

501

FINAL DRAFT
November 23, 1981

THE VERDICT

a screenplay by
David Mamet

Property of:

Fox-Zanuck/Brown Productions
156 West 56th Street
Penthouse
New York, N.Y. 10019
(212) 246-7171

"THE VERDICT"

FADE IN

INT. FIRST FUNERAL PARLOR - DAY

1

A working-class funeral in progress. THIRTY PEOPLE and an inexpensive bier SEEN from the back of the hall.

ANGLE

A MAN's back FILLS the SCREEN. He is dressed in a black suit; his hands are clasped behind him. ANOTHER MAN stands next to him. The Second Man reaches behind the First Man's back and puts a discreetly folded ten-dollar bill into his hands.

ANGLE

These Two Men from the front. Both somber, in their early fifties. They begin to walk down the aisle of the funeral parlor.

ANGLE

The WIDOW. A woman in her late fifties sitting by the bier receiving condolences. The Two Men approach her. The First Man (the recipient of the money) speaks:

FUNERAL DIRECTOR

Mrs. Dee, this is Joe Galvin --
a very good friend of ours, and
a very fine attorney.

GALVIN

It's a shame about your husband,
Mrs. Dee.

The Widow nods.

GALVIN

I knew him vaguely through the
Lodge. He was a wonderful man.
(shakes head in
sympathy)

It was a crime what happened to
him. A crime. If there's
anything that I could do to help...

GALVIN removes a business card from his jacket pocket and hands it to her as if he were giving her money. (i.e., "Take it. Really. I want you to have it...") She takes the card. Beat.

GALVIN

(thoughtfully realizes
he is usurping her time)

Well...

A-59

He shakes her hand and moves on.

INT. COFFEE SHOP - DAY

Galvin sitting in the deserted coffee shop in his raincoat. Reading a section of the paper. He picks up his teacup, drinks. Lowers it to the table.

ANGLE - INSERT

Galvin twists tea bag around a spoon to extract last drops of tea. His hand moves to his felt pen lying on the table. He moves his hand to the paper, open at the obituary section. We SEE several names crossed out. He circles one funeral listing.

ANGLE

Galvin sitting, raises cup of tea to his lips. Looks around deserted coffee shop. Sighs.

INT. SECOND FUNERAL HOME AND STREET - AFTERNOON

Galvin outside a second funeral home. WORKING-CLASS PEOPLE entering, Galvin enters the home.

ANGLE

Galvin, coming down the aisle toward the front, shrugging himself out of his overcoat, he approaches the BEREAVED WIDOW sitting by the front of the home, he extracts his card from his pocket, starts to speak. He is stopped by the WIDOW'S SON, a hefty man in his mid-forties, who interjects himself between Galvin and the widow.

SON

(of the card)

What is that...?

GALVIN

I...

SON

What the hell is that...

GALVIN

...I was a friend of your fa...

SON

You never knew my father...

(hits card out
of Galvin's hand)

You get out of here, who the
hell do you think you are...

The FUNERAL MANAGER hurries down the aisle, and starts extracating Galvin from the commotion.

Cont.

3

3 Cont.

GALVIN
(to Funeral Manager)
I'm talking to this man...

FUNERAL MANAGER
(to widow)
Excuse me, Mrs. Cleary...

He is manhandling Galvin toward the back of the funeral parlor.
The Son calls after him:

SON
Who the hell do you think you
are...?

EXT. SECOND FUNERAL PARLOR - AFTERNOON

4

The Funeral Manager and Galvin standing in the cold.

FUNERAL MANAGER
I don't want you coming back
here. Ever. Do you understand?

GALVIN
...I was just talking to...

FUNERAL MANAGER
Those are bereaved people in there.

The Funeral Manager gives Galvin a small shove, and goes back
to his post at the door, greeting the entering mourners.
"Good evening..."

ANGLE

Galvin, the ground cut out from under him. Standing watching
the mourners enter.

EXT. SECOND FUNERAL STREET - DUSK

5

Galvin walking down a residential street. He has been walking
a while in the cold, snowy night. He stops for a stoplight
at a corner, waits for the light although there is no traffic.
Lights a cigarette. The light changes. He looks both ways and
irresolutely starts across the street. He stops. He checks
his watch. He sighs, and starts back in the opposite direction.

INT. O'ROURKE'S BAR - NIGHT

6

Galvin holding forth at the bar of a seedy drinking-man's
establishment, THREE DRINKERS, acquaintances, standing around
him, appreciative.

Cont.

GALVIN

Pat says, 'Mike...there's a new bar, you go in, for a half a buck you get a beer, a free lunch, and then take you in the back room and they get you laid.'

The bartender, JIMMY, comes up to Galvin.

JIMMY

Another, Joey...?

GALVIN

(gestures to include group)

...everybody. Mike says, 'Pat, you mean to tell me for a half a buck you get a free lunch and a beer, and then you go in the back and get laid...?' 'That's correct.' Mike says, 'Pat. Have you been in this bar...?' Pat says, 'No, but my sister has...'

(gestures to Jimmy)

Everyone. Buy yourself one, too...

INT. GALVIN'S OFFICE - NIGHT

7

The seedy, disordered small office, Galvin in shirt-sleeves opening a file cabinet. He takes out an armload of files, carries them to a wastebasket and throws them in. He sits on his desk, as if exhausted by his effort, pours from a whiskey bottle into a large water glass, downs the glass. He has been drinking for some time. He starts -- stumbling back to the file cabinet. On the way his eye is caught by his degrees hanging on the wall. He stumbles to them, picks them up and walks over to the wastebasket and throws them in. He goes back to the file cabinet, the phone starts ringing. Galvin lets it ring, continues emptying the files into the wastebasket, tearing some of them up as he does so. He repeats softly to himself, as a litany, "It doesn't make a bit of difference. It doesn't make a bit of difference, it doesn't make a bit of difference..." He starts back to the desk for the bottle, knocks the still-ringing phone off the desk. He pours himself a drink. As he downs it we hear -- softly -- from the phone on the floor: a MAN'S VOICE. "Joe. Joe. Joe...goddamit. Are you there...? Joe..." Galvin pays no attention. Drinks his drink and gazes at the wall -- now empty of degrees.

ANGLE - P.O.V.

The empty wall. Galvin's P.O.V. The telephone heard Voice Over insisting, "Joe..."

INT. GALVIN'S OFFICE ANTEROOM - NIGHT

MICKEY MORRISSEY, a man in his late sixties, dressed in suit and overcoat, looking worried, unlocks the door to the dark anteroom. Looks around. Sees something in the next room.

ANGLE - P.O.V.

Galvin asleep on his couch, clothed as before. Covered in his overcoat, the bottle and glass next to the couch on the floor, the sound of the phone off the hook.

ANGLE

Mickey walks into the office. Stands looking at Galvin.

MICKEY

(harshly)

Get up.

(beat, more
harshly)

Get up.

Galvin wakes up. Looks around. Swings his legs over the couch. Drinks from the glass. Vacantly:

GALVIN

Hi, Mickey...

MICKEY

What the hell do you think
you're doing...?

(surveys the
wrecked office)

What's going on here...?

GALVIN

Uh...

MICKEY

Fuck you. I got a call today
from Sally Donegby...

GALVIN

...now who is that...?

MICKEY

...you're 'sposed to be in court
in ten days and she's telling me
you haven't even met with them...

GALVIN

Now Sally Donegby, now who is
that...?

Cont.

MICKEY

One lousy letter eighteen months
ago...I try to throw a fuckin'
case your way...

GALVIN

...hey, I don't need your
charity...

MICKEY

...I get these people to trust
you -- they're coming here tomorrow
by the way -- I get this expert
doctor to talk to you. I'm doing
all your fuckin' legwork -- and
it's eighteen months. You're
'sposed to be in court. I bet
you haven't even seen the file.

Galvin pours himself a drink.

GALVIN

Hey, what are you, my daddy?

Mickey walks to him, knocks the drink out of his hand and slaps
him several times in the face.

MICKEY

Listen to me. Listen to me...
listen to me, Joe, 'cause I'm
done fuckin' with you. I can't
do it any more. Look around you:
You think that you're going to
change? What's going to change
it? You think it's going to be
different next month? It's going
to be the same. And I have to
stop. This is it. I got you a
good case, it's a money maker. You
do it right and it will take care
of you. But I'm through. I'm
sorry, Joe, this is the end.

(beat)

Life is too short, and I'm too
old.

Beat.

Mickey walks out of the office. Slams the door. Beat.
Galvin looks around the office. Goes to his sofa. Sits,
reaches to side table.

Cont.

ANGLE - INSERT

The side table, a pack of Luckies. Galvin taking one, his hand shaking a little. Also on side table a pile of change containing a small rosary and a wedding ring.

INT. GALVIN'S OFFICE ANTEROOM - INSERT - DAY

9

The carriage of a typewriter. A sheet of paper. Its letterhead reads, "Joseph P. Galvin. Attorney at Law, - 124 State Street, Boston, Mass. 02981. Cable JOGAL." Someone is typing, "Sorry I had to go out. Back at 10. Judge Geary called. Are you available for lunch Wednesday University Club?" A hand takes a paper from carriage and puts it on desk. Takes a pen and signs, "Claire."

ANGLE

Galvin in the anteroom, dressed in his suit, unshaved, having just signed the paper. He takes a piece of Scotch tape from the dispenser on the desk, picks up a file folder from the coffee table. It is torn in several places and rudely Scotch-taped.

ANGLE - P.O.V. - INSERT

The file headed Deborah Ann Kaye v. St. Catherine Laboure Hospital et. al.

ANGLE

Galvin surveys the anteroom, opens door to corridor, Scotch tapes the note he has just typewritten to the outside of the door.

INT. O'ROURKE'S BAR - DAY

10

Dark paneling, clean, simple. A drinkers' bar. OLD BARTENDER and THREE CUSTOMERS spaced widely, Galvin in his overcoat downing a shot, the file open before him. He is reading. He checks his watch, scoops the file together under his arm, throws a dollar on the bar, and heads for the door.

INT. NORTHERN NURSING HOME CORRIDOR - DAY

11

Galvin walking tentatively down the corridor of a very run-down nursing home. He receives suspicious looks from the Attendants. He is checking numbers on the doors against a notation in the file. He finds the correct door and enters.

INT. NURSING HOME WARD - DAY

The door to the ward from the inside. Galvin opening the door to the dark ward, backlit, tentative, a little unsteadied from his drinking. He puts his back against the door, puts down file and briefcase, extracts a small cheap Polaroid camera from the briefcase, readies it to shoot, picks up his paraphernalia, and starts off down the ward. As he walks down the ward he checks the file hung at the foot of each bed. Galvin stops at the foot of one bed and reads the chart.

ANGLE - P.O.V.

The chart held by Galvin. DEBORAH ANN KAYE, various medical notations. He lowers the chart and we SEE in the bed beyond it a shrivelled, tiny form stuck with needles and tubes.

ANGLE

Galvin replaces the chart, puts his file, briefcase, etc., on the foot of the bed, takes a flash photo of the figure in the bed. Takes another one. Puts down camera, sits on the end of the bed gazing at the unseen form. He lights a cigarette, and sits looking at her.

INT. CORRIDOR - GALVIN'S OFFICE BUILDING - DAY

13

SALLY DONEGHY. A mousey woman in her forties is standing by a door on which is written, "Joseph P. Galvin. Attorney at Law."

GALVIN

I'm...Mrs. Donegby? I'm Joseph Galvin...why didn't you go in?

SALLY

It's locked.

GALVIN

(astonished)

It's locked?

Sally Donegby points to the note on the door. Galvin takes it from the door. Reads. "Back at 10, Judge Geary. Lunch..."

GALVIN

I'm terribly sorry...I hope we didn't put you out. Won't you come in...?

(motions Sally

into inner office,

gestures with note)

I'd offer you some coffee, but it looks like my girl just went out.

INT. OFFICE ANTEROOM - DAY

14

Galvin is perched at his secretary's desk. Sally Donegby across from him by the coffee table listening intently.

GALVIN

It's not a good case. It's a very good case. A healthy young woman goes into the hospital to deliver her third child, she's given the wrong anaesthetic...

SALLY

...we, we love her, Dick and me...

GALVIN

...I'm sure you do...

SALLY

But what can we do? She don't know who's visiting her...

GALVIN

...I know. I went...

SALLY

...you saw her?

GALVIN

Yes. Yes, I have.

Beat.

SALLY

You know how beautiful she was?

(beat)

Her husband left her, and he took her kids...They, they, they, they'd let you die in there. They don't care. Nobody cares. The Patriot Home, the Chronic Care ...in Arlington...? They'd take her in. Perpetual Care. They'd take her. Fifty thousand dollars they want. An endowment.

Cont.

GALVIN
...fifty thousand dollars?

SALLY
I don't want to leave her.
Dick...the, the...and
Father Laughlin, he said that
it was God's will...

GALVIN
...I understand...

SALLY
My doctor told me that I got
to move out West...that's
when we filed in court. We
didn't want to sue...

GALVIN
...I understand...

SALLY
...But Dick, he's looking for
two years in Tucson...and they
called him up and said to come
out. He's a good man. He's
only trying to do what's right.

The door to the corridor opens and DICK DONEGHY, a workman
in his forties, comes into the room. Sally and Galvin stand.

SALLY
This is my husband.

Doneghy and Galvin shake hands uncomfortably. He motions
the two to sit.

GALVIN
Please sit down. I told your
wife. I'm sorry that we have
to meet out here. I've got
a case coming in two days in
the Superior Court and my
office is a mess of papers...

DONEGHY
...that's all right.

GALVIN
I was telling your wife, we
have a very good case here.

SALLY
...he saw her at the
Northern Care...

GALVIN
...and I have inquiries out to
doctors, experts in the field
...there is, of course, a
problem getting a doctor to
testify that another doctor's
negligent...

DONEGHY
...the Archdiocese called up,
they said who was our attorney,
'cause the case is coming
to trial...

GALVIN
I doubt we'll have to go to
trial...

DONEGHY
...we told them we didn't want
it to come out this way.

GALVIN
I completely understand...

DONEGHY
We just...

SALLY
We just can't do it anymore.
(beat)
This is our chance to get away.

GALVIN
I'm going to see you get that
chance.

DONEGHY
What is this going to cost?

GALVIN
It's completely done on a
contingency basis. That means
whatever the settlement is I
retain one-third...that is, of
course, the usual arrangement...

INT. BISHOP BROPHY'S SUITE - INSERT - DAY

Yellowed newspaper clipping, a very lovely, patrician woman in her twenties smiling at a well-turned-out Galvin around thirty. Headline: "Patricia Harrington to Wed."

ALITO

(voice over)

'His name is Joseph Galvin.
B.U. Law, class of 'fifty-two.
Second in his class. Editor
of the Law Review. Worked
with Mickey Morrissey twelve
years. Criminal Law and
Personal Injury...'

A hand turns a page and reveals a second clipping:
"Boston Lawyer Held in Jury Tampering Case," with a picture
of a very confused Galvin at around forty-five being led to jail.

ALITO

(voice over)

'Married Patricia Harrington,
nineteen sixty...'

ANGLE

The small, sumptuously appointed Italianate office. French windows, a fire in the grate, a view of Boston Common, JOSEPH ALITO, a slender, elegant man in his forties dressed in a very expensive suit, reading from his notes, news clippings, etc., which are held in a leather folder.

ALITO

'Joined Stearns, Harrington,
Pierce nineteen sixty as a
full partner. Resigned the
firm nineteen sixty-nine over
the Lillibridge case...'
Do you...?

Alito, strolling as he reads, moves toward the windows with his file TO REVEAL BISHOP BROPHY, a self-contained man in his early sixties, sitting on a leather couch, listening.

BISHOP

He was accused of jury tampering.

Cont.

ALITO

Accused. Not indicted. He resigned the firm. Divorced nineteen seventy. Galvin worked with Michael Morrissey until Morrissey retired in 'seventy-eight. Since then he's been on his own. Four cases before the Circuit Court. He lost them all. He drinks.

BISHOP

Four cases in three years...

ALITO

The man's an ambulance chaser...

BISHOP

...tell me about this case.

ALITO

This is a nuisance suit. He's looking for small change. He's asking for six hundred thousand and betting we don't want to go to court.

BISHOP

No -- we don't want this case in court.

ALITO

Neither does he. That's where he loses. This man's scared to death to go to court. We only have to call his bluff.

BISHOP

I want to settle this thing and be done with it. I don't want the Archdiocese exposed...

ALITO

No. Absolutely, and we're going to see that it is not.

Cont.

BISHOP

So what I want to do is stop it here. I'm going to make him an offer. I want to do it myself. I want it to come from me.

