

The Practice

Season 8, Episode 3

Cause of Action

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The Practice—Eugene Young's Office

Eugene Young: There's nothing you can do.

Ellenor Frutt: I can't accept that, Eugene.

Eugene Young: Well, you have to.

Ellenor Frutt: I am sorry, there are . . .

Jamie Stringer: She's ten years old!

Eugene Young: Listen to me! Both of you! We represent him, not her.

Ellenor Frutt: She arguably thought I was her attorney when she confessed. Falsely confessed.

Eugene Young: Ellenor, all you can do is ask the client to cure his perjury. If he refuses . . .

Jimmy Berluti: ***opening the door and entering*** Sheila works here?

Eugene Young: What?

Jimmy Berluti: ***pulls the door shut behind him*** That cuckoo bird? The woman who talks to God. She works here?

Eugene Young: ***shaking his head*** No. She doesn't work here.

Jimmy Berluti: Well, she thinks she does. She says Alan Shore hired her. She's out there organizing her desk.

Eugene Young: Excuse me. ***exits***

The Practice—Common Office Area

Eugene Young steps into the common office area, to find Alan Shore carrying a storage box and Sheila Carlisle busily typing at a computer keyboard.

Eugene Young: ***quietly confronting Alan Shore*** Did you hire her?

Alan Shore: I don't have the authority to hire her, Eugene.

Eugene Young: She's here. Look at her.

Alan Shore: Yes. I said, "Come practice law with us on a temporary basis," and . . .

Eugene Young: You were temporary.

Jimmy Berluti: She's totally nuts.

Alan Shore: Thank you, Jimmy. I never figured you for the type who liked to weigh in.

Jimmy Berluti: What's that supposed to mean?

Eugene Young: Undo this.

Jimmy Berluti: He just called me fat.

Alan Shore: First of all, I would never say that. Second, you *are* fat. And third, you should . . .

Eugene Young: We are not hiring. And if we were hiring, we would not be hiring her.

Alan Shore: ***talking to Eugene Young on the side*** Eugene, I've got to keep this woman close to me until I can persuade her to get back on her medication. The best means for that is to employ her. Trust me. When she functions as a lawyer, her insanity is displaced by legal acuity. As I said, it's only temporary, and I will watch her. Please.

[credits]

The Practice—Conference Room

Tara Wilson: So she works here?

Eugene Young: Temporarily. She, like Mr. Shore, will work here on a trial basis. She will not draw a salary, and most importantly, we are not to give her clients. Ever.

Tara Wilson: Then why is she here?

Alan Shore: ***looking up from his newspaper*** I'm sorry. Do paralegals speak at staff meetings? That's not a criticism, Tara; I'm just trying to get a sense of policy.

Tara Wilson: You know what . . .

Alan Shore: Keep it personal now.

Tara Wilson, about to speak, is interrupted by the door opening. Alan Shore stands as:

Sheila Carlisle: *enters and closes door* Hello, all. Sorry I'm late. Eugene, I was wondering if we could start at 9:15. I have my Feldenkrais appointments at 8, and they're murder to reschedule. **To Alan Shore, whispering:** Did I miss the breathing?

Alan Shore: They don't breathe here, Sheila.

Sheila Carlisle: What?

Eugene Young: Miss Carlisle, we're running late . . .

Sheila Carlisle: Every day should begin with ten deep breaths. It oxygenates the brain, which gives you clarity and optimism, which *is* the greatest source of energy. Let's hold hands. Let's go. Everybody.

Eugene Young and Jimmy Berluti are the last hold-outs; everyone else is holding the hands of the people next to them. Alan Shore and Sheila Carlisle stand, holding hands; Ellenor Frutt is sitting, Alan Shore holding her hand. Jamie Stringer tries to get Jimmy Berluti to hold her other hand.

Sheila Carlisle: Here we go. Let's suck in life's juice deep into the diaphragm. In.

Ellenor Frutt: Jamie, let's go.

Ellenor Frutt and Jamie Stringer drop the hands they're holding and exit.

Sheila Carlisle: In.

Alan Shore is fully engaged with breathing; Tara Wilson, Eugene Young and Jimmy Berluti are just plain frustrated.

The Practice—Common Office Area

Ellenor Frutt and Jamie Stringer walk through the office.

Ellenor Frutt: Let's go see Brad Stanfield; take our best shot.

Jamie Stringer: Yeah, like that'll work.

Tara Wilson: Uh, may I help you?

Roland Huff: Yes. I'm Roland Huff, and I'd like to meet with an attorney.

Tara Wilson: Do you have an appointment?

Eugene Young: It's temporary, Jimmy.

Jimmy Berluti: It doesn't matter. She's a loon.

Roland Huff: No, I'm afraid not.

