

Boston Legal
From Whence We Came
Season 1, Episode 12
Written by David E. Kelley
© 2005 David E. Kelley Productions. All Rights Reserved.
Broadcast: January 16, 2005
Transcribed by Imamesh of JSMP for JSMP and Boston-Legal.org

At Crane, Poole and Schmidt, Paul Lewiston and Shirley Schmidt are in the conference room.

Shirley Schmidt: How bad is he?

Paul Lewiston: He's intermittently brilliant and nonsensically, often at the same time.

Shirley Schmidt: Then he's technically still in charge of litigation?

Paul Lewiston: Which is the reason I called you back. He is an enormous rainmaker, Shirley. And yet...

Denny Crane: **He comes in and sits down.** Lock and load. **He looks around the table.** Where is everybody?

Paul Lewiston: This is an administrative meeting, Denny.

Denny Crane: Oh! What the hell am I doing here? **He gets up to leave.**

Shirley Schmidt: Remember the good ole days when you liked to know what was going on? When you could go from your office to the elevator without a roadmap?

Denny Crane: Didn't need a roadmap to find my way around your body, did I, Shirley?

Shirley Schmidt: I wouldn't know. I was usually asleep.

Denny Crane: I once had her... and Streisand... at the same time. Remember that?

Shirley Schmidt: Hahhh, I do Denny. Ha ha. And not to burst your bubble but that was a female impersonator. Perhaps the penis might have been your cue.

Denny Crane: That wasn't Barbara Streisand?

Sally Heep: **She comes in.** You wanted to see me?

Shirley Schmidt: Yes, Sally, bad news. We lost the summary judgment motion on Witchell. Have a seat.

Sally Heep: We lost?

Shirley Schmidt: The judge held that the magazine, while possibly negligent, wasn't guilty of reckless disregard for the truth.

Sally Heep: So, we could prevail under negligence.

Shirley Schmidt: We could. If only we'd thought to plead negligence. **She reads from a paper in front of her.** Count one, intentional inflection of emotional distress. Count two, reckless disregard for the truth. **She looks up.** Ah, here's where there should have been a third count alleging negligence. There is no third count alleging negligence.

Sally Heep: In, in the supporting memoranda we have pages on negligence.

Shirley Schmidt: But you didn't plead it.

Sally Heep: So we just file a motion to amend.

Shirley Schmidt: That deadline lapsed.

Sally Heep: Ah, this is... this is obviously an oversight. The defendant had constructive notice, we can appeal this. I'll get right on it.

Shirley Schmidt: I have taken the liberty of reviewing some of your other work, Sally. You're a very good lawyer. But not, good enough we're letting you go.

Sally Heep: You're firing me?

Shirley Schmidt: I'm sorry.

Sally Heep: I have done a lot of good work here.

Shirley Schmidt: Yes, you have. And any number of law firms would be happy to have you. This one unfortunately just doesn't happen to be one of them.

Sally Heep: **To Denny.** Are you in on this?

Denny Crane: Am, am, am I in on this?

Shirley Schmidt: It was my decision. Paul and Denny still remain strong supporters. We're streamlining a little and I have to make some tough calls. I'm sorry.

Sally Heep: How can you come in here, and in one week, fire someone you don't even know?

Shirley Schmidt: I'm Schmidt.

At Crane, Poole and Schmidt, Nora Jacobs is walking down the corridor. She passes Alan Shore.

Alan Shore: Nora, outstanding. I give it a three.

Nora Jacobs: Thank you?

Back in the conference room with Paul, Shirley and Denny.

Nora Jacobs: **She comes in.** Mr Crane? A Mr Walter Fife is in your office. He says it's quite important.

Denny Crane: Oh, thank you. May I ask? Do I know you?

Nora Jacobs: I'm Alan Shore's assistant. Mr Fife came to our office when he couldn't find you. I escorted him back to your office.

Denny Crane: Excellent. I'll be right there.

Nora leaves. Denny beams smugly.

Shirley Schmidt: You're waiting for me to tell you where your office is, aren't you?

Denny Crane: No. I wanna to see the look on your face when you realize, they still come through that door looking for one man to solve their problems, they don't come barging in looking for Paul, or you. Only one man.

Shirley Schmidt: Allow me. **She gets up and leans toward his ear and whispers.** Denny Crane.

Denny Crane: **He gasps.** She can still pump my chubby.

