippe](#), [Marisa Tomei](#), [Josh Lucas](#), [John Leguizamo](#), [William H. Macy](#), and [Bryan Cranston](#) also star.

The film's story is adapted from the first of several novels featuring the character of Haller, who works in a [chauffeur](#)-driven [Lincoln Town Car](#) rather than an office. Haller is hired to defend the son of a wealthy [Los Angeles](#) businesswoman in an assault case. Details of the crime bring up uncomfortable parallels with a former case, and Haller discovers the two cases are intertwined. *The Lincoln Lawyer* was released on March 18, 2011 by [Lionsgate](#). It received generally positive reviews and grossed \$87.7 million at the global box office.^[3]

Criminal defense attorney [Mickey Haller](#) works in [Los Angeles County, California](#), from the back of his black [Lincoln Town Car](#), [chauffeured](#) by Earl Briggs. He typically works for low-end criminals including Eddie Vogel, leader of a [biker](#) gang. His ex-wife, Maggie McPherson, with whom he shares a daughter, is a district attorney who disapproves of his choice of clientele.

Haller is unexpectedly hired to represent Louis Roulet, a wealthy Beverly Hills [playboy](#) and the son of real estate mogul Mary Windsor. Roulet is accused of brutally beating prostitute Regina Campo, and surprisingly chose Haller specifically for the case. Haller and his investigator, Frank Levin, analyze photos and evidence and find similarities to a prior case where a prostitute was killed. Haller represented the defendant, Jesus Martinez, and due to the overwhelming evidence and in spite of Martinez's earnest proclamations of innocence, convinced him to plead guilty to avoid the [death penalty](#).

Haller visits Martinez, who becomes agitated when he shows him Roulet's photo. Haller realizes that Roulet is likely the killer. His own hands tied, Haller tells Levin to investigate Roulet. When he gets back home, he sees that someone broke into his house. He stumbles upon Roulet, who learned that Haller visited San Quentin earlier. Roulet nonchalantly admits to committing the murder for which Martinez was convicted, and that he chose Haller as counsel in order to bind Haller by [attorney–client confidentiality](#) rules and keep him from talking about either case. He also makes veiled threats towards Haller's daughter.

Later, Levin is found shot dead after leaving him a [voicemail](#) message claiming he found Martinez's "ticket out of jail." Haller discovers the bullet that killed Levin matches his late father's antique .22 [Colt Woodsman](#), which is missing from its box. Legally obliged to defend his client, Haller ruthlessly [cross-examines](#) Campo and discredits her. He also secretly sets up a known prison informant, Dwayne Jeffrey "DJ" Corliss, to testify against Roulet with information

on the previous murder. Haller is able to discredit DJ's testimony, getting Roulet's current charges dismissed. However, when Roulet is set free, the police arrest him immediately for the previous murder based on DJ's description.

Haller acquires a pistol from Earl for protection. Roulet's family gets him released due to lack of evidence and he goes to Maggie's home where he is confronted by Haller. Haller vows that he will not stop until Martinez is freed and Roulet is convicted for his crime; Roulet mockingly tells him he cannot guard his family all the time. The biker gang suddenly arrives and brutally beats Roulet.

Maggie discovers Levin had found a parking ticket issued to Roulet near the murder victim's house, strong evidence against him. Upon arriving home, Haller discovers Roulet's mother, Mary Windsor, waiting inside. She shoots him with the Colt Woodsman, confessing that she murdered Levin. When Mary moves to shoot Haller again, he draws the pistol obtained from Earl and fatally shoots her. Martinez is released and the DA is seeking the death penalty for Roulet. As Haller and Earl drive off, he is pulled over by Vogel and the biker gang, whose case he takes [pro bono](#) in gratitude for their help.

Other Movies to Watch

The Paper Chase

This a 1973 American [comedy-drama](#) film starring [Timothy Bottoms](#), [Lindsay Wagner](#), and [John Houseman](#), and directed by [James Bridges](#).

Based on [John Jay Osborn Jr.](#)'s 1971 novel *The Paper Chase*, it tells the story of James Hart, a first-year [law](#) student at [Harvard Law School](#), his experiences with Professor Charles Kingsfield, a brilliant and demanding contract law instructor, and Hart's relationship with Kingsfield's daughter. Houseman earned an [Academy Award for Best Supporting Actor](#) for his performance as the professor. Houseman later reprised the role in a [TV series of the same name](#) that lasted four seasons, following Hart, played by [James Stephens](#), through his three years of law school.