Tara Wilson: Okay, Roland, if you wouldn't mind taking a seat, I'll be with you in a moment.

Roland Huff: Thank you.

The Practice—Conference Room

Alan Shore: You're smart enough to know, whatever your reality is, Sheila, it's folly . . .

Alan Shore & Sheila Carlisle (in unison): To impose it on others.

Sheila Carlisle: *sits* Got it. Give me a criminal.

Alan Shore: I'm sorry?

Sheila Carlisle: I'm not asking for a murderer—just give me somebody clever. Give me an embezzler.

Alan Shore: I'm an embezzler. We'll get lunch.

They both look at each other—Mexican stand-off. Alan Shore sits down.

Alan Shore: Sheila, it's important at the beginning that you keep a low profile here. These people are very reticent.

Sheila Carlisle: Just give me a case to work on. I don't like to be alone with my thoughts.

Alan Shore nods.

Café

Bradley Stanfield, Ellenor Frutt, and Jamie Stringer are meeting over coffee.

Bradley Stanfield: Confess?

Ellenor Frutt: Well, wasn't that your plan anyway? You can't be re-tried; you're free. Why not save Emma?

Bradley Stanfield: Well, I could be prosecuted for perjury, Ellenor. I did testify that I didn't do it, remember? If I was to come forward now and say that I was the killer . . .

Ellenor Frutt: Certainly, you're not going to allow your *daughter* to stay locked up.

Bradley Stanfield: My thinking was: Let's see how Emma's trial goes. She probably has a legitimate temporary insanity defense. Ten years old? She figures to be very sympathetic.

Jamie Stringer: You're going to let her stand trial?

Bradley Stanfield: I'll testify on her behalf. I'll talk about how troubled she was.

Jamie Stringer: Brad, I don't think that's going to work.

Bradley Stanfield: I got myself off. Now I'll get Emma off. You keep forgetting how persuasive I can be.

The Practice—Tara Wilson's Desk

Roland Huff: In my bed. The two of 'em. I since learned, it's been going on for six years.

Tara Wilson: How long have you been married?

Roland Huff: Seven.

Tara Wilson: Roland, Massachusetts is a "no-fault" state, which basically means that your wife's infidelity is a non-issue.

Roland Huff: *sighs* That's what I've been told, but this was . . . *shaking his head* . . . she didn't just cheat on me, Miss Wilson; she—she did so with my best friend! He was . . . he was best man at our wedding. It just seems so wrong. I have two young kids. For me to come home and find out my wife . . . my children's mother? . . . To learn it's been going on for six years?

Tara Wilson: Roland, it is horrible what your wife has done, but unfortunately, in a "no-fault" state, you have no remedy at law for which . . .

Sheila Carlisle: I'll represent you, Roland.

Tara Wilson: Sheila!

Sheila Carlisle: And I don't think we should just file claim against her, I think we should prosecute that best man, as well.

Tara Wilson: Sheila!

Sheila Carlisle: I want you to continue giving the facts to . . . Tara, and after that, we'll file a claim in Superior Court. We can expect a motion to dismiss; but surviving that, discovery should be short, and we'll be in court in three months.

Roland Huff: And we can win?

Sheila Carlisle: Roland, look at me. There's a reason you happened to walk into this law office after all those other lawyers turned you down. I win my cases. Not some of them, not most of them—every single one of them. And I shall win this case.

The Practice—Conference Room

Tara Wilson and Sheila Carlisle are having a private discussion.

Tara Wilson: I realize that I'm only a third-year law student, but . . . even I know that public policy won't let you litigate domestic disputes.

Sheila Carlisle: You need to appreciate on a deeper level that you *are* only a third-year law student. You see, every law can be bent, folded or manipulated, so long as it conforms to fairness. So, instead of taking issue, perhaps you would like to seize the opportunity to learn. You see, Tara, I will win. Aren't you just fascinated to see how?

Alan Shore's Backyard—Poolside

Alan Shore and Ellenor Frutt are drinking beer; Alan Shore is smoking a cigar.

Alan Shore: All you need is one more drink, and we're havin' a pool party.

Ellenor Frutt: I'm not that drunk.

Alan Shore: We can fix that right up. Although I did see you sort of stumble out of the cab. Not that I don't welcome you to stumble on over whenever you feel the urge. Ellenor . . . *pause as they look at each other* What are you doin' here?

Ellenor Frutt: You know, I have freed murderers, rapists, and I usually end up sleeping at night because I know my role in the system. You know, I'm the defense attorney up against the police state and all. I sleep. I never have trouble sleeping.

Alan Shore: But?

Ellenor Frutt: How do I let a ten-year-old girl spend her life in juvenile hall, when I know that makes me . . . You know what I am, Alan?