At Crane, Poole and Schmidt, Shirley is walking in the corridor. As she walks around a corner, Nora is waiting for her.

Nora Jacobs: Mrs Schmidt.

Shirley Schmidt: My mother is Mrs Schmidt, you can call me Schmidt.

Nora Jacobs: I know you're a very busy person, but if I could steal one minute of your busy time.

Shirley Schmidt: Regarding?

Nora Jacobs: It's a little personal.

Shirley Schmidt: Ten o'clock.

At Crane, Poole and Schmidt, in Denny's office. Walter Fife is with Denny.

Walter Fife: They didn't just sue the School Board, they sued me personally, which I regard as punitive.

Denny Crane: Walter, I can assure you their Cause of Action is totally baseless.

Walter Fife: I haven't even told you what it is yet.

Denny Crane: I...

Shirley Schmidt: **She comes in.** Hi! Shirley Schmidt.

Denny Crane: This is Walter Fife. He's superintendent of Middle Sect School District. He's being sued. What'd you do? Little, touchy feely with a student?

Walter Fife: What? God no! What, what kind of question is that?

Denny Crane: Oh lighten up. Let's all sit. Shirley here is a senior partner, so you're in good hands, you got both Shirley and umh...

Shirley Schmidt: You!

Denny Crane: Me! Right. Good. Okay. Now. Look. I'm gonna ask you something. It's gonna be a question. And I want a direct answer. No matter how difficult.

Walter Fife: Okay.

Denny Crane: Why... Walter... are you being sued?

Walter looks at Shirley.

Shirley Schmidt: You promised you'd answer.

Walter Fife: The School Board voted to include Creationism along with Darwinism in the eighth grade Science curriculum. The teachers refused, I terminated their employment. They sued.

Denny Crane: Massachusetts is a blue state. God has no place here.

Walter Fife: I, I'm not sure you're really the lawyer for this particular...

Shirley Schmidt: We have many attorneys, well equipped to han...

Denny Crane: Nonsense. I've been practicing law for 45 years. Never lost a single case.

Walter Fife: You've never lost?

Denny Crane: My record is six thousand and forty-three to O. You hear the one about the fellow who died, went to the Pearly Gates, St Peter let him in, sees a guy in suit making a closing arguments. Says, "Who's that?" St Peter says, "Ohhh, that God. Thinks he's Denny Crane." Ha, ha, ha, ha! I'm your boy Walter. Never lost. Never will.

At Crane, Poole and Schmidt, Lori Colson, Brad Chase and Tara Wilson are in the lounge.

Lori Colson: Did she give you a reason?

Sally Heep: Just that my work didn't cut it. I mean my reviews have all been good. Plus, I mean it's not like they've given me very much to do. The Witchell case was really the first one they let me run with.

Brad Chase: And... you forgot to plead negligence. **Lori gives him a look.** Sorry.

Lori Colson: Let me talk to her. See if there's another story.

Sally Heep: : I mean, is this woman like some sort of psycho witch or something?

Lori Colson: Actually no she's extremely nice.

Brad Chase: We all know she was sent to shake the tree. Looks like it's already begun.

Tara Wilson: I wonder who's next?

Shirley Schmidt: **She comes in.** Lori? Can I steal you for a second?

Lori Colson: Sure. **She leaves to follow Shirley.**

Tara Wilson: Dibs on her office.

Lori Colson: **She turns back to give Tara a look, then walks down the corridor with Shirley.** I just heard about Sally. I think you're making a mistake.

Shirley Schmidt: I didn't ask.

Lori Colson: Which surprises me actually. You and I are friends. I've worked with Sally.

Shirley Schmidt: And being loyal to her, you'd possibly be neither objective nor candid.

Lori Colson: Even so...

Shirley Schmidt: In either event I didn't ask. **Lori wants to say more, but doesn't.** We just got a new case. Big client. Middle Sect School District. Denny's in charge. Which is fine, as long as he doesn't speak. I need you to take over.

Lori Colson: How do I just take over? He'll completely...

Shirley Schmidt: You'll handle him Lori. The way only you can.

Lori Colson: Ah, what's the case?

Shirley Schmidt: It's a variation of the Scope's trial. Three teachers were fired for refusing to teach Creationism. They've sue.

Lori Colson: Sounds like a slam dunk. For them.

Shirley Schmidt: Perhaps. It would take some pretty ingenious lawyering on our part from, not only a gifted attorney, but someone who's an expert in the field.

