

Boston Legal
Change of Course
Season 1, Episode 4
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Morning. Helen Poole gets off the elevator at CP&S looking distraught and makes her way to Reception, running into Denny Crane on her way.

Denny Crane: Hello!

Helen Poole: He's gone. Denny, Edwin's gone.

Denny Crane: I know. Shame.

Helen Poole: No, I mean he's missing. He left the hospital. Did he come here?

Denny Crane: Not that I'm aware of. (to anyone within earshot) Anyone see Edwin Poole?

Inside the courthouse. Edwin Poole gets off the elevator, sees a door at the end of the hall marked Division Twelve Criminal Sessions, and walks in. A defendant is standing at his table, addressing the Judge.

Warren Litch: Your honor, at this time I would like to discharge counsel.

Judge Peter Harding: Can you tell me why you want new counsel?

Warren Litch: On the grounds of intolerability.

Judge Peter Harding: Not a real word, Mr. Litch.

Warren Litch: It should be, your honor, because it describes my deteriorating relationship with the man vested with the responsibility of proving my innocence.

Judge Peter Harding: Sir, you confessed to the crime.

Warren Litch: I changed my position on that.

Judge Peter Harding: Mr. Litch, this is the seventh attorney you've sought to discharge on the eve of trial.

Warren Litch: Your honor. I am anxious for my day in court. I'm looking forward to seeing twelve open minds in that box. Because I don't see one where you're sitting, and I don't have one sitting here with me.

Judge Peter Harding: Well here's my problem, Mr. Litch. I'm all out of public defenders. Every available one, you fired.

Edwin Poole: I'll do it.

Edwin walks into the courtroom, towards the defendant's table.

Edwin Poole: Attorney Edwin Poole, your honor, of Crane Poole and Schmidt. I'll represent Mr. Litch.

Judge Peter Harding: You're *the* Edwin Poole?

Edwin Poole: Indeed.

Judge Peter Harding: Of Crane Poole and Schmidt?

Edwin Poole: Indeed.

Judge Peter Harding: And you're offering to defend this man?

Edwin Poole: Yes.

Judge Peter Harding: Mr. Litch, I will give you a new attorney. What I will not give you is additional time. This trial will begin tomorrow—

Warren Litch: May I be heard on bail, judge?

Judge Peter Harding: No you may not. Ten o'clock tomorrow. The defendant stays in custody. We are adjourned.

Edwin walks over to Warren Litch and hands him his business card.

Edwin Poole: Hello Mr. Criminal. We can talk back in Custody. Incidentally, what are you charged with?

Warren Litch: Murder. You got yourself a top of the line criminal.

Theme song.

Same day. Lori and Brad are walking through the hall of CP&S.

Lori Colson: He did *what*?

Brad Chase: He took a case. Left the hospital, went into Criminal Session and took a case. We need you to get down there.

Lori Colson: Whoa.

Brad Chase: Never mind whoa.

Lori Colson: I do not do criminal law.

Brad Chase: I can't go. I'm in trial.

Lori Colson: We have lots of other lawyers.

Brad Chase: You used to be a D.A. You can do this.

Lori Colson: What about Alan Shore?

Brad Chase: Lewiston needs him for something else. I need you to get down there, please. He is sitting in a jail cell.

Lori Colson: What do you mean he's sitting in a jail cell?

Brad Chase: He walked back into Custody, went into the cell. There he sits with the client, happily so. Please get down there.

Walking around another corner, Sally Heep and Alan Shore are talking.

Sally Heep: So what's it about?

Alan Shore: No idea.

Sally Heep: Well if you need a second chair, it would be nice for Paul Lewiston to know I exist.

Denny Crane cuts across their path.

Denny Crane: Denny Crane.

Alan Shore: You got it.

Inside a conference room, Paul is at a computer and writing on a legal pad. Alan enters and stands at the opposite end of the table, but Paul does not acknowledge him.

Alan Shore: What can I do for you?