Alan Shore: Drunk.

Ellenor Frutt: A monster.

Alan Shore shakes his head.

Ellenor Frutt: If I can let a—a child . . . then I have to wear the badge, that I am a monster. This is a beautiful, blossoming girl! She's—she's a child. She's the future of our country.

Alan Shore: Maybe we're both going to need another drink.

Ellenor Frutt: You know, I'm a terrible drinker, because I never drink. *laughs, and takes a sip*

Alan Shore: You'll stay here tonight.

Ellenor Frutt: Alan, I am not having sex with you.

Alan Shore: That's all right. Did you bring any friends?

Ellenor smiles, laughs a little.

Alan Shore: Come on. It's late. Let's get you inside.

Ellenor Frutt: I just wanted your advice.

Alan Shore laughs, turns toward the house.

Ellenor Frutt: I'm not sure that I can keep my mouth shut. I don't want to be disbarred. Oh!

We hear a loud splash, followed by quieter splashes. Alan Shore turns around, to see Ellenor Frutt flailing in the pool. A dog barks.

The Practice—Conference Room

Roland Huff: W—we're going to court now?

Sheila Carlisle: I filed for a temporary restraining order. Injunctive relief gets you right in. Now, I expect them to file their motion to dismiss. I don't mind waiving notice on that, as long as . . .

Roland Huff: Ah, are they going to be there?

Sheila Carlisle: Who?

Roland Huff: My wife, uh, and Richard.

Sheila Carlisle: They might. Will that be a problem?

Roland Huff: **shaking his head** It's hard for me to see them. I . . . don't know if I'm ready to see them.

Sheila Carlisle: I'll handle things. You just stand there, and look as sad as you can.

Both nod in agreement.

The Practice—Common Office Area

Eugene Young: I said, no clients.

Tara Wilson: I couldn't stop her.

Eugene Young: You should've come and got me! **To Alan Shore:** And you—you said you'd be watching her!

Alan Shore: She already filed a complaint.

Tara Wilson: Yes, and she thinks that she's gonna win. She even . . .

Alan Shore: Ho—ho—hold on a second. She said that? She thinks she'll win?

Tara Wilson: Yes.

Alan Shore: What's the problem? If Sheila says she's going to win, she wins. No exceptions.

Eugene Young: Did you hear the cause of action?

Alan Shore: I don't care what the cause is. If she promises victory, you've won.

The door to the conference room opens, and Sheila Carlisle, followed by Roland Huff, steps into the common area. Eugene Young rolls his eyes; Jimmy Berluti shakes his head and glares. Sheila Carlisle and Roland Huff walk toward the door that leads outside.

Sheila Carlisle: **motioning for Tara Wilson to join them** Tara, come with us. You need to learn.

Tara Wilson runs to catch up; opens the door. In walks a bedraggled Ellenor Frutt.

Tara Wilson: Oop.

Ellenor Frutt: **walking across the room to her office** Don't talk to me. Ever. If you have something to say, just put it in a note.

Alan Shore: Just a guess, but I'd say she got looped and fell in the pool.

Eugene Young: I want you in court, backing Sheila, now.

Alan Shore: I've got an appointment. Tara'll be there. Eugene, she doesn't need help. Not in that room. **nods at Eugene Young and turns to exit**

Judge Natalie Brown's Courtroom

Atty. George Collins: This is a domestic dispute. We're in a "no-fault" state. This is a rift between a husband and wife.

Sheila Carlisle: Your Honor, he's telling you things you already know. I'd ask that he respect the robe and value your time.

Judge Natalie Brown: You're the one taking my time, Counsel, with this untenable claim.

Sheila Carlisle: The restatement of torts recognizes a valid claim against one who by extreme and outrageous conduct intentionally or recklessly causes severe emotional distress to another.

Sheila Carlisle turns to glare at Nancy Huff and Richard Ward, then back to Judge Natalie Brown.

Sheila Carlisle: There is no immunity for married people. No exception for domestic disputes.

Atty. George Collins: Your Honor, the court of law is a hallowed forum to litigate serious legal-judicial disputes.

Sheila Carlisle: Oh, yes—the "Hallowed Forum" Defense. Oprah was sued for criticizing meat. McDonald's was sued and lost for serving coffee that was too hot. The "Hallowed Forum" entertains any claim that is valid, as is the one that is before you today.

Judge Natalie Brown: All right. The TRO nonsense is dismissed. On the underlying claim, I want to hear from Mr. Huff.

Atty. George Collins: Your Honor!

Judge Natalie Brown: You're asking me to throw this out, Counsel. I want to conduct a short evidentiary hearing before I do so. Two o'clock.

Both Sheila Carlisle and Atty. George Collins nod, turn and walk back to their respective tables.

