

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

JUDGES ON FILM: PART 2

EPISODE 36

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HOSTED BY: FREDERICK J. LAUTEN

>>Welcome to another episode of “Open Ninth: Conversations Beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida.

Now here’s your host, Chief Judge Frederick Lauten.

>>**CHIEF JUDGE LAUTEN:** Well, welcome. We are live, Facebook live and podcasting Phase 2 or Round 2 of Legal Eagles. So Phase 1 was so popularly received, and we’re back for Round 2 with my colleagues and good friend Judge Letty Marques, Judge Bob Egan, and we’re talking about legal movies. And last time there were so many that we just had to call it quits and pick up for Phase 2, so I appreciate that you came back for Round 2, so I’m glad you’re here. You ready to go?

>>**JUDGE MARQUES:** Sure.

>>**CHIEF JUDGE LAUTEN:** Okay, here we go. Watch this high tech. Here’s the deal. We need a box of popcorn, but we’re going to name that movie and then talk a little bit about it. So this is the hint: Who can name that movie from this one slide?

>>**JUDGE MARQUES:** From Runaway Jury?

>>**CHIEF JUDGE LAUTEN:** Did you see the movie?

>>**JUDGE EGAN:** I did; excellent movie.

>>**CHIEF JUDGE LAUTEN:** What’s it about? Do you remember? Anybody remember?

>>**JUDGE MARQUES:** He gets in trouble. Dustin Hoffman gets in trouble at the beginning of the movie with the judge, but I don’t remember why.

>>**CHIEF JUDGE LAUTEN:** I don’t know that I’ve seen this movie.

>>**JUDGE MARQUES:** It’s been a long time.

>>**CHIEF JUDGE LAUTEN:** Involved a runaway – a jury on the inside and a woman on the outside who manipulate a court trial that involved, what, a gun manufacturer.

>>**JUDGE EGAN:** It’s based on the book written by, who’s the –

>>**CHIEF JUDGE LAUTEN:** Is it Scott Tarrow?

>>**JUDGE EGAN:** Not Scott Turrow, the other guy.

>>**CHIEF JUDGE LAUTEN:** Who is the other guy? John Grisham.

>>**JUDGE MARQUES:** John Grisham, that's it.

>>**CHIEF JUDGE LAUTEN:** So John Cusack is in this, Rachel Weisz, Gene Hackman. Now that I think about this, I think that I have seen this movie too.

>>**JUDGE EGAN:** The book was based on, I think, litigation against a tobacco company, and this was tied into guns, yes.

>>**JUDGE MARQUES:** Right. Cusack makes it onto the jury. The woman –

>>**CHIEF JUDGE LAUTEN:** That's right, Cusack makes it onto the jury. This is coming back to me now.

>>**JUDGE MARQUES:** Yes, and there's a lot of manipulation of the system that is inappropriate in the extreme.

>>**CHIEF JUDGE LAUTEN:** In the extreme, which would disturb greatly. So who's Judge Frederick Harkin? Is he – is that Gene Hackman? No, he's a lawyer – I remember, he's a lawyer.

>>**JUDGE MARQUES:** Gene Hackman – no, he's not the lawyer. Gene Hackman is the jury consultant/evil manipulator –

>>**CHIEF JUDGE LAUTEN:** Oh, he is.

>>**JUDGE MARQUES:** -- of the system on the other side.

>>**CHIEF JUDGE LAUTEN:** That's right.

>>**JUDGE EGAN:** This movie has helped – I gave a talk once on jury selection and just took a bunch of stuff from this because that's – a large part of the movie is selecting this jury.

>>**CHIEF JUDGE LAUTEN:** That's right. And Cusack, he ends off there, but he kind of conceals his background, right? Was a family member killed with a gun and this was his way to get revenge by punishing the gun manufacturer?

>>**JUDGE MARQUES:** Yes. He and the woman, whose name I can't – I can't remember who played her.

>>**CHIEF JUDGE LAUTEN:** Rachel Weisz.

>>**JUDGE MARQUES:** Rachel Weisz, that was it from the Mummy series.

>>**JUDGE EGAN:** I don't remember what –

>>**JUDGE MARQUES:** I really need to get more activities in my life than watching movies.

>>**CHIEF JUDGE LAUTEN:** So just for our listeners, if any of this were discovered in an actual case we had, we would reverse the verdict in a heartbeat and start all over again, if not sanction people.

>>**JUDGE EGAN:** I think people would be arrested, yeah.

>>**JUDGE MARQUES:** I would be picking up the phone calling the Florida Bar to report lawyers –

>>**CHIEF JUDGE LAUTEN:** The Florida Bar, the State Attorney.

>>**JUDGE EGAN:** Gene Hackman is offering Cusack money. They're negotiating how much it will take for me to hijack this jury – for him to hijack the jury. So there would be maybe federal charges.

>>**JUDGE MARQUES:** There would be a lot of problems.

>>**CHIEF JUDGE LAUTEN:** Okay, well, there we go. You guys hit the nail on the head, Runaway Jury, I'm very impressed, 2003. Here's our next one.

>>**JUDGE MARQUES:** Oh, he's the – Al Pacino is -- The Devil's Advocate.

>>**CHIEF JUDGE LAUTEN:** The Devil's Advocate. 1997, Al Pacino.

>>**JUDGE MARQUES:** Keanu Reeves.

>>**CHIEF JUDGE LAUTEN:** Keanu Reeves, Charlize Theron is in this before she became super, super stardom. And interestingly, I think it involves a Florida lawyer who

practiced here and was offered a job in New York City. Is this the one with the scene where he goes into the bathroom, at some point early in the trial and it's whether he should participate in his client lying or telling the truth, or maybe I'm confusing movies.

