

Boston Legal
No Brains Left Behind
Season 4, Episode 9
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This transcript is not official or taken from the actual script. It is transcribed from the broadcast.
Transcribed by drsheri for Boston-Legal.org [version: October 3, 2008]

James Spader: Previously on Boston Legal—
Carl Sack: The reason I came to the Boston office was to wring out some of the madness.
Whitney Rome: Some Pakistani put a hit out on her?
Lorraine Weller: I fled London, changed my name, began a new life here.
Whitney Rome: What if your ex-Pakistani blows up the building, hm?
Judge Gloria Weldon: *as Alan Shore pulls out his soapbox and gets on it* What are you doing?
Alan Shore: Climbing on my soapbox, Judge. I do it once a week.
Judge Byron Fudd: This is not your political forum.
Alan Shore: *chuckles* Really?
Evan Holt (Abigail Holt's father in BL4x03 The Chicken and the Leg): What kind of lawyer are you?
Alan Shore: The troubled-yet-fun kind.
Carl Sack: *to Jerry Espenson* You're representing a woman who's in love with a utility box?!
Carl Sack: *to Clarence* You likened your buttocks to God's image.
Carl Sack: *to Denny Crane* You cannot fire somebody just because they're fat.

Denny Crane's office

Denny Crane and Alan Shore are playing an active game of Wii tennis.

Denny Crane: Oh, will you stop the dink shots? You're playing like a girl!

Alan Shore: *chuckling* Just get up to the net.

Denny Crane: Hey, hey! That was an out!

Alan Shore: What are you, a linesman now? *laughing as he rallies* Oh, God! Game, set, match. Jump the net.

Bert McAdams: *entering* Mr. Crane?

Denny Crane: Ohhh, Bert, my man. What brings you downtown?

Bert McAdams: You do. You sued me, Mr. Crane.

Denny Crane: Ohh, right.

Bert McAdams: Why'd you sue me?

Denny Crane: Uh, well, Bert, because I drove all the way to Revere Beach to get one of your pizzas—to **Alan Shore** he makes the best pizza in the world—**back to Bert McAdams** and, uh, when I got to Revere Beach after an hour in traffic, I didn't get my pizza. You weren't there; you were closed. That pissed me off.

Bert McAdams: Did you see the restaurant? It was destroyed. It got trashed in the flood. It wasn't my fault.

Denny Crane: So what? You sue who hurts you; I sue who hurts me. That's the way the law works.



Bert McAdams: Who do I sue? God for causing the flood, or the National Guard for failing to show up and help?

Denny Crane: That's your call, Bert. **To Alan Shore:** I'm rested. Another game?

Bert McAdams: This isn't fair. And it's not funny. I lost my business, Mr. Crane! Everything I worked for my entire life—it's all gone. My place got destroyed by a flood. It could have been prevented, and nobody came.

Alan Shore: I'm afraid Denny's right, though I wouldn't sue God—he's a flight risk—so that would leave the National Guard. We'll represent you.

Bert McAdams: Wh-What?

Denny Crane: What?

Alan Shore: The National Guard has a duty to show up should there be a natural disaster. They didn't. And like any real tragedy, somebody somewhere has to stand ready to exploit it. That's where Denny and I come in. One of my specialties is turning courtroom proceedings into a circus. You'll need to wear a tie.

Denny Crane: What are you talking about?

Alan Shore: I'm talking about suing the National Guard, of course.

Denny Crane and Bert McAdams exchange surprised looks.

Denny Crane: Suing the National Guard. I like it.

With that settled, Alan Shore and Denny Crane return to their Wii tennis game.

[smash cut to opening credits]

Conference Room: Offices of Crane, Poole & Schmidt

Carl Sack, Shirley Schmidt, Lorraine Weller, Katie Lloyd and Whitney Rome are assembled for the morning meeting. As Carl Sack checks his watch—the meeting is starting late, as Denny Crane and Alan Shore are not in attendance—Crane and Shore are rushing through the hallway, discussing Bert McAdams's case.

Denny Crane: Alan, I'm having second thoughts.

Alan Shore: Why?

Denny Crane: Suing the National Guard—it might seem unpatriotic to criticize one's country at a time when we're trying to blow up somebody else's country.

Alan Shore: Come on, Denny. You'll actually be serving America here.

They hurry to take their places at the board table, unmindful of Shirley Schmidt's glare.

Alan Shore: Sorry we're late; new case.

Carl Sack: What? The two of you serving America makes me nervous.

Alan Shore: Oh, we've decided to sue the National Guard, Carl. You want in?

Carl Sack: You're suing them for what?

Alan Shore: They failed to protect Denny's favorite pizza parlor from being wiped out by a flood.

Carl Sack and Shirley Schmidt are not amused.

Alan Shore: *after a long pause; impatiently* Yes or no; I can't save your spot.

Shirley Schmidt: Alan. You *cannot* sue the National Guard.

Alan Shore: Of course we can! Isn't it grand, Shirley? We do these things that seem completely absurd, and then incredibly, we manage to make them not only watchable, but fun and informative. Aren't you just dying to see how we do it this time?

Whitney Rome: I'm not. Just the thought of dying makes me jumpy. I don't like dying. That's why I live my life safe. And I don't like to put *others* at risk, either. Not everybody's like that. That's just me, I guess.

Shirley Schmidt: Thank you for that . . . stirring commentary.

Marlena Hoffman: *entering* Grammy?

Shirley Schmidt: Marlena!

Marlena Hoffman: I am so sorry to interrupt. Oh, my God. It's an emergency. I am in big trouble, Grammy. I need your help.

Shirley Schmidt: Okay.

Shirley Schmidt exits, taking Marlena Hoffman with her.

Alan Shore: Grammy.

Denny Crane: Okay. Is it me, or is that little thing *hot*?

Everyone assembled shoots Denny Crane the “Ick” look.

Denny Crane: Hope I’m not her grampa.

Shirley Schmidt’s office

Shirley Schmidt: **entering with Marlana** Expelled?!

Marlena Hoffman: My parents don’t know. They’ll kill me. Grammy, you’ve gotta help me. I can’t be expelled; my life’ll be over. Oh . . . my God.

Shirley Schmidt: Wh-what did you do?