Sheila Carlisle: Well, progress. Breathe life's juice; don't let it go.

Sheila Carlisle picks up her belongings and exits, Tara Wilson and Roland Huff behind her.

Juvenile Hall—Consult Room

Emma Stanfield: He didn't tell me about you.

Alan Shore: Well, maybe he didn't even know I'd be coming. Maybe he thought it would be Ellenor or Jamie who I work with. **lowers his voice** Emma, I know about the little plan, and may I say I admire you? What a wonderful daughter you must be to protect your dad like this. You're a true hero. But now, in preparation for your dad to protect you, we have to get our statements exactly right to protect you both against perjury. **slides a paper out of his briefcase** So, here's your dad's statement, and I need you to look it over, and tell me how it's going to compare to yours.

A.D.A. Mark Campbell's Office

A.D.A. Mark Campbell: Did you trick this girl?

Alan Shore: I persuaded her to tell the truth. I might have used a little trickery. And this is *my* statement. It's hearsay, since Mr. Stanfield didn't confess to me directly, but I think you'll find that . . .

A.D.A. Mark Campbell: Hold on just a second, would you, please? This would be privileged.

Alan Shore nods.

A.D.A. Mark Campbell: Y—you're a member of Miss Frutt's firm? Anything she told you . . .

Alan Shore: I haven't even gotten to the good part. Since Mr. Stanfield accomplished his mistrial through fraud, double jeopardy does not attach. You can try him all over again on double murder, and this time, you'll have my testimony.

A.D.A. Mark Campbell: Mr. Shore, I will give you the opportunity to take this all back because . . .

Alan Shore: It's not going to happen.

A.D.A. Mark Campbell: I have no choice but to report you to the bar.

Alan Shore: nodding That's fine. **gesturing** But you will use this.

A.D.A. Mark Campbell: You'll probably lose your license.

Alan Shore: nodding I've always wanted to farm apples. Cortlands, not Macintosh—they make for a much tarter crisp. There's a little girl in a juvenile facility, Mr. Campbell. Send for her, then send for Mr. Stanfield. Then you can have the bar send for me. **turns; exits**

The Practice—Common Office Area

Eugene Young, Ellenor Frutt, Jimmy Berluti and Jamie Stringer are watching TV; all look surprised by the news.

Reporter (TV): as we watch footage of Brad Stanfield being arrested by two police officers In a stunning development, we've now learned Brad Stanfield has been re-arrested for the murder of his wife and unborn son. Sources say Mr. Stanfield's own lawyers provided information leading to the arrest.

Eugene Young looks questioningly at Ellenor Frutt.

Ellenor Frutt: I did nothing. I swear.

Reporter (TV): The defendant is scheduled be arraigned at two-thirty. You may remember, earlier charges against Brad Stanfield were dismissed by the prosecution.

Eugene Young: Jamie?

Jamie Stringer: I didn't say anything.

Alan Shore: entering, cheerfully Hello! Did I miss something interesting?

Ellenor Frutt: Alan, did you talk to the D.A. about Stanfield?

Alan Shore: I might've mentioned he confessed.

Eugene Young: steps forward, now nose-to-nose with Alan Shore Please come to my office. **walks to his office**

Eugene Young's Office

Alan Shore slowly follows Eugene Young into his office.

Eugene Young: You don't really know me, Mr. Shore.

Alan Shore: *stepping forward slowly toward Eugene Young* Eugene, I know you don't want me here. And now I've given you a perfect reason to fire me. Ellenor would certainly understand. I would appreciate the courtesy of my discharge being a reflective decision, however. So, if you could at least wait until your anger subsides, I'd be grateful. *walks out, closing the door behind him*

Courthouse Conference Room

Roland Huff is sitting at the table, looking sad and worried.

Tara Wilson: *whispering to Sheila Carlisle* He's not looking well at all.

Sheila Carlisle and Tara Wilson walk to the table, and sit in chairs facing Roland Huff.

Sheila Carlisle: *putting her hand on Roland Huff's arm* What's going on, Roland?

Roland Huff: I wasn't prepared for seeing them like that. How it'd make me feel. I don't know if I can testify in some big public thing. I—I don't know.

Sheila Carlisle: Take my hand, Roland. *holds his hand*

Roland Huff: *looking at Tara Wilson* I—I just don't like the way I'm feeling.

Sheila Carlisle: Why don't you just speak directly to me. Tell me your story. Pretend I'm the only one in the room.

Roland Huff: Seeing the two of them sitting together like that. *shakes his head*

Sheila Carlisle: I'll tell you what. You just look at me. Tell me your story.

Judge Natalie Brown's Courtroom

Roland Huff: *in the witness seat* I think the worst part was, I thought everything was wonderful.