Lori Colson: Meaning?

Shirley Schmidt: Lori, I know all the skeletons in your closet. Remember? Including that deeply guarded little one that you fear might ruin your intellectual reputation. You go to church.

Nora Jacobs: **She comes to the door and knocks.** Uhm, Schmidt. Is this a good time?

Shirley Schmidt: Yeah. **To Lori.** Conference room? Noon? **Lori nods.** Thank you.

Lori leaves.

Shirley Schmidt: How can I help?

Nora Jacobs: Well. This is very awkward. I'm not even sure you're the right person to come to. But... you're a woman.

Shirley Schmidt: That's very kind.

Nora Jacobs: I work for Alan Shore and in many many ways he's an excellent boss. God knows he isn't boring. But I feel that's he's been inappropriate with me.

Shirley Schmidt: How so?

Nora Jacobs: Well. He compliments my figure daily. And he just kind of does it in a lascivious way. He also ranks my sweaters.

Shirley Schmidt: He ranks your sweaters?

Nora Jacobs: Yes. Which ones he thinks I look best in. This is a three. He asked if he could take one home for the weekend. He told me he has dreams about me.

Shirley Schmidt: What kind of dreams?

Nora Jacobs: All kinds. Ah, once he dreamt that I was just a head. No body, just a head. Everywhere he went he would carry me along, wrapped in a muffler, to keep him company. And every so often I would whisper terrible, dirty things in his ear. Feels a little like harassment.

Shirley Schmidt: You think? Would you like to work for another lawyer?

Nora Jacobs: Well, I'd just like him to stop. I must admit, that, sometimes I've been guilty of playing along with his banter. But...

Shirley Schmidt: I'll take care of it.

Nora Jacobs: Thank you.

Shirley Schmidt: And Nora? Thank you for coming forward with this. I know it was difficult.

At Crane, Poole and Schmidt, in Tara's office the TV is on, and Tara is watching the news.

TV Announcer: We have very little information, other than the victim was in her fifties and that she was bludgeoned to death. It is the second death in a week that has rocked this idealic little street. Just last Friday the victim's next door neighbor died as well, from a head trauma. You may recall the son was briefly held, and then released.

Tara Wilson: **She gasps as her chair is suddenly shoved back to the wall.** What? **Alan Shore comes up from under the desk and stares at the Television.**

TV Announcer: ... not indicated whether these two cases are connected.

Alan Shore: It's Bernie!

Tara Wilson: Who?

Alan Shore: That little skillet-wielding client from last week. He's whacked another one! He promised me he wouldn't? **He leaves.**

Tara Wilson: Does that mean you're... finished?

In Bernard Ferrion's home. There is a knocking on the door.

Bernard Ferrion: **He opens the door.** Alan?

Alan Shore: What have you done?

Bernard Ferrion: There's an awful lot of excitement.

Alan Shore: I saw. Both live, and on the news. You've been flanging again with your frying pan, haven't you, Bernard?

Bernard Ferrion: I never meant for it to happen.

Alan Shore: I am very disappointed! I gave you a terrific speech last week Bernie. Appealing to the kind, inner you. It was wonderful, poignant even, and now you've completely muted it by committing murder again!

Bernard Ferrion: I never meant to kill her.

Alan Shore: Oh, what? You went over there to make an omelet and things go out of hand?

Bernard Ferrion: She knew! She heard an argument between me and mother. She was out there watering her stupid plants. In the winter, for God's sakes. The woman is not right. Or wasn't right. **Alan sighs.** Alan, she said she was gonna call the police. She said what she heard would not be hearsay. She looked it up, she said, because we were arguing, it would, it would qualify as an excited blutterance. Suddenly the skillet was in my hand, and I swung.

Alan Shore: Blutterance isn't even a real word. Much less a defense. You murdered somebody over a fake word!

Bernard Ferrion: I was careful to not leave any evidence. I went over there stealth like... **He moves the curtain aside to look out the window.**

Alan Shore: **He pulls Bernie away from the window.** Oh for God's sake.

Bernard Ferrion: ...I staged a break-in in the back. I dispatched of her, and then I returned. And Alan, I promise you, this will be the very very last one.

Alan Shore: I'm not representing you this time.

Bernard Ferrion: You must! If it comes to that!

Alan Shore: I won't! You've let me down terribly!