Marlena Hoffman: It was bad. **as they walk to the sitting area and sit** I was . . . well, you know those – government-issued assessment tests they always make you take? I sort of stole the test and accidentally shredded it and inadvertently scattered the confetti all over the principal’s office . . . sort of.

Pause, as Shirley Schmidt reacts in horror.

Marlena Hoffman: Okay, so maybe it wasn’t an accident, but I can’t be expelled. Oh, my God!

Shirley Schmidt: Marlana, wh-what were you thinking?

Marlena Hoffman: Well . . . something like . . . well, you know how those standardized tests are evil, and something like how if Henry David Thoreau were still alive, he’d shred them, too. Something like that . . . sort of.

Break Room: Offices of Crane, Poole & Schmidt

Katie Lloyd and Whitney Rome are confronting Lorraine Weller, who is pouring herself coffee.

Katie Lloyd: We’re just a bit curious, that’s all.

Lorraine Weller: What’s to be curious about?

Katie Lloyd: Well, I have many Pakistani friends, none of whom believe in honor killings, and as for anyone who does, I’m having trouble seeing you and he as soul mates.

Lorraine Weller: It turns out we were not soul mates, which occasioned my having the affair. Does it really matter?

Whitney Rome: Uh, it does to me, and I can’t figure out why you sign on for high-profile cases—of which you’ve had many—with your little face all on the news . . . It just seems odd for somebody with a fatwa against her. I mean, I tend to lay low with my fatwas.

Carl Sack enters, breaking up the circling of the vultures.

Carl Sack: Three associates grouped. Who’s getting billed?

Whitney Rome: Oh, get over yourself, Carl. You want something?

Carl Sack: Yes, Whitney. Shirley needs a second chair. Oh, thank you so much for volunteering.

Whitney Rome: I didn’t.

Carl Sack: Ah. But you did. They’re waiting for you.

Whitney Rome: Great. **pops a grape in her mouth and exits**

Now Katie Lloyd and Carl Sack face off; Katie Lloyd smiles.

Carl Sack: Do I need to find something for you to do?

Katie Lloyd’s smile disappears and she scrambles, leaving Lorraine Weller and Carl Sack alone.

Lorraine Weller: I don’t scare. **takes a bite out of her apple**

Carl Sack tips his coffee mug to Lorraine Weller, then drinks.

Judge Clark Brown’s courtroom

Judge Clark Brown: Of all the ridiculous, outrageous, preposterous cases you’ve brought before me, this one takes the prize!

Alan Shore: Well, thank you, Your Honor. We love prizes, and it should be said, when we get the ridiculous, outrageous preposterous cases, we immediately think of you, though I must say, uh, the most ridiculous part of this case is, it’s actually not.

Judge Clark Brown: What’s your course of action?

Alan Shore: Well, Your Honor, my client had expectation of services from the National Guard, services which they did not provide.

Judge Clark Brown: We're in a war, for God's sake!

Alan Shore: And if the war or anything else rendered them incapable of providing services at home, how 'bout a little notice? Tell the people they're on their own. My client could have taken precautions. He might have purchased flood insurance. As it was, to his detriment, he relied on the idea that the National Guard would be there for him. They weren't. He lost his business, his life's work.

Judge Clark Brown: Mr. Shore, you have brought many un-American cases into my courtroom, but this—this is—

Alan Shore: Outrageous, yes. So is the fact that when my client needed the National Guard, uh, they were nowhere to be found. I take that back. They could be found in Iraq.

Judge Clark Brown: You listen to me.

Alan Shore: With both ears. **demonstrates**

Judge Clark Brown: This court will reconvene at 2 o'clock. I will listen to your proffer of exactly what your case is. If it's as baseless as I expect it to be—

Alan Shore: As you keep an open mind.

Judge Clark Brown: I will jail both you and Mr. Crane for contempt. **bangs gavel**

Denny Crane: Me? What did I do?

School Principal Jason Daniels's office

Principal Jason Daniels: These are serious, serious charges here—stealing tests, vandalism, destruction of school property. I could report her to the District Attorney.

Shirley Schmidt: I understand, and we're all very grateful that you haven't. I was also hoping that your understanding might extend to a reconsideration of Marlena's expulsion.

Principal Jason Daniels: but just in case, she came armed with attorneys.

Shirley Schmidt: My granddaughter is very contrite.

Marlena Hoffman hangs her head in contrition.

Principal Jason Daniels: What I don't understand—she's always been a model student, well-behaved. She spends one year abroad, and she comes back a monster. What happened, Marlena?

Marlena Hoffman: Well, when I was studying in England, I just realized how pathetic this school is. . .sort of. . . and how you don't really teach us anything, and that made me angry. Add to that how stupid the idea of these standardized tests are, and . . . well, I . . . I wanted to shred *you* . . . **laughs** . . . but I realized that would be taking it too far, so I settled for the test . . . sort of.

Principal Jason Daniels: Her contrition aside, the expulsion stands.

Whitney Rome: Excuse me. Can I be the voice of reason here? Ms. Schmidt may be a little too close—it's her granddaughter—and you, being the one who feels insulted . . . May I just make a neutral observation?

Principal Jason Daniels: Okay.

Whitney Rome: If we have to go to court, we will, and we'll embarrass your sorry ass. My advice would be to take this girl back now so that we don't have to sue you and put the whole public school system on trial for raising a nation of idiots. Is that helpful?

Reception Area: Offices of Crane, Poole & Schmidt

Elevator dings, doors open, and Shirley Schmidt exits, Whitney Rome behind. They walk through the office corridors, toward Shirley Schmidt's office.

Whitney Rome: Fine. Make me the bad guy. I try to help—

Shirley Schmidt: Yeah; by antagonizing him.

Whitney Rome: I did not antagonize. I threatened. Okay? Everyone has a style.

Shirley Schmidt: Yeah, well, yours isn't working. She's facing expulsion.

Whitney Rome: Why is she in public school, anyway?

Shirley Schmidt: Oh, shut up.

Carl Sack: **joining their march** Sounds like it went well.

Whitney Rome: Yeah. Ask Grammy. **takes off for her office**

Carl Sack: Shirley. Um, this obviously sounds like a bad time, but—

Shirley Schmidt: But, what?