Paul Lewiston: Thank you. Please have a seat. ***Motions to the chair next to him without looking up. Alan takes a seat where he's standing, at the long, opposite end of the conference table.***

Paul Lewiston: We represent a company, the CEO of which needs immediate legal assistance. Lee Tyler. Brilliant woman. Kind woman. Also a kleptomaniac. She's about to go on trial tomorrow for stealing a \$200 scarf. Ordinarily a small matter. Here's why it's not. If she gets convicted of this crime, she violates a morals clause in her contract. She's out as CEO. And since she's the one who hired us, we stand to lose our biggest client. We have exhausted all conventional means to make this go away. We have failed. We now need an attorney with some experience in perhaps unconventional means.

Same day, inside Judge Harding's chambers. Seated next to her is Edwin Poole.

Judge Peter Harding: I don't care.

Lori Colson: You don't care? He basically escaped from a mental facility.

Edwin Poole: Objection! You're talking as if I'm not even in the room, it's inappropriate.

Lori Colson: No offense, Edwin, but you shouldn't be in the room. You should still be in the hospital.

Judge Peter Harding: Look, Ms. Colson, your firm took this case. If Edwin Poole lacks capacity to try it, then it falls to you.

Lori Colson: Me? I don't practice criminal la—

Judge Peter Harding: Counsel! I have had it. This case has been perversely delayed. I've had a widow and her two children show up for trial four times only to have it put off. I won't delay it another day. If he can't do it, then you will. Now I suggest you get back there and meet your client.

Inside the jail's interview room. Warren Litch is sitting across a table from Edwin and Lori.

Warren Litch: He pulls me over for running a stop sign, and I got this dime bag of coke. So I stuff it under my seat so he can't see it. And I also got my gun under there.

Edwin Poole: ***(whispering to Lori, who is the only one taking notes)*** He's a drug dealer. ***(to Litch)*** Continue.

Warren Litch: So he comes to the window and gives me this and that about road safety and all that. And then he tells me to step out of the car. Suddenly I'm thinking "Damn! He's gonna search it." And two priors for intent, I'm a dead man. That's strike three. That's a life sentence. So I panicked. I reached under the seat. I grabbed the gun. And I shot him. Boom!

Edwin slaps his hands loudly on the table. Lori jumps.

Edwin Poole: Sorry. Continue.

Warren Litch: Well, I panicked. I don't even remember it. I'm telling you the truth. I mean, one second I'm thinking 'life sentence'. And the next thing, I'm squeezin' the trigger.

Lori Colson: And then what happened?

Warren Litch: Well, I drove off. And I'm seein' on the news how they had this big manhunt. And they had a partial license plate, so I figured it was only a matter of time. One week later, my door is busted in. I try to go out the window. And that's when I got shot. Finally, I just confessed to all of it in the hospital.

Lori Colson: And they don't have the gun?

Warren Litch: No gun. No witnesses. They ain't got nothin'.

Lori Colson: Except your confession.

Warren Litch: Well, yeah.

Edwin Poole: Mr. Criminal, I don't ever like to make predictions. But I think we can get you off.

Lori looks at him in amazement. He feigns surprise and mouths the word "what?"

Inside Alan's courtroom. The security guard is on the witness stand.

Bennett Lyne: I asked her if I could look in her bag. She said to me, "What right do you have?" I said, "Well, ma'am, I'm a security officer for the store."

ADA Harris: And then what happened, sir?

Bennett Lyne: She let me look in her bag. And there was the scarf?

ADA Harris: Did she say anything?

Bennett Lyne: Said she had no idea how it got there.

Alan Shore: Tell me, Mr. Lyne, from what distance did you see the accused put the scarf in her bag?

Bennett Lyne: I didn't actually see it myself.

Alan Shore: Oh, you didn't see it?

Bennett Lyne: No. A store clerk said she took it.

Alan Shore: Ah, there we go. Do you see the store clerk here today, sir?

Bennett Lyne: Yes, I do. Miles Tibbet, sitting right over there.

Miles Tibbet is sitting in the galley and slightly raises his hand for identification.

Alan Shore: This man? He told you the defendant took the scarf?

Bennett Lyne: Yes, he did.

The next day. Alan has Sally by the arm, and is talking to her while walking down a CP&S hallway.

Alan Shore: How do you feel about working undercover?

