

Philadelphia – Selected Scenes in Roughly Chronological Order
Visit www.cjcpga.org/ppm20/ for the CLE Evaluation and Written Materials

1. In the Judge's Chambers – dust – innocuous or toxic? (Posturing and Hyperbole)
2. [Andy is at the office at 10:15 pm working on a couple of computers].

Bob: Andy, am I interrupting you.

Andy: In a word, Bob. . . .

Bob: Charles wants to see you upstairs. . . .

[And much later in the movie] You don't bring your personal life into a law firm.
You are not supposed to have a personal life.

3. [Meeting with Charles and the partners upstairs regarding copyright infringement vs. antitrust]
Charles: Do you know who reps Highline?
Andy: Rodney Bailey.
A partner: Oh, I object.
Andy: Rodney Bailey, who couldn't find his way around copyright law with a map. (how we talk about other lawyers).
4. Client Intake in Joe Miller's Office:

- a. The entire street is clear except for this one small area blocked off for construction. . . .
Client: Do I have a case?
Joe: Of course you do. Client Intake (How do we select our clients and cases?
What are the professionalism considerations?)
- b. Andrew comes to Joe about being fired from Wyant, Wheeler
Joe: Mr. Beckett, come in. What happened to your face?
Andrew: I have AIDS.

* * *

Joe: You want to sue Wyant Wheeler Hellerman Tetlow and Brown?

* * *

Joe: How many lawyers you go to before you call me?

Andrew: Nine

* * *

Andrew: I have a case, if you don't want it for personal reasons . . .

Joe: Thank you that's right, I don't

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* * *

[And later in the movie, in Joe's kitchen, Joe asks his wife a question]

Joe: Would you accept a client if you are constantly thinking I don't want them to touch me or I don't even want them breathe on me?

5. In the library:

[Joe Miller gets the "stink" eye (most likely because he is eating in the library)]
[Andrew Beckett gets the stink eye because he is asking for books on HIV.]

Librarian to Andrew: We do have a private research room available. Andrew: I am fine right here.

Librarian: Wouldn't you be more comfortable in a research room? Andrew: No. Would it make you more comfortable?

[Joe walks over to Andrew.]

Joe: Beckett, How you doing?

Andrew: Counselor, huh? (The law as a calling. . . .)

6. At the sports arena, the Wyant, Wheeler lawyers discuss the lawsuit after being served in front of Dr. J. Charles:

Charles: Did Andrew Beckett say I might not have been able to serve our client to the best of my ability? He said nothing. . . .

Bob: A jury might think he has a case.

Charles: Andrew Beckett fired for incompetence, not because he has AIDS. You didn't know he was sick did you Bob? (See something, say something?)

7. Joe questions a witness about Delightful (caviar) vs. Satisfactory (bologna)

[A little later in the movie, Joe yells at a witness]: "ARE YOU GAY"?

After asking a witness, "Are you gay"? After a colloquy with the judge, Joe says: "With all due respect, we don't live in this courtroom, do we."

[A little later in the movie, Joe questions a witness about his experiences in the Navy. Opposing counsel objects, but Joe continues asking questions]

Opposing counsel: "You haven't ruled on my objection, your honor."

(When you disagree with the judge's ruling, judge doesn't rule, etc.)

8. a. Conversation at the Bar among attorneys and the language the lawyer uses about the group of which his client is a member; and b. Inappropriate behavior in the drugstore.
(How lawyers behave in their personal lives outside of their practice).

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9. Joe walks to the witness and stands by the witness.

Joe: Do you want a glass of water or something? [Joe asks a couple of other questions]

Opposing counsel: Excuse me, your honor, but is this for the record?

Judge: Mr. Miller, perhaps you should return to counsel's table. . . .

[A little later in the movie, Joe yells at a witness]: "ARE YOU GAY"?

Judge: "Could you approach the bench, Mr. Miller"? (how a judge handles lawyer conduct in the courtroom).

[Later, Joe clapping in the courtroom after Charles Wheeler's testimony].

Optics of Wyant Wheeler counsel table – all white male partners, represented by a female lead counsel and black male second chair.

10. Inappropriate jokes in the locker room.

a. PMS & EPS – "Witch" who knows everything

b. Quart of hot yogurt

c. All the men at the racquet club to begin with

11. Question by Counsel: Have you ever been to the Stallion Showcase Cinema on 21st Street? Have you ever had sex with anyone in that theater? (overlooking the very late and no objection, is this okay to ask). Later as counsel resumes seat at counsel table: "I hate this case."

12. Various courtroom tactics

a. Asking objectionable questions to get ideas before the jury.

[A witness just recounts pushing a fellow sailor's head in a latrine after "ten of us had used it"]

Joe: I bet that taught him a lesson

Witness: Yes we did.

Joe: Just like firing Andrew Beckett taught him a lesson.

Opposing Counsel: Objection

Joe: I'll withdraw

b. Joe Miller: Asking Andrew to take off his shirt in the courtroom to show his lesions.

c. Opposing counsel shakes hands with Joe Miller after the verdict is read and says: Congratulations, Mr. Miller. See you at the appeal.

13. [Later in the movie, Bob is questioned on the stand by Joe] Bob says: I suspected Andy had AIDS but did not even give him a chance to talk about it. (changing the lawyer culture)

14. The lawyer gets a call in the middle of the night when his "client" dies.

15. What do YOU love about the law?

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Philadelphia and A Lawyer's Creed and the Aspirational Statement on Professionalism

To my clients, I offer faithfulness, competence, diligence, and good judgment. I will strive to represent you as I would want to be represented and to be worthy of your trust.