Sheila Carlisle: Were you two having sexual relations?

Roland Huff: No. 'Cause she . . . *trails off as he looks at Nancy Huff and Richard Ward*

Sheila Carlisle: Roland? Look at me, please.

Roland Huff: She said she couldn't have sex because she had a fibroid condition, and I accepted it.

Sheila Carlisle: How did you learn of your wife's affair with Mr. Ward?

Roland Huff: Came home from work early one day; tried to surprise her. I had a plan—I was going to take her out to dinner. And when I got home, I saw Richard's car parked out in front. I didn't think anything of it. He comes over all the time. He's my best friend. I figured he came over to borrow something. I went in and I heard music coming from upstairs. Actually, it was my very, very favorite song: Peppermint Twist. And so, I headed up. Other sounds got louder as I got closer and when I went in, I saw 'em—Richard and my wife were having intercourse in my house, in my bed.

Sheila Carlisle: And then what happened?

Roland Huff: Well, they looked at me, they stopped, and they started up again.

Sheila Carlisle: Right there, with you in the room.

Roland Huff: *nodding* Yes. Yes. They didn't even have the decency to stop.

Judge Natalie Brown, Sheila Carlisle and Tara Wilson look very sympathetically at Roland Huff.

Judge Warren West's Courtroom

Atty. King: Anything said to Mr. Shore by the other lawyers would be an extension of privilege.

A.D.A. Mark Campbell: This was not state action, your Honor. Any breach committed by Mr. Shore is actionable against Mr. Shore civilly. We should not, however, be banned from using the information.

Atty. King: This would violate every principle of fairness for my client to be re-tried.

Judge Warren West: Counsel, if this information is true, your client conspired to let his ten-year-old daughter take the fall for a double murder he committed. I don't think you mean to play the fairness card. I see Attorneys Frutt and Stringer. I'll see you and counsel in chambers—now. Mr. Stanfield, you'll stay in custody.

Brad Stanfield, a murderously hateful look on his face, watches Ellenor Frutt and Jamie Stringer follow Judge Warren West and counsel to chambers.

Judge Warren West's Chambers

The attorneys file in behind Judge Warren West, who closes the door, and turns to Ellenor Frutt.

Judge Warren West: Does Mr. Shore report the facts correctly?

Ellenor Frutt: Privilege prevents me from either confirming or denying Mr. Shore's allegations.

Judge Warren West: Ms. Frutt, we have a serious problem here. If that little girl took the stand and decided on her own to lie, then double jeopardy attaches, and Mr. Stanfield goes free. If *he* conspired to commit the fraud, however, double jeopardy does not attach, and he can be re-tried.

Ellenor Frutt: We understand that, your Honor, but . . .

Judge Warren West: You stepped outside your role as advocates, and stood before me as officers of the court!

Ellenor Frutt: Which we deeply regret.

Judge Warren West: I am not interested in remorse.

Atty. King: Your Honor . . .

Judge Warren West: I'm not speaking to you, Mr. King. Without asking you to reveal privilege, I would like you to either confirm or deny to me what you said to me as officers of the court.

Ellenor Frutt: All I will say: We believed our representations to be true. Whether we continue to believe them to be true, privilege prevents us from saying.

Judge Warren West: Mr. King, it is my finding: the mistrial was procured by fraud. Double jeopardy will, therefore, not attach. Your client will be re-tried. Mr. Campbell, get the girl out of jail. Ms. Frutt, tell Mr. Shore that I am recommending him for immediate disbarment.

Courthouse Conference Room

Roland Huff: **pacing** Why does she get to testify? I mean, why—why does she get to tell *her* story?

Sheila Carlisle: It's a good sign that the judge wants to hear from her, Roland. It means they're considering our case.

Roland Huff: You know, I don't even know if I want to do this anymore. I thought it would make me feel better, but it's only makin' me feel worse. I—I'm getting very angry feelings, and I don't like it when I feel this way!

Sheila Carlisle: Big breath, just . . .

Roland Huff: I don't want to suck life's juice.

Tara Wilson: Roland, I think that you wanted to do this because you felt victimized. And that could be what's been making you feel angry. Now, you can certainly quit now, but it might end up making you feel even more angry.

Roland Huff hangs his head and nods.

The Practice—Common Office Area

Jimmy Berluti is working, when Ellenor Frutt enters.

Ellenor Frutt: Alan? You betrayed me.

Alan Shore: Did I? Sorry.

Ellenor Frutt: Don't be flip. I came to you in distress, in confidence, because I had a problem that I . . .

Alan Shore: Which I shared. You couldn't live with a child being falsely imprisoned; neither could I.

Ellenor Frutt: You should have come to me.