>>**JUDGE EGAN:** I'm not familiar enough with this one. Because it's got a creepy title, I never paid a whole lot of attention to it.

>>**JUDGE MARQUES:** Al Pacino is -- you're right, Keanu Reeves is a very successful lawyer in the South. He's not making any money but he wins all his cases.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE MARQUES:** And then Al Pacino is actually the devil.

>>**CHIEF JUDGE LAUTEN:** And he solicits somebody to go to New York City which we felt was appropriate, you know, that might be the equivalent of how –

>>**JUDGE MARQUES:** Right, so all of a sudden he's making just mega money.

>>**JUDGE EGAN:** Right, and then he gets into this whole, you know, superstardom, the whole money, fame, sex, completely divorced from reality.

>>**JUDGE MARQUES:** That's what I was going to say, from beginning to end.

>>**CHIEF JUDGE LAUTEN:** I remember, I think maybe in this movie Al Pacino, he does a lot of screaming. And it's funny because Al Pacino has a lot of roles where he screams and he has lot of roles where he's subdued and I kind of prefer the understated and subdued Al Pacino. Like to me he was so strong in the God Father where he was always in control and subdued, but then he has those roles where he's screaming a lot. I kind of prefer –

>>**JUDGE EGAN:** A Dog Day Afternoon, a combination of both. One of my favorite Pacino – which I don't believe is a legal movie, although I'm sure someone was prosecuted after that heist.

>>**CHIEF JUDGE LAUTEN:** That's true. That is one where he mixed both together and he was so strong. I love watching him but he seems to fall in one of those two categories except for maybe Dog Day Afternoon.

>>**JUDGE EGAN:** Any last comments on this one?

>>**CHIEF JUDGE LAUTEN:** Look how young Keanu –

>>**JUDGE MARQUES:** Keanu Reeves. Look how young Al Pacino is.

>>**CHIEF JUDGE LAUTEN:** All right. This one, probably well known again based on a novel –

>>**JUDGE EGAN:** The Firm.

>>**JUDGE MARQUES:** The Firm.

>>**CHIEF JUDGE LAUTEN:** The Firm. 1993, Tom Cruise, Jeanne Tripplehorn, Gene Hackman –

>>**JUDGE MARQUES:** He looks crazed –

>>**JUDGE EGAN:** He does.

>>**CHIEF JUDGE LAUTEN:** He does look a little demented.

>>**JUDGE MARQUES:** He looks a little demented there. That would scare me.

>>**CHIEF JUDGE LAUTEN:** But as I recall he was like a Ivy League, maybe Harvard superstar, brainiac lawyer, struggling, eating peanut butter and jelly sandwiches to get through law school. And then gets – he gets sort of recruited by all the top firms in New York, Washington, LA and joins a Memphis firm.

>>**JUDGE MARQUES:** It's in Memphis.

>>**CHIEF JUDGE LAUTEN:** It's kind of run by the mafia, right?

>>**JUDGE MARQUES:** They lure him in, yes. It's the mafia. He finds out afterwards they are laundering money. And do you remember how he sets them up to go take the fall?

>>**CHIEF JUDGE LAUEN:** No, I don't remember. Do you?

>>**JUDGE MARQUES:** Yes.

>>**CHIEF JUDGE LAUEN:** What does he do?

>>**JUDGE MARQUES:** It's postal fraud. He gets them on the federal postal fraud of sending out erroneous bills to the clients.

>>**CHIEF JUDGE LAUTEN:** It's like they got Al Capone with tax evasion as opposed to actually murdering people.

>>**JUDGE MARQUES:** Right, because he can't reveal client confidentiality 'cause he'll lose his license. So he has to figure out how to take down the entire firm and he figures out doing it using their billing, fraudulent billing sent through the US Mail, federal crime.

>>**CHIEF JUDGE LAUTEN:** All right.

>>**JUDGE EGAN:** It's a fantastic movie. I mean, it's one of the movies that does the book justice. And the book is fantastic as well. This movie did a very, very good job.

>>**CHIEF JUDGE LAUTEN:** All right. Tom Cruise is young in this era too. All right, very good.

>>**JUDGE MARQUES:** Oh, Mississippi Burning.

>>**CHIEF JUDGE LAUTEN:** No.

>>**JUDGE MARQUES:** No.

>>**CHIEF JUDGE LAUTEN:** But not a bad guess. But not Mississippi Burning. This is relatively recent. So you got Robert Duvall who would normally –

>>**JUDGE EGAN:** Is it The Judge?

>>**CHIEF JUDGE LAUTEN:** Yes.

>>**JUDGE MARQUES:** Oh, I know this –

>>**CHIEF JUDGE LAUTEN:** Robert Downey.

>>**JUDGE MARQUES:** Robert Downey is his son.

>>**CHIEF JUDGE LAUTEN:** Robert Downey Jr. is his son.

>>**JUDGE EGAN:** Robert Duvall is accused of –

>>**CHIEF JUDGE LAUTEN:** Murder.

>>**JUDGE MARQUES:** The name of the movie is either The Judge or The Jurist.

>>**CHIEF JUDGE LAUTEN:** The Judge.

>>**JUDGE MARQUES:** The Judge.

>>**JUDGE EGAN:** What a great actor Duvall is.

>>**JUDGE MARQUES:** Yes. It's a manslaughter, right?

>>**CHIEF JUDGE LAUTEN:** Murder or manslaughter.

>>**JUDGE MARQUES:** DUI manslaughter, when he's drunk.