4. Client Intake in Joe Miller's Office:

- a. The entire street is clear except for this one small area blocked off for construction. . . .

Joe: The entire street is clear except for this one small area blocked off for construction.

Client: Do I have a case?

Joe: Of course you do.

- b. Andrew comes to Joe about being fired from Wyant, Wheeler

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Joe: How many lawyers you go to before you call me?

Andrew: Nine

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Andrew: I have a case, if you don't want it for personal reasons . . .

Joe: Thank you that's right, I don't

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[And later in the movie, in Joe's kitchen, Joe asks his wife a question]

Joe: Would you accept a client if you are constantly thinking I don't want them to touch me or even breathe on me?

11. Question by Counsel: Have you ever been to the Stallion Showcase Cinema on 21st Street? Have you ever had sex with anyone in that theater? (overlooking the very late and no objection, is this okay to ask).

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Later as lead counsel resumes her seat at counsel table she tells the second chair: “I hate this case.”

To the opposing parties and their counsel, I offer fairness, integrity, and civility. I will seek reconciliation and, if we fail, I will strive to make our dispute a dignified one.

1. In the Judge’s Chambers – dust – innocuous or toxic? (Posturing and Hyperbole)

9. Joe walks to the witness and stands by the witness.

Joe: Do you want a glass of water or something? [Joe asks a couple of other questions]

Opposing counsel: Excuse me, your honor, but is this for the record?

Judge: Mr. Miller, perhaps you should return to counsel’s table. . . .

[A little later in the movie, Joe yells at a witness]: “ARE YOU GAY”?

Judge: “Could you approach the bench, Mr. Miller”? (how a judge handles lawyer conduct in the courtroom).

[Later, Joe clapping in the courtroom after Charles Wheeler’s testimony].

Optics of Wyant Wheeler counsel table – all white male partners, represented by a female lead counsel and black male second chair.

12. Various courtroom tactics

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Joe: I bet that taught him a lesson

Witness: Yes we did.

Joe: Just like firing Andrew Beckett taught him a lesson.

Opposing Counsel: Objection

Joe: I’ll withdraw

b. Joe Miller: Asking Andrew to take off his shirt in the courtroom to show his lesions.

c. Opposing counsel shakes hands with Joe Miller after the verdict is read and says: Congratulations, Mr. Miller. See you at the appeal.

To the courts, and other tribunals, and to those who assist them, I offer respect, candor, and courtesy. I will strive to do honor to the search for justice.

7. Joe questions a witness about Delightful (caviar) vs. Satisfactory (bologna)

[A little later in the movie, Joe yells at a witness]: “ARE YOU GAY”? After asking a witness, “Are you gay”? After a colloquy with the judge, Joe says: “With all due respect, we don’t live in this courtroom, do we.”

[A little later in the movie, Joe questions a witness about his experiences in the Navy. Opposing counsel objects, but Joe continues asking questions]
Opposing counsel: “You haven’t ruled on my objection, your honor.”

(When you disagree with the judge’s ruling, judge doesn’t rule, etc.)

To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship.

2. [Andy is at the office at 10:15 pm working on a couple of computers].

Bob: Andy, am I interrupting you.
Andy: In a word, Bob. . . .
Bob: Charles wants to see you upstairs. . . .

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13. [Later in the movie, Bob is questioned on the stand by Joe] Bob says: I suspected Andy had AIDS but did not even give him a chance to talk about it. (changing the lawyer culture)

10. Inappropriate jokes in the locker room.
PMS & EPS – “Witch” who knows everything
Quart of hot yogurt
All the men at the racquet club in the locker room to begin with

To the profession, I offer assistance. I will strive to keep our business a profession and our profession a calling in the spirit of public service.

5. In the library:

Joe Miller gets the stink eye (most likely because he is eating in the library)

Andrew Beckett gets the stink eye because he is asking for books on HIV.

Librarian: We do have a private research room available.

Andrew: I am fine right here.

Librarian: Wouldn't you be more comfortable in a research room?

Andrew: No. Would it make you more comfortable?

Joe Miller walks over. Beckett, How you doing?

Andrew: Counselor, huh? (The law as a calling. . . .)

14. The lawyer gets a call in the middle of the night when his “client” dies.

To the public and our systems of justice, I offer service. I will strive to improve the law and our legal system, to make the law and our legal system available to all, and to seek the common good through the representation of my clients.

Question for Judges: How do judges, keeping in mind professionalism, serve and strive to improve the law and our legal system and to make our legal system available to all?

Question for Attorneys: How do attorneys, keeping in mind professionalism, serve, strive to improve the law and our legal system, to make the law and our legal system available to all and to seek the common good through the representation of my clients?

From the General Aspirational Ideals:

As a lawyer, I will aspire:

- (c) To avoid all forms of wrongful discrimination in all of my activities including discrimination on the basis of race, religion, sex, age, handicap, veteran status, or national origin. The social goals of equality and fairness will be personal goals for me. (lines 54 – 57)
- (e) To make the law, the legal system, and other dispute resolution processes available to all. (Lines 60-61)
- (g) To preserve the dignity and the integrity of our profession by my conduct. The dignity and the integrity of our profession is an inheritance that must be maintained by each successive generation of lawyers. (Lines 64-66)

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8. Conversation at the Bar among attorneys and the language the lawyer uses about the group of which his client is a member. Inappropriate behavior in the drugstore with the Penn law student.

Closing Thoughts:

In the movie Andrew Beckett talks about why he loves the law.

Why do YOU love the law? (i.e. Why is the law your calling?)