Carl Sack: **sighs** I'm considering going back to New York.

Shirley Schmidt's office

Shirley Schmidt enters, Carl Sack behind her, then closes the door.

Shirley Schmidt: I, uh . . . I don't understand. Is it—is it something about me?

Carl Sack: No. I love you.

Shirley Schmidt: Then—

Carl Sack: I'm not doing anything here. **nervous laugh** You brought me in to restore a little order in the litigation department. Well, I'm failing, Shirley. Rather miserably, in fact. In my very short tenure, we've represented clients for cock fighting, bullfighting, solicitation of a female prostitute—that being a senior partner—solicitation of a male prostitute—the same senior partner, who we also defended in a civil suit after he fired a fat girl because he didn't want to catch obesity. We routinely bring the most ridiculous of lawsuits. Today we have one against the National Guard. This is nuts.

Shirley Schmidt: And, what's the problem?

Carl Sack: I don't know . . . how to manage this. What's more, I don't really think you want it managed. I think you like this . . . this whatever it is.

Shirley Schmidt: Can't you just sort of . . . seize the day?

Carl Sack: If I can't feel . . . **chokes up** . . . like I'm bringing anything to what seems to be very much a party, I'll never be happy.

Shirley Schmidt: You bring a lot to me.

Carl Sack: **soundless "Oh," then** That's not enough.

Shirley Schmidt: Well, I . . . I guess that says it all, doesn't it?

Judge Isabel Fisher's courtroom

Judge Isabel Fisher: Let me get this straight. You want *me* to enjoin a high school expulsion?

Shirley Schmidt: Yes, Your Honor, on the grounds that a harmless act of civil disobedience shouldn't warrant expulsion. Certainly not in this case.

Judge Isabel Fisher: Uh, huh. And suppose every kid wanted to hijack and shred tests, then scatter them over the principal's office?

Shirley Schmidt: Well, I suspect most kids wouldn't dare do that for fear of jeopardizing their college careers. In fact, most kids are so desperate to get into college, they're willing to completely forsake learning just to get there.

Judge Isabel Fisher: Miss Hoffman, take the stand, please.

Principal Jason Daniels and Atty. Adam Jovanka are shocked this case has even gotten this far.

Library: Offices of Crane, Poole & Schmidt

Lorraine Weller is busily reading and analyzing material, while Katie Lloyd watches her.

Lorraine Weller: **rises, walks over to stand over Katie Lloyd (feigning innocence), and clears throat** Is this how it's going to be, Katie?

Katie Lloyd looks up, quizzically.

Lorraine Weller: I have to look over one shoulder for an ex-husband; the other, to see what you're up to?

Katie Lloyd: Oh, I was just daydreaming; that's all.

Lorraine Weller: Daydreaming, about what?

Katie Lloyd: Well, my wedding day, if you must know. Girls do that. What kind of ceremony, the dress, that sort of thing. What was your dress like, Lorraine?

Lorraine Weller: A lot of lace.

Katie Lloyd: What color was it?

Lorraine Weller looks questioningly at Katie Lloyd.

Katie Lloyd: I only ask because Pakistani tradition would be a red dress, and since your husband is orthodox enough to believe in fatwas . . . Did you wear red, Lorraine?

Lorraine Weller scoffs, turns on her heel and exits.

Judge Clark Brown's courtroom

All assembled are watching a recorded news report about the flooding at Revere Beach that destroyed Bert McAdams's pizza parlor. The camera pans across the reactions of Alan Shore, Denny Crane and Bert McAdams, Judge Clark Brown, and the defense team as:

Reporter Todd Durboraw: As water continued to pour in, 27 fire departments from 7 counties worked throughout the night with sandbags, all to no avail, as more than 33,000 people were displaced from either their homes or businesses—all of them angry, all singing the same refrain: Where was the National Guard?

Alan Shore: *clicking the TV remote to stop playback* We all know where they were. In Iraq, fighting a war.

Judge Clark Brown: And in times of war, we make sacrifices, Mr. Shore.

Alan Shore: Yes, but this military branch has domestic responsibilities as well, Judge. The Governor declared a state of emergency, and they were gone. And it isn't just the troops that are in Iraq, by the way, but much of the National Guard's equipment as well. And what most people don't know—we just leave it there. We don't bring it back.

Judge Clark Brown: We're in a state of—

Alan Shore: War. Yes. We're in a post-"Mission Accomplished" surge that General Petraeus says is going very well, and that our President has assured us all the next President—good luck to him or her—might even figure a way out of—

Judge Clark Brown: *interrupting Alan Shore by banging his gavel* All you do is bitch. This time, you've gone too far. You are just one minute away from a jail cell, Mr. Shore.

Alan Shore: Uh, Your Honor, my point . . . we're not getting services at home. The people in New Orleans didn't after Katrina, my client didn't here. And, by the way, I don't think I'm that much of a complainer—

Although Denny Crane might disagree.

Alan Shore: —given all there is to complain about: education, Social Security, inflation, unemployment, health care, homeland security, the war, the fact that Osama and Britney keep pumping out new videos, there's global warming. Nothing, nothing is going right, Judge, and you simply cannot put a positive spin on it, no matter how many times you say General Petraeus.

Judge Clark Brown: Thirty seconds from a jail cell!

Alan Shore: This war has cost us \$450 billion and still counting. Add to that the Afghanistan invasion, it goes up to \$650 billion. Add all the indirect costs, it goes up to two trillion.

Judge Clark Brown: *bangs gavel* Twenty seconds!

Alan Shore: *stepping back to his table to fuss with papers and briefs in his portfolio* Let's just consider what the \$450 billion we've spent in Iraq could buy us. How about free health insurance for every uninsured family? One hundred and twenty-four billion. Convert every single car to run on ethanol: 68 billion. Primary education for every child on the planet—all of them! Thirty billion. Hey, end hunger in America! Seven billion.

Judge Clark Brown: You are not an accountant!

Alan Shore: No, I'm a town crier, Judge. We *have* to talk about the cost of *this* war in terms of human lives. It's in the thousands, and by that, I mean American soldiers, since the Pentagon doesn't seem to count Iraqis. But that's a small point. The actual cost is much, much more.