At [Harvard Law School](#), James T. Hart attends his first day in a contract law course taught by Professor Charles W. Kingsfield Jr. When Kingsfield immediately delves into the material using the [Socratic method](#), Hart is totally unprepared and is humiliated when Kingsfield asks him the first question. After class, Hart throws up in the bathroom.

Hart is invited to join a study group with five others:

- Ford, the fifth generation of Fords at Harvard Law School
- Kevin Brooks, a married man with a [photographic memory](#) but lacking in analytical skills

- Anderson
- Bell, who is devoted to property law
- O'Connor

Each member of the group agrees to focus on a specific course and write a synopsis of their notes to share with each other before the final exams. Hart chooses contract law.

While out getting pizza, Hart is asked by a young woman, Susan Fields, to walk her home, as she says she feels uncomfortable about a man who has been following her. Hart returns to her house soon after and asks her on a date, after which they begin a complicated relationship: she resents the time he devotes to his studies and his fascination with Kingsfield, while he expects her to provide him with considerable attention and wants a firm commitment. When Hart and a select few of his classmates are invited to a cocktail party hosted by Kingsfield, he is stunned to discover that Susan is Kingsfield's married daughter. She is, however, separated from her husband and eventually gets a divorce. She and Hart break up and get back together several times.

Hart categorizes his classmates into three groups: those who have given up; those who are trying but fear being called upon in class to respond to Kingsfield's questions; and the "upper echelon" who actively volunteer to answer. Hart strives to move from the second classification to the third, and succeeds as time goes on.

Hart eventually learns of the existence of the "Red Set", the archived and sealed personal notes that Harvard professors wrote when they were students, which are stored in a locked room of the library. Late one night, Hart and Ford break into the library to read Kingsfield's notes.

The mounting pressure gets to everyone as the course nears its end. Brooks attempts suicide and drops out of school. The study group is torn apart by personal bickering, with only three of the six members remaining. With final exams looming, Hart and Ford hole up in a hotel room for three days and study feverishly. On the last day of class, Hart and his classmates give Kingsfield a standing ovation. Later, when Susan brings Hart his mail at the beach, he climbs the highest rock, makes a paper airplane out of the unopened envelope containing his grades and sends it flying into the water.

The film is a faithful adaptation of the novel, although it adds two elements not in the book: Hart's first name and middle initial (James T.), and his final grade in contract law (93, an A).

American Traitor: The Trial of Axis Sally

This is a 2021 American [historical drama](#) film directed by [Michael Polish](#), from a screenplay by Vance Owen and Darryl Hicks, based on the book *Axis Sally Confidential* by William E. Owen. It is based on the life of [Mildred Gillars](#), an American singer and actor who, during [World War II](#), broadcast [Nazi propaganda](#) to American troops and their families back home. The film stars [Al Pacino](#), [Meadow Williams](#), [Swen Temmel](#), [Thomas Kretschmann](#) and [Mitch Pileggi](#).

It was released on May 28, 2021, by [Vertical Entertainment](#) and [Redbox Entertainment](#)

An American woman named Mildred Gillars broadcasts [Nazi propaganda](#) during World War II. She is dubbed "Axis Sally" by the American [G.I.s](#) who simultaneously love and hate her. The story plunges the viewer into the dark underbelly of the [Third Reich's](#) propaganda machine, Sally's eventual capture, and her subsequent trial for treason in Washington D.C. after the war.

The court trial intends to prove that Axis Sally is a traitor to her country. Other Americans who have contributed to Nazi propaganda are called to testify during the trial. The defense is, if one had not done as instructed, the penalty would be deportation to a [concentration camp](#). Her actions were allegedly therefore done under force. Under this logic, she escapes the death penalty. However, she is convicted of treason and sentenced to 30 years in prison, with a possibility of parole after 10.

Time to Kill

This is a 1996 American [legal drama](#) film based on [John Grisham's](#) 1989 [novel of the same name](#).^[3] [Sandra Bullock](#), [Samuel L. Jackson](#), [Matthew McConaughey](#), and [Kevin Spacey](#) star, with [Donald](#) and [Kiefer Sutherland](#) appearing in supporting roles and [Octavia Spencer](#) in her film debut.

The film received mixed reviews but was a commercial success, making \$152 million worldwide.^[4] It is the second of two films based on Grisham's novels directed by [Joel Schumacher](#), with the other being *The Client* released two years prior. It marked the final film appearance of [Joe Seneca](#).