Bernard Ferrion: Uh, but... But you said that you stood for the little man. **Alan slams the door as he leaves the house.** I'm little!

At Crane, Poole and Schmidt, Walter, Lori, Denny and Shirley are in the conference room.

Lori Colson: The best thing I feel would be to go for an immediate declaratory judgment. The last thing we want is a trial. This is a hot button issue. The ACLU will be jumping in and that's only the beginning.

Denny Crane: **As Lori continues talking to Walter, Denny turns to Shirley.** Why have I been taken off this case?

Shirley Schmidt: You haven't. You've been relieved of the grunt work because it's beneath you.

Denny Crane: Relieved is a soft word for discharge. I recognize a demotion when I see one. I am the master of the soft discharge.

Shirley Schmidt: You refer again to when we were intimate. Now pay attention and pretend you have a clue.

Lori Colson: We all set?

Denny Crane: Lock and load.

Shirley Schmidt: Let's go.

The get up to leave. Out in the corridor they pass Alan.

Alan Shore: Lori.

Lori Colson: Alan.

Shirley Schmidt: Alan, a second. We have a ... little problem. Seems you've been sexually harassing Nora Jacobs.

Alan Shore: She signed a waiver.

Shirley Schmidt: I'm sorry?

Alan Shore: I make all my female employees sign sexual harassment waivers. Especially the pretty ones.

Shirley Schmidt: I don't think that document would hold up in court. Alan Shore: Oh.

Shirley Schmidt: But regardless, that kind of behavior isn't tolerated at Crane, Poole and Schmidt.

Alan Shore: Which... kind of... behavior? Specifically?

Shirley Schmidt: I think you're smart enough to sense where the line is, Counsel.

Alan Shore: I'm never sure until I cross it.

Shirley Schmidt: She is a subordinate. There is a disparity of power. You will refrain from any sexual advances, verbal or otherwise.

Alan Shore: Shirley? **He sighs.** What about senior partners? There would be nothing wrong with me lusting say after you? Would there?

Shirley Schmidt: Go subscribe to National Geographic. Make a list of the places you'll never get to visit. Add to that list, Schmidt.

At Crane, Poole and Schmidt, Brad and Sally are walking down the corridor.

Brad Chase: Sally, I'll talk to her, but other than that...

Sally Heep: You can pull some strings?

Brad Chase: What about Alan Shore? He's the one that pulls rabbits.

Sally Heep: He's not a partner. You are. Besides I slept with Alan Shore. How objective can he be?

Brad Chase: You also slept with me. Did you ever think that might be part of the problem?

Sally Heep: **She is stunned. She raises her right hand to strike him, he grabs her hand in mid air. She raises her left hand, he grabs it.** That was unfair. Kicking me while I'm down? I guess I should have expected it.

At Crane, Poole and Schmidt, in Alan's office. Bernard is with Alan.

Bernard Ferrion: The police want to question me.

Alan Shore: That's really a stunner, Bernie. They arrested you last week, for whacking your mother. You get off on a technicality. Now? The woman next door turns up dead from a blow to the head. What could possibly make them think of you?

Bernard Ferrion: Should I talk to them?

Alan Shore: I wouldn't! Where you once were convincing? You now are anything but!

Bernard Ferrion: I don't like it when you speak to me in these hurtful tones. I am not an evil person.

Alan Shore: Yes! You are Bernie! You've killed two people inside of a week. By definition that makes you evil. This last killing was premeditated, calculated. You went over there as you said, to dispatch a human being. You're a little bug. And like a little bug, you will one day get stepped on. Now go away. I do not represent evil people. **Bernard is stunned and doesn't move.** I asked you to leave.

Bernard Ferrion: May I say one more thing? You cut me to the quick. I am a bug. My mother would often tell me, I am nothing more than an insignificant little... she used to call me a dung beetle! When I killed her, as she lay on the floor? For the first time I felt alive! I had actually done something! Perhaps a part of me sought to relive that power. But today I, I, I do, I feel evil. I need your help, Alan. The police want to interrogate me. I don't know what to do.

Tara Wilson: **She comes in.** Could I...? Oh! I'm so sorry.

Alan Shore: That's okay. Tara Wilson? Meet Bernard Ferrion. He kills people with cookware. Allegedly of course. Bernie?... Tara! She's your new lawyer.

Bernard Ferrion: No, I'd prefer you.

Alan Shore: No, you can't have me. One reason being. I know too much. If you want this firm to help you, Tara is your lawyer!