ALITO

All right. But let's keep the price down. I've called Ed Concannon. He recommends that we continue to respond as if we're going to trial.

The Bishop nods, meaning, "You are dismissed." As an afterthought:

BISHOP

If we were to go to trial, would we win the case?

ALITO

Well, of course, it's always dangerous...

BISHOP

I know that answer. If we went to trial would we win?

ALITO

(in an "of course" tone)

Yes.

Alito, preparing to leave, reaches to the Bishop's desk, where he has laid his leather folder.

ANGLE

The clipping in the folder, confused Galvin being led into jail, "Boston Lawyer Held in Jury Tampering Case." Alito's hand snaps the folder shut.

INT. GALVIN'S OFFICE BUILDING CORRIDOR - DAY

16

A man's arms full of textbooks. Prominently displayed: "Methodology and Practice in Anesthesiology." The man stops, fumbles for a key in his pocket.

ANGLE

Galvin, in his overcoat, arms full of books, reading from a textbook and trying to unlock his office door.

INT. OFFICE

Galvin entering. CLAIRE PAVONE, a woman in her fifties, at the secretary's desk, hanging up the phone.

CLAIRE
(to phone)
Thank you very much.

Galvin looks up at her in surprise.

GALVIN
What are you doing here?

CLAIRE
Mickey told me to come back
to work.

Galvin nods, proceeds into his office, reading from the textbook
Claire follows him into the office.

CLAIRE
...here's your mail, call
Mrs. Doneshy...

GALVIN
...yes. Get her on the phone...

CLAIRE
...that was a Dr. David Gruber's
office...

GALVIN
(putting down books)
Gruber...

CLAIRE
Mickey told him to call.
(reading from notes)
'He's some very hotshot surgeon
at Mass. Commonwealth. He wants
to meet with you at seven tonight
re testimony in the case of
Deborah Ann Kaye. You meet him
at the hospital.'

She hands him typed memo slip.

GALVIN
(surprised)
...he wants to testify...?

CLAIRE
It looks that way.

Cont.

GALVIN
You know what that would mean?
To get somebody from a
Boston hospital to say he'll
testify?

CLAIRE
...a Mrs. Doneghy called...I
told you that.

Phone rings. Claire moves to it.

GALVIN
(delighted)
...this is going to drive the
ante up...

CLAIRE
(into phone)
Joseph Galvin's...who's calling
please? Bishop Brophy's office...

She gestures to Galvin, "Do you want to talk to them?" Galvin
gestures back, "No. I'm not in..."

CLAIRE
I'm sorry, he's not in...may I
take a mess...tomorrow when, two
o'clock...I'll check my book...

She looks to Galvin, who nods, "yes."

CLAIRE
Yes. Mr. Galvin's clear at that
time...the Bishop's office, tomorrow,
the fifth at two p.m. Thank you...

She hangs up.

GALVIN
That's the call that I'm waiting
for.

CLAIRE
What does it mean?

GALVIN
They want to settle.
(beat)
It means a lot of money.

CLAIRE
Does that mean I'm back for awhile.

17

INT. GRUBER'S HOSPITAL CORRIDOR - INSERT - NIGHT 18

Man's wrist. W.W.II G.I. watch reads: 6:56.

ANGLE

Galvin in overcoat standing outside door marked "Doctors Only" in bustling hospital corridor. He glances at memo slip in his hand. He opens door. CAMERA FOLLOWS him into:

INT. GRUBER'S DOCTORS LOCKER ROOM - NIGHT 19

Carpeted, small, comfortable, lined in lockers. A DOCTOR, on the phone in greens, smoking a cigarette, talking on the phone softly, a couple of DOCTORS sitting, drinking coffee, chatting. Galvin, a trifle nervous, to Doctor ON PHONE:

GALVIN

Dr. Gruber...?

The Doctor on the phone gestures behind him to a thirty-ish MAN in blue jeans smoking a cigar, changing at his locker. Galvin walks over to him.

GALVIN

Dr. Gruber...

GRUBER

(turning)

Yes? Galvin, right?

He checks his watch, continues changing into suede jacket, checks next appointment on a leather appointment book, locks the locker, pockets key.

GALVIN

I appreciate...a man as busy as your...

GRUBER

That's perfectly all right. I'm kind of rushed. Do you mind if we walk while we talk?

Gruber, Galvin following, talk while exiting locker room.

INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT 20

GRUBER

I read the hospital report on your client.

GALVIN

...Deborah Ann Kaye...

Cont.

GRUBER

...Deborah Ann Kaye...

They walk hurriedly through hospital corridor, to an EXIT door and down concrete stairs.

INT. GRUBER'S HOSPITAL STAIRS - NIGHT

21

GALVIN

They called, they're going to settle, what I want to do is build up as much...

GRUBER

Right. Who called?

GALVIN

The Archdiocese called, they want to settle...her estate...

GRUBER

...and you're going to do that?

GALVIN

(surprised,
of course)

Yes.

GRUBER

You're going to settle out
of court...?

Gruber stops at the bottom of the stairs, beside an exit to the outside.

GALVIN

Yes.

GRUBER

Why?

A beat.

GALVIN

(it's a meaningless
question to him, as
if to a child)

Uh...in the, well, in the interests
of her family...you, Dr. Gruber,
you know, you can never tell what a
jury is going to do. St. Catherine's
a very well thought of institution.
Her doctors...

Cont.

GRUBER
(glances at watch,
impatient)
Her doctors killed her.

A beat.

GALVIN
I'm sorry...?

GRUBER
Her doctors murdered her.
They gave her the wrong
anaesthetic and they put her
in the hospital for life.
(beat)
Her doctors murdered her.

GALVIN
Do you know who her doctors
were...?

GRUBER
I read the file. Yeah.
Marx and Towler. I know who
they were.

GALVIN
The most respected...

GRUBER
(smiling)
Whose side are you arguing...?
I thought that you wanted to do
something. I don't have any
interest in the woman's 'estate'
-- No offense, but we all know
where the money's going to...
I have an interest in that
Hospital; and I don't want those
bozos working in the same shop
as me. They gave her the wrong
anaesthetic. They turned the
girl into a vegetable. They
killed her and they killed her
kid. You caught 'em. Now: how
many others did they kill?

Cont.

A beat. Gruber discards end of a cigar. Takes a leather case from his suede jacket, extracts a new cigar. Offers one to Galvin.

GRUBER

You want a cigar?

Galvin takes one absently.

GALVIN

The hospital is owned by the Archdioceses of...

GRUBER

What are they going to do?
Not invite me to their
Birthday party...?

(checks watch)

Look, I gotta go. I have to
be in Cambridge...

Galvin, excited, is trying to light the cigar. His hand shakes badly. He has forgotten to bite off the end. He bites it, lights the cigar.

GALVIN

Well, well, when can we meet
again. I'd like to get a
deposition...

GRUBER

Okay. I'll meet you here.
Tuesday night...I gotta go.
You going my way?

Galvin shakes his head.

EXT. GRUBER'S HOSPITAL PARKING AREA - NIGHT

22

Gruber opens door and walks out into the cold, into the parking lot, followed by Galvin, who is lighting his cigar.

GALVIN

We have to...we...we have to
keep you under wraps. Please
don't, don't discuss...

Cont.

GRUBER

I understand.

GALVIN

...the case with anyone. And
I'll meet you Tuesday, and we'll
go over your testimony...

They stop before a 1950s very beautiful small Mercedes Sedan.
Gruber opens the door, gets into the plush red leather interi
starts car, leaves door open, still talking to Galvin.

GRUBER

Right. Seven o'clock. Here.

Galvin scribbles information in his appointment book.

GALVIN

Thank you...

GRUBER

...that's perfectly all right.

GALVIN

(beat)

Uh, why, why are you doing
this?

GRUBER

(thinks a second)

To do right. Isn't that why
you're doing it?

INT. O'ROURKE'S TAVERN - NIGHT

23

Galvin is at the bar, smiling to himself. His drink is being
refilled. To BARTENDER:

GALVIN

I want to buy you a drink.

JIMMY (THE BARTENDER)

Thanks, Joey.

Galvin looks around. A very attractive self-possessed
YOUNG WOMAN is sitting in the crook of the bar across from
him; she is intently perusing the newspaper and circling
items with a felt pen. Galvin speaks to her:

GALVIN

Would you like a drink?

Cont.

She looks up. Smiles.

WOMAN
I'd like an apartment.

GALVIN
Settle for a drink?

She gestures at her own full glass in front of her.

WOMAN
No. Thank you.

Galvin shrugs.

GALVIN
I had a very good day today.

WOMAN
(beat, smiles,
downs drink, gets
up off the stool,
sincerely)
I'm glad you did. Thank you.
Good night.

GALVIN
You're very welcome.

He watches her as she leaves the bar. He turns back to his drink.

GALVIN
Well, well, well. Huh?

JIMMY
Yeah.

GALVIN
(sighs)
It's a long road that has no
turning.

JIMMY
That's for sure, Joe.

INT. GALVIN'S APARTMENT - NIGHT

24

A shoddy one-and-a-half room bachelor apartment. Galvin, beer and cigarettes on the table beside him. He is sitting on an armchair in the bedroom. A yellow legal pad in his lap.

Cont.

He is talking on the phone softly, soothingly.

GALVIN

Our only protection is the law
 ...I know, but under the law
 we're all equal...not at all.
 Not at all. You'd do the same
 for me if you could...as soon as
 I know...tomorrow afternoon.
 I'm going there at two...I know
 you don't. I know you don't...
 no, you're just following your
 life. You have a life too...
 you have to move out West. It
 doesn't help you to stay here
 ...I'm sure she knows you care
 for her.

His attention wanders to the legal pad in his lap.

ANGLE - P.O.V.

The legal pad. Spread on it a couple of Polaroids of Deborah Ann in the nursing home. Below them, written on the pad, large, "Dr. David Gruber. Ass't. Chief Anaesthesiology, Mass. Commonwealth. 'They killed her. And they killed her kid -- Her doctors murdered her.'"

The following figures are written on the pad:
 \$150,000.00 written very large, circled, crossed out.
 \$250,000.00 similarly circled and crossed out.
 \$225,000.00 circled many times.

GALVIN

(voice over; on
 phone)

Well. Well. Well. Finally we're
none of us protected...we...we
 just have to go on. To seek
 help where we can...and go on...I
know that you love her...I know
 you're acting out of love.

ANGLE - GALVIN ON THE PHONE

GALVIN

(into phone)

As soon as I know...you give
 him my respects too. Not at
 all. Not at all...Good night.

(beat)

Well, bless you, too. Good night.

He hangs up phone, sighs. Lights a cigarette. Rotates his neck to loosen it up. Reaches to the table next to his bed for the bottle to pour a drink.

ANGLE - INSERT

His hand reaching for the bottle. On the table the photo of a very beautiful blonde woman in a silver frame. She is the same woman we saw earlier in the newsclip. She is on the deck of a sailboat, laughing. A pile of change on the table, a money clip, a rosary, and the wedding ring in the pile of change.

ANGLE

Galvin looking at the photo in the silver frame next to his bed. He sighs deeply. Beat. Reaches up to the lamp above his head and turns it off. He sits stiffly in the dark a moment, then lets his head fall back to the chair.

INT. NORTHERN NURSING HOME WARD - DAY

25

Galvin, spruced up a bit, sitting on a bed, his briefcase on his lap. Gazing at the unseen Deborah Ann Kaye in the dark ward. Silent. Beat. He looks in his briefcase, takes out a file.

ANGLE - P.O.V. - INSERT

The file, labeled Deborah Ann Kaye. Galvin extracting the photo of the young mother romping with her two children; he takes the yellow legal pad from his briefcase and puts it on top of the picture (the figures crossed out; "Her doctors murdered her," etc.).

We hear the door to the ward open and TWO IRISH WOMEN gossiping.

IRISH NURSE #1

(voice over)

Jimmy, I said, don't you go in your pocket if there's nothing there...

IRISH NURSE #2

(voice over)

...and what did he say...?

Cont.

IRISH NURSE #1
 (voice over; spies
 Galvin, her tone
 changes)
 Sir...Sir...Sir, you aren't
 allowed to be in here...

ANGLE

Galvin sitting on the bed looking at Deborah Ann. He looks up to the speaker. A slovenly Irish Nurse, who has come into the room and is standing by him. The other Nurse is framed in the doorway. Galvin is lost in thought.

GALVIN
 What?

NURSE
 You can't be in here.

GALVIN
 (as if remembering
 something, simply)
 I'm her attorney.

INT. BISHOP BROPHY'S OFFICE - DAY

26

The Bishop from the waist up, sitting behind his beautiful desk. Compassionately:

BISHOP
 It's a question of continuing values. St. Catherine's -- to do the good that she must do in the community has to maintain the position that she holds in the community. So we have a question of balance. On the one hand, the reputation, and, so, the effectiveness of our hospital, and two of her important doctors -- and, on the other hand, the rights of your client.

ANGLE

Galvin seated across from the Bishop. A YOUNG PRIEST seated, discreetly, attentively, across the room. Sherry glasses in front of Galvin and the Bishop. Galvin drinking from his.

Cont.

GALVIN

(impassive)

Yes.

BISHOP

A young woman. In her prime...
deprived of...

(searches for
a word)

...life...sight...her family...
It's tragic. It's a tragic
accident. And the only sense
that we can make of it is to know
that it is beyond our understanding.

(beat)

...and what she might have been
...That is the saddest part of
all...

Galvin has been dreaming.

GALVIN

I'm sorry...?

BISHOP

We'll never know what she might
have been.

GALVIN

She might have been someone who
had a life...

BISHOP

...and nothing, of course, can
begin to make it right. But we
must do what we can. We must do
all that we can.

He gestures to the Young Priest, who crosses the room,
extracts a sheet from a file folder, and places it before
Galvin, who is sitting as if in a dream. The Bishop waits
a beat, not wanting to interrupt Galvin's reverie, then
catches his eye and gestures down at the paper. Galvin
glances down.

INSERT

The sheet: "I, Joseph P. Galvin, duly appointed conservator
for Deborah Ann Kaye, in consideration of Two Hundred Ten
Thousand Dollars (\$210,000.00) paid in hand to me this day
by St. Catherine Laboure Hospital do hereby release from
any and all claims..."

Cont.

ANGLE

Galvin and the Bishop as before. Galvin finishes reading, looks up.

BISHOP

Yes. We must try to make it right.

Beat. Galvin nods. Beat. Bishop nods discreetly to the Young Priest who extracts MontBlanc fountain pen from his pocket, holds it out to Galvin.

BISHOP

It's a generous offer, Mr. Galvin...

(beat)

...nothing can make the woman well
...but we can try to compensate...
to make a gesture...

GALVIN

How did you settle on the amount?

BISHOP

We thought it was just.

GALVIN

You thought it was just.

BISHOP

Yes.

GALVIN

...because it struck me how neatly 'three' went into the amount. Two Hundred Ten Thousand. That would mean I would keep seventy.

BISHOP

That was our Insurance Company's recommend...

GALVIN

Yes. It would be.

A beat.

BISHOP

Nothing that we can do can bring that woman back to health.

GALVIN

No one will tell the truth.

BISHOP

What is the truth?

GALVIN

That that poor girl went in and put her trust in the hands of two men who took her life. That now she's in a coma and her life is gone. She has no family, she has no home, she's tied to a machine, she has no friends -- and everyone who should care for her: her Doctors, and you, and me, has been bought off to look the other way. We have been paid to look the other way. I came in here to take your money.

(beat)

I came in here with snapshots to show you. So I could get your money.

(to Young Priest,
waving away document)

I can't take it. If I take it.
If I take that money I'm lost.
If I take it I'm just going to be a rich ambulance chaser.

(beat; pleading
for understanding)

I can't do it. Can you understand?

YOUNG PRIEST

If we may discuss money, Mr. Galvin.
How is your law practice?

GALVIN

It's not too good. I've only got one client.

HOLD.

INT. LAWYERS ROOM AND CORRIDOR - DAY

27

Galvin, determined, coming down a corridor in the Courthouse, opens a door. CAMERA FOLLOWS him IN. The Lawyers Room. Ten or twelve AMBULANCE CHASERS waiting for clients. They all look up as he enters, then return to their reading, phones, card games. CAMERA FOLLOWS him TO the corner of the room where MICKEY MORRISSEY is playing Gin with a CRONY.

GALVIN

I have to talk to you.

Cont.

MICKEY
What do you want?

GALVIN
(dragging him up)
Come on. Let's get a drink.

MICKEY
(sighs, to partner)
Don't touch anything.

Galvin leads Mickey out of the room.