In 1984 in [Canton, Mississippi](#), ten-year-old African-American girl Tonya Hailey is abducted, raped, and beaten by two local white men, Billy Ray Cobb and Pete Willard, while on her way home from getting groceries. The duo dump her in a

nearby river after a failed attempt to hang her. Tonya survives, and Sheriff Ozzie Walls arrests Cobb and Willard.

Tonya's father, Carl Lee Hailey, contacts Jake Brigance, a white lawyer who previously defended his brother Lester. Jake admits the possibility that the rapists will walk free, so Carl Lee goes to the county courthouse and opens fire with an automatic rifle, killing both rapists and unintentionally wounding Deputy Dwayne Looney, whose leg has to be amputated. Carl Lee is arrested, and Jake agrees to defend him.

As the rape and subsequent revenge killing gain national media attention, [DA](#) Rufus Buckley decides to take the case in hopes of furthering his political career. He seeks the death penalty, and presiding Judge Omar Noose denies Jake a change of venue to a more ethnically diverse county, resulting in Lee likely facing an [all-white jury](#).

Brigance seeks help from his defense team: law student Ellen Roark, close friend Harry Rex Vonner, and former mentor and longtime activist Lucien Wilbanks, a once-great civil rights lawyer. Meanwhile, Billy Ray's brother Freddie Lee Cobb plans to avenge Billy's death by joining and enlisting the help of the Mississippi branch of the [Ku Klux Klan](#) and its Grand Dragon, Stump Sisson, to ensure Carl Lee's conviction and death sentence by any means necessary.

On the first day of the trial, the Klan takes to the streets and rallies, only to be outnumbered by counter-protesters consisting of the area's [minority](#) residents as well as white locals who support Carl Lee's acquittal. The protest erupts into a violent brawl that results in dozens of injuries and Sisson's death.

The Klan also begins to target Jake, assaulting his elderly secretary and her husband, the latter of whom dies of a heart attack brought on by the assault. They also burn a cross on his lawn and threaten his wife and daughter, which forces him to send them away during the trial. When Jake refuses to back down, the Klan then increases their attacks, including kidnapping and assaulting Ellen and burning Jake's house down.;
nnn

Jake is able to discredit the state's psychiatrist, Dr. Wilbert Rodeheaver. However, then Buckley discredits Jake's psychiatrist, Dr. Willard Tyrell Bass, by revealing his prior conviction of [statutory rape](#). Dispirited, Jake tells Carl Lee that there is little hope for an acquittal and tries to persuade him to take a plea deal that will imprison him for life but spare him execution.

Carl Lee refuses the deal, replying that he had chosen Jake as an attorney because as a white man he has insight into how the jury sees Carl Lee. During closing arguments, a deeply shaken Jake tells the jury to close their eyes and listen as he describes the entire ordeal of Tonya, to which some of the jurors shed tears. In his final comment, Jake asks them to imagine how they would feel "if she were white".

After deliberation, the jury finds Carl Lee not guilty of all charges. Jubilation ensues among the supporters while the Klan becomes enraged over their defeat. Meanwhile, Sheriff Walls arrests Freddie Lee for his crimes, as well as a corrupt deputy who is also revealed to be a Klansman. Sometime later, Jake brings his wife and daughter to a family cookout at Carl Lee's house to celebrate his freedom, challenging Carl Lee's previous statement that their children would never play together.

Lessons from the Movies for Trial Lawyers

By Guy O. Kornblum

I am not the first to do this – look to movies about the law which portray trial or trial related scenarios and which provide examples for lawyers in a litigation or a practice involving dispute resolution of either what to do or what to avoid. Nonetheless, it is irresistible for me to dive into the reservoir of movies to find examples of movies which provide teaching points for “real life” examples from which lawyers in these specialties or contemplating these areas of practice can learn.[1] While these are examples with a dramatic flair, they do resemble real practice scenarios that are real or so close to reality that they have teaching and learning value for those in our practice. So here goes.