Bernard Ferrion: She's very fetching. But, is, she good?

Alan Shore: **He gives Bernard a look, then turns to Tara.** The police wanna talk to him. There's an excellent chance you can avoid the prison term he very much deserves. I must warn you, do not come to care for this man. He will let you down. That's all.

Tara Wilson: Let's go, Mr Ferrion.

Tara and Bernard leave.

Alan Shore: **He presses a button on the intercom.** Nora? When you get a minute.

A few minutes later Nora is sitting across from Alan.

Alan Shore: Why did you feel compelled to speak to Shirley Schmidt? Why didn't you just take it up with me?

Nora Jacobs: I don't know. I suppose... I guess I didn't feel I could hold my own with you. Which I guess, is a part of the problem.

Alan Shore: "Alan, I'm uncomfortable with the banter." You could have said that. You did participate in the banter?

Nora Jacobs: I participated. I of course, wanted to be liked by my boss. But then... it started to go too far.

Alan Shore: And when it went too far? Why not tell me?

Nora Jacobs: I don't know. Because I'd let it go on. I felt maybe I gotten myself in... At the seminars you get the impression that the senior people here are good at dealing with these things. I wanted you to stop. But I still like you, and like working for you, and I was hoping they maybe they had a way to solve the problem without any hurt feelings. **Alan doesn't speak.** So what happens now?

In Judge William Howe's courtroom. Walter is in the witness chair.

Walter Fife: We actually call it Intelligent Design. Basically the idea is, life is so complex, a Greater Power has to be at play.

Lori Colson: The Greater Power being God?

Walter Fife: We're by no means...

Shirley Schmidt: **She looks over at Denny. He's sleeping. Denny?**

Denny wakes up.

Walter Fife: ... shutting down Darwinism or suggesting that evolution is inaccurate.

Lori Colson: Do you believe in evolution, Mr Fife?

Walter Fife: I happen to believe in both God and evolution. I don't think the two have to be mutually exclusive.

Lori Colson: So, why not simply offer the Intelligent Design theory in religion courses? Why Science?

Walter Fife: Well, we thought long and hard about that. But the simple truth is, more and more scientists, scientists, not theologians have said that when you examine the intricacies of the human cell, the mathematical equations of DNA, you simply cannot conclude that it's all explained by natural selection. Another Power has to be at work.

Attorney Daniel Gellman: God?

Walter Fife: Well again, we never mention Him by name.

Attorney Daniel Gellman: You're aware of the separation of Church and State?

Walter Fife: I'm aware.

Denny Crane: **Under his breath, to Shirley.** This is boring crap.

Attorney Daniel Gellman: And you're also aware that the Supreme Court has banned the teaching of Creationism.

Walter Fife: Well. As I said, technically we're not calling it Creationism.

Attorney Daniel Gellman: But you admitted that's what's going on. And Creationism holds that God created the world about 6,000 years ago in 6 days?

Walter Fife: That's not my view.

Attorney Daniel Gellman: But it's a view you're insisting your teachers explain in the Science class?

Walter Fife: As a theory.

Attorney Daniel Gellman: A theory with no Scientific bases other than to say... "Gee, evolution can't account for it all."

At Crane, Poole and Schmidt, Tara is in her office. Bernard is with her. He is wearing helmet.

Tara Wilson: Why the helmet?

Bernard Ferrion: Well it wouldn't be for here. It would be for at home. Well, the thinking being, if there's someone in the neighborhood breaking into houses, whacking people, from behind, on the head, it would make sense for me to wear a helmet. I want to exude innocence, you see.

Tara Wilson: Get rid of the helmet.

Bernard Ferrion: But Ms Wilson, at, at my core, I'm a little man. It would make sense for me to want to protect myself. Right?

Tara Wilson: Get rid of the helmet. You look ridiculous. Now listen to me. The police have asked for a DNA sample, and I'm gonna agree.

Bernard Ferrion: What? Why on earth?

Tara Wilson: Because they could get one with a court order. There's no point in opposing.

Bernard Ferrion: But what about my right to not incriminate myself?

Tara Wilson: Cooperation goes a long way towards exuding innocence, Mr Ferrion. Much better than hockey head gear.

Bernard Ferrion: You know, everyone is speaking to me in hurtful tones and I don't appreciate it. I did kill people. You'd think I'd incur a little shock and awe, if not respect.