INT. FIRST CORRIDOR COURTHOUSE - DAY

28

Mickey and Galvin silhouetted against a window at the end of the dark corridor, arguing.

MICKEY
(enraged)
Are you out of your mind...?

GALVIN
...I'm going to need your help...

MICKEY
You need my help...? You need
a goddam keeper...are you telling
me that you turned down
two-hundred-ten grand?

(beat)
Huh...? Are you nuts? Eh? Are
you nuts. What are you going to
do, bring her back to life...?

GALVIN
I'm going to help her.

MICKEY
To do what...? To do what, for
chrissake...? To help her to
do what? She's dead...

GALVIN
They killed her. And they're
trying to buy it...

MICKEY
That's the point, you stupid fuck.
Let them buy it. We let them buy
the case. That's what I took it
for. You let this drop -- we'll
go up to New Hampshire, kill some
fuckin' deer...

He turns away.

GALVIN

Mick. Mick. Mick...

MICKEY

What?

GALVIN

You -- Listen: you said to me,
'if not now, when...'

MICKEY

...I don't know what you're
talknabout...

GALVIN

...and then I've got this case;
and this girl's screaming out for
someone to stand up. And it's
me, Mick. It's me. And I'm
going to tell you what else,
all right? I can win it. I can
win this case.

MICKEY

You won it. Joey. You won it;
when they give you the money,
that means that you won. We
don't want to go to court --
is this getting to you...? You
know who the attorney is for the
Archdiocese, Eddie Concannon.

GALVIN

...he's a good man...

MICKEY

...he's a good man...? He's
the Prince of Fuckin' Darkness...
he'll have people in there
testifying that the broad is
well -- they saw her Tuesday on
a surfboard at Hyannis...don't
fuck with this case...

GALVIN

...I have to stand up for her...

Cont.

MICKY

Joe, but not now. Joe. You're trying to wipe out some old business. But not now. I understand. But you go call 'em back. You call the Bishop back.

GALVIN

I have to try this case. I have to do it, Mick. I've got to stand up for that girl. I need your help.

(beat)

Mick, will you help me...?

(beat)

Will you help me...?

INT. CONCANNON OFFICES CORRIDOR - DAY

29

A young ATTORNEY in shirt-sleeves and vest racing through a huge, ultra-modern, ultra-successful legal office. The office is near empty. A couple of secretaries are at their desks, a couple of lawyers at their cubicles. The CAMERA FOLLOWS the Attorney tearing through the corridors of the office, up a spiral staircase, through yet more office space, into:

INT. CONCANNON CONFERENCE ROOM - DAY

30

...a conference room. Mahogany, tinted glass, a panoramic view of Boston. Twenty-five attorneys, male and female, mostly young, gaze at the young Attorney as he enters the room. He stops running. He approaches the front of the room tentatively. Standing at the blackboard in front of the conference room is EDWARD CONCANNON. Senior partner of the firm, late fifties, imposing, he radiates success. As the young Attorney approaches Concannon he is stopped with a gesture. Concannon addresses the room.

CONCANNON

(smiling)

Anybody ever hear, 'For want of a shoe a horse was lost?' Who's going on vacation tomorrow?

A young MAN raises his hand.

CONCANNON

Friedman. St. Barts. Is that right?

FRIEDMAN

Yessir.

CONCANNON

(to secretary taking
notes at the side of
the room)

Send Mrs. Friedman a dozen roses
tomorrow morning please, Sal.
I tell you what, send her a
sunlamp.

(smiles, there is
laughter from the room;
to Friedman, sympathetic)
I'm sorry, but you'll have to
stay. No vacations till this
thing is cleared.

Concannon motions to the young Attorney who has run in. The
young Attorney goes to Concannon and hands him a box of chalk.
Concannon takes a piece and writes on the blackboard
"Jan. 12th." He underlines it heavily.

CONCANNON

Our court date is January twelfth.
You're all acquainted with this
case. It's been scheduled for
eighteen months. We have the
attorney for the Plaintiff,
Joseph Calvin -- and I trust
you are all familiar with his
record -- and we have been expecting
him to call us to negotiate. As
he did not, and five days before
we're supposed to go to court we
made him a rather generous offer,
which he refused. Five days before
the trial. What does this mean?
I want to find out.

(writes on the
blackboard, "1) Research")
A report is in progress on Calvin.
I want our information on the
Plaintiff's family, that's her
executors, updated, and I want
you to know these people as you
would yourselves.

(writes "2) Homework")
Acquaint yourselves again with the
depositions. Don't rely on the
fact that we did it last year. Do
it again. We're going to review
them here, and you do it at home.
You each have a full file. Know
the deps, and I want you all to be
here when we work with the defendants...
when is that, Billy...?

The young Attorney responds.

YOUNG LAWYER (BILLY)
Tuesday evening, Sir.

Concannon writes on blackboard, "3) Public Awareness."

CONCANNON
I want an article in the Globe
As Soon As Possible, 'St. Cat's
...Neighborhood Giant serving the
community...' etc. We've got it
in the files. I want something
in Monday's Herald: 'Our Gallant
Doctors,' something...If you can
find the anniversary of some
anaesthetic, something, get it
in. Be inventive, I want
television...

(nods toward one
of the young lawyers)
...talk to our man at G.B.H.
And to belabor the obvious for
a moment...

(beat)
Our clients are: The Archdiocese of
Boston; St. Catherine Laboure Hospital,
and Drs. Marx and Towler, two of the
most respected men in their
profession. The thrust of this
defense will be to answer in
court, in the press and in the
public mind -- to answer the
accusation of negligence this
completely: not only that we
win the case, but that we win
the case so that it's seen
that the attack on these men and
this institution was a rank obscenity.

(beat)
All right. Let's get the cobwebs
off. Billy...?

The young Lawyer stands as Concannon sits, listening.

YOUNG LAWYER (BILLY)
Please turn to your Page Four.

All the lawyers in the office turn in their files to that page.

Cont.

YOUNG LAWYER (BILLY)
 We're going to start with a
 review of the depositions of the
 Operating Room Team: The
 nurse-anaesthetist, the
 scrub-nurse, the...

INT. LAW LIBRARY - NIGHT

31

Galvin and Mickey at a library table piled with books. A
 dingy, dusty law library. They are smoking, speak in
 undertones, referring to the yellow legal pads in front of
 them, Rehashing material.

MICKEY

Who have we got?

GALVIN

We've got her sister. Testifies
 she had a meal one hour before
 she was admitted to the hospital.
 This is the point.

MICKEY

You got the admittance form
 says patient ate nine hours
 prior to admittance.

GALVIN

Admittance form is wrong.

MICKEY

Forget it. You can't prove it.
 Sister's testimony is no good.
 Jury knows we win she gets the
 cash.

GALVIN

I've got my Dr. Gruber, says
 her heart condition means they
 gave her the wrong anaesthetic
anyway, plus she came in
 complaining of stomach pains...

MICKEY

(conceding)
 ...Gruber's not bad.

Cont.

GALVIN
Not bad...? This guy's
Dr. Kildare, the jury's going
to love him, Mick...

MICKEY
And you calm down, all right?
Their guy, Towler's, the
author of the book,
(bunts for book
on desk, and holds
it up; reads)
'Methodology and Practice,
Anaesthesiology.'
(rummages through
a pile of papers on
the desk)
...and they got depositions
from the nurses, everybody in
the operating room, the
scrub-nurse... 'All these
guys are God. I saw them
walk on water...'

GALVIN
(checking a list)
They had an obstetrical nurse
in there. We got a deposition
from the obstetrical nurse?

MICKEY
(checking list)
No.

GALVIN
(reading from
pad)
'Mary Rooney, forty-nine. Lives
in Arlington, still working at
the hospital.' Can you get out
tomorrow? Talk to her? How
come she isn't speaking up.

MICKEY
Right.

GALVIN
Okay now. Cases:
Smith versus State of Michigan.

Cont.

MICKEY
Right.

GALVIN
Brindisi versus Electric Boat.

MICKEY
You got a good memory, Joey.

GALVIN
I had a good teacher.
McLean versus Urban Transport...

INT. O'ROURKE'S PUB - NIGHT

32

Galvin and Mickey entering the bar, walk over to the bar. Galv
sees something o.s. Call to the bartender.

GALVIN
Jimmy? Bushmills.
(turns to Mickey,
whispers)
Lookit, do me a favor. I'll
buy you a drink tomorrow.

MICKEY
Yeah? And what are you going to
do tonight?

GALVIN
I'm going to get laid.

Galvin motions with his head down at the end of bar.

ANGLE - P.O.V.

The Woman from last night, sitting in her same place at the
end of the bar.

Mickey looks at her. Sbrugs. Gets up off the stool.

MICKEY
Don't stay up too late.

He salutes, walks off.

Galvin takes his drink and moves down to her.

GALVIN
D'you find an apartment?

LAURA
Still looking.

Cont.

GALVIN
I changed my life today. What
did you do?

LAURA
I changed my room at the Hotel.

GALVIN
Why?

LAURA
The TV didn't work.

GALVIN
What Hotel are you staying at?

LAURA
And what are you? A cop?

GALVIN
I'm a lawyer.

LAURA
My ex-husband was a lawyer.

GALVIN
Really. How wonderful for you.

LAURA
Yes. It was, actually.

GALVIN
Oh, actually it was. Then why'd
you call it off?

LAURA
Who says that I'm the one that
called it off?

GALVIN
A brick house says you divorced
him. I'll put you on your honor.
Bet you a hundred dollars against
you join me for dinner. And
I'll take your word for it.
Now you tell me the truth.
Because you cannot lie to me.
What's your name?

Cont.

Laura.

LAURA

GALVIN
My name's Joe. And furthermore,
you came back to see me tonight.

LAURA
What if it wasn't you that I
came back to see?

GALVIN
You just got lucky.
(gets up off
stool)
D'you eat yet? Come on.

She gets up from the stool and starts following him in spite
of herself.

GALVIN
Jesus, you are one beautiful
woman.

INT. O'ROURKE'S - NIGHT (LATER)

33

Galvin and Laura are in a booth. The remains of a dinner and
drinks around them. They are both smoking cigarettes, intent
on each other. Both a little drunk.

GALVIN
The weak, the weak have got to
have somebody to fight for them.
Isn't that the truth? You want
another drink?

LAURA
I think I will.

Galvin motions "another round" to the bartender.

GALVIN
Jimmy!
(beat)
That's why the court exists.
The court doesn't exist to give
them justice, eh? But to give
them a chance at justice.

Cont.

LAURA

And are they going to get it?

GALVIN

They might. Yes. That's the point...is that they might... you see, the jury wants to believe. They're all cynics, sure, because they want to believe. I have to go in there tomorrow to find twelve people to hear this case. I'm going to see a hundred people and pick twelve. And every one of them it's written on their face, 'This is a sham. There is no justice...' but in their heart they're saying, 'Maybe...maybe...'

LAURA

Maybe what?

GALVIN

(beat)

Maybe I can do something right.

LAURA

And is that what you're going to do?

(a beat)

Is that what you're going to do...?

GALVIN

That's what I'm going to try to do.

INT. GALVIN'S APARTMENT - NIGHT

34

The bedroom, dark, sound of people moving, the bedside light is flicked on. We SEE Galvin in shirt-sleeves, holding a whiskey glass a little unsettled, turning on the light, Laura, with a glass, also a bit unsteady, standing beside him. Both awkward. He looks at her, turns back to the bed, turns down the bed, sees the silver-framed picture of his wife, he looks back at Laura, starts to take the picture to turn it down.

LAURA

That's all right.

She starts taking off her blouse.

INT. COURTHOUSE BAR - INSERT - DAY

40

A half-full old-fashioned glass.

35

ANGLE

Galvin sitting at the fairly well-appointed bar, still.
He looks out of the window at a building across the street.

EXT. COURTHOUSE - P.O.V. SHOT - DAY

36

The courthouse across the street.

INT. COURTHOUSE BAR - DAY

37

Galvin glances at bar clock.

ANGLE - P.O.V.

The clock reads 10:12.

ANGLE

Galvin downs his drink, picks up his briefcase off of the bar
and starts for the door.

INT. JUDGE SWEENEY'S CHAMBERS - DAY

38

JUDGE SWEENEY, a florid man in his sixties, sitting in
shirt-sleeves eating bacon and eggs off of a hotel service on
a tray, talking conspiratorially with Ed Concannon, who is
drinking coffee, seated across the desk. They are obviously
old friends. The sound of a door opening. They turn their
heads to the door.

ANGLE - P.O.V.

Galvin standing in the door.

JUDGE

(voice over)

You're late, Mr. Galvin.

He enters the room. CAMERA FOLLOWS him as he sits next to
Concannon.

GALVIN

Yessir. I'm sorry.

JUDGE

Why is that?

Cont.

GALVIN

I was held up.

Concannon smiles and extends his hand.

CONCANNON

Ed Concannon.

GALVIN

(shaking his head)

Joseph Galvin. We've met before.

As the Judge starts to speak Galvin cannot help looking at Concannon out of the corner of his eye.

JUDGE

Let's do some business.

ANGLE - P.O.V. GALVIN

Concannon, brisk, expensive-looking, tanned, huge gold watch, custom-made suit.

JUDGE

(voice over)

They tell me that no bargain ever was completed other than quickly when both parties really cared to make a deal.

Concannon feels Galvin's eye on him, half-turns, smiles.

ANGLE - THE JUDGE, CONCANNON, GALVIN

JUDGE

Now, have you boys tried to resolve your little difficulty because that certainly would save the Commonwealth a lot of time and bother.

GALVIN

This is a complicated case, your Honor...

JUDGE

I'm sure it is, Joe: and let me tell you something. If we find it so complex, how in the hell you think you're going to make a jury understand it?

Cont.

JUDGE (Cont.)
(smiles at Calvin)
See my point? Let's talk a
minute. Joe: what will you
and your client take right now
this very minute to walk out
of here and let this damn
thing drop?

GALVIN
My client can't walk, your Honor.

JUDGE
I know full well she can't, Joe.
You see the Padre on your way
out and he'll punch your ticket.
You follow me? I'm trying to
help you.

CONCANNON
Your Honor, Bishop Brophy and
the Archdiocese have offered
Plaintiff two hundred and ten
thousand dollars.

JUDGE
Hub!

CONCANNON
My doctors didn't want a
settlement at any price. They
wanted this cleared up in court.
They want their vindication. I
agree with them. But for today
the offer stands. Before we
begin the publicity of a trial.
For today only.

(beat)
When I walk out that door the
offer is withdrawn.
(turns to Calvin)
As long as you understand that.
(beat)
It's got to be that way.

GALVIN
We are going to try the case.

A beat.

Cont.

Galvin fumbles for a cigarette. The three sit in silence.

JUDGE

(incredulous)

That's it...?

(beat)

Come on, guys...life is too short...

(beat)

You tell me if you're playing 'chicken,' or you mean it.

(beat; turns to

Galvin)

Joe: I don't think I'm talking out of school, but I just heard someone offer you two hundred grand...and that's a lot of money...and if I may say, you haven't got the best of records.

GALVIN

...things change.

JUDGE

...that's true. Sometimes they change, sometimes they don't. Now, I remember back to when you were disbarred...

GALVIN

...I wasn't disbarred, they dropped the pro...

JUDGE

And it seems to me, a fella's trying to come back, he'd take this settlement, and get a record for himself.

(beat)

I myself would take it and run like a thief.

GALVIN

I'm sure you would.

The Judge turns, unbelieving that Galvin has patronized and insulted him. He controls himself.

JUDGE

Hm.

(beat; checking book)

We have the date set? Next Thursday. Good.

(smiles)

See you boys in court.

INT. COURTROOM - INSERT - DAY

39

A legal document. LIST OF PROSPECTIVE JURORS.
 DEBORAH ANN KAY Versus ST. CATHERINE LABOURE HOSPITAL Et Al.:
 Mr. Arthur Abrams, Machinist, 58; Mrs. Joann Chepek, Housewife,
 42; Mr. Roger Chadword, Chemist, 59; etc.

ANGLE

Galvin, seated at the conference table intent on the form in front of him. He crosses out something with a pen.

ANGLE

Galvin takes the form, rises, walks across the room, walks by the defense table with Concannon and an Aide at it. Approaches the Jury Box, which has several prospective JURORS in it. He is very nervous. He addresses a man.

GALVIN

Mr. Abraham...

ABRAMS

Abrams...

GALVIN

Abrams. Yes. How are you
 today?

ABRAMS

I'm fine.

GALVIN

Good.

(beat)

You ever been inside a hospital?

ABRAMS

Yes.

GALVIN

Ah. How did they treat you...?