>>**CHIEF JUDGE LAUTEN:** Oh, yeah.

>>**JUDGE MARQUES:** What we would call DUI manslaughter.

>>**CHIEF JUDGE LAUTEN:** And I forget, was his – the judge, his father involved or not involved?

>>**JUDGE MARQUES:** His father is the one who ran the person over and he killed him?

>>**CHIEF JUDGE LAUTEN:** Did he get convicted?

>>**JUDGE MARQUES:** It turns out – giving away the end of the movie?

>>**CHIEF JUDGE LAUTEN:** This is a spoiler alert.

>>**JUDGE MARQUES:** Spoiler alert, 2014 movie.

>>**CHIEF JUDGE LAUTEN:** 2014. What is the spoiler alert?

>>**JUDGE MARQUES:** He's guilty, which is an odd twist in these movies.

>>**CHIEF JUDGE LAUTEN:** Is he found guilty?

>>**JUDGE MARQUES:** I don't want to give the whole movie away. There is a twist at the end.

<<**CHIEF JUDGE LAUTEN:** Okay. Oh, I think I remember what that twist is too.

>>**JUDGE MARQUES:** He's charged with driving drunk and killing someone while he's drunk.



>>**CHIEF JUDGE LAUTEN:** Interesting because a movie about substance abuse with Robert Downey Jr. – I love watching him, and he’s kind of made a resurgence, but he had his personal dealings with it.

>>**JUDGE MARQUES:** He went to prison for heroin and a variety of substance abuses.

>>**CHIEF JUDGE LAUTEN:** Very talented.

>>**JUDGE MARQUES:** He is, very talented lawyer – or actor.

>>**CHIEF JUDGE LAUTEN:** All right. So 2014, so that’s one of our more recent movies.

>>**JUDGE MARQUES:** Oh, I love this movie.

>>**JUDGE EGAN:** Lincoln Lawyer.

>>**JUDGE MARQUES:** Lincoln Lawyer.

>>**CHIEF JUDGE LAUTEN:** Lincoln Lawyer.

>>**JUDGE EGAN:** That’s his office is the Lincoln, right?

>>**JUDGE MARQUES:** Is the Lincoln.

>>**CHIEF JUDGE LAUTEN:** That’s where the title comes.

>>**JUDGE MARQUES:** It’s based on the book.

>>**JUDGE EGAN:** Maybe the most handsome lawyer, either him or Tom Cruise.

>>**CHIEF JUDGE LAUTEN:** Haven’t you often been compared to –

>>**JUDGE EGAN:** Yeah.

>>**CHIEF JUDGE LAUTEN:** Is this another Grisham, or is this a Turrell? Do you know who the author is?

>>**JUDGE MARQUES:** No, it’s – it’s Con --

>>**JUDGE EGAN:** It’s not Grisham. That’s all I know.

>>**CHIEF JUDGE LAUTEN:** I don't know. I did not read this novel.

>>**JUDGE MARQUES:** The Lincoln Lawyer is the first in the series that this author wrote about this lawyer, and he's written other ones. I want to say Pat Conroy, but I don't think that's correct.

>>**CHIEF JUDGE LAUTEN:** Yeah, no, if it's a Pat Conroy novel, I would know it because I've read almost everything he's written.

>>**JUDGE MARQUES:** He's written other things involving a detective.

>>**CHIEF JUDGE LAUTEN:** He looks like Paul Newman to me.

>>**JUDGE EGAN:** He does, yeah, the eyes.

>>**JUDGE MARQUES:** Doesn't he? Yeah.

>>**JUDGE EGAN:** Gets us back to The Verdict which we talked about last time.

>>**CHIEF JUDGE LAUTEN:** Well, that's one of my favorite of all time. All right, the Lincoln Lawyer because of his Lincoln.

Oh, this is an interesting movie.

>>**JUDGE MARQUES:** I have no idea.

>>**JUDGE EGAN:** The Perfect Murder?

>>**CHIEF JUDGE LAUTEN:** No, this is the Star Chamber.

>>**JUDGE EGAN:** Don't know.

>>**JUDGE MARQUES:** Oh, I saw that movie many years ago.

>>**CHIEF JUDGE LAUTEN:** And so I think Michael Douglas is a judge, and I think – is Hal Holbrook also a judge?

>>**JUDGE MARQUES:** They're all judges.

>>**CHIEF JUDGE LAUTEN:** And Michael Douglas gets frustrated with criminals getting off on technicalities and goes to his own private way of administering justice.

>>**JUDGE MARQUES:** No, Hal Holbrook lures him into it.

>>**CHIEF JUDGE LAUTEN:** Lures him into it. That's right, draws him in.

>>**JUDGE MARQUES:** The Star Chamber already exists and it's all judges who are frustrated by the system, and have created their own court.

>>**JUDGE EGAN:** Can you identify with this?

>>**JUDGE MARQUES:** No, I cannot.

>>**CHIEF JUDGE LAUTEN:** Yeah, this is great acting with great actors. I love Hal Holbrook; I love Michael Douglas.

>>**JUDGE MARQUES:** How about you?

>>**JUDGE EGAN:** No.

>>**JUDGE MARQUES:** I was going to say, you're in the same criminal division as I am.

>>**CHIEF JUDGE LAUTEN:** 1983. Yeah, I remember this movie, and now that I'm a judge, it's ridiculous. One of my favorite actors of all time would be the one to the left who I somewhat share namesake with, although we spell our names completely different. So that's Charles Lawton on the left.

>>**JUDGE EGAN:** Witness for the Prosecution?

>>**CHIEF JUDGE LAUTEN:** Witness for the Prosecution. Very good.

