

Daily Dicta: Sheltering in Place? Top Litigators Share Their Favorite Legal Movie (Besides ‘To Kill a Mockingbird’)

As we hunker down and shelter in place, what legal movies are most beloved by top litigators? A who's-who of the legal profession shares their picks--and why.

By Jenna Greene
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I have a confession. Until last week, I had never seen “My Cousin Vinny.” I’d always meant to, but never quite got around to it. One upside of sheltering in place is that I finally had a chance to watch it with my family.

It lived up to the hype—even though my teenage daughter’s first question was “Wait, why isn’t Mona Lisa (Marisa Tomei) a lawyer?” It also got me thinking—what legal movies are most beloved by top litigators?

I reached out to some of the best-known practitioners in the business, as well as up-and-comers like Orrick associate Easha Anand and asked them to share their favorite legal movie and why—with the caveat that they couldn’t pick “To Kill a Mockingbird” (too obvious).

It turns out, “My Cousin Vinny” got the most mentions, but these 22 litigators offered an intriguing range of movies about the law that have influenced or inspired or just plain entertained them.

Robert Giuffra, Jr, Sullivan & Cromwell: My favorite legal movie is “My Cousin Vinny.” It’s a comedy, but it realistically depicts a trial. Every budding trial lawyer should watch Vinny Gambini cross-examine the prosecution’s three eye-witnesses in the murder trial of his two cousins. Vinny listens closely and then questions the logic of each witness’s answers: “So, Mr. Tipton, how could it take you five minutes to cook your grits, when it takes the entire grit-eating world 20 minutes? Were these magic grits?” He doesn’t bully the nearsighted old lady as he skillfully shows that she couldn’t identify his clients. And he lingers over his best points for effect. I also love the image of the Italian guy from New York trying a case in Alabama. Whenever my late partner



My Cousin Vinny

and mentor Vince DiBlasi and I would go into a hostile court, we would joke, “It’s time to be my cousin Vinny.”

Dane Butswinkas, Williams & Connolly: “My Cousin Vinny.” Every scene is funny, and it is just accurate enough to prevent lawyers from feeling compelled to pick apart every scene. To lighten the mood, I play it for my trial teams in the days leading up to every trial. But just FYI, plenty of self-respecting southerners do in fact use instant grits.

Michele Johnson, Latham & Watkins: Mine is “The Pelican Brief.” As a wide-eyed 1L at Georgetown when everything was unfamiliar, I found the corridors of McDonough Hall and the Edward Bennett Williams Law Library somehow comforting because I had seen them somewhere before—where Darby Shaw researched her famous brief!

Karen Dunn, Boies Schiller Flexner: “The People v. O.J. Simpson,” which was on FX a few years ago. Lots

to love if you are a trial lawyer, especially because most of it takes place in the courtroom and focuses on the lawyers—not just their daily ups and downs in court but also their very human reactions to the extreme stress and pressure of the moment. Even if you think you remember all the twists and turns, you don't. Puts our trial stress in perspective!

Kannon Shanmugam, Paul, Weiss, Rifkind, Wharton & Garrison: "The Verdict." No matter how high the deck is stacked against you in a case, you should never give up fighting for what's right. Probably Paul Newman's greatest performance, though he didn't win the Oscar for it.

Roberta Kaplan, Kaplan Hecker & Fink: I think my favorite would be "The Verdict" (1982). It came out while I was in high school and while I obviously (both then and now) am not a male, middle-aged, alcoholic, Irish lawyer in Boston who looks anything like Paul Newman, I think it had a big impact on my decision to become a lawyer. Frank Galvin's closing argument probably speaks to why so many of us do what we do every day: "We become tired of hearing people lie. And after a time, we become dead ... a little dead... We doubt ourselves, we doubt our beliefs. We doubt our institutions. And we doubt the law. But today you are the law. You ARE the law. Not some book ... not the lawyers ... not a marble statue ... or the trappings of the court. See those are just symbols of our desire to be just. They are ... they are, in fact, a prayer: a fervent and a frightened prayer. ... I believe there is justice in our hearts."

Kassie Helm, Dechert: "And Justice for All" is my pick. Hands down the best opening statement/final scene, both for writing (Barry Levinson) and acting (the magnificent Pacino) ("He forgot his case. He forgot to bring it. I don't know, I don't see it, do you?"). Every litigator who likes to win should watch it.

Randy Mastro, Gibson, Dunn & Crutcher: I'm a film buff, co-chair the Hamptons Film Festival (with Alec Baldwin), and especially love courtroom dramas, so I can't pick just one. Mine are defined by the memorable lines that stuck with me, so much so that I've used them in court myself. Lines like, "You can't handle the truth," from "A Few Good Men." Or "You're out of order," from . . . "And Justice For All." And the classic jury closing line from "To Kill A Mockingbird": "Do your duty." But now, I have a new favorite from a fabulous biopic that opened last year's festival, "Just Mercy": "It's never too

late for justice." Words for all of us in the law to live by.

Beth Wilkinson, Wilkinson Walsh: As a former Army lawyer and someone who dreams about doing the perfect cross-examination, I've always loved "A Few Good Men." After almost 30 years of trying cases, I'm still waiting to get a witness to confess when I ask my version of "You ordered the Code Red, didn't you?"

Neal Katyal, Hogan Lovells: "A Few Good Men." Everyone loves it for the Nicholson scene. For me it has other resonance. It was my very first introduction to Guantanamo, back in 1992. I had no idea when I saw it that Gitmo would become a big part of my life, first in a tinier way as a law student on the Haitian refugee stuff, and then for seven years after the horrific 9-11 attacks, culminating in my first Supreme Court argument, *Hamdan v Rumsfeld*. When I saw it, I also had no idea I would go on to become friends and colleagues with its director, the legendary Rob Reiner.