Galvin has flop sweat, Abrams is becoming intractable.

ABRAMS

I don't know what you mean.

Cont.

INT. CIGAR - COURTHOUSE CORRIDOR - DAY

Mickey standing by the door to the courtroom, looking through the glass panel, a newspaper under his arm, smoking. Galvin comes out.

MICKEY

Been a long time, huh...?

GALVIN

I'm getting it back. Don't worry about me, Mick. I'm fine. D'you find the obstetric nurse?

MICKEY

Mary Rooney. She won't talk to me. I tried her at the Hospital. I'm going to try her back at home. Read this.

He hands Galvin the newspaper. Galvin takes it, reads.

ANGLE - P.O.V.

The newspaper, folded to Page Two. A full-page photo of smiling doctors clustered around an operating table. Huge caption: "International Honors to St. Catherine Laboure Hospital. The faculte Internationale de la Chirurgie today announced St. Catherine's as this year's recipient of the coveted Medaillion de la Sante..." etc.

ANGLE

Galvin reading. Looks up.

GALVIN

So what?

MICKEY

So what...? The best is yet to come. Check the TV Guide. They got our Dr. Towler on a panel GBH on Friday: 'The Healing Hand. The Experts Speak.'

GALVIN

They still have to take it to a jury.

Looks back to his form.

MICKEY

What I'm saying, they're getting some help.

Cont.

GALVIN

(looks up annoyed)
So what do you want me to do?
Concannon's going to try the case
his way, I'm going to try it
mine. You want me to go
wee wee wee all the time because
he's got some flack, got stories
in the newspaper. I'm going to
win this case.

They start walking across the Courthouse corridor. Mickey
veers off and stops at the Cigar Stand. To the STAND OPERATOR:

MICKEY

John: gimme a cuesta-ray.

GALVIN

Oh, shit, what's today?

MICKEY

Today is Tuesday. What?

GALVIN

I've got to go see Gruber.
(to Cigar Stand Operator)
What's the best cigars you have?

MICKEY

Give 'em a box of macanudos.

GALVIN

Mickey: I'm supposed to meet
somebody at O'Rourke's, I can't
make it.

JOHN

Here you are, Joey.

GALVIN

(takes box)
Thanks. Can you go over and meet
her...? Tell her I'll stop by
when I'm through...Laura Fischer...

MICKEY

Sure. Who is she?

JOHN

That's thirty-three bucks. Can
you believe that...?

Cont.

MICKEY

Oh, yeah. Your broad from last night.

Galvin pays the Cigar Stand Operator.

JOHN

Thanks, Joey.

GALVIN

Tell her that I'll meet her there, okay?

MICKEY

Don't leave your best work in the sheets, Joe...

GALVIN

(ignoring him)

Yeah. See you tomorrow in the office.

Mickey shrugs.

GALVIN

We're doing fine.

ANGLE

The two of them crossing the lobby.

Dick Doneghey, looking around the lobby, spies them, starts across, and accosts Galvin.

DONEGHEY

You said you're gonna call me up.
You didn't call me up. Who do
you think you are?

(pushes Galvin into
a wall; advances;
pushes him again)

Who do you think you are...?

GALVIN

Hold on a second.

DONEGHEY

I'm going to have you disbarred.
I'm going to have your ticket.
You know what you did? Do you
know what you did?

Cont.

He pushes Galvin again. Galvin waves Mickey off.

GALVIN

It's all right, Mickey.

DONEGHY

You ruined my life, Mister...Me and my wife...and I am going to ruin yours...

(pushes Galvin again)

You don't have to go out there to see that girl. We been going four years. They all deserted her. Her husband...he took the kids...everyone...everyone. Just me and Sally.

(beat)

Four years...my wife's been crying to sleep what they, what, what they did to her sister.

GALVIN

I swear to you I wouldn't have turned the offer down unless I thought that I could win the case...

DONEGHY

What you thought! What you thought...I'm a workingman, I'm trying to get my wife out of town, we hired you, we're paying you, I got to find out from the other side they offered two hundred...

GALVIN

I'm going to win this case...Mist...Mr. Doneghy...I'm going to the Jury with a solid case, a famous doctor as an expert witness, and I'm going to win eight hundred thousand dollars.

DONEGHY

You guys, you guys, you're all the same. The Doctors at the Hospital, you...it's 'What I'm going to do for you'; but you screw up it's 'We did the best that we could. I'm dreadfully sorry...' And people like me live with your mistakes the rest of our lives.

He nods sadly to himself. Beat.

GALVIN

If I could accept the offer
right now, I would.

(beat)

They took it back.

DONEGHY

I understand.

(starts to walk
away from Galvin;
stops)

I went to the Bar Association.
They tell me you're going to be
disbarred.

INT. O'ROURKE'S PUB - NIGHT

41

Laura sitting in the same place at the bar. Mickey comes up
to her.

MICKEY

Joey can't make it. He had an
appointment he forgot, he's
going to see you later. I'm
Mickey Morrissey, we're supposed
to get to know each other.

LAURA

How'm I doing so far?

MICKEY

So far you're great. You got
a cigarette?

Laura opens her purse, starts hunting for a cigarette.

LAURA

What are you drinking?
(hands him cigarettes,
smiles, calls the
Bartender)

Jimmy...?

INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT

42

Galvin, walks up to a door marked Doctors Only. He opens
his briefcase, takes out the box of Macanudo Cigars, smiles
to himself, walks inside.

INT. DOCTORS' LOCKER ROOM - GRUBER'S LOCKER

43

Galvin enters, looks around, it is empty. He looks at the clock, takes out his appointment book, turns to appropriate page.

ANGLE - P.O.V.

The book, written very large: "Dr. Gruber. 7:00 P.M. Hospital."

ANGLE

Galvin standing, he waits a beat. Starts out of locker room.

INT. GRUBER'S HOSPITAL CORRIDOR - NURSES' STATION 44
- NIGHT

CAMERA FOLLOWS him TO Nurses' Station. He speaks to the NURSE behind the desk.

GALVIN

Dr. Gruber.

NURSE

Dr. Gruber's not here today,
Sir.

GALVIN

No...no...

She glances down, checks a sheet.

NURSE

Yes, Sir. He hasn't been in
all day...He's not on the
chart...

EXT. GRUBER'S OFFICE BUILDING AND STREET - NIGHT 45

Galvin walking in the snow. Stops outside of a very lovely brownstone with a small brass plaque.

ANGLE - P.O.V.

The plaque: Dr. David Gruber. M.D. P.C.

ANGLE

Galvin looking in through the window of the dark, deserted ground-floor office. He knocks on the door. Nothing. He knocks again. Nothing. He stands unbelieving.

EXT. GRUBER'S HOUSE AND STREET - NIGHT

Galvin getting out of a taxi, rushing up the steps of a brownstone. Peeps through the window on the side of the house. Dark. He grabs the brass knocker. Pounds. Nothing, he pounds again. Nothing. He is beaten. He is without resource. He starts vacantly down the stairs. The door behind him is opened. He turns.

ANGLE - P.O.V.

A middle-aged black WOMAN in livery.

MAID

What is it?

ANGLE

Galvin on the steps speaking with her.

GALVIN

Dr. Gruber.

MAID

Dr. Gruber's not in.

GALVIN

I had an appointment at his office, I think I must have got it wrong. We had a meeting...

MAID

He's not in, Sir.

GALVIN

Where is he?

She hesitates. She has been instructed not to say. Galvin starts up the steps.

GALVIN

I...please. My wife...my wife's prescription has run out. If I can call him...

MAID

Dr. Halpern's taking all his...

GALVIN

No, no, no. I have to talk to him. If I can only call him...

Cont.

MAID

(beat)

He's...you can't reach him, Sir.
He's in the, on some island in
the Caribbean, they don't have
a phone.

(beat)

He'll be back in a week...

(beat)

If you'd like Dr. Halpern's
number...

Galvin turns away from the door. He is still clutching the
box of cigars unconsciously.

INT. O'ROURKE'S - NIGHT

47

Mickey and Laura. Positions unchanged, at the bar. Somewhat
progressed toward a convivial drunkenness.

MICKEY

Stearns, Harrington, you know who
that is?

LAURA

Should I?

MICKEY

A huge law firm. Okay? They
put him in the firm, he's
married, everything's superb.
Joey, he's starting to talk
like he comes from
Dorsetshire, some fuckin'
place, 'You must drop by with
Pat and me...' Okay...?

LAURA

Yes.

MICKEY

...and he's making a billion
dollars every minute working
for Stearns, Harrington, and
he bought a dog, and everything
is rosy.

(beat)

Then Mr. Stearns, he tried to
fix a case.

LAURA

The Big Boy did...?

Cont.

MICKEY

That Joe was working on. Yeah. He thought Joey needed some help, so he bribed a juror. So Joey finds out. He comes to me in tears. He thinks that anybody who knows what a 'spinnaker' is got to be a saint. I told him, 'Joey, wake up. These people are sharks. What do you think they got so rich from? Doing good?' He can't be comforted. He tells the boys at Stearns and Harrington they've disappointed him, he's going to the Judge to rat them out.

LAURA

Huh.

MICKEY

Before he can get there here comes this Federal Marshal, and Joey's indicted for Jury tampering, they throw him in jail, he's gonna be disbarred, his life is over.

(beat)

Jimmy, gimme another drink.

(to Laura)

How are you?

LAURA

(to Jimmy)

Me, too.

MICKEY

Okay. Now, so he's in jail. He, finally, he gets to see the light, he calls up Harrington, he says he thinks that he made a mistake. As if by magic, charges against him are dropped, he's released from jail.

Cont.

MICKEY (Cont.)

(beat)

P.S. He's fired from the firm,
his wife divorces him, he turns
to drink and mopes around three
and a half years.

(beat)

You like that story...?

She looks at him. HOLD.

EXT. JUDGE SWEENEY'S HOUSE - NIGHT

48

Snow falling. Galvin standing outside, having just rung the
bell. The door is opened by a gangly teen-age boy. CAMERA
FOLLOWS Galvin into...

INT. JUDGE SWEENEY'S HOUSE - NIGHT

49

...the hall of the house. The boy motions toward a closed
sliding door and then goes into the living room opposite.
Galvin hangs up his coat on the hall coatrack, we hear the boy
resume the practice of a passage of Chopin on the piano. Galvin
knocks on the sliding door.

JUDGE

(o.s.)

Come in.

Galvin opens the door and goes into the Judge's darkened study.
The Judge is watching a basketball game on TV, drinking a beer.
CAMERA FOLLOWS Galvin into the room.

JUDGE

What is it?

GALVIN

Thank you for seeing me.

JUDGE

That's perfectly all right.

Judge turns down the volume on the game, but keeps watching it.

GALVIN

I need an extension for my case.

JUDGE

You should have taken their
offer. Especially if you were
unprepared.

Cont.

GALVIN

I had a witness disappear on me.

JUDGE

That happens.

GALVIN

I could subpoena him if I had a week.

JUDGE

I don't have a week. This case never should have come to trial. You know better. You're Mr. Independent. You want to be independent? Be independent now. I've got no sympathy for you.

Judge leans forward, turns up the volume on the game.

EXT. STREET - GALVIN - PHONE - NIGHT

50

LONG SHOT of cars whooshing in the snow past a lonely street corner. A MAN at an open telephone stand. The sound of the telephone on the far end ringing.

ANGLE

Galvin at the stand, shivering in the cold, talking on the phone. An open note pad in his bare hand.

VOICE

(voice over)

Continental Casualty...

GALVIN

Mr. Alito, please.

VOICE

(voice over)

Business hours are over, Sir.
This is the switch...

GALVIN

I have to reach him. This is an emergency. Could you give me his home number?

VOICE

(voice over)

I'm sorry, Sir, we're not allowed...

Cont.

GALVIN
 ...Would you, would you call him
up. I'll give you my number,
 and ask him...

VOICE
 (voice over)
 I can't guarantee that...

GALVIN
 I understand. Thank you, my
 name is Galvin. I'll be at the
 following number in a half an
 hour. It's urgent.

INT. GALVIN'S OFFICE --NIGHT

51

Galvin sitting at his desk, a stack of files piled on his desk,
 he is sorting through them looking for something. The phone
 rings, he snatches it up.

GALVIN
 (into phone)
 Hello. Yes. Thank you for
 calling. Joe Galvin...I'm
 representing Deborah Ann Kaye...?
 I'd like to discuss your firm's
 offer of the two hundred th...
 In the sense that I feel that
 we'd like to accept it.

(beat)
 Well, it's rather a shock to me,
 too; but it's my client's wishes
 ...She's changed her mind as of
 this evening...I must say that I
 tried to dissuade her...

He wipes his sweating forehead, he hears the sound of his office
 door opening, he looks up.

ANGLE - P.O.V.

Mickey opening the front door to the office, carrying an armful
 of lawbooks, and a couple of files, he turns on the lights in
 the anteroom, and we SEE that he is surprised to see Galvin
 in the office.

ANGLE - GALVIN ON THE PHONE

GALVIN
 (into phone)
 ...Well, she, on the eve of the
case...You understand...I think
 quite frankly she's come down with
nerves and she'd like...

A beat. Mickey comes tentatively into the room and sits at the desk across from Galvin.

GALVIN

When was that arrived at...?
(beat)

I, I know what Mr. Concannon said, but...I. Well, I think you're making a mistake...I think that you should reconsider; why don't you check with your principals, and I'll call in the...
(beat)

No?...you...uh. All right. No. That's fine. I understand. Sorry to bother you at home.

He hangs up the phone. Sits rock still. Beat.

MICKEY

What happened...?

Galvin starts searching through his files again.

MICKEY

What happened, Joey...?

GALVIN

I can't talk now.

MICKEY

D'you meet with Dr. Gruber...?

Galvin has found the sheet he is looking for, he extracts it from the file.

ANGLE - P.O.V.

The sheet of yellowing paper. Headed "DEBORAH ANN KAYE Poss. Drs. to testify: Contact: Dr. Lucien Thompson, Mineola Long Island; Dr. Duane Litchey..." He turns to second sheet. It is a letter-headed sheet, "Lucien Thompson, M.D." "Dear Mr. Galvin, after studying the case material on Deborah Ann Kaye, I would be glad..." Galvin turns back to first sheet, underlines THOMPSON in red.

ANGLE

Galvin dialing phone.

GALVIN

Concannon got to my witness.

Cont.

GALVIN (Cont.)
 (beat; to himself)
 I can't breathe in here...
 (into phone)
 Hello Doctor...?
 (checks sheet)
 Dr. Thompson, this is
Joseph Galvin, attorney for a
Deborah Ann Kave, we had some
correspondence some time ago...?
 That's right. I'm sorry that we
 never got back, the case was
postponed, and I've had a
changeover in staff...I'm sorry
 to call you so late...

ANGLE

Mickey, looking pityingly at Galvin. Mickey sees the box of Macanudo Cigars on the desk, picks them up, starts to open them -- throws them across the room in disgust.

GALVIN
 (voice over)
 ...but we have had a change of
strategy, and we were wondering.
 I know this is short notice,
 but...

INT. GALVIN'S APARTMENT - NIGHT

52

Galvin in pants and shirt carrying a drink, distraught, frightened. Standing in the doorway of his sitting room.

ANGLE

Laura in slacks and sweater coming out of the kitchen with her drink. She sits at a worktable on which are Galvin's briefcase, files, etc.

ANGLE

Galvin and Laura. He is biting his nails.

Beat.

LAURA
 Would you like me to leave...?
 (beat)
 Is this a bad time -- ?

Cont.

GALVIN
(distracted)
What...?

LAURA
Is this a bad time.

GALVIN
We, we...No...we just had a
small reversal in the case...
(beat)
I have some, uh...I have some
work to do...

LAURA
What happened...?

GALVIN
They, uh, they got to my
witness.

A beat.

LAURA
...and is that serious?
Galvin, suddenly focuses, starts for worktable.

GALVIN
I've got to work...

LAURA
Do you want me to go...?

GALVIN
No, no, I'm just...

He stops, rubs his face...

LAURA
Why don't you get some rest?

GALVIN
I've got to work.

LAURA
You can't work if you can't
think. You get in bed. It's
all right. I'll stay here
with you. It's all right. Come
on...

Cont.

GALVIN
You're going to stay here...?

LAURA
Yes.

A beat.

GALVIN
I'm only going to rest a little
while.

She leads him into the bedroom.

ANGLE - LATER

Same room, Laura, dressed in Galvin's bathrobe, sitting in the easy chair next to his worktable, smoking a cigarette, reading an old hard-cover novel. She looks up across the room.

ANGLE - P.O.V.

The door to the bedroom, closed.

