

THE DAILY RECORD

Thursday, May 17, 2018 / Volume 110 / Number 96 / \$2.00 • Western New York's trusted source for legal and real estate news

Lawyers in Film

Top 10 lawyer profiles in films

1. The gold standard for lawyers is the portrayal of Atticus Finch by Gregory Peck in the movie "To Kill a Mockingbird." Ethical, skilled, empathetic, courageous, balanced and yet very human, he's able to balance the demands of the profession with being a patient single father. The reputation of Atticus Finch is somewhat tarnished by the later release of the "sequel" novel "Go Set a Watchman." Yet he still stands alone as representing the ideals of lawyers in society.

2. Reese Witherspoon plays Elle Woods in "Legally Blonde," a funny and tongue-in-cheek comedy, but still somewhat demeaning to the serious aspirations of female law students. (No one I know went to law school just to be with their boyfriend). Nevertheless, she offers valuable lessons of how to carve out your own niche, be yourself, and draw from your own experience (such as her experience with perms saving the day on cross-examination). It's also a nice commentary on the subtle and not-so-subtle sex discrimination and harassment some female attorneys experience in the workplace. Finally, a great note on the value and importance of female mentors as depicted by the confidence her Contracts professor instilled in her — ultimately leading to her graduating at the top of her class.

3. "The Verdict" is initially a sad commentary, featuring Paul Newman as Frank Galvin, on a plaintiff's alcoholic personal injury lawyer, who pays a few bucks to funeral home directors to introduce him to the families of accident victims so he might snag a personal injury case (a couple of steps down even from ambulance chasing). After taking on a medical malpractice case, he ultimately achieves his own personal redemption by rejecting a settlement offer and taking the case to trial after



By **MARK J. MORETTI**
Daily Record
Columnist

of young associates willing to obey them and do injustice. In reality few, if any, corporate clients are willing to pay for a large cadre of lawyers (given today's billing rates) who are simply "learning the trade." Most corporate defense lawyers I know try to guide their clients into making good and just decisions for their clients and as officers of the court.

5. John Travolta, as Jan Schlichtmann in "A Civil Action," represents the dark side of litigation by some plaintiffs' personal injury lawyers — the combination of ego, capital requirements, showmanship, gambling spirit and only limited genuine concern for their victim clients, which may drive some plaintiff lawyers. Failure to transmit a settlement proposal to your clients (even if you are going to recommend against it) is not only unethical, but turned out to be a bad business decision. That contrasts sharply with the Rudy Baylor character played by Matt Damon in "The Rainmaker", who is idealistic and committed to his client to the end.

6. Robert Duvall, as Jerry Facher in "A Civil Action," is the crafty old insurance defense

seeing his client in a vegetative state, and through a mixture of seeking justice for her, attempting to gain his own self-respect and not being "beaten by the system."

4. Jon Voight as Leo Drummond in "The Rainmaker" and James Mason as Ed Concannon in "The Verdict" portray corporate defense lawyers as villains surrounded by a large cadre

of young associates willing to obey them and do injustice. In reality few, if any, corporate clients are willing to pay for a large cadre of lawyers (given today's billing rates) who are simply "learning the trade." Most corporate defense lawyers I know try to guide their clients into making good and just decisions for their clients and as officers of the court.

7. Tom Cruise, as Mitch McDeere in "The Firm," represents, at least initially, what every ambitious college student dreams as the ultimate reward of applying to and getting through law school — a high-paying job in a demanding career and an attractive spouse. It, of course, turns out that all is not as it seems and starts a pattern of John Grisham's grim portrayal of life at larger firms with the young lawyer literally sailing off into the sunset having "beaten the system."

8. A great comedy, "My Cousin Vinny" was also insightful on the practice of law. In the final analysis, Joe Pesci as Vinny Gambini is an inquisitive mind, a great problem solver, a hard worker with a flair for the dramatic and a great instinctive lawyer. His misrepresentation to the judge, however, gave him good reason to leave early after his victory, and one wonders whether he might end up at an ethics review board someday. It would be a very unfunny sequel.

9. Matthew McConaughey in "A Time to Kill" as Jake Brigance and Jimmy Stewart in "Anatomy of a Murder" as Paul Biegler are the prototype small-town solo defense practitioners as hero lawyers who tenaciously battle the government in what appears to be a stacked deck but, nonetheless, come out on top.

10. Raul Julia as Harrison Ford's defense lawyer, Alejandro ("Sandy") Stern, in "Presumed Innocent" and Tyler Perry as Tanner Bolt in "Gone Girl" play savvy, smooth, street-smart

Continued on next page

Continued from previous page

criminal defense lawyers tasked with defending innocent men with lots of evidence and public opinion stacked against them. Raul Julia undertakes the additional hurdle of having to defend a client who thinks he knows more than his lawyer

— a great illustration of how lawyers can make lousy clients and why a lawyer who represents himself has a fool for a client.

Mark J. Moretti is a partner with the Rochester office of Phillips Lytle LLP. He focuses his

practice in business and tort litigation and is the immediate past president of the Monroe County Bar Association and the former chairman of the Trial Section of the New York State Bar Association. He can be reached at mmoretti@phillipslytle.com or (585) 238-2004.