Tara Wilson: Is that why you did this? To inspire awe? Alan Shore told me that your mother referred to you as a dung beetle.

Bernard Ferrion: Please don't mention that particular species to me. I don't know what else Alan told you, but, I'm a kind man. I have admittedly committed two heinous acts, but the first was not voluntary, and the second was out of desperation. Not wanting to go to prison where bigger men will have their way with me. Ms Wilson, I need your help. Please be on my side.

At Crane, Poole and Schmidt. Sally is in her office.

Brad Chase: **He comes in.** I'm sorry. That remark was way outta line. Listen, Sally, it didn't help that you were with me a year and a half ago, and then you were with Alan Shore. As gossip, it travels fast. But I have no doubt. None! That you are going to be an exceptional attorney. But... just not here. They're never gonna give you the chance. You need to... remake yourself. Start fresh. You asked me for help, and I'm going to provide it to you in the form of advice. You need to go.

In Judge William Howe's courtroom. Roberta Turner is in the witness chair.

Roberta Turner: At the beginning of the school year we got the word at our teacher's assembly, that moral values would be one of our educational objectives. Which was fine. But to have Evolution bumped for Creationism.

Attorney Daniel Gellman: Well! To be fair, Evolution isn't being displaced. Creationism is just being included.

Roberta Turner: Evolution is a tough subject matter. We cannot cut into what little class time we have to service a political agenda. To teach...

Lori Colson: Objection! This is non-responsive.

Judge William Howe: Please limit your answers to the questions, ma'm.

Attorney Daniel Gellman: Why can't you view Intelligent Design as a Science, Ms Turner?

Roberta Turner: Because! There is simply no scientific data to support it. How are we to maintain any credibility as Science teachers if we say, "Gee! Despite all this data, there's also another possibility." Intelligent Design makes a mockery of Science. If you wanna teach it as religion course? Fine! But as a Science? It's simply preposterous.

At Crane, Poole and Schmidt, in Tara's office. Tara is talking with Detective Willet while a police technician is taking a tongue swab from Bernard.

Detective Willet: I just don't understand why you wouldn't wanna talk. If there's a serial killer loose in his neighborhood...?

Tara Wilson: He'd love to talk. I'm not letting him.

Bernard Ferrion: I'd tell you one thing...

Tara Wilson: Bernard! You people wrongly arrested him last time with no evidence, after his mother recklessly accused him. Now it's clear there is somebody in the neighborhood killing people. You haven't so much as apologized to Mr Ferrion for ruining his good name. Why should we expect any fair treatment from you?

Police Technician: I'm done.

Detective Willet: Once again I'll encourage your client not to leave the jurisdiction.

Bernard Ferrion: Bully boy!

Tara Wilson: Bernard!

The two policemen leave.

Bernard Ferrion: You handled that deftly. So what now?

Tara Wilson: You can go home. If indeed you left no traces behind, and assuming they find no DNA, and with no smoking skillet, you'll likely get away with it once again.

Bernard Ferrion: You're using a judgmental tone.

Tara Wilson: Do you really expect us not to condemn you? You killed two people!

Bernard Ferrion: I expect you to condemn my actions, but, I suppose not me!

Tara Wilson: You can go.

Bernard Ferrion: **He moves to leave then turns back.** How's Alan?

Tara Wilson: Honestly? I think he's hurt. You hear all the time how clients are let down by their lawyers, sometimes it's the attorney who's let down by the client. As silly as it may sound the cynical, jaded Alan Shore gets a bit desperate sometimes to believe in the goodness of mankind. He found, I think, some hope in you. And you crushed it. Like a bug.

At Crane, Poole and Schmidt, in Alan's office, Alan and Nora are sitting on couches.

Nora Jacobs: You're firing me?

Alan Shore: Certainly not. I'd get sued. I'm reassigning you.

Nora Jacobs: If I get put back into the pool that's the same as a demotion.

Alan Shore: Nora, I'm not going to change who I am. I can work on it, but leaps and bounds I'll never make. When I look at women... most women... my mind wanders invariably to sexual fantasy of a board and curious nature, unfettered by moral restraint. I can't help it. I realize this candor could come back to haunt me should you indeed file a claim, but when I look at you I often conger up the most intimate and explicit of distractions. That's not going to change. You are a sexually attractive.... **Shirley comes in and stands at the door.** Beast! Could you excuse us, Shirley? I'm dictating a letter. **Shirley leaves.** I give you my word; you will not get a demotion. **Shirley is right outside the door eavesdropping.** I also offer you my gratitude for making me realize that sometimes women play along and yet never-the-less fell harassed. I suppose it's the callous idiot who can't appreciate that. I apologize for being that idiot. **Nora gets up to leave.** Nora? The next time that someone does something to you that you don't like, be direct. I assure you, you're up to it.