ANGLE

Laura sighs, takes a drag. Puts the book down on her lap. Sits, thinking.

INT. CONCANNON'S CONFERENCE ROOM - DAY

53

Witness stand. DR. TOWLER, a distinguished man in his fifties, sitting on the stand. Concannon o.s. The doctor is ill-at-ease; smiles nervously.

CONCANNON
(voice over)
What is your name, please?

DR. TOWLER
Dr. Robert Towler.

CONCANNON
(voice over)
You were Deborah Ann Kaye's
doctor...?

DR. TOWLER
No, actually, she was referred
to me. She was Dr. Hagman's
patient...

Cont.

CONCANNON
(voice over)
Don't equivocate. Be positive.
Just tell the truth.

ANGLE

The conference room. WIDE. Concannon's young lawyers taking notes as Concannon rehearses Dr. Towler, a Sony VTR being operated by one of them.

CONCANNON
Whatever the 'truth' is, let's
hear that. You were her doctor.

DR. TOWLER
Yes.

CONCANNON
Say it.

DR. TOWLER
I was her doctor.

CONCANNON
You were the anesthesiologist
at her delivery on May twelfth,
nineteen seventy...

DR. TOWLER
...I was one of a group of...

CONCANNON
Answer affirmatively. Simply.
Keep those answers to three
words. You weren't 'part of a
group' you were her
anesthesiologist. Isn't that
right?

DR. TOWLER
Yes.

CONCANNON
You were there to help Dr. Marx
deliver her baby. Were you
not?

DR. TOWLER
Yes.

Cont.

ANGLE

Concannon starts to stroll a bit around the conference room, in back of the assembled assistants, by the large windows, which offer a panoramic view of Boston.

CONCANNON

Anything special about the case?

DR. TOWLER

When she...

The young lawyer (BILLY), Concannon's right-hand assistant, raises his hand to get Concannon's attention.

CONCANNON

(to Dr. Towler,
correcting him)

When 'Debby'...

(to Young Lawyer)

Thank you.

Young Lawyer nods, makes a notation in his pad.

DR. TOWLER

Thank you. When Debby...

CONCANNON

(switching his tack)
Dr. Towler, who was in the
operating room with you?

DR. TOWLER

Ms. Nevins, nurse-anesthetist;
Dr. Marx, of course...

He nods toward Dr. Marx who is in the audience, who nods back.

DR. TOWLER

Mary Rooney, the obstetrical
nurse...

CONCANNON

What did these people do when
her heart stopped?

DR. TOWLER

We went to Code Blue...

CONCANNON

'Code Blue,' what does that mean...?

Cont.

DR. TOWLER

It's a common medical expression, it's a crash program to restore the heartbeat. Dr. Marx cut an airway in her trachea, to get her oxygen, her and the baby...Ms. Nevins...

CONCANNON

Why wasn't she getting oxygen...?

DR. TOWLER

Well, many reasons, actually...

CONCANNON

Tell me one?

DR. TOWLER

She'd aspirated vomitus into her mask...

CONCANNON

She THREW UP IN HER MASK. Let's cut the bullshit. Say it: She THREW UP IN HER MASK.

A beat.

DR. TOWLER

She threw up in her mask.

Concannon nods to the Young Lawyer, who is conscientiously taking notes.

CONCANNON

...and her heart stopped and she wasn't getting oxygen.

DR. TOWLER

That's right.

CONCANNON

And what did your team do...

DR. TOWLER

Well, we...

CONCANNON

...You brought thirty years of medical experience to bear. Isn't that what you did?

Cont.

DR. TOWLER

Yes.

CONCANNON

...A patient riddled with complications, questionable information on her, on her admitting form...

DR. TOWLER

...We did everything we could...

CONCANNON

...to save her and to save the baby. Is that...

DR. TOWLER

Yes!

CONCANNON

You reached down into death.
Now, isn't that right?

DR. TOWLER

(getting overcome)
My God, we tried to save her...
You can't know...you can't know...

CONCANNON

(changing tactics;
soothing)

Tell us.

Beat. Dr. Towler sighs. He begins to speak.

EXT. SOUTH STREET STATION - BOSTON - DAY

54

People coming out of a just-arrived train.

ANGLE

Galvin watching them, he has a large boutonniere in his lapel. The departing PASSENGERS stream past him. An elderly BLACK MAN passes him by, turns and comes back to him.

ANGLE - THE BLACK MAN AND GALVIN

DR. THOMPSON

Mr. Galvin?

Cont.

Galvin turns. He is taken aback. He registers who it must be.

GALVIN

Dr. Thompson...?

DR. THOMPSON

It was good of you to meet...

Galvin cuts him off, takes his bag.

GALVIN

Thank you for coming.

They shake hands. They start...

INT. SOUTH STREET STATION - DAY

55

...into the station. The CAMERA TRACKING BEFORE them. As Galvin passes a wastebasket, he deposits his boutonniere.

GALVIN

I have some errands to run,
and then I thought we'd spend
the evening...

DR. THOMPSON

(nodding)

That's what I'd planned to...

GALVIN

I'm going to take you to the
home to see the girl...

DR. THOMPSON

(tapping his briefcase,
referring to his files)

From what I've seen, Mr. Galvin,
you have a very good case...

GALVIN

(distracted; thinking
ahead)

Yes. Yes. I think so. I hope
you'll be comfortable. I'm
putting you up at my...

DR. THOMPSON

...I made a reservation at...

GALVIN

...apartment.

Cont.

GALVIN (Cont.)

(stops)

No, no. Please. You don't know who we're dealing with, I, please believe me, they...

DR. THOMPSON

...What difference would...

GALVIN

These people play very rough. They don't want to lose this case. There's a lot of pressure they can bring to bear, I...

DR. THOMPSON

(smiles)

There's nothing they can do to me.

EXT. SOUTH STREET STATION AND STREET - DAY

56

Galvin starts them walking again.

GALVIN

Please, Sir. Please. Humor me.

They have arrived outside at a bank of cabs.

GALVIN

We'll spend the evening together, I'll put you up, you'll be very comfortable. Please.

(hands Dr. Thompson
an envelope)

That's my address. The key is in it.

(leans forward into
a cabbie's window)

1225 Commonwealth.

(to Dr. Thompson)

Treat the place as your own. Please don't tell anyone you're here, I'll see you this evening. Thank you, and thank you for coming.

He puts Dr. Thompson's bag into the cab. Dr. Thompson hesitates, gets into the cab.

Cont.

As the cab pulls out, CAMERA FOLLOWS Galvin TO a bank of phones outside the station.

ANGLE

Galvin at the phone.

VOICE

(Claire, on phone)
Mr. Galvin's...

GALVIN

Let me talk to Mickey.

A beat.

MICKEY

(on phone)
Yeah? How's our new witness?

GALVIN

D'you find the obstetric nurse?

MICKEY

She's workin' the late shift at the Hospital. She's at home now, I'm going over there to talk to...

GALVIN

Gimme the address. I'm gonna go. We're going to need her.

EXT. MARY ROONEY'S HOUSE - DAY

57

Names on bells. One of them is ROONEY, M. 2D.

ANGLE

Galvin standing by the bell. Rings it. Beat. The door is buzzed, he walks into the vestibule, past mailboxes, up the stairs.

INT. MARY ROONEY'S HOUSE - DAY

58

Door opens, MARY ROONEY, a tough-looking woman in nurse whites opens the door.

ANGLE

Galvin in hall, CAMERA FOLLOWS him TO the door.

Cont.

GALVIN

I'm Joe Galvin. I'm representing Deborah Ann Kaye, case against St. Catherine Laboure.

MARY ROONEY

I told the guy I didn't want to talk to...

GALVIN

I'll just take a minute. Deborah Ann Kaye. You know what I'm talking about. The case is going to trial. Our chief witness is a Dr. David Gruber, you know who he is?

MARY ROONEY

No.

GALVIN

He's the Assistant Chief of Anesthesiology, Massachusetts Commonwealth. He says your doctors, Towler and Marx, put my girl in the hospital for life. And we can prove that. What we don't know is why. What went on in there? In the O.R. That's what we'd like to know. Something went wrong. And you know what it was. They gave her the wrong anesthetic. What happened? The phone rang...someone got distracted...what?

MARY ROONEY

...you got your doctor's testimony. Why do you need me?

GALVIN

I want someone who was in the O.R. We're going to win the case, there's no question of that. It's just a matter of how big...

MARY ROONEY

I've got nothing to say to you.

GALVIN

You know what happened.

Cont.

MARY ROONEY

Nothing happened.

GALVIN

Then why aren't you testifying
for their side?

She starts to close the door. He stops her.

GALVIN

I can subpoena you, you know.
I can get you up there on the
stand.

MARY ROONEY

And ask me what?

GALVIN

Who put my client in the hospital
for life.

MARY ROONEY

I didn't do it, Mister.

GALVIN

Who are you protecting, then?

MARY ROONEY

Who says that I'm protecting
anyone?

GALVIN

I do. Who is it? The Doctors.
What do you owe them?

MARY ROONEY

I don't owe them a goddamn thing.

GALVIN

Then why don't you testify?

MARY ROONEY

(beat)

You know, you're pushy, fella...

GALVIN

You think I'm pushy now, wait 'til
I get you on the stand...

MARY ROONEY

Well, maybe you better do that,
then.

Cont.

MARY ROONEY (Cont.)

(starts to close
door; stops)

You know you guys are all the
same. You don't care who gets
hurt. You're a bunch of whores.
You'd do anything for a dollar.
You got no loyalty...no nothing
...you're a bunch of whores.

She closes the door on him.

INT. CONCANNON'S OFFICE - NIGHT

59

A young LAWYER on the phone, silent, nodding, taking notes.
He holds up his hand to someone indicating "Almost done.
I'll be right with you."

ANGLE

Concannon, in overcoat, about to go out, surrounded by an
entourage of SECRETARIES and ASSISTANTS in overcoats, waiting
on him.

ANGLE

Concannon and the Young Attorney. The Young Attorney into
phone, "Thank you." He hangs up, starts reading from his notes
to Concannon:

YOUNG ATTORNEY

His name is Dr. Lionel Thompson.
City College of New York,
Class of twenty-six. Bachelor
of Science; New York College of
Medicine; sixteenth in a class of
twenty-two. Nineteen seventy-six
got a courtesy appointment, staff
of anesthesiology, Easthampton
Hospital for Women. Never
married. Has no honors or degrees
of any weight. Since nineteen
seventy-five he's testified in
twenty-eight court cases, twelve
malpractice.

(smiles, saving his
best 'til last)

And he's black.

CONCANNON

(beat; stern)

I'm going to tell you how you handle
the fact that he's black. You don't
touch it. You don't mention it.
You treat him like anybody else.
Neither better or worse.

Cont.

CONCANNON (Cont.)

(smiles)

And you get a black lawyer to sit
at our table. Okay...?

YOUNG ATTORNEY

Yessir.

CONCANNON

Good. What else do you do?

YOUNG ATTORNEY

...get the records of his testimony
in the twelve malpractice cases.

Concannon nods, meaning "that is correct." He turns, exiting
with his ENTOURAGE. Over his shoulder:

CONCANNON

Do it. We'll be at Locke-Obers.

INT. GALVIN'S APARTMENT SITTING ROOM - NIGHT

60

Dr. Thompson in shirt sleeves, attentive, stands against a
sideboard. Mickey Morrissey, seated, in an armchair. Grilling
him.

DR. THOMPSON

They gave her the wrong anesthetic.

MICKEY

Why is that?

DR. THOMPSON

(starting on reciting
a list)

Her sister said she ate one hour
prior to admittance...she...

MICKEY

...that's what the sister said.
The chart said she ate nine hours
prior to...

DR. THOMPSON

...she went in complaining of
stomach cramps. Good doctor
would have doubted the
information on the chart.

MICKEY

Is that what a good doctor would
do? How old are you, please?

Cont.

DR. THOMPSON
I am seventy-four years old.

MICKEY
What qualifies you as an expert
in anesthetics...?

DR. THOMPSON
I am on the staff of...

MICKEY
Easthampton Hospital for Women.
Excuse me, what is that, a joke?
Let me tell you something,
Doctor, those men at
Catherine Laboure. Men who are
known not only in this city,
but the world, were trying to
save a woman's life. They were
there, and here you are, four
years later, read some hospital
report, and say...

DR. THOMPSON
...I made a detailed physical
examination of the patient, Sir,
yesterday evening, I...

Mickey drops his belligerent attitude. Turns to someone behind
him.

ANGLE

The two men, Galvin standing behind Mickey, smoking. He
nods.

MICKEY
(to Dr. Thompson,
casually)
She getting good care over there?

DR. THOMPSON
Actually, it's yes. It's by no
means bad, I...

MICKEY
(grilling him again)
Then what good would it do to
ruin the reputation of two men,
to help a girl whose life's not
going to be changed in the least?
You know what CODE BLUE means?

DR. THOMPSON
'Code Blue'...

MICKEY

It's a common medical term.

Mickey half-turns to Galvin, shrugs minutely, meaning, "We're in trouble."

INT. LAURA'S HOTEL ROOM - NIGHT

61

Hotel room door SEEN from the inside.

Beat.

The handle starts to turn.

ANGLE

Galvin coming through the door. He looks at Laura, tiredly closes the door behind him, hangs up his coat in the closet, moves into the room. As Galvin walks into the room, the CAMERA PRECEDES him and TURNS so that WE NOW SEE them BOTH.

Beat.

GALVIN

We're going to lose.

A beat. Galvin looks out the window and then looks back to Laura.

GALVIN

Do you think it's my fault?

LAURA

Isn't there something you...

GALVIN

That's not the question. It's over.

(beat)

Do you think that it's my fault?
If I'd...if I'd...I never should
have taken it. There was no way
that I was going to win.

LAURA

You're talking like a drunk.

GALVIN

That's what I am.

Beat.

Cont.

LAURA

And it's over...?

GALVIN

Yes.

LAURA

Well, then what are you doing here...?

Beat.

GALVIN

I...do you want me to leave?

LAURA

You do what you want. You want to leave...You want to go kill yourself?

GALVIN

I...

LAURA

You want me to tell you it's your fault? It probably is. What are you going to do about it?

(beat)

I thought it's not over till the jury comes in.

GALVIN

How the hell do you know...

LAURA

You told me so.

GALVIN

I came here for some sympathy.

LAURA

You came to the wrong place.

GALVIN

And what makes you so tough?

LAURA

Maybe I'll tell you later.

GALVIN

Is there going to be a later...?

Cont.

LAURA
Not if you don't grow up...

GALVIN
If I don't 'grow up...'

LAURA
You're like a kid, you're coming
in here like it's Sunday night,
you want me to say that you've
got a fever -- you don't have to
go to school...

GALVIN
(shakes head
sadly)
You, you don't under...

LAURA
Oh, yes, I do, Joe. Believe
me. You won't let go of the
past.

GALVIN
Oh. Is that my problem...

LAURA
What is your wife's picture
doing by the side of your...

GALVIN
What is that to you...?

LAURA
What would you like it to be
to me...? I, I, I can't invest
in failure, Joe, I've beat it
out of me, and...

Galvin gets up hurriedly.

GALVIN
Excuse me, I've...

He hurries out of the room. CAMERA FOLLOWS him into the
bathroom, he shuts the door, his chest heaves convulsively.
He can't catch his breath...Beat. We hear a knock on the
door.

LAURA
(voice over)
Joe...
(beat)
Joe...

GALVIN
(screaming)
Stop pressuring me...

The door opens, Galvin is still trying to catch his breath.
Laura enters.

Beat.

LAURA
You're pressuring yourself...

GALVIN
(shaking head,
utterly denying her)
No...no...

LAURA
Yes.
(beat)
We've all got to let go.

INT. "D. KAYE" SIGN - COURTROOM CORRIDOR - DAY 62

Galvin coming down the corridor with Sally Donegby. They stop by a door on which the card reads: "PART III. DEBORAH ANN KAYE V. ST. CATHERINE LABOURE HOSPITAL ET AL."

INT. COURTROOM - DAY 63

They enter the courtroom. CAMERA FOLLOWS them in. The room one-quarter filled. Concannon at the defense table with the Defendants, a Black Lawyer, entourage. Galvin stops.

GALVIN
(to Sally)
I'm going to do the best I
can for you and your sister.
I know what it means to you.
Believe me...
(beat)
It means that much to me.

He turns away, walks toward the front of the courtroom, glances toward the jury box.

ANGLE - P.O.V.

The Jury, somber, controlled, dignified.

Cont.

ANGLE

Galvin continuing to the defense table, Mickey Morrissey already seated, studying notes on a yellow legal pad. Galvin sits. Mickey looks up.