>>**JUDGE MARQUES:** I'm impressed.

>>**JUDGE EGAN:** It's been a while.

>>**JUDGE MARQUES:** I'm impressed.

>>**CHIEF JUDGE LAUTEN:** So this is based on an Agatha Christie screen play. Marlene Dietrich on the right. Tyrone Power, I think that's Tyrone Power, I'm not sure. That might not be.

>>**JUDGE MARQUES:** What was this one about?

>>**JUDGE EGAN:** 1947. It's in the 40's, right?

>>**CHIEF JUDGE LAUTEN:** Late 50's.

>>**JUDGE EGAN:** Late 50's.

>>**JUDGE MARQUES:** I've never seen this one.

>>**CHIEF JUDGE LAUTEN:** It's a murder, but I think Marlene Dietrich kind of – does she lie for the defense?

>>**JUDGE EGAN:** I think so. I just love the hat.

>>**CHIEF JUDGE LAUTEN:** And then Charles Lawton discovers that he's kind of been drawn into this set up.

>>**JUDGE MARQUES:** Wait, I need to ask a question. Are you going to get a hat like that?

>>**JUDGE EGAN:** I may.

>>**CHIEF JUDGE LAUTEN:** It was a great movie, black and white. Charles Lawton is fabulous in this movie. I think it's this movie where he has like an attendant, a woman who kind of takes care of his medical needs who pesters him throughout the whole movie and their relationship is fabulous. She's a famous character actress and I can't remember –

>>**JUDGE EGAN:** I'm going to have to go back and watch it again. It's a very famous movie.

>>**CHIEF JUDGE LAUTEN:** It's not Rumpole of the Bailey which is a different TV series, but that has one of my favorite phrases that my wife has come to hate because he refers to his wife as she who must be obeyed. Never calls her by her name. All right, '57. Michael Douglas, back again.

>>**JUDGE MARQUES:** And Demi Moore.

>>**CHIEF JUDGE LAUTEN:** Deborah Winger, actually, although that –

>>**JUDGE MARQUES:** That's Demi Moore.

>>**CHIEF JUDGE LAUTEN:** Are you sure?

>>**JUDGE MARQUES:** That's not Deborah Winger.

>>**CHIEF JUDGE LAUTEN:** Kind of looks like Demi Moore.

>>**JUDGE MARQUES:** Because it's Demi Moore.

>>**CHIEF JUDGE LAUTEN:** That's why, because – all right, I'm not sure that that – I'm skeptical, might be Deborah Winger but it could be Demi Moore. What is this about, do you remember?

>>**JUDGE MARQUES:** I don't know what it is.

>>**CHIEF JUDGE LAUTEN:** Yeah, this is somebody accused of stealing something.

>>**JUDGE MARQUES:** Where did you guys get these movies?

>>**CHIEF JUDGE LAUTEN:** A sculpture or a painting.

>>**JUDGE MARQUES:** Disclosure?

>>**CHIEF JUDGE LAUTEN:** Oh, wait a minute, that is absolutely Demi Moore. I stand correct, Your Honor. And I withdraw that previous assertion.

>>**JUDGE EGAN:** Is it Urban Cowboy or is it Disclosure?

>>**CHIEF JUDGE LAUTEN:** Look, I had knee surgery a week ago; I'm still taking pain medication. Oh, my gosh, I have the complete wrong movie. Disclosure. This is a Michael, how do you say it, Christian –

>>**JUDGE EGAN:** Crichton.

>>**CHIEF JUDGE LAUTEN:** Crichton.

>>**CHIEF JUDGE LAUTEN:** Michael Crichton movie. It involves – I have some cheat sheets here, involving sexual harassment in the computer industry. Donald Sutherland. I've seen this movie but it doesn't – obviously, I had the actors confused and I probably have the plot line confused. I was thinking –

>>**JUDGE EGAN:** Legal Eagles.

>>**CHIEF JUDGE LAUTEN:** Legal Eagles.

>>**JUDGE MARQUES:** Legal Eagles. This one we know.

>>**JUDGE EGAN:** That's a good thing.

>>**JUDGE MARQUES:** And that's Deborah Winger.

>>**JUDGE EGAN:** Deborah Winger.

>>**CHIEF JUDGE LAUTEN:** That looks like Deborah Winger.

>>**JUDGE MARQUES:** And I would agree with you on that, Your Honor.

>>**CHIEF JUDGE LAUTEN:** If we go back one, that's Demi Moore.

>>**JUDGE EGAN:** She is his associate or wife, or both?

>>**JUDGE MARQUES:** No, she becomes his wife, but she's his associate.

>>**CHIEF JUDGE LAUTEN:** Isn't he the DA?

>>**JUDGE MARQUES:** He's the DA.

>>**CHIEF JUDGE LAUTEN:** She's a defense attorney, right?

>>**JUDGE MARQUES:** No, she's an assistant DA.

>>**CHIEF JUDGE LAUTEN:** Oh, is that right?

>>**JUDGE MARQUES:** She's an assistant DA.

>>**CHIEF JUDGE LAUTEN:** And then Darrell Hannah is the defendant accused of stealing, I think, art work.

>>**JUDGE EGAN:** I think so.

>>**CHIEF JUDGE LAUTEN:** And I thought Deborah Winger was a lawyer, but I could be wrong. But since I got Demi Moore so wrong –

>>**JUDGE MARQUES:** Now, I made you nervous. Now, you're afraid to disagree with me.