Sally Heep: I'm sorry?

Alan Shore: Their entire case is a store clerk. I want to put a private investigator on him. Follow him. We pick the opportunity for you to meet him. Lunch, perhaps.

Sally Heep: And then what?

They walk past Denny.

Denny Crane: Denny Crane.

Alan Shore: Then you order appetizers, elicit some disparaging information allowing him to believe that you're anyone at all other than the defendant's lawyer.

Sally Heep: Is that fair?

Alan Shore: I don't understand the question.

Inside a CP&S conference room, Edwin is reading at the conference table. Lori is having a whispered discussion with Paul.

Lori Colson: He says he grew up watching Perry Mason and he promised himself he would one day do a criminal trial.

Paul Lewiston: Certainly you're not going to let him.

Lori Colson: He seems to have his wits about him. The truth is he's probably more equipped than me. I think the best thing would be for me to supervise and let him first chair.

Paul walks over to Edwin and sits down next to him.

Paul Lewiston: Edwin.

Edwin Poole: Paul.

Paul Lewiston: You really think you're up to this?

Edwin Poole: I did clinical work in law school. The rules of evidence are the same as civil. There's no great mystery to it. (*whispering*) Also, he came to me in a dream last night and he told me to try this case.

Paul Lewiston: God?

Edwin Poole: Perry.

Lori Colson: I'll first chair.

That night, inside a bar. Indistinct rock music is playing. Sally sees Miles Tribbet and sits down beside him at the bar.

Bartender: Can I help you?

Sally Heep: Whatever's on tap.

Bartender: You got it.

Sally Heep: How's it going?

Miles Tibbet: Fine, thank you.

Sally Heep: Sally. (she extends her hand in introduction)

Miles Tibbet: You're very beautiful, but I don't do that sort of thing.

Sally Heep: What sort of thing? What? You think I'm a hooker?

Bartender: Here you go.

Sally Heep: Excuse me, can you throw that in this man's face?

Miles Tibbet: I'm sorry, but—but beautiful woman don't usually come up to me and say hi unless—

Sally Heep: Well, excuse me for thinking you look like a decent guy. Do you know how hard it is for a girl to just go out for a quiet beer by herself without being attacked by wolves? I thought you looked safe and nice. And you called me a hooker.

Next day at CP&S. Alan and Sally are walking and talking in the hall.

Alan Shore: Learn anything?

Sally Heep: Only his whole life story. And no one is bidding for the movie rights. Trust me. He collects autographs. Has almost twelve hundred of them, including the entire cast of Mama Mia, national tour. Oh yes, and he's allergic to shellfish. Want more?

Alan Shore: Yes. This is very helpful.

Sally's cell phone rings.

Sally Heep: Hello. (*whispers*) It's him. (*into the phone*) Hi Miles. How's it going?

Inside Lori and Edwin's courtroom. The ADA is making his opening statement.

ADA William Preston: We would like to be able to offer you witnesses. Unfortunately, there were only two. One's dead. The other's on trial. ***The officer's widow and her two children are in the galley.***

The good news is he confessed, though he now wants to recant. You will hear from the officer who listened to that confession, and you will find it reliable. You will find it consistent with the truth. The truth that on July 17 the defendant, Warren Litch, shot dead Officer Michael Devereaux. ***He sits down.***

Lori Colson: Good morning, my name is Lori Colson and –

Warren Litch: Your honor, at this time I would like to discharge counsel.

Judge Peter Harding: Denied.

Warren Litch: In that case, it should be known that this woman didn't even bother to meet me until yesterday. My own lawyer. I mean, she didn't even know my name. She is unprofessional, she is unprepared, and, on top of that, she's fleshy. I want me a thin, wiry attorney. Somebody hungry for justice (***he bangs his fist on the table when saying 'hungry'***).

Judge Peter Harding: Motion for new counsel denied.

Lori Colson: May I have a moment with my client, your honor?

Judge Peter Harding: Please.

Inside a courtroom conference room.

Lori Colson: What the hell was that?

Warren Litch: I didn't like the look of the jury. I was goin' for a mistrial.

Lori Colson: Well, you didn't get one, did you? All you did was alienate them and undermine me in the process. Do you wanna go to prison?