MICKEY

How are you holding up?

GALVIN

I'm swell.

MICKEY

And our ~~guy's~~ still a nigger, all we've got
huh? *is a witch doctor!*

GALVIN

Yeah.

Cont.

The BAILIFF enters, some SPECTATORS, knowing the routine, start getting to their feet.

MICKEY

Look at it this way: it's
refreshing every time a Doctor
takes the stand he's not a Jew.

We hear the Bailiff's "All rise."

ANGLE

The COURTROOM getting to its feet as JUDGE WILLIAM B. HOYLE enters.

The Bailiff, as the Judge sits:

BAILIFF

Hear ye, hear ye, hear ye, all
persons having anything to do
before the Honorable, the
Justices of the Superior Court
now sitting at Boston within and
for the County of Suffolk, draw
near, give your attendance and you
shall be heard. God save the
Commonwealth of Massachusetts.
Be seated.

The Courtroom is seated. JUDGE motions to the CLERK, who stands and reads:

CLERK

Deborah Ann Kaye versus
St. Catherine Laboure,
Robert S. Towler, M.D. and
Sheldon F. Marx, M.D.

ANGLE - CLOSEUP

GALVIN at Plaintiff's table, looking down at notes.

JUDGE

Is the Plaintiff ready?

GALVIN

(looking up)
Ready, your Honor.

JUDGE

Defense...?

CONCANNON

Ready for the Defense, your
Honor.

Cont.

ANGLE

The Courtroom. P.O.V. JUDGE

JUDGE

(voice over)

Let's begin.

Galvin gets to his feet. Walks over to the JURY. Looks at them, appraising. He pauses as before a great effort. Taken a breath. Exhales.

GALVIN

It's a terrible thing to sit in judgment. So much rides on it. I know that you've thought, 'How can I be pure. How can I be impartial without being cold. How can I be merciful and still be just?' And I know that most of you have said some sort of prayers this morning to be helped. To judge correctly. We have the reputation of two men. Two well-respected doctors and a renowned hospital before us. And with those two respected men we have my client, Deborah Ann Kaye...

(beat)

...who was unlawfully deprived of sight, of locomotion, hearing, speech, of everything, in short, which constitutes her life.

(beat)

We are going to prove she was deprived through negligence.

(beat)

Through the negligence of those respected men. We will show:
One...

INT. ARCHBISHOP'S HOUSE - CORRIDOR - DAY

64

A lavishly appointed corridor. Alito and BILLY, the YOUNG LAWYER from the Concannon's office, walking slowly down the corridor.

ALITO

Why did he go to see Mary Rooney?

YOUNG LAWYER

She's the only nurse who isn't testifying for the Doctors.

Cont.

ALITO
What did he find?

YOUNG LAWYER
Nothing.

ALITO
How good's your intelligence?

YOUNG LAWYER
Very good.

ALITO
And so what is the rest of his case
aside from this Dr. Thompson?

YOUNG LAWYER
As far as we know now, nothing.

Alito nods, they stop outside a large double door.

ALITO
Thank Mr. Concannon for me. Please
tell him I'll see him at his office.

Alito knocks on the door. The door is opened by a YOUNG PRIEST.
Alito nods to the Young Lawyer, enters the Bishop's study. The
door is closed behind him.

INT. COURTROOM - DAY

65

The jury box. One JUROR leans over and makes a whispered
comment to another. The SECOND JUROR nods, inclines his head
toward the witness box.

ANGLE

DR. THOMPSON on the stand. Composed, waiting. CONCANNON
consulting his notes.

CONCANNON
Dr. Thompson, just so the Jury
knows, you never treated
Deborah Ann Kaye. Is that correct?

DR. THOMPSON
That is correct. I was engaged
to render an opinion.

Cont.

CONCANNON
Engaged to render an opinion. For
a price. Is that correct? You're
being paid to be here today?

DR. THOMPSON
Just as you are, Sir...

CONCANNON
Are you board-certified in
anesthesiology, Doctor?

DR. THOMPSON
No, I am not. It's quite common
in New York State...

CONCANNON
...I'm sure it is, but this is
Massachusetts, Doctor. Certified
in Internal Medicine?

DR. THOMPSON
No.

CONCANNON
Neurology?

DR. THOMPSON
No.

CONCANNON
Orthopedics?

DR. THOMPSON
I'm just an M.D.

CONCANNON
Do you know Dr. Robert Towler...?

DR. THOMPSON
I know of him.

CONCANNON
How is that?

DR. THOMPSON
Through, through his book.

CONCANNON
What book is that?

Cont.

DR. THOMPSON
Meth...Methodology and Technique...

CONCANNON
...of Anesthesiology?

DR. THOMPSON
'Methodology and Techniques of
Anesthesiology.' Yes.

CONCANNON
How old are you?

DR. THOMPSON
I am seventy-four years old.

CONCANNON
Uh-huh. Practice a lot of medicine
these days?

DR. THOMPSON
I'm on the staff of...

CONCANNON
Yes, we've heard that. Doctor:
you testify quite a bit against
other physicians? Isn't that
right? You, you're available
for that? When you're paid to
be there?

DR. THOMPSON
Sir. Yes. When a thing is wrong...
as in this case, I am available.
I am seventy-four years old, I am not
board-certified. I have been
practicing medicine fifty-six years
and I know when an injustice has been
done.

CONCANNON
Do you, indeed. I'll bet you do.
Fine. Fine. We'll save the court
the time. We will admit the Doctor
as an 'expert witness,' fine.

Concannon sits.

JUDGE
(in undertone,
to Bailiff)
Do we have time this morning to...

Cont.

JUDGE (Cont.)

(glances at watch,
Bailiff nods to him)

All right. Mr. Galvin, you want
to continue now, or we can resume
with Dr. Thompson this afternoon.

GALVIN

(rising)

Thank you, your Honor, I'll continue.
Dr. Thompson. Did you examine
Deborah Ann Kaye last night at
The Northern Chronic Care Facility?

DR. THOMPSON

I did.

CONCANNON

Objection.

JUDGE

Sustained. Yes. The witness will
confine his testimony to review of
the hospital records.

GALVIN

What?

JUDGE

(patronizing)

I believe that's the law...is it
not, Mr. Galvin...?

A beat.

GALVIN

Dr. Thompson. From your review of
the hospital records of May twelfth
nineteen seventy-six. In your opinion,
what happened to Deborah Ann Kaye?

DR. THOMPSON

Cardiac arrest. During delivery her
heart stopped. When the heart stops
the brain's deprived of oxygen. You
get brain damage. That is why she's
in the state she's in today.

GALVIN

Now, Dr. Towler's testified that they
restored the heartbeat within three
or four minutes. In your opinion is
his estimate correct?

Cont.

DR. THOMPSON
It's my opinion it took him
much longer. Nine...ten minutes.
There's too much brain damage.

The Judge leans over.

JUDGE
(to Dr. Thompson)
Are you saying that a failure to
restore the heartbeat within nine
minutes in itself constitutes bad
medical practice?

A beat.

DR. THOMPSON
Well...

GALVIN
Your Honor!

He has shouted unconsciously; the whole Courtroom turns to
look at him.

JUDGE
Yes, Mr. Galvin?

GALVIN
If I may be permitted to question
my own witness in my own way...

JUDGE
I'd just like to get to the point,
Mr. Galvin. Let's not waste these
people's time. Answer the question,
Mr. Witness. Please. Would a nine-
minute lapse in restoring the
heartbeat in of itself be
negligence? .

DR. THOMPSON
I...in that small context I would
have...I would have to say 'no.'

JUDGE
Then you're saying there's no
negligence, based on my question?

Cont.

DR. THOMPSON
I...given the limits of your
question, that's correct.

JUDGE
The Doctors were not negligent.

DR. THOMPSON
(beat)
I...um...

The Judge shrugs, meaning, "Well then what in the hell are we
doing here?"

ANGLE

Galvin, furious.

ANGLE

The Judge and Witness.

JUDGE
Thank you.

The Witness starts to step down. Galvin strides over to him
and speaks to the Judge.

GALVIN
I'm not through with the witness,
your Honor. With all due respect
if you are going to try my case
for me I would appreciate it if
you wouldn't lose it.

The Judge stands, furious.

JUDGE
Thank you. I think that's enough
for this morning. I'll see the
Plaintiff's Counsel in my chambers
now, please.

The Courtroom rises. The Bailiff is heard, "All rise, court is
adjourned until one o'clock."

INT. JUDGE SWEENEY'S CHAMBERS - DAY

66

Galvin, furious, standing against the wall. The Judge comes
in from his own entrance, shucking his robe. Equally angry.

Cont.

JUDGE

I got a letter from the Judge Advocate's office on you today, fella, you're on your way out...They should have kicked you out on that Lillibridge case. Now this is it today.

GALVIN

I'm an attorney on trial before the bar. Representing my client. My client, do you understand? You open your mouth and you're losing my case for me...

JUDGE

Listen to me, fella...

GALVIN

No, no, you listen to me. All I wanted in this case is an even shake. You rushed me into court in five days...my star witness disappears, I can't get a continuance, and I don't give a damn. I'm going up there and I'm going to try it. Let the Jury decide. They told me Sweeney he's a hard-ass, he's a defendant's judge, he's in bed with the Boys Downtown. I don't care. I said, the hell with it. The hell with it. I'll take my chances he'll be fair.

Galvin is pacing. Beat.

JUDGE

(conciliatorily)

Galvin, look, many years ago...

GALVIN

And don't give me this shit, 'I was a lawyer, too.' 'Cause I know who you were. You couldn't hack it as a lawyer. You were Bag Man for the Boys and you still are. I know who you are.

JUDGE

(beat; barely
controlling
anger)

Are you done?

GALVIN

Goddamn right I'm done. I'm going to ask for a mistrial and I'm going to request that you disqualify yourself from sitting on this case. I'm going to take a transcript to the State and ask that they impeach your ass.

JUDGE

You aren't going to get a mistrial, boy. We're going back this afternoon, we're going to try this case to an end. Now you get out of here before I call the Bailiff and have you thrown in jail.

INT. JUDGE'S CHAMBERS CORRIDOR - DAY

67

Galvin walking down the corridor, having just come from the Judge's Chambers. Sally Doneghy comes up to him.

SALLY

What does it mean?

(beat)

I...I mean we, you have other tactics...

GALVIN

We, yes. Yes. They, they present their side, and I get the same chance. To cross-examine...to...to...

SALLY

Are we going to win?

(beat, desperately
needing to trust)

We have, you know, other tactics, though...

GALVIN

Yes.

She nods. Beat. Walks off. Galvin turns to the open door to the Courtroom, through which the SPECTATORS are reentering for the afternoon session. Mickey is standing by the door, he catches Galvin's eye. They look at each other a moment.

Cont.

INT. COURTROOM - DAY

Dr. Towler on the witness stand. Concannon walking away from him.

CONCANNON

No further questions.

ANGLE

Galvin at the Plaintiff's table, hastily scribbling notes, he looks up. Gets to his feet, walks over to Dr. Towler in the witness box, the CAMERA MOVES WITH him.

GALVIN

Dr. Towler...

TOWLER

Yes.

GALVIN

You have a record of what happened in the operating room...

TOWLER

Yes, that's correct.

GALVIN

...there are notations every thirty seconds...

TOWLER

Yes.

GALVIN

...of the procedures...

TOWLER

Yes, the roving nurse...

GALVIN

But those notations stop...

(consults notes)

...four-and-one-half minutes after Deborah Ann Kaye's...

TOWLER

We, we were rather busy...

GALVIN

Four-and-one-half minutes after her heart stopped.

(beat)

And they resume seven minutes...

Cont.

TOWLER

As I've said we had some more...

GALVIN

...they start again three minutes earlier...

TOWLER

We had rather more important things on our mind than our taking notes.

(beat)

We were trying to restore her...

GALVIN

What happened in those three...

TOWLER

...we were trying to restore her heartbeat.

GALVIN

What happened in those three minutes...?

TOWLER

(beat; controls himself)

We'd gone to 'Code Blue,' we were administering electro...

GALVIN

Why did it take that long to get her heartbeat...

CONCANNON

(voice over)

Objection, we've...

GALVIN

...to get her heartbeat back...?

- CONCANNON

(voice over)

We've touched on this, his own witness has said...

GALVIN

(overriding him)

...almost nine minutes...causing brain damage.

Cont.

CONCANNON

(voice over)

Your Honor...! Your Honor...

TOWLER

Brain damage could have been...
it didn't necessarily take nine
minutes, it could have been
caused in two...

GALVIN

Wait, wait, wait, you're saying
that her brain damage could have
been caused by her being deprived
of oxygen for two minutes...?

TOWLER

Yes.

GALVIN

(contemptuous)

Huh. And why is that?

TOWLER

Because she was anemic.

(beat)

It's right there on her chart.
Her brain was getting less oxygen
anyway...

Galvin is struck dumb. He has just made a terrible error. He
looks at Mickey.

ANGLE - P.O.V.

Mickey looks at Galvin. He shakes his head sadly.

INT. COURTHOUSE CORRIDOR - DR. THOMPSON - DUSK 69

The last of the spectators coming out of the court. Galvin and
Dr. Thompson are standing there.

DR. THOMPSON

I didn't do too well for you.

GALVIN

No, you did fine.

DR. THOMPSON

I'm afraid that's not true.

(beat)

Will you want me to stay on till
Monday?

Cont.

GALVIN
No. No thank you, Doctor.
You go home.

A beat.

DR. THOMPSON
You know...sometimes people can
surprise you. Sometimes they
have a great capacity to hear the
truth.

GALVIN
Yes...I...yes.

They shake hands. Dr. Thompson walks off. Stops.

DR. THOMPSON
You sure you don't want me to
stay on.

GALVIN
No. No. Thank you. You go
home.

Mickey walks out of the courtroom arranging papers in his
briefcase.

MICKEY
I'm going back to the office.

He walks off leaving Galvin standing there alone. Laura comes
out of the courtroom. Tentatively, she looks around. Comes up
to him.

EXT. COURTHOUSE - STREET - DUSK

70

Laura and Galvin walking.

LAURA
Is it over?

GALVIN
No.

LAURA
What are you going to do?

GALVIN
I don't have a goddamned idea.

INT. GALVIN'S OFFICE - NIGHT

71

Galvin pacing. Mickey seated. Morose.

GALVIN

Okay. What do you do when you don't have a witness?

MICKEY

(reciting a catechism;
dispiritedly)

You use their witness.

GALVIN

That's right.

MICKEY

I think we tried that. The case is over, Joey.

Galvin continues pacing. He will not hear what was just said

MICKEY

And how the fuck...You broke the first rule that they taught you in law school. You never ask a question you don't know the answer to.

(beat)

Joe, Joe, Joe, wake up. You got your own expert witness says there was no negligence. It's over. Period. There'll be no other cases...

Galvin turns on him, animal-like.

GALVIN

There are no other cases. This is the case.

(beat)

Now you decide...

(beat)

Are you in or out...?

INT. CONCANNON'S OFFICE - NIGHT

72

Soft, dim lights. Concannon sitting on a couch. He holds a red-backed file document. His listener is unseen.

CONCANNON

I know how you feel. I know you don't believe me, but I do. I'm going to tell you something I learned when I was your age. I had prepared a case. Mr. White asked me, 'How did you do.'

Cont.

CONCANNON (Cont.)

(beat)

I said, 'I've done my best.'
He said, 'They don't pay you to
do your best. They pay you to
win.'

(beat)

That's what pays for this office.

(beat)

And that's what pays for the pro
bono work that we do for the poor.
And for the kind of law that you
want to practice. And that's
what pays for your clothes and
my whiskey, and the leisure that
we have to sit back and discuss
philosophy.

(beat)

As we're doing tonight.

(beat)

We're paid to win the case.

ANGLE - CONCANNON AND LAURA

Laura sitting across from him, impassive.

CONCANNON

You finished your marriage.
You wanted to come back and
practice law. You wanted to
come back to the world.

A beat.

He hands the red-backed document to her.

ANGLE - THE DOCUMENT

stamped CONCANNON, BARKER, WHITE. Confidential. Eyes only.

CONCANNON

(voice over)

Welcome back.

INT. LAURA'S HOTEL ROOM/CORRIDOR - NIGHT

73

A lonely middle-class hotel corridor. HOLD. HOLD. Laura,
tired, enters the corridor from the side and proceeds away
from the CAMERA. The CAMERA FOLLOWS her to her door. She
stops, takes out her key, tiredly opens the door.

INT. LAURA'S HOTEL ROOM - NIGHT

74

Laura opening the door, looks down, sees something, bends down to pick it up. Straightens up.