>>**JUDGE EGAN:** He has to leave the jury trial, I think, to handle something related to Darrell Hannah and he leaves her in charge at a very crucial part of the prosecution and she sort of fumbles it. I do believe she was –

>>**CHIEF JUDGE LAUTEN:** Okay, so she's an Assistant DA. All righty. This may be probably the iconoclastic, you know, legal movie of all time which was I think on TV last night or the night before. Who can you name in this picture? I can name at least two, obviously, you know the most famous.

>>**JUDGE MARQUES:** Henry Ford. Fonda.

>>**CHIEF JUDGE LAUTEN:** Henry Ford.

>>**JUDGE MARQUES:** Ford, Fonda.

>>**CHIEF JUDGE LAUTEN:** Is that Lee J. Cobb in the glasses?

>>**JUDGE MARQUES:** This guy right here?

>>**CHIEF JUDGE LAUTEN:** I'm not sure.

>>**JUDGE MARQUES:** No, I recognize his face, but I can't think of his name.

>>**JUDGE EGAN:** Looks like George Constanza.

>>**CHIEF JUDGE LAUTEN:** Ed Begley, right in the back, whose son became –

>>**JUDGE EGAN:** Is that really?

>>**CHIEF JUDGE LAUTEN:** Yeah, his son was a famous –

>>**JUDGE MARQUES:** That is not –

>>**CHIEF JUDGE LAUTEN:** Jack Klugman. Did you say Klugman?

>>**JUDGE MARQUES:** No.

>>**JUDGE EGAN:** Streets of San Francisco.

>>**JUDGE MARQUES:** No, he's trying to convince me this is George Constanza.

>>**CHIEF JUDGE LAUTEN:** Oh, George Constanza.

>>**JUDGE EGAN:** It could be.

>>**JUDGE MARQUES:** It could be, but it's not.

>>**CHIEF JUDGE LAUTEN:** Black and white, 1957. Do you know who the director is? Sidney Lumet?

>>**JUDGE EGAN:** No.

>>**JUDGE MARQUES:** No.

>>**CHIEF JUDGE LAUTEN:** There's been like another version of this film that I just thought was much –

>>**JUDGE EGAN:** There's a Happy Days episode where Fonzy was on --

>>**CHIEF JUDGE LAUTEN:** I'm talking about another Twelve Angry Men. And so what's the plot to it? Do you want to tell our listeners?

>>**JUDGE EGAN:** Murder case.

>>**CHIEF JUDGE LAUTEN:** Murder case.

>>**JUDGE EGAN:** Jury deliberations.

>>**CHIEF JUDGE LAUTEN:** And it's all in the jury room, right. I think there might be a flashback to certain courtroom scenes, but predominantly it's the dynamics in the jury room. Everyone wants to convict the defendant except for Henry Fonda who turns all eleven, but it gets tense.

>>**JUDGE MARQUES:** It does. And of course it's all men because of the time that the movie was made.

>>**CHIEF JUDGE LAUTEN:** That's right, which was how it was in that time. And for our listeners, except for murder cases, now most of our jurors are panels of six. But in first degree murder, panels of twelve.

>>**JUDGE EGAN:** Capital.



>>**CHIEF JUDGE LAUEN:** Capital murder. Most first degree murders we pick twelve. Although there's a debate about whether you can –

>>**JUDGE MARQUES:** There's now case law that says juveniles do not get – juveniles charged with murder do not get twelve; they get six. They actually finally ruled on that. You haven't been in the criminal divisions for a while.

>>**CHIEF JUDGE LAUTEN:** At any rate, an iconoclastic movie. Oh, this is one of my favorite.

>>**JUDGE MARQUES:** Oh, Philadelphia.

>>**JUDGE EGAN:** Is that Denzel with the mustache?

>>**CHIEF JUDGE LAUTEN:** Denzel.

>>**JUDGE MARQUES:** Tom Hanks.

>>**CHIEF JUDGE LAUTEN:** Tom Hanks. Rollins graduate friend of mine worked on this movie. I think he did set design. Philadelphia. Jonathan Demme is the director. Tom Hanks is an associate at a law firm who's highly successful except for the law firm ostracizes him, fires him when they learn that he's gay and has AIDS. And one of my favorite quotes that I've used every now and then in court is Denzel Washington, who runs kind of a, I don't know, almost like a fledgling PI firm, and then Tom Hanks comes in and it's like, how can you take on this well-heeled monstrous law firm in Philadelphia. But he tells all of his clients when they first sit down to him, explain this to me like I'm a fourth grader. Because his idea is I need to explain this to a jury like they're fourth graders, but we get the point. Don't talk like lawyers; you know, talk like average people because that's who is going to decide your case. This is such a strong movie.

>>**JUDGE MARQUES:** Also has a great title song by Bruce Springsteen.

>>**CHIEF JUDGE LAUTEN:** Oh, that's right.

>>**JUDGE EGAN:** And Denzel sort of evolves his personal beliefs and feelings toward the subject matter as the movie goes on.

>>**CHIEF JUDGE LAUTEN:** Right. At first, he's like, I don't want to deal with AIDS

—

>>**JUDGE MARQUES:** He's completely worried about even touching Tom Hanks.

>>**CHIEF JUDGE LAUTEN:** That's right. There's an actress who represents the law firm and she's in Ozarks.

>>**JUDGE MARQUES:** She's married to the bartender from Cheers, Ted Danson.

>>**CHIEF JUDGE LAUTEN:** No, no, oh, that's Mary Steenburgen. But is she in that, Mary Steenburgen?

>>**JUDGE MARQUES:** Mary Steenburgen, that's it. Is the lead lawyer for the law firm.

>>**CHIEF JUDGE LAUTEN:** Oh, is that right? For the other firm, who kind of ends up getting disgusted with their whole defense.