Warren Litch: Lady, I'm going to prison. I shot a cop. Ain't no doubt I'm goin' to prison. The only real livin' I got left is in this trial business. And I'm happy to stretch it out forever.

Lori Colson: You think this is some game for you to have your last joyride?

Warren Litch: I killed a man, Miss Colson. And I see his widow sittin' in there and I see his kids. I know this ain't no game.

Edwin Poole: Son, if I might ask? Why did you call her fleshy?

Warren Litch: I was just tryin' to humanize her. Juries don't like beautiful women.

Lori Colson: You think I'm fleshy?

Warren Litch: Is there any deal to be made here? A plea?

Lori Colson: They don't need to deal, Warren. You confessed. Another curious strategic move.

Warren Litch: I only confessed 'cause they tricked me.

Lori Colson: What do you mean they tricked you?

Warren Litch: They got the doctor to tell me I was about to die. And then they sent in this cop undercover pretendin' to be the hospital chaplain. And he laid it on thick with the whole "confess thy sins," or there's no heaven for me.

Edwin Poole: They told you you were dying to get you to confess?

Warren Litch: Yeah.

Inside a restaurant where Sally and Miles are eating lunch.

Miles Tibbet: And then he pointed to me right in open court.

Sally Heep: What'd you do?

Miles Tibbet: I just tried to sit straight and undaunted. The chief witness for the prosecution, you know?

Sally Heep: Isn't it exciting?

Miles Tibbet: It is.

Sally Heep: Mmmm.

Miles Tibbet: I—I even invited a few of my friends to, you know, come watch.

Sally Heep: You did?

Miles Tibbet: It's silly, I know. But this is the first time I've been at the center of—of anything.

Sally Heep: I'm sure you'll do fine.

Miles Tibbet: Really?

Sally Heep: Uh huh.

Miles Tibbet: Yeah, And I don't think I'll get too nervous. I take beta-blockers for anxiety.

Sally Heep: Retail must be very stressful.

Miles Tibbet: Yes. But I love it. Listen, um, you're probably wondering why I asked you to lunch.

I just—I don't meet too many women. It's not what you think, I swear. I'm not about to ask you out on a date or anything. But I did want to tell you how much last night meant to me.

Sally Heep: What did it mean? We drank beer.

Miles Tibbet: Sally, for a beautiful woman to talk to me for three hours as if I were an interesting person, as if my life were interesting...that meant something to me. That's really all I wanted to say. I—I'm grateful. Cheers.

Inside CP&S. Denny is walking down a hall and Alan is coming up behind him.

Alan Shore: Denny. I need you at 12:30. It'll take five minutes, tops. I need to trade a little on your prominence. Your heft.

Denny Crane: What do you want me to do?

Alan Shore: I don't want you to do anything or say anything. I just want you to be. Be all that you can be.

(looks over to see Brad talking to a paralegal) One of the few, the proud.

Denny Crane: You don't want me to say anything?

Alan Shore: Just those two little words that tend to shock and awe.

Denny Crane: Denny Crane.

Alan snaps his fingers as if to say "that's it!" and starts to walk away, past Brad.

Brad Chase: Feel free to mock me all you want, but don't you dare ridicule our troops.

Alan Shore: Just so I'm clear. I should feel free to mock you?

Inside Edwin and Lori's courtroom.

Officer James Jacobs: He basically said that he panicked. His next conviction was strike three. He'd be looking at a life sentence and he just panicked.

ADA William Preston: And by panicked you mean—

Officer James Jacobs: He reached under the seat, retrieved the weapon, and shot the officer.

ADA William Preston: He told you he shot Officer Devereaux?

Officer James Jacobs: Yes, sir. He asked me to forgive him, and he asked God to forgive him.

ADA William Preston: Thank you, Officer. **Sits down.**

Warren Litch: Your honor, at this time I would –

Judge Peter Harding: Sit!

Lori Colson: Just to remind the jury, at the time my client said all of this to you, he thought he was dying?

Officer James Jacobs: Yes, ma'am.

Lori Colson: And he thought you were the hospital chaplain?