ANGLE - INSERT

A hotel envelope, The Hotel Lincoln _____ Boston, Mass. on the letterhead. Laura's hands open the message, take out a sheet of yellow legal paper.

ANGLE

Laura closes the door behind her, she does not turn on the light, walks over to a couch by the window, sits down, all the while reading the paper by the outside light. She lowers the paper to her lap.

ANGLE - INSERT

The legal sheet. It reads, handwritten:

Laura. I'm going to try. When
this is over can we go away?

Joe.

INT. GALVIN'S OFFICE - NIGHT

75

Mickey on his feet, pacing. Galvin at a blackboard on which is written, "Dr. Towler. Dr. Marx. Admitting Form. Anaesthesia." Etc.

GALVIN

Why doesn't Mary Rooney testify?

Mickey shakes his head.

GALVIN

Are you with me...are you awake...?

MICKEY

Yeah. I'm awake.

GALVIN

Rooney's protecting someone.
Who is she protecting?

MICKEY

The Doctors.

GALVIN

She's protecting the Doctors
she'd be up there on the stand...

Cont.

MICKEY
(listlessly)
Read me what she said.

Galvin flips through his notes. Reads.

GALVIN
'You guys are a bunch of whores
...uh...loyalty...you don't care
who gets hurt...you don't have
any loyalty...'

MICKEY
...one of the other nurses?

GALVIN
Who? They're all testifying.
Everybody who was in the O.R.'s
going to take the stand.

MICKEY
All right. Who wasn't in the O.R.?

GALVIN
What difference can that make...?
All right...

He starts checking the charts. Sighs. "This is useless..."

GALVIN
Uh...the admitting nurse...

MICKEY
What did she do?

GALVIN
She didn't do anything. She
took the patient's history and
signed the charts. 'K.C.'
(looks in notes
for what the initials
signify)
'Kathy Costello...'

MICKEY
The 'History'...?

GALVIN
(explaining)
How old are you, how many children
...when did you last eat...

INT. ST. CATHERINE LABOURE HOSPITAL CORRIDOR -
NIGHT

76

Mary Rooney and another Nurse walking down the corridor carrying foil-covered dishes of food, chatting.

ANGLE

Galvin watching them from behind a corner.

ANGLE

The Nurses come to the corner, Galvin walks past. "Notices" Rooney. Stops.

GALVIN

Miss Rooney. Oh. Listen...

(beat)

I understand what you are doing.
And I want you to know it's
all right.

He nods, starts off in the direction he was going in.

ROONEY

What are you talking about?

Galvin turns, confused. Goes back to her. Warmly, conciliatory..

GALVIN

About Kathy Costello.

(beat)

I understand, and I don't blame
you for shielding her.

A beat.

Mary Rooney motions the other Nurse to go away. She steps closer to Galvin.

GALVIN

I spoke to her, and everything
is all right.

ROONEY

I, what are you talking about?
I talked to her this morning,
and she said...

GALVIN

(nods)

She told me.

Cont.

ROONEY
(credulous)
She did?

GALVIN
I just saw her.

ROONEY
In New York?

GALVIN
What?

ROONEY
You saw Kat in New York...
(beat)
...or is she in town? Is she
in town...?

Beat. It occurs to her that she's been duped, as Galvin starts off hurriedly down the hall.

INT. GALVIN'S OFFICE BUILDING CORRIDOR - NIGHT

77

Laura. SEEN from the back, walking down the corridor. CAMERA FOLLOWS her. She stops outside Galvin's door. She turns. We SEE she is carrying a tray of coffee containers. She opens door. CAMERA FOLLOWS her INTO the office. Mickey is on the phone in the vestibule, Galvin is on the phone in his office. He is just hanging up.

GALVIN
(into phone)
Thank you. I'm sorry.

Laura starts distributing coffee. Galvin shouts to Mickey in the far room.

GALVIN
We don't have anything from the
Nurse Association?

MICKY
The broad has disappeared...

GALVIN
The Hospital...?

Laura goes into Galvin's office with coffee. CAMERA FOLLOWS her.

Cont.

MICKEY

No records since she quit in '76.
She quit two weeks after the
incident.

Laura hands coffee to Galvin.

GALVIN

Thank you.

LAURA

I have to talk to you.

GALVIN

(to Mickey)

Call the A.M.A.

(to Laura)

...I can't talk now.

(to Mickey)

...tell them you're Dr. Somebody

...you have to find this nurse...

MICKEY

...yeah...good...

GALVIN

...you need some old forms that
she had...somebody's dying...

Galvin picks up the telephone. Looks down to telephone book
in front of him, open on desk.

ANGLE - P.O.V.

New York City telephone directory. Two columns of COSTELLO's.
Thirty of them crossed off. Galvin on the phone.

GALVIN

(voice over)

Hello, Mrs. Costello...

ANGLE - GALVIN ON THE PHONE

GALVIN

Sorry to bother you so late.

Laura goes over to the couch, sits. Lights a cigarette.

GALVIN

This is Mr. Goldberg in Accounting.
We have some money here for you...
This is the Mrs. Costello that
used to be a nurse?

Cont.

GALVIN (Cont.)

(beat)

I'm sorry. I think we have our
records mixed up.

ANGLE

Laura sitting on the couch. Tense. Smoking.

GALVIN

(voice over)

Are you related to Kathy Costello,
the R.N.?...I'm sorry...

We hear Mickey on his phone.

MICKEY

(voice over)

Hello, this is Dr. Dorchester
in Boston. This is an emergency.
A nurse left my employ...

ANGLE

Laura on the couch. Galvin dialing the phone. Mickey HALF-SEEN
in the next room.

MICKEY

...four years ago...

GALVIN

(into phone)

Hello. This is Mr. Dorchester
in Records. We're looking for
Kathy Costello...

MICKEY

(voice over; in
the other room,
shouting)

I need a cigarette!

(resumes on-the-
phone tone)

She left my office four years
ago, we're looking for a chart...

(covers phone,
again shouts)

I need a cigarette...

Laura looks around the desk, picks up one then another pack,
crushes them, empty. She nods to herself, picks up her coat
off the couch in the anteroom, and starts down the hall. Going
through the door, she turns, looks back.

Cont.

ANGLE - P.O.V.

Galvin in the inner office, on the phone.

GALVIN
(into phone)
Thank you. I'll hold.

He looks up. Sees Laura, gives her a half-smile.

INT. GREASY SPOON - NIGHT

78

Near the cash register of an all-night diner in the business district, the deserted streets outside. Laura -- standing next to a wall phone, exhausted. She is handed a cardboard tray with three coffees on it and two packs of Pall Malls and some change by the Proprietor. She takes the change and turns her head to look at the telephone.

INT. GALVIN'S OFFICE - NIGHT

79

Mickey asleep on the couch, coffee containers around him, an ashtray full of butts. Beat. We hear a telephone being dialed.

ANGLE

Galvin, exhausted, smoking, on the telephone.

GALVIN
Hello. This is Ross Williams.
I'm calling from California.
I'm sorry. I know it's late
in the East, but this is an
emergency. May I please speak
to Kathy Costello?

(beat)
I'm sorry. My records must be
confused. This is the family
of Kathy Costello...? Please
excuse it.

He hangs up. Reaches for a bottle of whiskey on his desk. Pours a shot into a glass. Downs it. His attention is caught by something across the room.

ANGLE - P.O.V.

Laura asleep on the couch, covered in Galvin's overcoat.

ANGLE

Galvin looks gratefully at her. He begins dialing the phone.

INT. GALVIN'S OFFICE - VESTIBULE - DAY

A small bundle of mail is pushed through the vertical slot and falls to the floor.

ANGLE

Interior office. Early morning. Galvin asleep with his head on his desk. Mickey asleep in a chair. Laura asleep on the couch, covered with Galvin's overcoat. Galvin wakes up, startled by the sound of the mail dropping. He picks up the phone mechanically. He realizes it is morning and he has been asleep. He replaces phone. He surveys the office. Dead, resigned. He closes the phone book. He reaches in a pack of cigarettes on the desk. It is empty. He roots in the ashtray for a long butt. This disgusts him. He rejects it. Rubs his eyes. Gets up. Goes to the window, stares out. Looks back at the scene in his office. It is over. He stands by Laura and looks down at her, he looks at Mickey. He has let them down. He goes to a cabinet under the lawbooks and takes out a bottle of whiskey and a water glass. He walks into the anteroom. Sighs, sits on the couch near the door. Glances at the several letters that have just fallen through the slot. He pours a half-tumbler full of whiskey, and drains it. He refills the tumbler. He absently picks up the mail and starts mechanically sorting through it. He stops at an official-looking piece.

ANGLE - P.O.V.

The letter, return address, MASSACHUSETTS BAR ASSOCIATION.
URGENT.

He lethargically opens the letter. On Bar Association letterhead, it reads: "You are directed to appear on January 15th to show cause why you should not be disbarred. You are permitted to be represented by counsel of your choice, and..."

ANGLE

Galvin reading the letter. He crumbles it and throws it into the wastebasket. He looks at the next letter and skins it into the wastebasket. He looks at the next letter and stops.

ANGLE - P.O.V.

It is a phone bill.

EXT. MARY ROONEY'S TENEMENT - DAY

Galvin hurrying up the steps of the tenement. CAMERA FOLLOWS him into the vestibule. It is Mary Rooney's tenement.

INT. MARY ROONEY'S TENEMENT VESTIBULE - DAY

82

He stops by the mailboxes, bends over to read the names.

ANGLE - P.O.V.

The mailboxes: Swoboda; Murch; M. Rooney.

ANGLE

Galvin straightens, looks around the vestibule, takes heavy letter opener from his jacket pocket and pries open the Rooney mailbox. He extracts letters and rifles through them.

ANGLE - P.O.V.

Mary Rooney's phone bill.

INT. DRUGSTORE - DAY

83

Galvin in an old-fashioned sit-down phonebooth in a drugstore. He is dialing the phone, holding the phone bill. The operator answers, he starts dropping change into the slot.

ANGLE

The phone bill opened. It reads, "Rooney, Mary A. 263 Church Street, Arlington, Mass." Various local charges. One call to Chicago. One call to Fort Lauderdale. Eight calls to New York. The calls to New York circled in pen.

FEMALE

(voice over; on
phone)

Hello.

ANGLE

Galvin on the phone.

GALVIN

Hello, I'm calling from...

VOICE

(voice over)

If you're selling something,
I'm late for work...

GALVIN

I'm calling from
Professional Nurse Quarterly...

Cont.

VOICE
(voice over)
From the magazine?

GALVIN
This is Mr. Wallace in Subscriptions?

VOICE
(voice over)
How come you're calling me from...?

GALVIN
This is Miss Costello...?

VOICE
(voice over)
Yes. Price...

GALVIN
Pardon?

VOICE
(voice over)
Kathy Price.

GALVIN
We find that your subscription
lapsed...

VOICE
(voice over;
laughs)
My subscription lapsed three
years ago...

GALVIN
That's why I'm calling,
Miss Price...

VOICE
(voice over)
Missus...

GALVIN
We have a renew-your-subscription
offer...

Cont.

VOICE

(voice over)

We get it at work. We get the
magazine at work.

GALVIN

Yes, we know that you do. I
have it in my files. That's
at the Manhattan Health Center...

VOICE

(voice over)

No. At Chelsea Childcare. Okay.
Look, call me Monday, hey? I'm
late for work.

ANGLE

Galvin scribbles on pad as we hear Kathy hanging up.
"Kathy Price. Chelsea Childcare."

INT. EASTERN AIRLINES TERMINAL - BOSTON - DAY

84

Galvin hurrying across the lobby. Stops by DO IT YOURSELF
SHUTTLE TICKET COUNTER. Takes form, starts to write on it.

ANGLE - P.O.V.

The form "BOSTON-NEW YORK SHUTTLE. SELF SERVICE TICKET."

Galvin filling in his name and address in pencil.

INT. GALVIN'S OFFICE - DAY

85

Laura asleep on the couch. Mickey asleep on the other couch.
The phone is ringing. She wakes up. Looks around. Goes
groggily to phone, answers.

LAURA

(on phone)

Hello? Mr. Gal...where are
you...?

Mickey wakes up, looks around.

LAURA

You're going to New York? I...
you're kidding!...Because I'm
going to New York.

(beat)

I just got a call. I have to go
sign papers. About my divorce.
I...good. Joe. We'll meet there.
All right?

Mickey has woken up. Swings his feet to the floor. Picks up a pack of cigarettes. Crushes it. It is empty.

LAURA

Can we meet there, Joe?

Mickey gets to his feet.

MICKEY

(to Laura)

You got a cigarette...?

She shrugs, "I don't know..."

LAURA

(on phone)

At the . On Fifty-third Street...we can spend the night.

Mickey has gone over to Laura's purse. Opens it, rummaging. Comes up with a pack of cigarettes. He sees something in the purse. Stops.

ANGLE - P.O.V.

The open purse. The red-backed legal form. The letterhead -- reads, "CONCANNON, BARKER, WHITE," stamped huge across it in black: "CONFIDENTIAL. EYES ONLY!!!" Mickey takes out the form, turns page. It reads, "Report on Joseph Galvin," lists haunts, habits, and is heavily notated in various types of pen and pencil.

LAURA

(voice over; on phone)

At around four...?

ANGLE

Mickey replacing the form and the cigarettes. He recloses the purse. He turns to her. She has seen nothing.

LAURA

(on phone)

I feel the same way, Joe...I'll see you this afternoon.

She hangs up.

MICKEY

You got any cigarettes?

EXT. CHELSEA CHILDCARE - DAY

86

Two very young children walk across a play area. The door to the play area opens and Joe Galvin, in overcoat, comes in. He looks around the room, starts to walk across it. CAMERA PAN WITH him TO REVEAL a woman, KATHY, who is comforting a crying child. Galvin walks over to her. Stands a respectful distance away. She sees him watching her, looks up.

KATHY

Hi.

GALVIN

Hi. How are you doing?

She nods, happy to be working with the child.

GALVIN

I've been meaning to come in a long time.

KATHY

You live in the neighborhood?

GALVIN

Uh-huh. My nephew's going to be staying with us a few months, so I stopped by.

KATHY

How old is he?

GALVIN

Four. You're great with these kids.

She beams, caught unprepared in something that is a great point of pride with her.

KATHY

Thank you.

GALVIN

You're really...

(stops, remembering something)

You, are you the one they told me was the nurse?

KATHY

Who told you that?

Cont.

GALVIN
(gestures back at
the office, vaguely)
Mrs...

KATHY
Mrs. Simmonds.

GALVIN
Yes.

KATHY
(very serious,
correct)
I used to be a nurse.

GALVIN
That's a wonderful profession.
My daughter-in-law's a nurse.
What did you do, stop?

Kathy is lost in thought. This is obviously a very painful subject for her. Beat.

KATHY
Yes.

Galvin, getting involved in a serious conversation, takes off his overcoat, he is going to stay awhile.

GALVIN
How come you stopped?

She is traumatized by the question. The casual conversation has become immediate and painful. She opens her mouth to speak, then stops, staring at Galvin. He doesn't know what she is staring at...something on his jacket. He looks down.

ANGLE - KATHY'S P.O.V.

The shuttle ticket, BOSTON - NEW YORK, stuck in the lapel pocket of Galvin's suitcoat.

ANGLE

Kathy and Galvin. She realizes why he is there. She starts to cry quietly.

GALVIN
(beat; gently dropping
his pretense)
Will you help me?

INT. NEW YORK HOTEL RESTAURANT - DAY

87

The restaurant fairly deserted after the lunch crowd. Empty tables -- crisp linen, Laura alone at a table, watching the door, an untouched cup of coffee in front of her.

EXT. NEW YORK HOTEL - DAY

88

The doorman opens the door of a cab.

ANGLE

Mickey Morrissey standing in an alcove under the marquee, looking out at the street.

ANGLE - P.O.V.

The street. Pedestrians. Joe Galvin comes walking hurriedly, smiling, down the street.

ANGLE

Mickey starting down the steps, intercepts Galvin. Galvin looks up, surprised.

GALVIN

What the hell are you doing here?

MICKEY

We got to talk.

He is moving Galvin off down the sidewalk, away from the Hotel. CAMERA STAYS STILL, and their voices get fainter as they move away.

GALVIN

What are you doing in New York...?

MICKEY

Come on, we'll get a cup of coffee...

They continue walking. We cannot hear them. Galvin is becoming agitated. He stops Mickey, they stand there, Mickey very sad, Galvin incredulous, talking to him. Mickey nods. Galvin starts hurriedly back down the street toward the Hotel.