Judge Clark Brown: Suing our government—suing a branch of the—of the military in a time of war cannot help but add to it. No. Your case against the National Guard is dismissed. The bailiff will take Mr. Shore and Mr. Crane into custody and lock them up for contempt of court and country. ***bangs gavel***

Alan Shore rolls his eyes as he submits his hands behind his back for Bailiff #1 to handcuff. As Bailiff #2 steps toward Denny Crane, both bring out their handcuffs.

Denny Crane: *offering his handcuffs to Bailiff #2* I've got my own. Those pinch.

Judge Isabel Fisher's courtroom

Marlena Hoffman: In England, in school with the British kids, I looked like a complete ignoramus. Oh, my God. Uh, they knew more about everything than I did. They knew my country's history better. They could find places on the map that I couldn't.

Shirley Schmidt: And you blame your high school back home for this?

Marlena Hoffman: Well, I came back here and I started to do a little research. Did you know there's a study that found one-third of young adults in the US can't tell you which way northwest is?

Shirley Schmidt: Okay, but let's be fair. You can.

Marlena Hoffman: Well, that's not much of a consolation. Less than 40% of high school seniors can read proficiently. That's pathetic. And these standardized tests—oh, my God!

Shirley Schmidt: So you decided to shred them.

Marlena Hoffman: Eldridge Cleaver said, "You're either part of the solution, or part of the problem." I learned that in England, by the way.

Atty. Adam Jovanka: You committed a crime.

Marlena Hoffman: I took action to ensure my right to be provided a quality education, as promised by the Massachusetts State Constitution and the Education Reform Act of 1993.

Atty. Adam Jovanka: Oh, did they tell you to say that in England?

Marlena Hoffman: No, they said claim "executive privilege."

Atty. Adam Jovanka: The tests you shredded, young lady, are specifically designed, in part, to identify which schools need which improvements in which areas—the very goals that—

Marlena Hoffman: Judge, the data on these tests is so fudged. In Mississippi, for example, the national test showed that only 18% of kids could read proficiently. So, what did they do? They made a special Mississippi test that showed 89% were proficient, and presto! They avoid sanctions from "No Child Left Behind."

Atty. Adam Jovanka: So, the answer is shredding the tests.

Marlena Hoffman: If the choice comes down to teach the test or shred it, I vote, "Shred it." Oh, my God!



Courthouse holding cell

Alan Shore and Denny Crane sit, contemplating their day in court.

Denny Crane: *sighs* Why is nobody coming for us?

No response from Alan Shore.

Denny Crane: Where are our significant others?

Alan Shore: Denny, *we're* our significant others.

Denny Crane: Oh, yeah.

Buzzer and the sound of a heavy sliding door opening, as a visitor arrives. Denny Crane rises, walks to the door of the cell to see who it is.

Alan Shore: I didn't like it when he said that all I do is bitch.

Denny Crane: Well, you do complain a lot.

Alan Shore: But this wasn't trivial, Denny. I mean, think of it. This country is utterly ill-equipped to deal with national emergencies because we're too busy imposing democracies elsewhere.

Denny Crane rolls his eyes heavenward. Here he goes again!

Alan Shore: In Katrina, a lot of experts could see it coming with those levees, and we didn't do anything, and when they broke, we couldn't respond. Just like we lacked the manpower to respond to the flood here. Isn't there something wrong with that? The roof's leaking at home and we're re-shingling abroad.

Denny Crane waggles his fingers, imitating the endless chatter of the Shore. Lorraine Weller arrives at the cell.

Denny Crane: Oh, thank you, God.

Alan Shore: Lorraine!

Denny Crane: I don't want to be let out. Just let her in.

Lorraine Weller: Please.

Bailiff opens the cell door; Lorraine Weller steps in.

Denny Crane: Be sure to lock it.

Bailiff complies; exits.

Lorraine Weller: **To Alan Shore:** I need to talk to you in private.

Alan Shore: **chuckling** Well, that could be difficult.

Denny Crane: Not at all. People talk like I'm not in the room all the time. What I hear, I won't remember.

Lorraine Weller: **whispering** It's about my past.

Alan Shore prompts her with a clueless look.

Lorraine Weller: My past?

Alan Shore: Oh.

Denny Crane: You—you have a past?

Alan Shore: Denny, please.

Denny Crane: I—I— **stops as Alan Shore holds up a hand**

Lorraine Weller: Katie . . . **sighs** Whitney . . . **rolls eyes; sighs again** The wagons are circling. Katie tumbled to the idea that I was English, and now she's—

Denny Crane: You're English?

Lorraine Weller: Yes, Denny, I am. I suspect you find that rather exotic.

Denny Crane: Oh, I *love* the English! You—I had a thing with the Queen once—on top of a Xerox machine. She's an animal! Ever since then, I've carried this around. **pulls out an old, crumpled photocopy of a drag queen, not The Queen of England, and holds it up** She is out-of-her-mind happy there, trust me.

Lorraine Weller and Alan Shore stare at Denny Crane, then Alan Shore turns Denny Crane to face out of the cell and away from their private conversation, and gently pushes him away.

Alan Shore: Lorraine, what's going on?

Lorraine Weller: I first told Katie I was married to a Pakistani who put a fatwa on me, hence my need for secrecy.

Alan Shore: A fatwa?

Lorraine Weller: I was trying to throw her off. She didn't buy it.

Denny Crane: What the hell is she talking about?

Alan Shore: **To Denny Crane:** W— . . . **To Lorraine Weller:** C—?

Lorraine Weller: **nods** Mm, hmm.

Alan Shore: Denny, when Lorraine was in her early 20s, she ran a business—a service.

Lorraine Weller nods again.

Alan Shore: She was known throughout England as "The Piccadilly Madam."

Denny Crane: My dream come true . . . **stepping closer to Lorraine Weller:** You're a hooker.



Lorraine Weller: No.

Alan Shore: She never performed services; she just arranged for escorts. **To Lorraine Weller:** And Katie knows?

Lorraine Weller: Not yet, but— **sighs** I don't know what to do. It's only a matter of time. She keeps saying I look familiar, she's watching every—

Denny Crane: A hooker with a fatwa!

Alan Shore: Lorraine, you've always known this would eventually surface. My advice would be to go forward to Shirley Schmidt now. *You* be the one to tell her.