Nora leaves.

Shirley Schmidt: **She comes back in.** That was very eloquent. Thank you.

Alan Shore: You need to get me another secretary, Shirley. Someone more willing to be harassed.

Shirley Schmidt: I'll see what I can do.

In Judge William Howe's courtroom Attorney Daniel Gellman is giving his closing.

Attorney Daniel Gellman: These are bad times for Science your Honor. Especially at the hands of moral values. The government has systematically distorted or worse, suppressed findings by the FDA and EPA when it comes to contraception, stem cell research. AIDS, global warming, pollution...

Judge William Howe: Let's just stick to the case, Counsel, and leave politics out of it.

Attorney Daniel Gellman: This case is all about politics. It's about getting religion back into schools. Creationism is religious doctrine; it is not supported by scientific data. I'm a Christian. My wife is a Jew. We have wonderful debates. And this country, as a whole should be more theologically literate, but it's not Science! What's happening here today is an attack on evolution. It's clever. Let's call it Intelligent Design. Let's not mention God. But, come on! The Supreme Court banned the teaching of Creationism in the public schools. They were right then, they remain right today, and my client's discharge was unlawful, as well in violation of our time honored tradition of separating Church and State. Of course we have a legitimate Cause of Action.

Shirley Schmidt: That was almost Evangelical. The Establishment Clause prohibits the endorsement of, or discrimination against any particular religion. But it was never meant to extinguish the notion of a Higher Power. I certainly believe in evolution. Who here among us, while watching the presidential debates could deny that we all come from monkeys. But, what's so wrong with suggesting, as a possible theory, that a Higher Power might have also played a part? As for Church and State, we go to war over God-given rights to Democracy. Let's face it. God is big here. We love God, and we as a nation have an overwhelming belief He had something to do with the creation of human-kind. But, teach that in a Science class? Perish the thought. Nobody here is trying to squash evolution, and I would agree with Mr Gellman, it isn't good Science to suppress information. But, I would ask the court, who here today is trying to do the squashing?

At Crane, Poole and Schmidt, in Tara's office, Bernard is with Tara.

Bernard Ferrion: I thought if I went to trial it would offer me a chance to clear my name.

Tara Wilson: Clear your name! You... did it!

Bernard Ferrion: But nobody knows that.

Tara Wilson: Have you gone mad? They haven't got any evidence. They can't even arrest you. And you're here asking to go to trial! What is the matter with you?

Bernard Ferrion: The suspense of them building a case! It's just too much to bare! **He sighs.** I'm lonely. All I ever had was my mother and I killed her. The only other person who ever, ever talked to me was my neighbor. Killed her too! How's Alan? I miss him.

Tara Wilson: Bernard? Unless something else happens here, your case is over. Now I can appreciate that you're lonely, but you need to find a life for yourself now.

Bernard Ferrion: But uhm... How do I do that?

Tara Wilson: Bernard? Your case status at the moment, is over.

Bernard Ferrion: Okay. Okay.

At Crane, Poole and Schmidt, in Alan's office, Alan sits down to read some papers.

Catherine Piper: **She comes in.** Alan! Hello!

Alan Shore: Mrs Piper?

Catherine Piper: You remember! Ha, ha, ha. Oh, I always say, "Shake a man's hand with dog poop on your glove, he'll remember you for life."

Alan Shore: I remember you because I trick-or-treated at you house.

Catherine Piper: How are you dear? You don't look well.

Alan Shore: What are you doing here?

Catherine Piper: I'm applying for the position of your secretary of course. I heard what happened to the last one, and I must say, your problem... most people aren't able to see that beneath your slick and sensitive exterior, deep down you really are douche bag. I get that, Alan. You'd have no misunderstanding with me.

Bernard Ferrion: **He comes in.** Mr Shore?

Catherine Piper: My, my! What an adorable little man. Are you a midget, Dear?

Bernard Ferrion: I uh, I just wanna say that I am deeply sorry. And I assure you that I'm gonna try to live up to all the potential that you saw in me as a human being. I give you my word. **He leaves.**

Catherine Piper: Well, that was sweet. So? Do I get the job?