The Ethics of Preparing a Client to Testify

This example comes from one of what I believe are the two best lawyer movies, “Anatomy of a Murder” [2] (the other is “To Kill a Mockingbird”) James Stewart plays a small town lawyer and former DA who failed to be reelected. He now is in private practice and seems to have time on his hands. He is asked to defend Ben Gazara who is charged with killing a man who his wife (Lee Remick) claims raped her. Gazara found out from his wife what happened. He then takes his gun and finds the killer and shoots him dead. He is arrested and charged with murder. His wife contacts Stewart and arranges a meeting at the jail with her husband. Stewart meets Gazara to discuss how Gazara will respond to the charge. He reviews the choices all of which are rejected except one. Stewart’s counsel is an interesting portrayal of the approach Gazara could take to a potential “insanity” defense. Is his counsel in a scene in the movie an inquiry into Gazzara’s possible defense or is he coaching him as to how he should portray the facts so he could be found not guilty by reason of insanity?. See the movie and answer the question: Did Stewart’s counsel cross the line of preparation, or is it “ethical”?

https://youtu.be/JTnF14D8_-l?list=RDCMUC3gNmTGU-TTbFPpfSs5kNkg

A Comment on a Plaintiff Personal Injury Practice

An entertaining and interesting dramatic portrayal of a plaintiff’s personal injury practice is “The Verdict,” with Paul Newman as Frank Galvin, an aging lawyer in a solo personal injury practice in Boston. He takes on a challenging medical practice case against a Catholic hospital in Boston involving a young woman who chokes on her own vomit while given general anesthesia during child birth and is rendered comatose. This is a chance for Frank to resurrect his declining practice. The defendant is represented by a large law firm whose lead counsel is played by James Mason. The cast includes Jack Warden as Frank’s investigator, and Charlotte Rampling as his girlfriend. There are several interesting storylines including the ethics of dealing with experts. An excellent movie with acting that you would expect from this case of stars.

<https://www.youtube.com/watch?v=28VoDrN9dF8>

How a Trial is Conducted

Another good choice with courtroom drama is "Philadelphia."

Fearing it would compromise his career, lawyer Andrew Beckett (Tom Hanks) hides his homosexuality and HIV status at a powerful Philadelphia law firm. But his secret is exposed when a colleague spots the illness's telltale lesions. Fired shortly afterwards, Beckett resolves to sue for discrimination, and the film portrays how his lawyer, Denzel Washington pursues the case. There are scenes involving various aspects of the lawyer's practice, including client intake, evaluating the legal issues, and trial practice. The cast is excellent with Antonia Banderas and Jason Robards. A tense and compelling story is portrayed in a close to realistic way.

<https://www.philo.com/player/player/show/U2hvdzo2MDg1NDg4OTk2NDg0NTMyMDM>

There are so many interesting stories involving lawyers, but these three are my favorites since they are at least close to a real-life portrayal of the practice of law with, of course, a good bit of dramatic license. Other more dramatic and recent movies include: "A Few Good Men"

(<https://play.google.com/store/movies/details?id=E7g-Alz2krU&pli=1>), "The Rainmaker"

(<https://www.youtube.com/watch?v=OFvAwozGnmg>). "The Lincoln Lawyer" (<https://www.youtube.com/watch?v=IFwE3UgCMIk>), and "A Civil Action"

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Establishing and Maintaining Good Client Relationships: Are You There Yet?

[Guy O Kornblum](#)

Jul 02, 2026 ⌚ 6 min read

Summary

- ❑ A watchful and structured practice of regular client communication is essential to positive client relationships. There is no need to expose your firm to criticism resulting from failed client relationships and communication.
- ❑ Effort and attention need to be devoted to assessing the momentum that is essential to moving forward and to letting a client know that it is proceeding as needed, even if there has not been a major change.
- ❑ Good and regular communication is the principal tool here, so make sure those “lines” are open to ensure good client relationships and client satisfaction.



misunderstood, so if there is any ambiguity clarification is essential. As for communications from harm in asking.”

Here are some areas to consider in assessing your attention to client needs and relationships.

Does Our Marketing Describe Our Effort?

Most important is to review your marketing materials that are accessible by the public. They must describe your practice and what you can professionally offer to the public. Broad and general statements are not enough. They need to be specific about your practice areas where you are trained, experience and competence. A positive statement about the specific areas of legal counseling, advice, and representation that you offer to clients who need legal services in your areas of practice. This is a critical starting place for your marketing development.

Intake and Assessment of Case

What is the first contact point for any prospective client? Does that point of contact create a positive impression of your firm and that you are willing and prepared to assist the client in finding competent legal representation? Today we use online forms and phone centers as a first point of contact, I prefer other means. For example, on our website it says: “When you call US, you talk to US.” While I have a form on my website for completing an intake, it is rarely used. Most potential clients contact us by text or phone, which we monitor regularly. We respond by calling or contacting potential clients. We do not “leave them hanging” waiting for a response. We try to quickly determine if the matter is appropriate for our firm. If not, we let the potential client know and refer them to representation.