Lorraine Weller: And then what? I doubt very much they'll have use for an associate who once ran a prostitution ring.

Denny Crane: I would.

Alan Shore: One thing about Shirley—she surprises. My bet is this is something you could live down.

Denny Crane: We've been bad, too. Do you have any of those nannies that spank?

Alan Shore: You might not live it down today.

Carl Sack's office

Carl Sack sits, reading a book on a couch.

Shirley Schmidt: **opening the door** Hey.

Carl Sack: Hey. Come in.

Shirley Schmidt enters, closes the door, while Carl Sack closes his book and sets it on the table in front of him, then removes his reading glasses.

Shirley Schmidt: **sits on the arm of a chair** I've been thinking a lot about what you said. Carl, you're coming here to manage this place, while not a pretext, I think we both know . . . you're mostly here because we wanted to be together. Has that changed on your side?

Carl Sack: No. But, Shirley, I can't deny my . . . esteem is somewhat bound up in my . . . feeling of worth at my job. I'm not feeling . . . **chuckles** . . . I mean, the things that go on here are just . . .

Shirley Schmidt: Oh, Carl. Come on. Strip away the eccentricities, and at its core, this is just like any other firm.

Lorraine Weller: **enters without knocking; with British accent** I do apologize for intruding. Alan and Denny have been incarcerated on contempt charges. They wanted me to convey as much. They're being held indefinitely.

Shirley Schmidt: Why are you speaking in that accent?

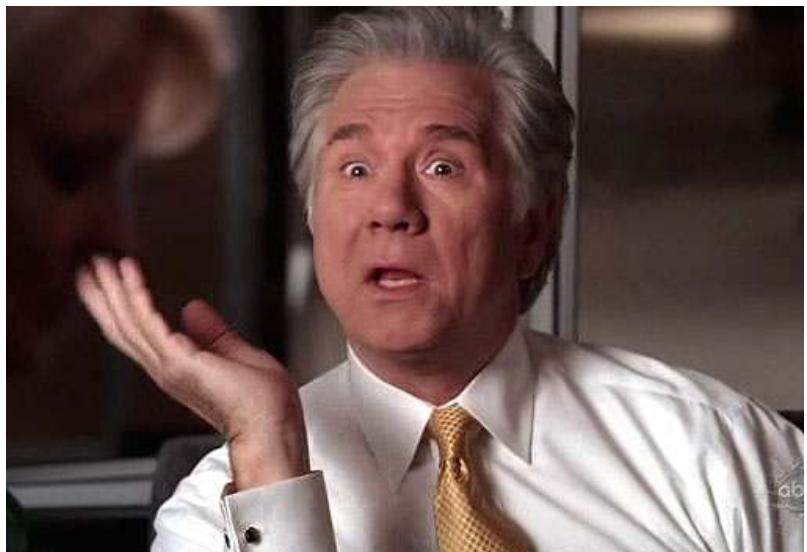
Lorraine Weller: Because I'm from England, Shirley. I owned and operated a brothel during my late teens and early 20s. After being arrested, I reached a deal with the authorities whereby I would not be prosecuted if I agreed to disappear. My clients included a member of the Royal Family, as well as several high-ranking members of Parliament, so no extradition is being sought. I assumed a new identity, moved to America, and attended law school as Lorraine Weller, which is now my legal name.

Carl Sack looks—flabbergasted—at Shirley Schmidt, who is also taken aback.

Lorraine Weller: I tell you all of this in the spirit of no surprises.

Shirley Schmidt: This is in the spirit of no surprises?

Carl Sack: Yeah, you know, I'm sorry. You were right, Shirley; just like any other firm.



Judge Isabel Fisher's courtroom

Miss South Carolina (video): People out there in our nation that don't have maps. And, uh, I believe that our, uh, education, like such as South Africa and, uh, the Iraq everywhere like such as, and I believe that they should, uh, . . . Our education over here in the U.S. should help the U.S or—or should help South Africa, and it should help the Iraq and the Asian countries.

National Geographic Editor: In that young woman's defense, she's actually quite intelligent. She was just thrown by the question and got nervous.

Whitney Rome: Yeah, I was thrown by the question, too. A fifth of Americans can't find the United States on the map?! Is that true?

Atty. Adam Jovanka: Objection. This witness works at the National Geographic. She has no—

Whitney Rome: The National Geographic has done two studies to determine the geographic literacy of young Americans. Isn't that right?

National Geographic Editor: Yes.

Whitney Rome: Could you give us the results, please?

National Geographic Editor: I sobbed—big heaving sobs, where your shoulders go up and down.

Judge Isabel Fisher: Uh, the results of the test, not your reaction to it.

National Geographic Editor: Half couldn't locate New York state on a U.S. map. Even after Katrina, one-third couldn't show you Louisiana. The Pacific Ocean? Goose egg from 29%. The Pacific Ocean, for God sakes! And where's Japan? Fifty-eight percent don't know. England? Head-scratcher for 69%.

Whitney Rome: Did you survey the geographic literacy of young adults in other countries?

National Geographic Editor: Canada, France, Germany, Italy, Japan, Mexico, Sweden, England.

Whitney Rome: How'd we do comparatively?

National Geographic Editor: Second to last. **voice breaks, and she gestures, rah-rah** We beat Mexico. **crying; with a squeak** May I be excused?

Judge Isabel Fisher: No. Get a grip.

Atty. Adam Jovanka: Were any of the young Americans surveyed products of a Massachusetts public school?

National Geographic Editor: **sniffles** No.

Judge Isabel Fisher, Whitney Rome and Shirley Schmidt react to the chink in the case.



Jail cell

Alan Shore stands and Denny Crane sits, lost in thought. A buzzer blares.

Alan Shore: I've been thinking about how much I criticize the government, yet what do I do for the government?

Denny Crane: Oh, Alan, you're a Democrat. You're expected to complain and offer no solutions.

Alan Shore: **takes a deep breath in, steps forward** I'm gonna join the National Guard.

Denny Crane: Very funny.

Alan Shore: I'm serious. I won't contribute to the war effort, but there's gotta be something else I can do.

Denny Crane: Like what?

Alan Shore: I don't know. Maybe prevent somebody's pizza parlor from being washed away.