Alan Shore: In which case, you might be facing disbarment. Perhaps you could say, "Thanks for the insulation."

Jimmy Berluti: **holding up a hand—stop!** But you didn't insulate her. What you did goes to this firm—our reputation, and it's damaged.

Alan Shore: You're right, Jimmy. I'm sorry. How 'bout a hug?

Jimmy Berluti: I'm gonna pop this guy, I swear. I'm just gonna hit him.

Ellenor Frutt: Aw, stop this, guys. This is serious.

Eugene Young: What time's the hearing before the Bar?

Alan Shore: Ten a.m.

Eugene Young: Have you retained counsel?

Alan Shore: I'll represent myself.

Eugene Young: And what are you going to say?

Alan Shore: Exactly what I feel at the moment.

Eugene Young: Your conduct speaks to the integrity of this firm. You need to "get" that.

Alan Shore: Got it.

Judge Natalie Brown's Courtroom

Nancy Huff: I'm not proud of it, but I fell in love. It happens, sometimes, in marriage. People have affairs. I'm sorry I hurt Roland, and, of course, my children, but I fell in love.

Atty. George Collins: But when Roland came into the room, did you really continue to have relations?

Nancy Huff: You know, I don't really don't believe we did, but . . . this is embarrassing to talk about, but when you're about to climax, you're not completely in control of your faculties. All I can say . . . I never meant to hurt Roland. He's a dear man. I love him. I just . . .

Sheila Carlisle: Fell in love. Quickly, I might add. After about a year of being married to this man, . . . **points to Roland Huff** . . . having children, you were having an affair with his best friend.

Nancy Huff: Yes.

Sheila Carlisle: Best friend?

Nancy Huff: Yes.

Sheila Carlisle: Why not get a divorce? Why have children, if you were in love with somebody else?

Nancy Huff: That was probably not a wise decision, but . . .

Sheila Carlisle: You made it when you were about to climax.

Atty. George Collins: Objection!

Sheila Carlisle: Getting a divorce would have cost you a lot of money, right, Nance? Roland had lots; you had . . . **holds up her hand, making a “zero” sign with her thumb and index finger** . . . none, and the best man was unemployed.

Nancy Huff: This was never about money.

Sheila Carlisle: No, simply love, just all about love. Tell me something, Nance, how did you not get caught for six years? Wow! Six years—that’s a really long time to pull off a lie.

Atty. George Collins: Objection!

Judge Natalie Brown looks like she’s enjoying the line of questioning too much to rule on his objections.

Sheila Carlisle: Six years. She screwed his best friend in his bed.

Atty. George Collins: Objection! Your Honor, why are you not ruling on my objections?

Judge Natalie Brown: Oh, all right. Sustained. Dial it back, Ms. Carlisle.

Sheila Carlisle: People fall in love, Nancy. I “get” that. Fall victim to passion. But this? This was six years of careful planning to avoid detection. This was reflective, orchestrated, premeditated deceit. Don’t you dare clump that under the banner of love! This was evil. You are an evil person.

Atty. George Collins: Objection.

Sheila Carlisle: Your Honor, God would like to apologize to the court. She says she’s terribly over-extended, and sometimes, when she’s spread too thin, people like Nancy happen.

Sheila Carlisle and Nancy Huff stare at each other; Sheila Carlisle walks back to the table, sits down, and squeezes Roland Huff’s hand. Tara Wilson looks very worried.

The Practice—Common Office Area

Ellenor Frutt: He wants to see me?

Tara Wilson: And only you.

Eugene Young: What’s going on?

Ellenor Frutt: Brad Stanfield asked to see me.

Eugene Young: You . . . you can’t. I mean, he’s represented by counsel, and . . .

Tara Wilson: Well, he waived it.

Alan Shore walks in.

Tara Wilson: Sheila, Judge Brown’s office called. She’s ruling at ten.

Sheila Carlisle: Okay. **waves happily at Alan Shore from her desk**

Alan Shore: **waving back and smiling** How’s she doing?

Tara Wilson: Fabulous. Only she got a little religious at the end of her cross.

Alan Shore: Nuts-religious or just . . .

Tara Wilson: I couldn’t tell.

Judge Natalie Brown’s Courtroom

Judge Natalie Brown: The problem with this lawsuit: Every husband will start suing his ex-wife as a way to circumvent alimony. We may get to the point where husbands even entrap their wives into having affairs, so they can avoid losing their houses. This is why we have “no-fault,” why the court doesn’t even want to go there, asking who’s to blame. However, divorce law should not be used to shield a person when he engages in egregious, outrageous conduct to the emotional detriment of others. Six years with his best friend? **shakes her head** Ms. Huff! I’m sorry. A jury might throw this out, but I won’t. The motion to dismiss is denied.