Often, we are asked if we can “recommend” someone if the matter is not in our area of practice. I only recommend someone I know the firm well and can trust its services. Otherwise, I suggest the caller contact a local bar association for a professional source for possible representation. I stay away from recommendations to firms or individuals I am not familiar and do not know to trust.

Confirmation of Acceptance

If the matter fits with our practice, I advise the client that we will look further into it, but I confirm that I am not *accepted* representation nor agreed to be counsel until there is a representation/fee agreement signed by the client and me. If I accept representation, I send the agreement to the client first for signature and I sign it with their signature. I then sign and provide a completed and fully signed copy to the client.

Also, once I send this agreement to the client, I set up a video call or meeting to go over the agreement and ensure the client understands it. In explaining it to them, I ask them to repeat what I have explained or acknowledge their understanding. It is important and critical to the relationship that a client understands the nature of the matter and what they are accepting as our professional responsibilities and what we are responsible for in the

that allows regular contact with the client. The one contact I do not want is from the client who says, "I haven't heard from you; what is the status of my case?" To avoid this call, have a system in place that reminds you who is responsible for monitoring the case that it is time to contact the client for an update (again, even if it is just a report). This results in a client who knows that the case is being managed and attended to and that you are using your professional skills on that client's behalf.

Curing Deficiencies

In implementing a client case management system, you should look for ways to cure deficiencies. Clients are the primary source of feedback, so seek out their comments on a regular basis, even when the relationship concludes. Regular feedback from clients will not only help you keep up with the latest in your field but also result in knowing where improvement can be achieved.

The Keys to an Effective Attorney-Client Relationship

To summarize, here are the keys to a high level of quality in your client relationship:

- ❑ Maintain regular, informative, and effective communication by having a system in place that reminds you to contact the client.
- ❑ Listen to your clients so you can gauge if your communication with them is effective and if they need more information.
- ❑ Set client expectations early in the relationship so the client is aware of how the case will be handled and how often the client will be updated.
- ❑ Build trust by explaining the confidential nature of the relationship so the client will freely share information with your firm.
- ❑ Ask for feedback on an ongoing basis by encouraging the client to contact you if there are changes in their situation or if the client needs an update.

A Final Comment

It needs to be said that a watchful and structured practice of regular client communication is essential for successful attorney-client relationships. There is no need to expose your firm to criticism resulting from failed client relationships due to a lack of communication. Effort and attention need to be devoted to assessing the momentum that is essential to the case and to letting a client know that it is proceeding as needed. Unfortunately, there are many factors that can cause delay resulting from lags in court calendars. Nonetheless, we need to be mindful of the need to keep the client informed as to the progress of a case and how this is impacting their expectations. Good and regular communication is the principal tool here, so make sure those "lines" are open and used regularly to ensure good client satisfaction.

IRVING YOUNGER'S 10 COMMANDMENTS OF CROSS EXAMINATION

1. Be Brief

Be brief, short and succinct. Why? Reason 1: chances are you are screwing up. The shorter the time spent, the less you will screw up. Reason 2: A simple cross that restates the important part of the story in your terms is more easily absorbed and understood by the jury. You should never try to make more than 3 points on cross-examination. Two points are better than three and one point is better than two.

2. Use Plain Words

The jury can understand short questions and plain words. Drop the 50 dollar word in favor of the 2 dollar word. "Drive you car" instead of "operate your vehicle."

3. Use Only Leading Questions

The law forbids questions on direct examination that suggest the answer. The lawyer is not competent to testify. On cross-examination the law permits questions that suggest the answer and allows the attorney to put his words in the witnesses' mouth. Cross-examination, therefore, specifically permits you to take control of the witness, take him where you want to go, and tell your important point to the jury through the witness.

Not asking controlled leading questions leaves too much wiggle room. What happened next? I would like to clear up a couple of points you made on direct? These questions are the antithesis of an effective cross-examination. Any questions which permit the witness to restate, explain or clarify the direct examination is a mistake.

You should put the witness on autopilot so that all of the answers are series of yes, yes, yes!

4. Be Prepared

Never ask a question that you do not know the answer to. Cross is not a fishing expedition in which you uncover new facts or new surprises at the trial.

5. Listen

Listen to the answer. For some, cross-examination of an important witness causes stage fright; it confuses the mind and panic sets in. You have a hard time just getting the first question out, and you're generally thinking about the next question and not listening to the answer.