Cell door clangs and is rolled open, and the guard opens the door. Judge Clark Brown steps into the doorway.

Judge Clark Brown: I'm letting you go for one consideration—that I never see you again. Ever.

Alan Shore: We've decided to join the National Guard. Are you in?

Judge Clark Brown exits, and Alan Shore turns to Denny Crane.

Alan Shore: Come on, Denny. "Ask not what your country can do for you."

Denny Crane: *exiting before Alan Shore* Think they'll let me shoot somebody?

Alan Shore: I don't see why not.

National Guard recruitment office

Officer Taylor Jessel (Recruiter): I'm sorry, but I'm afraid neither of you can join.

Alan Shore: Why not?

Officer Taylor Jessel: Well, the maximum age is 42. I'm very sorry, but thank you for thinking of your country.

Alan Shore: Forty-two? Why?

Officer Taylor Jessel: Well, that's just the way it is, sir. But thank you for thinking of your country.

Alan Shore: That's just the way it is. That should be the way it *isn't*. We both have skills. We have a lot to offer.

Officer Taylor Jessel: I'm sorry, sir. But thank you—

Alan Shore: Never mind that the Army is depleted, for God's sake! You're completely out of bodies. We're able bodies. We're still strong and fit.

Denny Crane: My ass hasn't even dropped.

Officer Taylor Jessel: You can volunteer with the V.A. They have, uh, many programs that work with us on disaster relief. I would recommend the U.S.O.

Alan Shore: The U.S.O.? They just sing and dance and tell jokes, don't they?

Officer Taylor Jessel: *chuckles* They do more than that, sir. But thank you for thinking—

Alan Shore: Okay. First of all—and please don't thank us anymore—your age limits are obsolete. Doctors today have developed “real age” assessment tools that prove people can be much younger than the years reflected on their birth certificate. We exercise, we get a lot of fiber, we have sex.

Denny Crane: A lot of sex.

Alan Shore: Things have changed. Chris Chelios is 45—he's an all-star defenseman in the National Hockey League. Are you saying you'd turn him down? Roger Clemens—he wouldn't qualify?

Denny Crane: He's a traitor.

Alan Shore: Well, okay. I mean physically, Denny.

Officer Taylor Jessel: I'm sorry, but thank you for thinking of your c—

Alan Shore: Now, stop it! You need men!

Denny Crane: We could take steroids . . .

Alan Shore: Are you seriously telling us there's nothing we can contribute? We can't drive a plow in a snowstorm?

Officer Taylor Jessel: Well, perhaps you can help recruit soldiers for the National Guard.

Alan Shore: We don't want to recruit.

Denny Crane: We want to shoot people.

Alan Shore: Well, I don't want to shoot anybody—

Denny Crane: I want to shoot people.

Alan Shore: —but I can perform services, some that—

Officer Taylor Jessel: The maximum age is 42, unless you've got previous military service.

Denny Crane: I do.

Officer Taylor Jessel: And even then, 75 is too old.

Denny Crane looks mortally wounded.

Officer Taylor Jessel: Look. I've tried being nice. I've thanked you. Now I need you to leave.



Alan Shore: And if we don't? What? You're gonna call in your last troop to remove us?

Officer Taylor Jessel: I'll have you arrested.

Marching band music in background.

Denny Crane: Come on, Alan. Let's go to Canada.

And they exit to the strains of a military band.

Judge Isabel Fisher's courtroom

Principal Jason Daniels: **giving testimony** We all wish our public schools were better. Personally, I'm a math teacher in addition to being a principal. Math is very dear to me.

Atty. Adam Jovanka: And?

Principal Jason Daniels: Well, U.S. students scored lower in math than those in France, Germany, Japan, Canada. But I will say, the Massachusetts '06 graduating class posted the highest A.C.T. math scores of any state, and our state graduation rate far exceeds the national average.

Atty. Adam Jovanka: You heard her say she fell behind the kids in England.

Principal Jason Daniels: England has problems, too. Researchers found that half the teenagers in England thought there were about a hundred members of Parliament. Those kids are about 500 off for the House of Commons alone. England isn't all get-out.

Shirley Schmidt: So where do your own kids go?

Principal Jason Daniels: The Groton Academy.

Shirley Schmidt: That's a private school.

Principal Jason Daniels: **nodding** Yes.

Shirley Schmidt nods.

Principal Jason Daniels: Look. I'm not gonna sit here and deny that our public schools have problems, but that doesn't give her the right to shred tests.

Shirley Schmidt: Do you believe in these standardized tests?

Principal Jason Daniels: Not really.

Shirley Schmidt: But you use them all the same.

Principal Jason Daniels: I don't really have a choice, not if we want to have any kind of federal funding.

Shirley Schmidt: Ah, the money. **chuckles** Why stick to your values when there's cash at stake?

Principal Jason Daniels: Hey, do you want my job?

Shirley Schmidt: You make it sound hard.

Principal Jason Daniels: **sarcastic** No, uh, no, it's not hard at all. I've got veteran teachers retiring, younger teachers jumping ship by the droves, no one to put in their place. I can't pay them.

Shirley Schmidt: So, basically you're failing as a principal.

Principal Jason Daniels: *I'm failing?*

Shirley Schmidt: Yes. You just admitted that.

Principal Jason Daniels: Do you know what the teacher attrition rate costs this country annually? Seven billion dollars!

Shirley Schmidt: Here we go.

Principal Jason Daniels: **voice gathering speed and volume as he speaks** Meanwhile, we waste \$600 million on these assessment exams to prove our annual yearly progress to the "No Child Left Behind" Nazis, so they won't sanction us or fire us. Give me the \$7 billion that goes down the toilet, and maybe I can make better schools.





Atty. Adam Jovanka: Jason—

Principal Jason Daniels: Better yet, how about the Federal government actually coming through with some of the funds they promised the States to put their “No Child Left Behind” mandates in place?!

Atty. Adam Jovanka: Jason—

Principal Jason Daniels: I’m the one that’s a failure?! Yeah, yeah, no. It—it’s the principals fault!

Atty. Adam Jovanka: **standing; yelling** Jason!

Offices of Crane, Poole & Schmidt: Corridor

Katie Lloyd and Lorraine Weller talk as they are walking toward Lorraine Weller’s office.