>>**JUDGE MARQUES:** Did she?

>>**CHIEF JUDGE LAUTEN:** Yeah, she was sort of like, by the end thought, what are we doing to this former, you know, associate on a partner track with us.

>>**JUDGE MARQUES:** It's a great movie.

>>**CHIEF JUDGE LAUTEN:** It's so powerful.

>>**JUDGE MARQUES:** It's just a great movie.

>>**CHIEF JUDGE LAUTEN:** Highly recommend it. 1993. Is that Brad Pitt? Who is that?

>>**JUDGE MARQUES:** It is. Brad Pitt.

>>**CHIEF JUDGE LAUTEN:** Brad Pitt. Jason Patric. Who is this — is that — is that Robert Dinero on the left?

>>**JUDGE MARQUES:** It is, Robert Dinero.

>>**CHIEF JUDGE LAUTEN:** It's a young Dinero. Who's got the glasses on to the right?

>>**JUDGE MARQUES:** Tootsie. Dustin Hoffman.

>>**CHIEF JUDGE LAUTEN:** Dustin Hoffman. So do you know this? Sleepers.

>>**JUDGE EGAN:** Well, I don't know what's happened to Jason Patric but what a cast.

>>**CHIEF JUDGE LAUTEN:** I don't think I've seen this movie.

>>**JUDGE EGAN:** I have no idea.

>>**JUDGE MARQUES:** I just recognize the actors, and I'm thinking, why haven't I seen this movie?

>>**CHIEF JUDGE LAUTEN:** This might be one we have to watch, Sleepers.

>>**JUDGE MARQUES:** Sleepers.

>>**CHIEF JUDGE LAUTEN:** I've not seen this.

>>**JUDGE MARQUES:** We would bring it back after –

>>**CHIEF JUDGE LAUTEN:** Who made this? Mid 1960's, a local gang of boys from Hell's Kitchen are sentenced to a home for boys after a prank gone wrong. Endured severe abuse and mistreatment.

>>**JUDGE MARQUES:** Sounds like a real pick-me-up.

>>**CHIEF JUDGE LAUTEN:** I haven't seen that. All right, well, let's move on. Oh –

>>**JUDGE MARQUES:** Deborah Winger, Denzel Washington. This is a book by John Grisham.

>>**CHIEF JUDGE LAUTEN:** Yes.

>>**JUDGE EGAN:** Is that Deborah Winger or –

>>**JUDGE MARQUES:** Not Deborah Winger.

>>**CHIEF JUDGE LAUTEN:** That's Demi Moore. No –

>>**JUDGE EGAN:** That's Julia Roberts.

>>**JUDGE MARQUES:** We're inserting Deborah Winger into every movie now.

>>**CHIEF JUDGE LAUTEN:** Perfect. Now, it's infectious. Now, you're doing it.

>>**JUDGE EGAN:** You're right.

>>**JUDGE MARQUES:** Julia Roberts.

>>**CHIEF JUDGE LAUTEN:** This is a Grisham novel. Might be one of his –

>>**JUDGE MARQUES:** Pollution. I've giving you hints.

>>**CHIEF JUDGE LAUTEN:** One of his early – one of his early novels?

>>**JUDGE EGAN:** Well, um – well, it's not – Erin Brockovich –

>>**JUDGE MARQUES:** Well, that's not the name of the movie, I'm saying.

>>**CHIEF JUDGE LAUTEN:** No, I'll give you a hint. I'll give you the opening scene. A supreme court justice, I think is murdered, I think, in like a movie theatre. Maybe – maybe like a porn theatre or something.

>>**JUDGE MARQUES:** She ends up going to Washington. She's running – it's – she's investigating – I can't think of the name of the title, so I'm just stalling at this point.

>>**CHIEF JUDGE LAUTEN:** I think I've got it. Can you guess?

>>**JUDGE EGAN:** I'm not going to get it.

>>**CHIEF JUDGE LAUTEN:** Pelican Brief.

>>**JUDGE MARQUES:** That's it.

>>**CHIEF JUDGE LAUTEN:** And she finds – eventually she finds this brief about how to adjust the supreme court for leaning one way or the other.

>>**JUDGE MARQUES:** The last scene is –

>>**CHIEF JUDGE LAUTEN:** '93.

>>**JUDGE MARQUES:** -- one of the bayous in Louisiana. You have lots of bayou shots, sun setting, Pelicans flying.

>>**CHIEF JUDGE LAUTEN:** I don't remember that, but this a young Julia Roberts. Denzel is so strong. All right.

>>**JUDGE EGAN:** And Erin Brockovich has to be on this list.

>>**JUDGE MARQUES:** Matt Damon.

>>**CHIEF JUDGE LAUTEN:** I'm not sure you can actually do this in a trial now that I'm looking at the exhibits that he's holding up.

>>**JUDGE EGAN:** Oh, Oh, Oh, Oh –

>>**JUDGE MARQUES:** It's demonstrative. Don't you hear that all day long? It's demonstrative.

>>**JUDGE EGAN:** It's another Grisham book.

>>**CHIEF JUDGE LAUTEN:** It is another Grisham book. I'm impressed. You're going to get it in a second. '97 –

>>**JUDGE EGAN:** He's got the short guy as his para-lawyer, um –

>>**JUDGE MARQUES:** He's got the short guy.

>>**CHIEF JUDGE LAUTEN:** Obviously, that's Matt Damon. Danny DeVito –

>>**JUDGE EGAN:** DeVito.

>>**JUDGE MARQUES:** This is not really a good impressive performance by us. Demi Moore, no, no, the short guy.