Courthouse Hallway

Roland Huff: I don’t believe it.

Sheila Carlisle: We’ve got a long way to go. We have three months minimum on discovery, you’ve got to decide if you want to settle, but the leverage is ours, Roland.

Nancy Huff: You think you’ve won, Roland.

Tara Wilson: You’re represented by counsel, Ms . . .

Nancy Huff: I don’t care. Drop this now, Roland, or you’ll lose the kids.

Sheila Carlisle: I don’t think that’s your call, Nance.

Nancy Huff: You think you know everything?

Sheila Carlisle: Certainly not; just a little more than most.

Nancy Huff: Little news flash, Roland: The kids aren't yours. They're Richard's.

Richard Ward: Nancy!

Roland Huff: What?

Nancy Huff: Yeah. So drop this case, Roland, or you'll never see 'em again.

Roland Huff looks very shocked, at Richard Ward.

Richard Ward: It wasn't a master plan, Roland. It—it just happened.

Nancy Huff: Didn't you even wonder why they don't look like you? Not even slightly.

Sheila Carlisle: All right. Talk time's over.

Nancy Huff: **points at Sheila Carlisle** You're not looking so smug anymore. **walking away** Come on, Richard.

Roland Huff rubs his head, having difficulties wrapping his mind around this information.

Sheila Carlisle: **reaches out to Roland Huff to touch him** All right. I want you to drop by the office, Roland, and we will figure out your legal options. Tara: Want you to do some research.

Tara Wilson: Done.

Sheila Carlisle: Roland: Look at me. I told you in the beginning, I'd take care of you, and I will.

Allan's Hearing Before the Bar

Judge Tyler Flynn: You turned in your own client?

Alan Shore: I did.

Judge Tyler Flynn: Do you have any defense?

Alan Shore: No.

Judge Kelly White: That's all you have to say to us? No?

Alan Shore: Well, I thought if I save time, you might go easier.

Judge Tyler Flynn: Mr. Shore, if you find this amusing . . .

Alan Shore: I find it preposterous, your Honor. A ten-year-old girl climbs into the witness chair to declare herself the killer—the daughter of the defendant. What happens? The judge says mistrial. The child goes to jail and the only thing horrifying you is that I revealed the double murderer's secret.

Judge Tyler Flynn: Yes, Mr. Shore. Because privilege . . .

Alan Shore: Privilege is fundamental to the system. Problem is, Judge, the system is a disaster. We have over ten thousand wrongful convictions . . .

Judge Kelly White: You're not helping yourself.

Alan Shore: And who might you be helping, Judge?

Eugene Young: **arises** Your Honor? May I be heard?

Judge Tyler Flynn: Who are you?

Eugene Young: My name is Eugene Young. Mr. Shore is a member of our firm, and as such, I believe I have standing to address this tribunal.

Judge Tyler Flynn: Mr. Shore was doing so well without you.

Eugene Young: I, like this tribunal, believe lawyer-client privilege to be sacrosanct, and that there could be no greater violation to this process than the breach of that trust. But your Honors, in order for there to be a breach, there has to be an underlying trust to begin with. Here there wasn't. Brad Stanfield lied to Ellenor Frutt and Jamie Stringer. He deceived them for the express purpose of defrauding the court.

Judge Tyler Flynn: The fact that they couldn't trust him doesn't mean that he wasn't trusting them.

Eugene Young: Well, I would submit a fiduciary relationship has to be somewhat mutual. Beyond that, Alan Shore had the legal right to reveal Mr. Stanfield's secret.

Judge Tyler Flynn: And how do you get that?

Eugene Young: **pulling papers out of a file folder on the table beside him** Well, directing the court's attention to the rules of professional conduct. **distributing copies of the document to each of the three judges** Rule Number One Point Six B One. In one state in this country, a lawyer may break client privilege to prevent the wrongful incarceration of another. That state is Massachusetts.

Judge Tyler Flynn: Mr. Young, that is an obscure exception, which to my knowledge has never been relied upon ever . . .

Eugene Young: But, it's there. It is written. The fact that Mr. Shore's the first to invoke it does not undermine its validity. Technically, Alan Shore acted legally. And moreover, your Honor, he acted morally. He did the right thing. The three of you speak of prioritizing trust. Wh—what about the public trust in our profession? What about the erosion of respect for who and what we are? Alan Shore is an honorable man. He saw an unspeakable wrong—a child imprisoned for something she didn't commit—and he acted to right it. He acted within both the technical bounds of the law and the moral bounds of decency. Accordingly, he should neither be

suspended nor expelled from practice, because he is just. He is just. And your Honors, you need to reach into yourselves like Alan Shore did, and do what is right. **exits**

Jailhouse Consult Room

Ellenor Frutt enters; Bradley Stanfield is already in the room, awaiting her arrival.