Katie Lloyd: So what do they plan to do now?

Lorraine Weller: I have no idea. I was never charged with a crime, but I’m sure I’ve violated some morals clause. Plus, I’m an at-will employee, so . . . **opens door and enters office**

Katie Lloyd: I’m so sorry, Lorraine. I never intended for you to lose your job. I just . . .

Lorraine Weller: Knew something was up.

Carl Sack steps up from behind Katie Lloyd.

Carl Sack: Katie, still looking for something to do? An idle brain’s the Devil’s playground. Am I right, Lorraine?

Lorraine Weller flashes him a worried smile.



Judge Clark Brown’s courtroom

Judge Clark Brown: What part of “I never want to see you again” did you not understand?

Alan Shore: Uh, no Your Honor. We’re here for something else entirely. After you inspired us to do something, we went to the National Guard to join up, and they turned us down, so now I’m here to bitch about that.

Judge Clark Brown: You’re too old for the National Guard.

Alan Shore: Maybe for combat, but surely there must be other ways we can contribute. And even if we were of age, it turns out you can only join the National Guard if you’re willing to be deployed in the war. Apparently, they don’t allow you to enlist only to serve domestically.

Judge Clark Brown: Well, there’s a reason for that. If people had the choice to serve domestically, they’d do so, in which case we’d lose our backdoor draft and not have enough poor people to fight our war.

Alan Shore: Yes, even so, the National Guard is utterly depleted, and here we are—ready, willing, and able. **“helping” Denny Crane to rise, and none too gently** Uh, Denny Crane and Alan Shore reporting for duty, sir, ready to serve our country.

Judge Clark Brown: Oh, for God's sake. Look, I agree. It seems stupid that in a time when we're desperate for more troops, we're excluding people on age or sexual orientation, or reasons that have nothing to do with job performance. It even seems . . .

Alan Shore: You can say it.

Judge Clark Brown: *quietly* Outrageous. **back to a more normal volume** But a Superior Court judge cannot set military policy. I admire your motives, Mr. Shore, but this case is dismissed, too. **looking at Denny Crane** There's always the Boy Scouts, though I expect you'd have to be young and straight to get in there, too.

Denny Crane: So we can't serve our country?

Alan Shore: Our country doesn't want us.

Judge Isabel Fisher's courtroom

Atty. Adam Jovanka: **standing by the defense table, presenting his closing arguments** Marlena Hoffman committed a trespass, destroyed property, shredded tests. Of course, the school appropriately expelled her. This was not an exercise in free speech; it was an act of vandalism. Uh, imagine the anarchy we'd see if they didn't expel her.

Shirley Schmidt: **presenting her closing arguments in front of the bench** We love anarchy. American history started with the Revolution, and let's not forget the Boston Tea Party. Is there potential for abuses? Of course; we've seen it, but we're bouncing this girl for shredding tests? Tests which are printed in tremendous bulk, by the way. I—I might argue harmless error.

Judge Isabel Fisher: You're actually defending her act, Counsel?

Shirley Schmidt: No, Judge; I am not. She took it too far, but so is the school taking it too far with this expulsion. Your Honor, it is indisputable that our educational system is in trouble. Thirty-four percent of fourth graders cannot read at a basic level—this in the United States! What is happening to this country? It's not enough to wonder where have all the teachers gone, but where are they coming from? This "No Child Left Behind" Act—we've got to get rid of it. It's leaving our kids behind. Marlena Hoffman destroyed school property. She committed an act of vandalism, but she also engaged in one of the noblest, most historically acceptable forms of patriotism—protest. In a day of unparalleled student apathy, where undergrads either don't care or have simply given up, this is not the kid we should be kicking out.

Denny Crane's office

Alan Shore, Denny Crane, and Marlena Hoffman are all engaged in "parallel play" with their laptops, apparently searching for an outlet for Alan Shore's and Denny Crane's patriotic energy. Slices and boxes of pizza scattered all around.

Alan Shore: **complete with "in your face" hand gesture** Here's an idea that's being kicked around. "The Rapid Response Reserve Corps"—it'll focus on disaster relief. This could be exactly what we're—

Marlena Hoffman: **checking her paper notes** No, I already saw that. It says you have to be retired military or National Guard personnel.

Denny Crane: I'm retired military. Do we get to shoot people?

Alan Shore: No.

Denny Crane: **slice of pizza in hand** Keep looking.

Marlena Hoffman: Uh, what about the Red Cross.

Denny Crane: Hate needles.

Marlena Hoffman: Or the Peace Corps?

Denny Crane: Pro-peace. You know, I can't get over the irony. A long time ago, I was *with* Shirley Schmidt, and now I'm old enough to be with her granddaughter.

Marlena Hoffman: Oh, my God. You are, like too ick for words.



Carl Sack: *enters* What's going on?

Denny Crane: We're researching what military branch to join.

Marlena Hoffman: They wanna be one of the few, the proud, the old.



Now doesn't that take the "piz" out of your pizza? The tip of Denny Crane's pizza goes limp.

Alan Shore: I got it, I got it. "United States Coast Guard Auxiliary"—a volunteer component of the Coast Guard, no age limit.

Denny Crane: Guns?

Alan Shore: Probably depth charges, Denny.

Denny Crane: Let's go.

Alan Shore: I get seasick, but whatever.

Denny Crane and Alan Shore exit, as Shirley Schmidt enters.

Shirley Schmidt: Wh—where are they off to?

Carl Sack: They've gone to join the Coast Guard. Happens at a lot of firms.

Shirley Schmidt: Got a second?

Shirley Schmidt's office

Shirley Schmidt opens the door and enters; Carl Sack, behind her. She closes the door, as Carl Sack seeks out a seat.

Shirley Schmidt: *clears throat* Okay. Notwithstanding what appears to be a prostitution theme and the occasional associate . . . turning out to be a fugitive from a foreign country, and, well, name partners dashing off to join the Coast Guard . . . if you look behind most of the lunacy that goes on in this place, you'll—more times than not—find something else . . . an idea or a question, one that's worth exploring or debating. I'm not claiming a method to all our madness, but . . . an idea, Carl . . . that is something.