Officer James Jacobs: Yes ma'am.

Lori Colson: Thank you officer.

Inside the courtroom conference room.

Warren Litch: That's it? Two questions. That was your cross?

Lori Colson: I didn't have much to cross him with, Warren.

Warren Litch: Then what was the point of your questions? Tell me that.

Lori Colson: I was trying to establish that you were coerced. The judge doesn't shock easily, but maybe the jury does.

Warren Litch: Oh, I see. You were goin' for shock value. Maybe you could have really gone for it and asked three questions.

Lori Colson: Hey, Warren, if you're unhappy with me—

Warren Litch: Then what? The judge isn't gonna let me hire anybody else. You're all I got, lady. You're all I got.

Inside CP&S, Alan is greeting Miles Tribbet at Reception.

Alan Shore: Miles. Thank you so much for coming. Alan Shore.

Miles Tibbet: The D.A. said I didn't have to talk to you.

Alan Shore: Which only compounds my gratitude for your choosing to do so. Let's go to my office.

Miles Tibbet: What's this about?

Alan Shore: Well, believe it or not, it's about your best interest, Miles. Gosh, my office seems so far away. Let's go to this one over here instead.

They walk into Sally's office. Sally is not prepared to see Miles.

Alan Shore: Sally Heep, Miles Tibbet. Perhaps you've met. Sally gets around. She works with me. And certainly you've heard of this gentleman. He needs no introduction. **(Denny has just walked into the room).**

Denny Crane: Denny Crane.

Alan Shore: Please, have a seat.

Sally Heep: Alan—

Alan Shore: Thank you, Sally. I'll take it from here. You've done more than your share. Let's make this brief, Miles. We represent a woman who is charged with stealing a scarf from the store where you work. Which is precisely what she did. You saw the whole thing. So we find ourselves between a rock and a hard place, Miles. The rock being our client, C.E.O. of a Fortune 500 company, who has made it abundantly clear the only acceptable verdict is "not guilty", and the hard place being you, Miles. The eyewitness. But maybe you aren't so hard after all. Am I right?

Miles Tibbet: I'm not sure what you—

Alan Shore: Sally has given me some information which regrettably I'm ethically required to attack you with in court. For example, since I know you take beta-blockers for your anxiety, some possible side effects being dizziness, confusion, I am duty-bound to raise it. Also, the idea that you invited a few friends down to the courthouse to hear you testify, it would be malpractice for me to not make a small snack of that. Of course, I'll have to get into your inferiority complex, stuff about if a girl smiles at you she must be a hooker. That sort of thing.

Miles Tibbet: But I never said—

Alan Shore: I'm talking, Miles.

Sally Heep: Alan—

Alan Shore: I'm talking, Sally. You collect autographs, Miles. That must be fun. Standing around on cold, drizzly nights waiting for famous people to give you a cursory glance, a moment of their time, perhaps, if they

take pity on you. Do people often take pity on you, Miles? Wouldn't surprise me. I'm seeing a pattern here. Pity. Anxiety. Inferiority. All those "ity" words.

Miles Tibbet: This isn't fair.

Alan Shore: You're right, it's not. But you have a job to do, and so do I. Yours is to sell socks and suspenders. Mine is to cross-examine people like you and crush them. This man here would fire me if I didn't.

Denny Crane: Denny Crane.

Alan Shore: He would fire me, Miles, if I didn't explore every nuance and shadow of your personality. Every secret place and insufficiency in the hours that you will spend in that witness chair, Miles, in front of all those friends you invited. And when I'm finished with you, even they will think you are a vindictive, pathetic little sycophant who has falsely accused and probably framed a fine woman for something she never did and never would do only so that you could get at long last your moment of attention. By the time I'm done, I'll have you believing you put that scarf in her handbag. Lee Tyler can afford to hire any attorney in the world. She's chosen me. Do you wonder if I'm any good, Miles? Do you really wonder?

Sally takes a book from the shelf of the CP&S library and opens it on the table. Alan walks up to her.

Alan Shore: May I speak with you a moment?

Sally Heep: I don't wanna speak with you, Alan.