INT. NEW YORK HOTEL RESTAURANT - DAY

89

LONG SHOT of Laura seated at a table alone.

ANGLE

Galvin at the entrance to the restaurant looking at her. He walks over to her slowly.

ANGLE - CLOSEUP

Laura, looks up, sees him, smiles. Her smile fades, she sees that he knows.

ANGLE

Laura getting up from the table. We SEE her back, and Galvin approaching. We SEE her shoulders droop, beaten. He draws closer. Galvin comes up to her, his face a mask of pain and confusion. She sighs, starts to speak. Stops. Beat. They look at each other -- he starts to speak, cannot. He knocks her to the floor, she upsets the table. A large man at the next table starts to restrain Galvin.

LAURA

(as if in shock)

It's all right...it's all right...
it's all right...it's all right...

INT. EASTERN SHUTTLE PLANE - NIGHT

90

Galvin and Mickey seated next to him, flying home in silence. Mickey smoking a cigarette, Galvin stone-faced, beat.

MICKEY

I talked to Johnnie White at
the Bar Association.

(beat)

The broad used to work for one
of Concannon's partners in
New York awhile ago.

(beat; lamely)

She wanted to move to Boston.

(beat)

How badly did she hurt us, Joe?

GALVIN

I don't know.

A beat.

MICKEY

We got a mistrial, you know.
Joe -- did you hear what I
said...?

GALVIN

I don't want a mistrial.

INT. MICKEY NORRISSEY'S HOUSE - DAY

91

The doorway to his study. A basketball game dimly SEEN in the half-light. Mickey, O.S.:

MICKEY

(voice over)

He's not here.

(pause)

Yeah. I don't know when.

(pause)

All right.

Sound of him hanging up a telephone. He enters the frame carrying a bottle of booze, goes through door into study.

CAMERA FOLLOWS him INTO the room. The TV:

ANNOUNCER

(voice over)

The Knicks are pressing hard...
(etc.)

He sits on a sofa opposite the television. Watches the game a beat. Opens the fresh bottle of whiskey and pours a large shot into the almost-empty glass in front of him. Looks to his left. Reaches behind him to some glasses on a shelf, takes one down, pours drink into the new glass, leans to his left, CAMERA MOVES WITH him, and we SEE Galvin sitting in a deep leather armchair, staring. Mickey offers him the drink. Galvin becomes aware of him, shakes his head, "no." Beat. Mickey moves back into his seat, they both stare at the television.

INT. COURTROOM - JUDGE'S P.O.V. - DAY

92

Half full of spectators.

ANGLE

Galvin gets up from Plaintiff's table, takes up a large book as Dr. Towler takes the stands. He reads:

GALVIN

Dr. Towler; page 406,
'Contraindications to general
anaesthetic. Ideally a patient
should refrain from taking
nourishment up to nine hours
prior to induction of general
anaesthetic.' Does that sound
familiar?

DR. TOWLER

Yes. I wrote it.

Galvin shows book.

Cont.

GALVIN
'Practice and Methodology in
Anaesthesia.' General textbook
on the subject. Is that correct?

DR. TOWLER
I. Yes. It is.

GALVIN
And you wrote that...

DR. TOWLER
Yes.

GALVIN
(reading)
...Page 414, 'If a patient has
taken nourishment within one
hour prior to inducement, general
anaesthetic should be avoided at
all costs because of the grave
risk the patient will aspirate
food particles into his mask.'
Is that what happened to
Deborah Ann Kaye? She aspirated
into her mask?

DR. TOWLER
She threw up in her mask, yes.
But she hadn't eaten one hour
prior to admission.

GALVIN
If she had eaten, say one hour
prior to admission, the inducement
of a general anaesthetic...the
type you gave her...would have
been negligent...?

DR. TOWLER
Negligent. Yes...it would have
been criminal. But that was not
the case.

GALVIN
Thank you.

Galvin signals he is done. The Judge signals Dr. Towler to
leave the stand, which he does.

Cont.

JUDGE

Mr. Concannon...?

CONCANNON

Nothing further, your Honor.

JUDGE

Mr. Galvin...rebuttal...?

GALVIN

(to Bailiff)

Katherine Price.

The Bailiff calls out her name.

BAILIFF

Katherine Price...

ANGLE

Kathy at the back of the court, coming down the aisle. As she passes the Defendant's table, Towler grabs Marx and starts whispering frantically. Concannon looks on, ignorant of what is happening. We hear Dr. Towler's "Oh, my God..."

ANGLE

Galvin surveys the courtroom, Kathy crosses in front of him, takes the stand, we hear the Bailiff administering the formula as we WATCH Galvin turn and look at the Jurors.

BAILIFF

(voice over)

State your name please.

KATHY

(voice over)

Katherine Lynn Price.

BAILIFF

(voice over)

D'you swear that the evidence
you are about to give will be
the truth, the...

ANGLE

The Bailiff swearing in Kathy.

BAILIFF

...whole truth and nothing but
the truth, so help you God?

Cont.

KATHY

I do.

BAILIFF

Be seated.

Kathy sits, the Bailiff retires, Galvin walks over to her.

GALVIN

Kathy Price...

KATHY

Yes...

GALVIN

You were the Admitting Nurse at
St. Catherine Laboure Hospital on
May twelfth, nineteen seventy-six,
the night Deborah Ann Kaye was
admitted...

KATHY

Yes.

Galvin holds up a form.

GALVIN

You signed this form?

She looks closely at it. Is satisfied.

KATHY

Yes.

GALVIN

These are your initials, 'K.C.'?

KATHY

Kathy Costello. That's my maiden
name.

A beat.

GALVIN

D'you ask the patient when did
she last eat?

KATHY

Yes.

GALVIN

What did she say?

Cont.

KATHY

She said she had a full meal
one hour before coming to the
hospital.

GALVIN

One hour.

KATHY

Yes.

GALVIN

And did you write the numeral
'one' down on the record, standing
for one hour.

KATHY

I did.

GALVIN

A single hour.

KATHY

Yes.

ANGLE

Galvin walks away from the witness box. He looks at the jury.
He turns to look at the spectators. His thoughts are a million
miles away. Unconsciously he straightens his tie.

ANGLE

Galvin in front of the dead-still courtroom. He breaks his
reverie.

GALVIN

(to Concannon)

Your witness.

Concannon is on his feet as Galvin walks back to his table.
Concannon walks over to Kathy and begins forcefully:

CONCANNON

You are aware of the penalties
for perjury...?

KATHY

It's a crime.

Cont.

CONCANNON

Yes.

(beat)

It is a crime. A serious crime.

KATHY

I wouldn't do it.

CONCANNON

You would not...?

KATHY

No.

CONCANNON

In fact, you've just taken an oath that you would not commit perjury. You've just sworn to that. Isn't that right?

KATHY

Yes.

CONCANNON

Just now...

KATHY

Yes.

CONCANNON

...sworn before God you would tell the truth?

KATHY

(beat)

Yes.

CONCANNON

Now. I'd like to ask you something: four years ago, when you were working as a nurse, are you aware that Drs. Towler and Marx based their treatment of Deborah Ann Kaye on this chart that you signed...?

KATHY

(beat)

I...

Cont.

CONCANNON

And wasn't that an oath...?
These are your initials here: K.C.
When you signed this chart you
took an oath. No less important
than that which you took today.

(beat)

Isn't that right?

(beat)

Isn't that right...?

KATHY

I...yes.

CONCANNON

Then, please, which is correct?
You've sworn today the patient
ate one hour ago. Four years
ago you swore she ate nine hours
ago? Which is the lie. When
were you lying?

KATHY

I...

CONCANNON

You know these doctors could
have settled out-of-court. They
wanted a trial. They wanted to
clear their names.

GALVIN

Objection!

CONCANNON

And you would come here, and on
a slip of memory four years ago,
you'd ruin their lives.

KATHY

They lied.

CONCANNON

'They lied.' Indeed! When did
they lie? And do you know what
a lie is?

KATHY

I do. Yes.

CONCANNON

(holding chart)

You swore on this form that the
patient ate nine hours ago.

KATHY

That's not my handwriting.

CONCANNON

You've just said you signed it.

KATHY

Yes, I, yes, I signed it, yes.
But I, I didn't write that figure.

CONCANNON

You didn't write that figure.
And how is it that you remember
that so clearly after four years?

KATHY

(taking a paper out
of her purse)
Because I kept a copy. I have
it right here.

She looks toward Galvin.

ANGLE

Galvin nods, meaning, "You did it perfectly."

ANGLE

Concannon, the Judge, Kathy.

CONCANNON

Objection! This is ri...
expect us to accept a photocopy,
we have the original right...

JUDGE

I'll rule on that presently.
(beat)
Proceed.

Concannon is taken up short. Amazed at the Judge's reaction,
he pauses an instant.

JUDGE

Please proceed.

Concannon motions to Billy, the young lawyer, who nods in
response and starts whispering instructions to this colleagues
at the Defense table, who start leafing through their lawbooks.
Concannon takes up the fight again.

Cont.

CONCANNON

...what in the world would induce you to make a photocopy of some obscure record and hold it four years? This is a...why? Why would you do that?

KATHY

I thought I would need it.

CONCANNON

And why, please tell us, would you think that?

KATHY

(beat)

After, after the operation, when that poor girl, she went in a coma. Dr. Towler called me in. He told me he had five difficult deliveries in a row and he was tired, and he never looked at the admittance form.

(beat)

And he told me to change the form. He told me to change the one to a nine.

(beat)

Or else, or else, he said...

(beat; starts

to cry)

He said he'd fire me. He said I'd never work again...Who were these men...? Who were these men...? I wanted to be a nurse...

She is weeping copiously. A beat. She starts to get herself under control.

CONCANNON

No further questions.

JUDGE

You may step down.

Beat. Kathy starts to get down. She looks to Calvin for assurance.

ANGLE

Calvin nods at her.

Cont.

JUDGE
(voice over)
Mr. Galvin...?

ANGLE

Kathy getting down from the stand. The Judge addressing Galvin

GALVIN
Nothing further, your Honor...

JUDGE
Mr. Concannon...?

Concannon is signalled by Billy, the young lawyer at the Defense table, who is gathering notes from his colleagues, who have been researching during Kathy's speech. Concannon walks over to the table and is quickly "talked through" the notes by Billy.

JUDGE
Mr. Concannon.

Concannon cuts Billy short, meaning, "Yes, I understand, I'm far ahead of you," he takes the notes and returns to the bench.

CONCANNON
Thank you, your Honor. We object to the copy of the admissions form as incompetent and essentially hearsay evidence and cite McGee Versus State of Indiana, U.S. 131 point 2 and 216 through 25 of the Uniform Code: 'The admission of a duplicate document in preference to an existing original must presuppose the possibility of alteration and so must be disallowed.' And, your Honor, having given the Plaintiff the leeway we would like your ruling on this issue now: we object to the admission of the Xerox form.

JUDGE
...one moment, Mr. Concannon...

The Judge nods, meaning, "I am considering..."

ANGLE

The Judge. He is making some notations on a page in front of him. He nods to himself, he has reached a decision. He looks up.

JUDGE

The document is disallowed, the jury will be advised not to consider the testimony of Kathy Costello regarding the Xerox form.

(explains to them)

It's unsubstantiated and we can't accept a copy in preference to the original...

ANGLE

Concannon and the Judge.

CONCANNON

Thank you, your Honor. Further: Ms. Costello is a rebuttal witness. As a 'Surprise Witness' she may only serve to rebut direct testimony. As her only evidentiary rebuttal was the admitting form, which has been disallowed I request that her entire testimony be disallowed and the jury advised that they must totally disregard her appearance here.

Beat.

JUDGE

I'm going to uphold that.

ANGLE

Galvin getting to his feet.

GALVIN

I object, your Honor...

JUDGE

Overruled...

GALVIN

Exception!

JUDGE

Noted. Thank you.

(to Jury)

Miss Costello was a rebuttal witness. Her sole rebuttal was the document, which has been disallowed...

ANGLE

Galvin, silent, fuming, sitting at the table.

JUDGE

(voice over)

Her entire testimony must be stricken from the record. You shouldn't have heard it, but you did. Now, that was my mistake... and you must strike it from your minds, give it no weight.

Galvin takes a sheet of legal paper and starts writing on it.

INT. BISHOP BROPHY'S SUITE - DAY

93

ALITO

Legally it's over. Concannon was brilliant.

BROPHY

Tell me about Kaitlin Costello.

ALITO

There's nothing to tell. It's been stricken from the record.

BROPHY

I know. Did you believe her?

INT. COURTROOM - JUDGE HOYLE'S P.O.V. - FULL
COURTROOM - DAY

94

ALL looking slightly to their right.

ANGLE

JUDGE HOYLE

Mr. Galvin...?

ANGLE - GALVIN

in front of the full jury box. Beat.

GALVIN

You know, so much of the time we're lost. We say 'Please, God, tell us what is right. Tell us what's true. There is no justice. The rich win, the poor are powerless...' We become tired of hearing people lie. After a time we become dead. A little dead. We start thinking of ourselves as victims.

(pause)

And we become victims.

GALVIN (Cont.)

(pause)

And we become weak...and doubt ourselves, and doubt our institutions...and doubt our beliefs...we say for example, 'The law is a sham...there is no law...I was a fool for having believed that there was.'

(beat)

But today you are the law. You are the law...And not some book and not the lawyers, or the marble statues and the trappings of the court...all that they are is symbols.

(beat)

Of our desire to be just...

(beat)

All that they are, in effect, is a prayer...

(beat)

...a fervent, and a frightened prayer.

A beat.

ANGLE

Galvin addressing the Jury.

GALVIN

In my religion we say, 'Act as if you had faith, and faith will be given to you.'

(beat)

If. If we would have faith in justice, we must only believe in ourselves.

(beat)

And act with justice.

(beat)

And I believe that there is justice in our hearts.

(beat)

Thank you.

He stands still a moment, then surveys the still courtroom.

INT. COURTHOUSE CORRIDOR - DAY

95

Laura in the corridor, watching him.

INT. COURTROOM - DAY

86

The Jurors filing in from the Jury Room.

ANGLE

Concannon, Young Lawyer, Dr. Towler, Dr. Marx at Defense table. Young Lawyer scribbles a note, passes it to Concannon, who ignores it.

ANGLE

Plaintiff's table. Galvin looking at the Jury, Mickey at the other end of the table.

JUDGE

(voice over)

Have you reached a verdict?

FOREMAN

(voice over)

We have, your Honor.

ANGLE

The Jury Box. The Jurors seated, the FOREMAN standing.

FOREMAN

Your Honor, we have agreed to hold for the Plaintiff...but on the size of the award, are we bound...

JUDGE

You are not bound by anything, other than your good judgement, based on the evidence.

ANGLE

Galvin, totally defeated. Nods his head sadly, as if commiserating philosophically, with himself. Mickey looks at him in grief, with sympathy.

FOREMAN

(voice over)

Are we permitted to award an amount greater than the amount the Plaintiff asked for.

Beat.

Galvin slowly raises his head, turns and looks at the Jury. Mickey begins to smile.

Cont.

JUDGE
(voice over)
Yes. You are.

ANGLE - MICKEY'S P.O.V.

The courtroom, commotion.

JUDGE
(voice over)
Please retire and...

INT. FINAL COURTHOUSE BACK CORRIDOR - DAY

97

Galvin and Mickey standing near a back staircase, cleaning equipment is lying all around. A large, battered garbage can. Mickey is lighting Galvin's cigarette. Galvin's hand shakes badly. Something draws his attention at the end of the corridor. He turns his head.

ANGLE - P.O.V.

Laura, standing at the end of the corridor. Tentative, lost, pleading silently, she holds a sheet of yellow legal paper in her hand.

ANGLE - INSERT - LAURA'S P.O.V.

The paper reads:

'Laura. I'm going to try.
When this is over can we go
away?'
'Joe'
'Thank you'

ANGLE - GALVIN'S P.O.V.

Laura holding the paper.

ANGLE

Galvin and Mickey looking at her. Galvin's face impassive. Beat. He turns his back on her. Mickey does likewise. Beat.

MICKEY
(to Galvin)
The jury might be out for awhile.
(beat; tentatively)
You want to run across the street
and get a drink?

Cont.

Beat. Calvin puts his arm around Mickey's shoulder. They push through the Exit Door, turning up their collars to the cold. Calvin hesitates a moment as Mickey goes through the door. Beat. He looks back longingly.

ANGLE - GALVIN'S P.O.V.

The deserted corridor.

ANGLE

Calvin standing framed in the doorway. He turns toward the door, his back to the CAMERA, his shoulders slumped. He stands for a moment, sighs, straightens up, and walks through the door.

FADE OUT

THE END