Carl Sack: I . . . think I know that.

Shirley Schmidt: You think you know that. Then why . . . ?

Carl Sack: I . . . I'm starting to . . . like it here. That really scares me.

Shirley Schmidt: Well, what about me?

Carl Sack: Given . . . how much I'm falling in love with you, combined with your history of going through men like "tic tacs"—that scares me, too.

Shirley Schmidt: Carl, I—I know you've never before done what I'm about to ask you to do, but, can you just go with it?

Carl Sack: I don't know.

Shirley Schmidt: Can you try?

Carl Sack: Yes. I guess . . . I can try.

Carl Sack steps forward to kiss Shirley Schmidt, when Marlena Hoffman enters and gasps.

Marlena Hoffman: Okay. So gross. Uh, the judge just called us back.
exits



Judge Isabel Fisher's courtroom

Judge Isabel Fisher: I certainly believe any school has the right to expel a student who destroys school property. But, shredding a test—let's face it—we're not talking about a lot of vandalism here. There's a lot more where these came from, and the controversy surrounding the efficacy of these tests is—

Marlena Hoffman: Oh, my God. I totally feel it swinging my way. **stops talking when she feels Shirley Schmidt's hand on her arm**

Judge Isabel Fisher: Can I finish? Ms. Hoffman, you have my admiration for caring, but you also deserve punishment for how you demonstrated your concern. I find a suspension is warranted; an expulsion is not. **bangs gavel** And we're adjourned.

Marlena Hoffman: Yes! Yes! Oh, thank you, Grammy, so much.

Shirley Schmidt: **hugging Marlena Hoffman** Oh, you're welcome, Marlena.

Marlena Hoffman: You know, um, I read this study. People actually get kind of a—a buzz from being a benefactor, like it actually makes them want to do more for the person they just helped. How weird is that?

Shirley Schmidt: Yeah.

Marlena Hoffman: Anyway . . . **clears throat** Could I have an after-school job? Wouldn't it just be awesome to have me around every day?

Shirley Schmidt: **with her "Yeah, right" look** T—totally. Let's go. **motions with her head**

Balcony of Denny Crane's office

Alan Shore and Denny Crane sit in their customary chairs, drinking scotch and smoking cigars, dressed in dress whites (Coast Guard uniforms).

Denny Crane: You know, it's against Coast Guard policy to drink while in uniform.

Alan Shore: Denny, these aren't real. We rented them at the costume shop.

Denny Crane: Even so. If we don't behave ourselves, we'll never pass the background check.

Alan Shore: **laughs** We'll get in. You and I were meant for the Coast Guard.

Denny Crane: Oh, we're gonna be in the military. Already my penis feels bigger.

Alan Shore: You know, you would think with everything going wrong these days, volunteerism would be down in this country, but it's actually up—way up.

Denny Crane: Well, of course it is. That's the beauty of incompetent government.

Alan Shore laughs.

Denny Crane: People know they have to fend for themselves. That was his plan all along. He hatched it with Rove.

Alan Shore: That was Bush's plan?

Denny Crane: Damn right. He's a lot smarter than people give him credit for. Act like an idiot for eight years, then people step up and volunteer. It's brilliant.

Alan Shore: He didn't need to send us to war. I was convinced enough with the way he spoke the English language.



Denny Crane: Oh, Alan. Alan, Alan, Alan. You need to look at the big picture here.

Alan Shore: Which is?

Denny Crane: How do you nuke Iran and Iraq without starting a world war? You claim it was an accident. Whoops! Who else but George W could pull that off? Except maybe me.

Alan Shore: You?

Denny Crane: Yeah. I would claim it was the . . . uh . . . Mad Cow.

Alan Shore: Denny, if you were

President, seriously, you would nuke Iraq and Iran?

Denny Crane: Before breakfast.

Alan Shore: Then what? North Korea?

Denny Crane: Okay.

Alan Shore: Pakistan?

Denny Crane: Why not?

Alan Shore: Afghanistan?

Denny Crane: If there's time.

Alan Shore: **chuckling** It's just the uniform talking. You wouldn't blow up anybody.

Denny Crane: Oh, really?

Alan Shore: No, you're all talk. Under all your bravado, you're a . . . nice guy with a big heart.

Denny Crane: Women love men in uniform.

Alan Shore: Imagine being Denny Crane and in uniform.

Denny Crane: There goes my penis again.

Alan Shore chuckles, sips scotch.

Denny Crane: Every time I think the life can't get any better . . . We're in the military, we have an in-house hooker—

Alan Shore: She's not a hooker.

Denny Crane: With a fajita, you say?

Alan Shore: Fatwa! And that was made-up. Denny, if they try to fire Lorraine, you need to stand up for her. She could be in for some trouble.

Denny Crane: I'll stand up for her, if she'll lie down for me.

Alan Shore: You and I need to consider the less fortunate. Look how good life has been to us.

Denny Crane: Yeah, so good. I need a tank.

Alan Shore laughs.

Denny Crane: You think they'll issue me a tank?

Alan Shore: I don't think the Coast Guard has tanks.

Denny Crane: I'd look good in one. Admit it.

Alan Shore: **chuckling** Oh, my God! The image of it. Denny Crane—in a tank.

And the camera pulls back to the strains of "Over There," sung by a military men's chorus:

"Over there, over there,

Send the word, send the word

Over there

That the Yanks are coming, the Yanks are coming . . ."



Tara Summers: Next on Boston Legal.

Clarence Bell: I lost my house. The bank foreclosed.

Alan Shore: **in a bank, shouting and clapping** Let's hear it for Mr. Czernak, this year's MVP in the predatory lending department!

Melvin Palmer: You're still a hoot—that's what you are. **shaking Clarence Bell's hand** Melvin Palmer. How are you, my friend.

Clarence Bell: Homeless.

Melvin Palmer: He made a deal. Now, he doesn't like it 'cause it turned out to be a bad deal. So what? He just stops making his payments?

Walter Bonner: You told me your firm was extremely green.

Denny Crane: **wearing fuzzy reindeer antlers** I am fed up with you global warming wusses raining on my electric parade!

Carl Sack: This Greenie is suing us. They're asking for all the money they ever paid us.

Denny Crane: **dismissive** Ahh! These things happen.