Bradley Stanfield: Sure the whole town's applauding for you right now. Probably want to buy you a—a gold watch or something like that.

Ellenor Frutt: I didn't rat you out, Brad. Neither did Jamie. It was another lawyer in our firm.

Bradley Stanfield: Are you tellin' me you had nothing to do with this?

Ellenor Frutt: Oh, I would love to claim I did. I wish I had the courage to throw away my career, but somebody else did the dirty work for me. You're a fan of dirty work, aren't you?

Bradley Stanfield: I'm glad you're enjoying this.

Ellenor Frutt: I am.

Bradley Stanfield: But you need to remember two things, Ellenor. First, I will walk away from the second trial, just like I walked away from the first.

Ellenor Frutt: **somewhat mockingly** Because you make such a favorable impression. People like you.

Bradley Stanfield: And second, when I do walk away, I'll be looking you up.

Ellenor Frutt: Is that a threat?

Bradley Stanfield: Of course not! I don't believe you had nothing to do with this, Ellenor. I'm in here now, but I won't be for long.

Ellenor Frutt: Keep talking. I am free to repeat it all.

Bradley Stanfield: We're in each other's lives, Ellenor. And the story's just beginning.

The Practice—Conference Room

Sheila Carlisle: **putting a hand on Roland Huff's arm** We've done some research, and it's not the end of the world.

Roland Huff: **pulling his arm away from her, and pounding the table with his other hand** Don't handle me!

Tara Wilson: Even if they're not your biological children, they are still yours. Any child born into a marriage is presumed . . .

Roland Huff: I wanna hurt her now.

Tara Wilson: **sighs** Roland, I need you to listen to me. She can't take away your kids. Even if they are Richard's biologically, legally we still think that they're yours. There are estoppel arguments to be made against Richard, and under current adoption laws . . . Is he listening to me? I don't think he's listening to me.

Sheila Carlisle: We're going to win this lawsuit, Roland. We're going to try to get you full custody. This is going to backfire on them.

Roland Huff: Promise me that. Please, promise.

Tara Wilson: We can't promise, Roland, but . . .

Sheila Carlisle: Yes, we can. I promise, Roland. I'll win this for you.

Alan Shore's Disbarment Hearing

Judge Kelly White: We are not persuaded that Mr. Shore did the moral thing when he blatantly broke privilege. We don't think that he was just at all when he betrayed his own client. Mr. Shore, in our view, you have offended the very essence of what it means to be a criminal defense attorney, but, technically, under Rule One Point Six B One, a rule which you probably weren't aware of . . . were you?

Alan Shore: Absolutely. I read it twice.

Judge Kelly White: Under this obscure provision, which will undoubtedly be erased now that someone has actually invoked it, you're covered. We don't have the grounds to suspend you, however much we might like to. We deeply hope that you will give us another chance soon. We're adjourned. **bangs gavel**

Eugene Young: What do you know?

Alan Shore: **rising, turning to Eugene Young, and buttoning his jacket** Eugene, thank you.

Eugene Young: I did it for the firm. Don't mistake it for affection.

Alan Shore: Yes. **holds out his hand to shake Eugene Young's hand** Thank you.

Eugene Young relents and shakes Alan Shore's hand, then turns and walks out.

Roland Huff's Home

Roland Huff is rocking in his chair, staring glassy-eyed into space, as we hear the doorbell ringing repetitively, and Tara Wilson knocking frantically at the door.

Tara Wilson: Roland!

More knocking and ringing.

Sheila Carlisle: Roland?

Roland Huff rises from the chair, and walks—almost as if sleepwalking—to the door and opens it, to find Tara Wilson and Sheila Carlisle on the porch.

Tara Wilson: **smiling** Roland. What's going on? Are you all right?

Roland Huff: Bedroom. I think I need a lawyer.

Sheila Carlisle: Bedroom?

Roland Huff: **nodding** I need a lawyer. I need help.

Sheila Carlisle: Let's go. Come on.

Tara Wilson and Sheila Carlisle walk up a flight of stairs, then through the upstairs hallway to a bedroom door that is standing ajar. They hear "Peppermint Twist" playing in the background. When they open the door, Tara Wilson looks shocked and nauseated at the scene in the bedroom, while Sheila Carlisle stares glassy-eyed at it, stepping closer as:

Sheila Carlisle: Mary, Mother of God. Our Father Who art in Heaven, hallowed be Thy Name. Thy Kingdom come, Thy Will be done. Lead us not into temptation. Deliver us from evil. For Thine is the Kingdom, and the Power, and the Glory, forever. Amen.

[To be continued . . .]