Alan Shore: If I told you Miles was coming—

Sally Heep: I do not want to speak with you. Can you please walk away? **Alan walks away. Denny walks up to her.**

Denny Crane: Sally, that was not a pleasant meeting. Typically, when associates are unhappy, I give them a hug.

Sally Heep: I don't want a hug, Mr. Crane.

Denny Crane: Okay. May I have one? **She picks up her books and walks off.**

Inside Edwin and Lori's courtroom. The ADA is examining witness Dr. Karp.

Dr. Karp: They told me that he was religious. That maybe if he thought he was about to die his conscience would get the better of him.

ADA William Preston: So you told Mr. Litch he was dying?

Dr. Karp: Yeah. I'm not proud of it. But I probably should've—

ADA William Preston: And doctor, did you also hear Mr. Litch confess to killing Officer Devereaux?

Dr. Karp: Yes.

ADA William Preston: You're sure?

Dr. Karp: I'm very positive.

ADA William Preston: Thank you, doctor.

The ADA sits down and Lori leans over to whisper to Warren.

Lori Colson: Okay. How long had he treated you before you—

Edwin Poole: In fact you told him he had less than an hour to live? **Edwin has stood and started cross examining.**

Dr. Karp: Yes.

Edwin Poole: You lied to your own patient?

Dr. Karp: They told me that he had murdered a police officer, and —

Edwin Poole: As a result of this despicable conduct, were you disciplined by the hospital?

Dr. Karp: My privileges were suspended for three months.

Edwin Poole: And you're back in the E.R. now?

Dr. Karp: No. No. I've started my residence in the neurology department.

Edwin Poole: Your specialty is the brain?

Dr. Karp: Yes.

Edwin Poole: Doctor, as a neurologist, how does trauma and extensive blood loss affect the brain?

Dr. Karp: Uh, sometimes it can compromise mental functioning.

Edwin Poole: Can it cause a person to become delusional?

Dr. Karp: I don't believe he was delusional that night?

Edwin Poole: Did he suffer trauma and extensive blood loss?

Dr. Karp: Yes. Yes, he did, but —

Edwin Poole: Can you state to a medical certainty that he was not delusional?

Dr. Karp: No.

Edwin Poole: One last question, and this one I ask you as a layperson, a human being. Is it conceivable to you that if you had a loved one who had panicked and committed a horrible crime, say murder, somebody you cared deeply for—perhaps a brother, a best friend, maybe your son had done this horrible thing—and you lay in a hospital bed dying, is it conceivable that knowing you were dying, you might take the blame for something you didn't do just to spare your loved one a life sentence?

ADA William Preston: Objection!

Edwin Poole: Sustained! Did it ever occur to you that night, doctor, Warren Litch said he committed the crime simply to protect somebody else?

Dr. Karp: No. No, it didn't.

Edwin Poole: I bet it never occurred to the police, either. Nothing further.

Judge Peter Harding: Mr. Preston?

ADA William Preston: The prosecution rests, your honor.

Judge Peter Harding: Miss Colson?

Lori Colson: The defense rests, your honor.

Inside the courtroom conference room, Lori talking to Warren.

Warren Litch: How do I not get in that chair?

Lori Colson: Edwin did a good job.

Warren Litch: If I don't say I didn't do it, then—

Lori Colson: I can't put you in that chair.

Warren Litch: Why?

Lori Colson: Because you did do it and I cannot put a witness in the chair to lie.

Warren Litch: I have a right to testify.

Lori Colson: But it would have to be in the narrative. Best case scenario, you'll trip all over yourself. Worst case, one of the jurors will know why it's in the narrative.

Warren Litch: Then why can't you ask me questions that would allow—

Lori Colson: Because I can't. We have rules, Warren. One is I cannot put you up there to knowingly lie. Our best strategy here would be to argue the prosecution didn't satisfy its burden.

Warren Litch: This is my life on the line here. And you keep talking about a system of rules and regulations? I'm in this for my life here. And you're supposed to be in this for my life, too.

Lori Colson: Well I'm not. Don't get me wrong. I will give you the very best defense I know how. But I will not allow myself to be in this for you. I will play my part in a system that I have an enormous amount of allegiance to, but I will never be in this for you.