6. Do Not Quarrel

Do not quarrel with the witness on cross-examination. When the answer to your question is absurd, false, irrational contradictory or the like; Stop, sit down. Resist the temptation to respond with “how can you say that, or how dare you make such an outrageous claim?” The answer to the question often elicits a response, which explains away the absurdity and rehabilitates the witness.

7. Avoid Repetition

Never allow a witness to repeat on cross-examination what he said on direct examination. Why? The more times it is repeated, the more likely the jury is to believe it. Cross-examination should involve questions that have nothing to do with the direct examination. The examination should not follow the script of the direct examination.

8. Disallow Witness Explanation

Never permit the witness to explain anything on cross-examination. That is for your adversary to do.

9. Limit Questioning

Don't ask the one question too many. Stop when you have made your point. Leave the argument for the jury.

10. Save for Summation

Save the ultimate point for summation. A prepared, clear and simple leading cross-examination that does not argue the case can best be brought together in final summation.

Summarized from The Art of Cross-Examination by Irving Younger. The Section of Litigation Monograph Series, No. 1, published by the American Bar Association Section on Litigation, from a speech given by Irving Younger at the ABA Annual Meeting in Montreal Canada in August of 1975.



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10 Legal Movies All Lawyers Should See

By Raymond T (Tom) Elligett Jr., Esquire | March 1, 2026

In over 100 years of cinema there are hundreds of movies with legal scenes or themes. In Greta Garbo's last silent film, *The Kiss* (1929), she is on trial for killing her husband. Her defense counsel (and former lover) avows his faith in her innocence—"a faith greater than that of lawyer to client." Maybe ethical rules were different in 1929 in France?

I use film clips in the appellate practice class at Stetson University College of Law, a fertile source for preservation of error examples and other lessons. Most of the students—and younger lawyers in our Inn—are unfamiliar with even the more recent movies on this list. That

the judge stops by Finch's house to ask him to defend Tom Robinson, a Black man wrongfully accused of assaulting a white woman in Alabama. Great performances abound, including a silent but significant first film appearance by Robert Duvall.

The Verdict (1982) stars Paul Newman as an alcoholic lawyer representing the parents of a young brain-damaged mother in a Boston medical malpractice case. He is opposed by a cadre of lawyers led by actor James Mason. The film is rife with ethical violations (which begin before trial), questionable evidentiary rulings, failures to preserve, contempt warranting rants, and a nonsensical legal case cite, suggesting if there was a lawyer involved in filming, the lawyer was missing that day.

Inherit The Wind (1960) was directed by Stanley Kramer and based on the 1955 play. It is a fictionalized depiction of the Scopes monkey trial, which took place in Dayton, Tennessee, in 1925. It was the only prosecution for teaching evolution in violation of a state law, repealed in 1967. Spencer Tracy plays Henry Dummond, who represents Clarence Darrow. The special prosecutor is named Matthew Harrison Brady—the fictionalized version of former presidential candidate William Jennings Bryan—and portrayed by Fredric March. Courtroom scenes include jury selection and Tracy calling opposing counsel March to the stand as an expert on the Bible after the court excludes the scientific experts Tracy had planned to call.

My Cousin Vinny (1992) is another Alabama trial with actor Joe Pesci defending his cousin and a friend for the murder of a convenience store owner. Fred Gwynne plays an excellent old school judge (he may not be correct, but he is never in doubt). Marisa Tomei won the Academy Award for Best Supporting Actress and among other things shows how one could be an expert witness based on experience—in her case automotive expertise.

Witness for the Prosecution (1957) is a celluloid version of the 1953 Agatha Christie play. Charles Laughton plays a senior barrister defending Leonard Vols, played by Tyrone Power, who is being prosecuted for murdering an older woman he befriended after she names him in her will and is killed. Marlene Dietrich gives a tour de force performance as “the” witness. Laughton displays some courtroom “tricks,” and like most of the films on the list, this one comes with a surprise ending. And yes, the lawyers and judges wear wigs.

Marshall (2017) depicts Thurgood Marshall early in his career, defending a Black chauffeur accused of raping his white woman employer in 1941 Connecticut. Actor Chadwick Boseman (who died in 2020), portrays Marshall as a skillful trial lawyer with excellent instincts. This is another of several films on this list that have dramatic demonstrations during the trial.

Philadelphia (1993) won an Academy Award for Best Actor for Tom Hanks as a lawyer who sues his elite law firm, claiming he was fired when it became apparent he had AIDS. This was an early mainstream film dealing with such issues. Denzel Washington portrays a personal injury

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