>>**JUDGE EGAN:** The Trial Lawy –

>>**CHIEF JUDGE LAUTEN:** The Rain Maker.

>>**JUDGE EGAN:** The Rain Maker. Yes, the Rain Maker, yes.

>>**CHIEF JUDGE LAUTEN:** So it's about, what –

>>**JUDGE EGAN:** Insurance claim.

>>**CHIEF JUDGE LAUTEN:** A bad faith insurance case, I think.

>>**JUDGE EGAN:** But I don't think – I think they're conflating the two. He's just got this claim for denial and he's turning it into a bad faith claim, and I don't think we need to necessarily go there but – but, oh, my gosh, that's where the insurance company wrote the letter denying the claim to the insured that said you must be stupid, stupid, stupid, stupid.

>>**CHIEF JUDGE LAUTEN:** Really, I didn't realize that.

>>**JUDGE EGAN:** Yes, and they denied the claim, yeah.

>>**CHIEF JUDGE LAUTEN:** Oh, man, I bet that came back to haunt them.

>>**JUDGE EGAN:** That's right.

>>**CHIEF JUDGE LAUTEN:** You'll never guess who directed this movie. Take a guess. Francis Ford Coppola.

>>**JUDGE MARQUES:** Seriously.

>>**JUDGE EGAN:** Oh, wow.

>>**CHIEF JUDGE LAUTEN:** Amazing, huh? Matt Damon, Danny DeVito, Danny Glover, Claire Daines, John Voight, Mickey Rourke, Virginia Madsen, I mean, there's some heavy –

>>**JUDGE MARQUES:** It's a good movie. Good acting.

>>**CHIEF JUDGE LAUTEN:** --hitters. '97. Again, pretty young Matt Damon. I think

–

>>**JUDGE MARQUES:** We're out of movies?

>>**JUDGE EGAN:** There you go.

>>**CHIEF JUDGE LAUTEN:** Out of movies. Okay, let's take a minute. Rank your top three legal movies of all time.

>>**JUDGE MARQUES:** My Cousin Vinny. To Kill a Mockingbird. Twelve Angry Men.

>>**CHIEF JUDGE LAUTEN:** All right.

>>**JUDGE EGAN:** The Verdict.

>>**CHIEF JUDGE LAUTEN:** Me too; that's my number one. So we agree on that.

>>**JUDGE EGAN:** Yes. My Cousin Vinny.

>>**CHIEF JUDGE LAUTEN:** We're in agreement there, number two.

>>**JUDGE EGAN:** And A Few Good Men is up there.

>>**CHIEF JUDGE LAUTEN:** Mine probably is To Kill a Mockingbird which you haven't seen yet so you can't put it on there –

>>**JUDGE EGAN:** I thought we agreed to not bring that up.

>>**JUDGE MARQUES:** No, we didn't.

>>**CHIEF JUDGE LAUTEN:** But A Few Good Men, that's a – there's some strong movies.

>>**JUDGE MARQUES:** A Few Good Men is a great movie.

>>**CHIEF JUDGE LAUTEN:** Did I put Twelve Angry Men on there? How could I not put Twelve Angry –

>>**JUDGE MARQUES:** You did not.

>>**JUDGE EGAN:** I know. These are mostly very, very good movies.

>>**CHIEF JUDGE LAUTEN:** So we should say one or two things about legal movies. Many of them that we reviewed today are completely unrealistic about what would happen in a courtroom. And in actual jury selection a lot of times all three of us I'm sure have heard lawyers saying to prospective jurors, it's just not like the movies. It's certainly not like Perry Mason where someone is going to jump up and go I did it, I did it, I did it. And things like judges

forming a star chamber to deal with defendants who are acquitted for technicalities or by jury verdicts.

>>**JUDGE MARQUES:** And then having them murdered. It does not happen.

>>**CHIEF JUDGE LAUTEN:** That's – you talk about suspension of your disbelief, but that's way beyond the pale. What else? So you got the Star Chamber. Oh, a juror getting on there who secretly is working with a jury consultant.

>>**JUDGE MARQUES:** Well, it wasn't even that. John Cusack in this movie was travelling from state to state trying to get on a firearms jury and he had tried repeatedly, which of course, there's –

>>**CHIEF JUDGE LAUTEN:** No one knew it?

>>**JUDGE MARQUES:** -- residency requirements. Nobody noticed that this guy is going from one state to the other and getting different IDs, because he's using a different name each time. That was just not –

>>**JUDGE EGAN:** And Gene Hackman has beyond state of the art equipment and computers, and that's how I think they finally realized he's been – they're looking at footage of prior jury selections and they recognize his face –

>>**CHIEF JUDGE LAUTEN:** And all of a sudden they discover him. The murder of two supreme court justices, Pelican Brief, that would get nationwide, you know, what's going on here –

>>**JUDGE MARQUES:** It might get some attention, yes.

>>**CHIEF JUDGE LAUTEN:** Probably would get some. But that's not to say – but then there are some movies to me that are so highly realistic. Like to me, Philadelphia was very realistic in its portrayal. Every now and then you have to take a little bit of license when you film a courtroom scene. But I remember watching that movie and going, wow, they're pretty realistic about presentation. Twelve Angry Men, kind of interesting because we're not in the jury room for deliberations. What other movies do we think are fairly realistic? I'm not sure what a Court Martial would be like. Do you think A Few Angry Men – I mean, not a –



>>**JUDGE EGAN:** A Few Good Men.

>>**CHIEF JUDGE LAUTEN:** A Few Good Men.