That night. Edwin Poole is working at his desk and Lori comes to his office.

Lori Colson: Hey. That was pretty awesome today, Edwin.

Edwin Poole: People forget I'm a brilliant trial attorney. I can be nuts and still brilliant.

Lori Colson: How do you feel about closing? If you can close like you crossed, then—

Edwin Poole: That was Perry's strength, you know—the closing.

Lori Colson: What do you think?

Edwin Poole: I told the man I'd get him a "not guilty." I might as well see it through. It's hard, isn't it?

Lori Colson: What is?

Edwin Poole: Coming to care for a person who committed such a heinous act. It's hard to reconcile what we do and who we are sometimes.

Lori Colson: I don't care about him. I'm just doing a job.

Edwin Poole: You know, in Perry's closings, he would point to the real killer. I don't suppose I should do that, should I? **He smiles, and Lori laughs.**

Sally is on the balcony as Alan approaches.

Sally Heep: Tibbet's a good man, Alan. Decent. He was just doing his job.

Alan Shore: Yes he was. And so were you, and so was I.

Sally Heep: And after ambushing him, you can just shake it off?

Alan Shore: I'm not shaking anything off. Miles Tibbet had a very bad day.

Sally Heep: I had a bad day, too, Alan. I was taken advantage of. Or don't you consider sending me to go hit on some guy at a bar taking advantage?

Alan Shore: It has nothing to do with what I consider.

Sally Heep: Whatever. It's not the kind of thing you ask of someone that you care about. Do you care about me, Alan?

Alan Shore: I care a great deal for you. That's why I'm going to give you some very sound advice. Run.

Sally Heep: What?

Alan Shore: This is a bad business. It is an often filthy, dehumanizing, mean-spirited job. I assure you I take no pleasure in it. It just comes easily to me. But...you... are not that way. So I suggest you think long and hard about whether you really wanna wake up every morning with all the promise that morning conveys and come here. Which I say to you only because I care.

Sally Heep: You are such a liar. Pretending that this stuff doesn't affect you. That you can just brush it off.

Alan Shore: I'm afraid I can.

The next day, inside Edwin and Lori's courtroom. ADA William Preston is closing.

ADA William Preston: You heard from witness Frank Simmons who saw an S.U.V. speed by him a mile from the scene around the time of the murder. With a license plate beginning with 3-L-6. Mr. Litch's S.U.V. has a license plate beginning with 3-L-6. And when the police entered the defendant's apartment, what did he do? He didn't ask "What's this about?" He didn't say, "Hey, what's going on?" He knew exactly why they were there, and he immediately began his escape. And then in the hospital, he confessed. It wasn't a delusional confession. He described a fact pattern that was completely consistent with the crime. The defendant admitted that he was afraid of yet another drug conviction that would land him a life sentence. He panicked, pulled out a gun, and fired. Now, his lawyers suggest he was, perhaps, delusional when he confessed or that he simply lied to protect the real killer. A friend or a loved one. Desperate suggestions for a desperate client. It's insulting to this court, to you, and especially to that woman and her two children. Warren Litch murdered her husband. Warren Litch killed their father. He admitted to the police that he did so. Let's not waste any more time.

He sits down. Lori looks to Edwin, but he's not moving.

Lori Colson: Edwin? It's your turn.

Edwin (whispering to her): I fell asleep last night and forgot to prepare a closing. I meant to tell you.

Lori Colson: You don't have a closing?

Edwin Poole: No. Do you?

Judge Peter Harding: Counsel?

Lori Colson: Edwin, you've got nothing? **Edwin slowly rises to his feet.**

Edwin Poole: When I was a little boy, my father said to me—I can still hear his voice—

Lori jumps to her feet.