Tariq Mundiya, Willkie Farr & Gallagher: "Trials of Oscar Wilde" from 1960 starring Peter Finch as Oscar Wilde. Why? Because in addition to very accurate depictions of three courtroom trials, it provides a lesson that is ever enduring. Wilde's downfall—his ultimate criminal conviction and imprisonment—was the result of a libel case that he first commenced. Lesson: Before you sue, think about the boomerang effect!

Jami McKeon, Morgan, Lewis & Bockius: "12 Angry Men" — Because it epitomizes how the system should work; the jury as a collaborative search for the truth. As a trial lawyers, what more could you ask for? And it is honestly a fantastic piece of cinema on top of that. "My Cousin Vinny" — Because I have used it so many times teaching about expert testimony that I have to acknowledge it. And (sorry for the third) "Witness for the Prosecution." Could there BE (to quote Chandler Bing) a better question on cross?

Daralyn Durie, Durie Tangri: It has to be "Adam's Rib." Because Katharine Hepburn as a lawyer is everything I aspire to be—and of course I love the lawyer couple trope, even if I prefer to be on the same side.

Evan Chesler, Cravath Swaine & Moore: My favorite character is Kavanaugh QC, played by British actor John Thaw. He captured the life of a trial lawyer, whether an English Silk or just an American trial lawyer. He exhibited what it means to be a voice for those who do not speak for themselves. With time on our hands, watch a few episodes on Amazon Prime.

Darren Robbins, Robbins Geller Rudman & Dowd: “Above and Beyond.” A metaphor for what we face today. Against all odds ordinary people from all over the world came together in selfless acts of faith and, against all odds, prevailed in protecting the new state of Israel. A true David Goliath story (pun intended). It’s like Deuteronomy 25:1-2

Bill Lee, Wilmer Cutler Pickering Hale and Dorr: My favorite movie is “Anatomy of a Murder.” It is a great movie and a compelling story. For me, the best part of the movie was the wonderful cast. It included Jimmy Stewart, Ben Gazzara and Lee Remick. For us at WilmerHale, the star was Joe Welch, our partner who had just returned from taking down Senator McCarthy. (“Have you no sense of decency...”) Joe played the judge for the trial and was hilarious. After the movie, he never really returned to active practice.

Mark Filip, Kirkland & Ellis: The only reason I became a lawyer was because I wanted to be an AUSA in Chicago. If you grow up in Chicago, you know how the U.S. Attorney’s office has always fought corruption and organized crime in the city, and that seemed like a great mission. So for me, the best legal movie ever is “The Untouchables” —Elliot Ness, CPD Officers Malone and Stone, and the final scene where they convict Al Capone—that will always be my favorite.

Easha Anand, Orrick Herrington & Sutcliffe: Not quite a movie, but the first three seasons of “Scandal” can’t be beat for pure soapy delight. The show featured lawyers who didn’t look anything like the ones in the canonical legal dramas. It introduced me to the glories of red wine with popcorn. And it gave us the line that should be every junior attorney’s mantra: “You’re not a baby lawyer. You’re a gladiator in a suit.”

Tim Mungovan, Proskauer Rose: My favorite legal movie is “In the Name of the Father.” As in real life, the lawyers are not the stars of the movie, but they play a critical role in the narrative. Daniel Day-Lewis is one of my favorite actors, and he is especially good (and young) in this movie. The narrative themes of hope, redemption, and perseverance (especially in the face of institutionalized injustice) are personal favorites and always relevant.

Vernon Winters, Sidley Austin: “My Cousin Vinny.” Great lessons about the analytical power of focused,

common-sense cross-examinations, and also about having the grit to overcome obstacles, which always occur in trial. Plus, it’s quite funny.

Dan Petrocelli, O’Melveny & Myers: “My Cousin Vinny.” The DA’s 90-second opening statement is textbook.

Gil T. Voy, Vice President, Deputy General Patent Counsel , Eli Lilly and Company: “My Cousin Vinny” for sure—I have nothing original to offer other than the why. First, it is funny ... really, really funny—above all else it is funny. Second, it illustrates that the system and its participants, even those on opposing side, are supposed to and do in fact attempt to do justice (e.g., Trotter dropping the case at end, prosecution expert witness admitting they had no case—all the criminal procedure stuff that Mona Lisa had to teach Vinny). Third, it shows you how being a really good lawyer and advocate for your client can be the difference between justice and two innocent young men/kids being sentenced to death (knowing how to cross examine a witness, doing the research to know your case, etc.) Fourth, it was a beautiful illustration of “people are people” —the movie gets very little credit for this in my estimation. You had the East Coast New Yorkers with their bias and prejudice against those in south, i.e., “Ala-fucking’bama” (another example is Stanley’s conversation while he’s being arraigned on the phone—“They’re inbred down here” or something to that effect), and those in the south with their prejudice/bias against the “city boys” —and in the end, they were surprised by (although I think it was the East Coasters that were the most surprised) and respected each other. The movie illustrated all that bias is based on nothing but bullshit.

Diane Doolittle, Quinn Emanuel Urquhart & Sullivan: “My Cousin Vinny” is a wonderful teaching tool for trial lawyers—everything that happens in the film can and does happen in real life. Lawyers sometimes need to stand up to hostile judges; props/visuals are powerful tools of advocacy; witnesses can be demolished by impeachment on seemingly peripheral points—and truth and justice generally prevail.

Jenna Greene is editor of The Litigation Daily and author of the “Daily Dicta” column. She is based in the San Francisco Bay Area and can be reached at jgreene@alm.com