In Judge William Howe's courtroom

Judge William Howe: Nobody, is more frightened than I am of the Religious Right getting a strangle hold on our values.

Lori Colson: **Under her breath.** This is the part where we get spanked.

Judge William Howe: It seems as long as you do it in the name of the Almighty, one is free to abandon not only common sense and Science, but also the facts. But I am also concerned about a secular society squeezing faith out of our lives. We've all witnessed the ridiculous lawsuits to stop Nativity scenes at Christmas, to take God out of the Pledge of Allegiance. God has always been a part of who and what we are as a nation. On our currency it reads, 'In God we trust.' The Declaration of Independence speaks of God. How we are created, endowed by our creator it references our Supreme Judge of the world and Divine Providence, God. And I'm sorry, anybody who has ever held a new born child in his hands must make room for the chance that a Higher Power exists. And it shouldn't offend you west Scientists to say, "Hey! We just don't know." I find the decision to include Intelligent Design along with evolution into the Science curriculum does not violate the establishment cause of the First Amendment. I'm ruling in favor of the defendant. This lawsuit is dismissed. **He pounds his gavel.**

Shirley Schmidt: Oh boy!

Denny Crane: Was it interesting? I didn't listen to a word.

Walter Fife: Thank you. Thank you, both.

Lori Colson: Good luck Mr Fife. Oh, what's the expression?

Walter Fife: Go with God.

At Crane, Poole and Schmidt, Sally is in her office.

Brad Chase: **He comes in.** So when are your leaving?

Sally Heep: Is there a big rush?

Brad Chase: I didn't mean it like that.

Sally Heep: I'm leaving now. Tonight.

Brad Chase: You know for what it's worth, Shirley can be very draconian, and when she makes up her mind it's not...

Sally Heep: I, I have nothing against Shirley. In fact she didn't even really hurt me, Shirley doesn't know me. You do. Lori does. Alan does. A lot of people, none of whom took issue with Shirley. The silent majority has spoken, Brad. With a resounding roar. Every knock is a boost. I'm gonna cling to that and a few other clichés for a while, and then, you'll all see me again. In court, across the deposition table, you'll all see me again. That's a promise.

At Crane, Poole and Schmidt, Alan is in his office, Tara is with him. Through an interior window looking to the outer office Alan observes Sally hugging and saying goodbye to someone.

Tara Wilson: He's just so profoundly lonely. **Alan looks at her.** Bernard.

Alan Shore: He came to apologize.

Tara Wilson: I actually think that he wanted to get arrested because he's so starved for attention.

Alan Shore: **He is still watching Sally make her goodbyes.** I hate this job.

Tara Wilson: Well. you warned me not to care for him.

Alan Shore: Tara don't. Do not let yourself.

Tara Wilson: Well it's over now. He's gone, what's done is done.

Alan Shore: It's not over, that's the problem.

Tara Wilson: What do you mean?

Alan Shore: He'll kill again.

Tara Wilson: Huh. What! Did he say that?

Alan Shore: No. But I just get the feeling. He'll kill again.

At Crane, Poole and Schmidt, Shirley is out on the balcony, Lori joins her.

Lori Colson: What are you doing out here?

Shirley Schmidt: Just looking at the city. Still trying to fathom that...

Lori Colson: The Red Sox won?

Shirley Schmidt: Ha. What's this?

Lori Colson: The boys do it. Thought we'd give it a try.

Shirley Schmidt: You wanna smoke cigars?

Lori Colson: Uh hum. The passing of the torch, from the boys club, to us!

Shirley Schmidt: Well, I'll smoke to that. **Lori lights Shirley's cigar. She takes a few puffs.** Ugh! Awful!

Lori Colson: Here, let me try.

Shirley Schmidt: Ugh!

Lori Colson: **She takes a puff.** That's terrible!

Shirley Schmidt: He-he. Well! This makes it official. We've evolved more than they have.

Lori Colson: Is it a good thing we won today?

Shirley Schmidt: I don't know.

Lori Colson: You believe in a Higher Power, right? It wasn't just advocacy in that room.

Shirley Schmidt: With what's going on the world, I need to believe. But...

Lori Colson: But what?

Shirley Schmidt: God forbid, the next court says it's okay to ban evolution from the schools.

Lori Colson: Yeah. God forbid.