Lori Colson: I believe he said "ladies first." **Edwin sits down.**

Lori Colson: I don't know about you, but if I hear that someone confessed to a crime, then I just assume he's guilty. But if I hear the confession is coerced, then---. For example, you could have a man bleeding out with a stomach wound, put him in a room with police and clergy who keep insisting to him that he did something and he might actually come to believe it. And gee, what if it was a friend or a loved one who was driving Warren's car that night? That would explain why Warren was trying to flee, wouldn't it? He likely knew the police were coming to mistakenly arrest him. Did the police investigate any of this? My God, we all assume Warren Litch is guilty. But what if he isn't? Now, let's turn to the other evidence. Wait. There is no other evidence. No gun, no witnesses, no fibers, no forensics. All they have is that coerced confession. Now, you might think he did it. And if you're determined, you can even still assume it, I suppose. But if you're to uphold the law and demand proof beyond all reasonable doubt, and if we don't demand that, do we really want to send a message to the police? "Hey, forget the evidence. Just bring us that confession." **Lori sits down.**

Inside a CP&S conference room, Paul is working at the same conference table. Alan enters.

Alan Shore: They really should give you your own office.

Paul motions for Alan to sit. Alan remains standing.

Paul Lewiston: Evidently the store clerk has recanted. He's suddenly not sure he saw Lee Tyler take the scarf. The case might even be dropped.

Alan Shore: It's a great country.

Paul Lewiston: The district attorney has lodged a complaint against you for witness tampering, intimidation, obstruction of justice, extortion.

Alan Shore: He should make up his mind.

Paul Lewiston: This firm does not engage in that kind of conduct, counsel. We do not intimidate or blackmail. The attorneys at Crane Poole and Schmidt conduct themselves with integrity always. Do I make myself clear?

Alan Shore: More than clear. Transparent.

Paul Lewiston: Go.

Alan turns and starts to leave the conference room.

Paul Lewiston: Mr. Shore? Thank you.

Inside Edwin and Lori's courtroom. The judge is looking over the verdict.

Judge Peter Harding: Madam Foreperson, the jury has reached a unanimous verdict?

Foreperson: We have, your honor.

Judge Peter Harding: Mr. Litch, please rise. Madam Foreperson, what say you?

Foreperson: We the jury in the matter of the Commonwealth of Massachusetts versus Warren Litch, on the charge of first-degree murder, we find the defendant, Warren Litch, guilty.

The officer's widow breaths a sigh of relief. Someone behind her pats her shoulder.

Judge Peter Harding: Members of the, I would like to thank you for your service in this matter. You are excused. Please be sure to sign out with the courtroom deputy so you are credited for your time here. The defendant is to be retained in county until sentencing, which shall be scheduled within sixty days time. If that is all, then we are adjourned.

Lori Colson (to Warren): Listen. I'll review any grounds for appeal. The confession—there are grounds.

Warren Litch: Okay. Okay.

Lori Colson: I'll be in touch. I'll order up the transcript—

Warren Litch: Listen. Um, I thought for somebody who felt the way you felt, it was honorable for you to try your hardest. And I know that you did. Thank you.

Warren is escorted away, handcuffed. He turns and looks at Lori on his way out. Lori looks stricken.

Edwin Poole: Unprofessional of me not to be prepared with my closing. I think I'll perhaps go back to the hospital, get a little tune up.

That night. Alan and Sally are in a nice restaurant lounge, sitting on a sofa.

Alan Shore: Surely you're feeling better about things. I've plied you with alcohol. I'm sorry.

Sally Heep: It suddenly occurred to me, Alan, you weren't using me at all. You were using Miles.

Alan Shore: How so?

Sally Heep: I think he was some sort of device for you to look despicable in my eyes. It's your pattern with women, I think to get them to--

Alan Shore: You know, when you psychoanalyze me, I find you much less sexually attractive.

Sally Heep: Yes. Nice deflection. But—

Alan Shore: Don't try and get in my head, Sally. You won't like the mess.

Sally Heep: You weren't telling me to run from the law the other night. You were telling me to run from you. Maybe you think it's my relationship with you that's ultimately dehumanizing. So being an incredibly decent man, which you are underneath all your stuff, you decided to warn me.

Alan Shore: I'm not trying to push you away.

Sally Heep: Are you trying to keep me? We either go forward or go in opposite directions because I don't like where we are now.

Alan Shore: By forward you mean---

Sally Heep: You know what? I think I'll just move forward.

She gets up and leaves. Alan is left sitting alone.

Credits.