>>**JUDGE EGAN:** I was not ever a JAG officer so I don't know, but it seems pretty good, although the scene with Jack Nicholson where he does sort of break down, I'm not so sure a judge would let it go that far.

>>**CHIEF JUDGE LAUTEN:** What I found interesting was that – that Tom Cruise's character might have been himself preaching courtroom rules in the JAG system by even cross examining a superior officer. And he's kind of constantly being reminded, this is your superior officer; this is your superior officer. So that was kind of interesting to me. And that's an area where I didn't have any information.

>>**JUDGE EGAN:** And I think they had it falling flat and I think there could have been consequences. Because I think that was a decision that he made with Demi Moore finally, do I do it. And boom, he went after him and it worked, of course. But it's Tom Cruise, why wouldn't it?

>>**CHIEF JUDGE LAUTEN:** Yeah, that's –

>>**JUDGE MARQUES:** And Demi Moore. Not Deborah Winger.

>>**CHIEF JUDGE LAUTEN:** So you know, I'm sure there are more we could have – we could have, you know –

>>**JUDGE MARQUES:** I still don't understand why Liar Liar doesn't keep showing up.

>>**CHIEF JUDGE LAUTEN:** We didn't put Liar Liar. Why don't you tell our listeners about what Liar Liar is?

>>**JUDGE MARQUES:** Liar Liar is not a good movie, but it's funny. Jim Carrey is the lawyer and his son makes it – and he – the parents are divorced. And he makes the kids promises and he never shows up for birthdays or whatever. He lies constantly to clients, to the court, everything. He's everything that people have a stereotypical idea of lawyers, so the little

boy makes a birthday wish, that his father could just tell the truth. And he becomes incapable of lying.

>>**CHIEF JUDGE LAUTEN:** Oh, right so –

>>**JUDGE MARQUES:** And it just causes some ridiculous courtroom scenes. But my personal favorite deleting the curse word from it, is when a client who is a repeat offender calls him and says, I don't understand. What is it that I could do to make my situation better, and he grabs the phone and screams into it, stop committing crimes. Something about a donkey and a behind.

>>**JUDGE EGAN:** I don't know – I mean, Reversal of Fortune, I don't think we did that, and the Claus von Bulow trial.

>>**CHIEF JUDGE LAUTEN:** Oh, yeah, that –

>>**JUDGE MARQUES:** That was a great one.

>>**CHIEF JUDGE LAUTEN:** Based on real events. I don't know, did we cover any trials based on real events or are these all fictional?

>>**JUDGE MARQUES:** These have all been fictional, but the Reversal of Fortune is a good –

>>**JUDGE EGAN:** I think, was it Ron Silver plays Alan Dershowitz – who plays Alan Dershowitz? Is it Silver? But it's got a great line where he's prepping or trying to discuss what happened with the defendant von Bulow, and von Bulow is starting to explain what went down. And Dershowitz says, don't – something to the effect of we don't ever allow a defendant to explain what happened; it will put them in an awkward position. And von Bulow says, what do you mean? He says, lies. So he never wants to hear – gets his client to decide, just doesn't want to know.

>>**CHIEF JUDGE LAUTEN:** Doesn't want to know; just let me deal with the defense. You know what wasn't on this list, I think it probably qualifies, Judgment at Nuremberg. That's kind of – it's a different sort of trial, so unique, a trial of war criminals –

>>**JUDGE MARQUES:** That's an interesting trial.

>>**CHIEF JUDGE LAUTEN:** But that's pretty interesting.

>>**JUDGE EGAN:** There's an old movie called Inherit the Wind with Spencer Tracy.

>>**CHIEF JUDGE LAUTEN:** Inherit the Wind with Spencer Tracy.

>>**JUDGE EGAN:** And that's actually – is that The Scopes Trial?

>>**JUDGE MARQUES:** The Scopes Trial.

>>**JUDGE EGAN:** Related to evolution and things like that.

>>**CHIEF JUDGE LAUTEN:** Right.

>>**JUDGE EGAN:** In the 40s, an amazing, entertaining movie. That's been repeated with intelligent design type lawsuits that have happened within the past two decades.

>>**CHIEF JUDGE LAUTEN:** So we had to limit the landscape a little bit. Any last comments about legal movies?

>>**JUDGE EGAN:** No, I've got some homework to do apparently.

>>**JUDGE MARQUES:** You're never going to watch To Kill A Mockingbird. You told us this last time. We all know that you're not going –

>>**CHIEF JUDGE LAUTEN:** What have you been doing with yourself?

>>**JUDGE MARQUES:** I mean, seriously.

>>**JUDGE EGAN:** Well, you sit and watch Gideon's Trumpet and I will watch To Kill A Mockingbird.

>>**JUDGE MARQUES:** I have watched Gideon's Trumpet.

>>**JUDGE EGAN:** You have not; that is a lie. You're grateful you're not under oath. You're lucky you're not.

>>**JUDGE MARQUES:** I have watched Gideon's Trumpet.

>>**CHIEF JUDGE LAUTEN:** Okay, I somehow lost control so I tell you –

>>**JUDGE EGAN:** Thank you, Chief Judge.

>>**CHIEF JUDGE LAUTEN:** We're going to wrap this up, and maybe we can come up with another list of movies down road and we'll do this again. Or maybe we can go to books. That's possible.

>>**JUDGE MARQUES:** Oh, books.

>>**JUDGE EGAN:** Okay.

>>**CHIEF JUDGE LAUTEN:** Anyway, thank you very much. I hope you enjoyed it as much as I did and I certainly hope our listeners enjoy it. Thank you for your time.

>>**JUDGE EGAN:** Thank you.

>>**JUDGE MARQUES:** Thank you.

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