

Boston Legal
Son of the Defender
Season 3, Episode 18
Written by David E. Kelley and Phoef Sutton
© 2007 David E. Kelley Productions. All Rights Reserved.
Broadcast: April 4, 2007

Transcribed by Imamess for Boston-Legal.org. Thanks to Olucy for her help.
This transcript is not official or taken from the actual script. It is transcribed from watching the broadcast.

In Alan Shore's hotel hallway, as he leaves his room we suddenly hear screaming, shouting, coming from the room across the hall. Alan turns back.

Jenna Aesop: **From inside the room, heard through the open door.** Calm down, Wally.

Wallace Bird: Get away from me! You don't tell me what to do! I tell you what to do!! I pay your salary!

Inside Jenna Aesop's hotel room, a police raid is in progress. Two policemen grab Jenna Aesop by her arms pulling her off the bed.

Jenna Aesop: Calm down, Wally. Alright? **Two policemen roughly put her hands behind her back.** Take it easy.

Wallace Bird: Do you know who I am? I'll tell you who I am! I'm Wally! Big, bad, Wally! **He continues screaming in protest.**

Jenna Aesop: I said, calm down, Wally.

Alan Shore: **He comes in.** Jenna? What's going on?

Officer #1: **To Alan.** Get out of here, sir!

Alan Shore: Jenna?

Officer #1: I said get the hell out!!

Jenna Aesop: **She is wearing a bra, panties and an open negligee. The two policemen are handcuffing her.** He's my neighbor.

Alan Shore: An attorney. What's she being charged with?

Officer #1: Prostitution. Now stay out of this. Okay?

Wallace Bird: **Wearing only boxer shorts, he continues protesting and struggling as two policemen try to take him down to the floor.** You'll all pay!! I'm State Senator Wally Bird, you'll be meter maids this time tomorrow, you Keystone Cops, I'll screw you all! **He hits one of the policemen with his elbow. He hits another one with his other elbow. The policemen go down but they don't let go of Wally's hands.** I'll screw each and every one of you, I'll screw your mothers! **They have him face-down on the floor.**

Jenna Aesop: Wally!

Wallace Bird: I'm State Senator... Wally... Bird...!

Alan Shore: **To Jenna.** He must be a wonderful lover.

Wallace Bird: **Three officers are sitting on him as they finally handcuff him.** Get off of me! **He's sobbing.** I'm... Wally... Bird.

At Crane, Poole and Schmidt, in the corridor, Shirley Schmidt and Brad Chase march down the corridor.

Shirley Schmidt: I kid you not. Two pageant queens, Miss Arkansas, Miss Montana, each one suing the other for defamation of character. So, the first order of business...

Brad Chase: Stop Denny from finding out about it?

Shirley Schmidt: You got it.

Brad walks away, Denny Crane joins Shirley, in step.

Denny Crane: I smell perfume, petroleum jelly and duct tape. There are beauty queens on the premises.

Shirley Schmidt: I'm handling this, Denny.

Denny Crane: Shirley! I'll respect these women, I'm fresh out of rehab!

Shirley Schmidt: Even so.

Shirley walks away. Denny sighs as he walks on. He is met by Joe Gordon, he carries two trial bags. He looks very anxious. Behind him is Aaron Sears. He carries a duffle bag.

Joe Gordon: Denny Crane?

Denny Crane: Yeah?

Shirley walks off in another direction.

Joe Gordon: My name is Joe Gordon. **Denny looks blank.** I was your first client. You and your father defended me on a murder charge in 1957.

Denny Crane: Butcher Boy Killer?

Joe Gordon: Alleged. I was innocent. Remember?

Aaron Sears: **Dismissive.** Yeah, right.

Joe Gordon: This is um... Aaron Sears.

Denny Crane: Denny Crane.

Aaron Sears: Yeah, I know who you are.

Joe Gordon: Mr Sears is the son of the women I was accused of killing.

Denny Crane: Oh.

Joe Gordon: Um... It gets better. He has a gun in my back and he has a vest full of plastic explosives strapped to his chest. Looks like we're hostages.

Denny Crane: It's is a joke, right? **Then.** Alan Shore put you up to it. **Weakly.** Right? **Sears just stares. Then—** Oh, boy.

At Crane, Poole and Schmidt, in Denny's office.

Aaron Sears: **He places one of his bags on a chair. With his gun he points to the bag.** Take it out and put it on. **Denny looks at Aaron, then slowly reaches into the bag and pulls out a vest with explosives and starts to put it on. Aaron lifts his hand, he is holding a remote control.** If my thumb comes off of this button? Both our vests are going to explode. **Denny takes off the jacket and looks at it.** And so will this entire office. You will alert the front desk to lock the doors and shut down the elevators. **Denny starts putting on the vest again.** If I so much as see a cop, or I hear sirens outside, my thumb comes off this button.

Denny Crane: Um... son...

Aaron Sears: I'm not your son! My mother had a son.

Denny Crane: I'll just say this and you can take it for what it's worth. A lot of clients, former clients, come up here with the hopes of blowing me up. And the reason I'm still alive is cause... I don't mind dying. I got the you know... the Mad Cow... my final years promise to be very demeaning. I'll drool, mess myself. That's no way for Denny Crane to go out. I wanna go out in a... in a blaze.

Aaron Sears: You're lying. Don't tell me you're not scared.

Denny Crane: I wanna show you something my father gave to me when I was seven years old. **He reaches into his pocket and pulls out a gun. Aaron looks bored. Denny points the gun to Aaron's head as he walks closer.** This has great sentimental value to me. I've often thought, "What a shame if I never got to fire it."

Aaron Sears: That gun is new.

Denny Crane: Well, I'll be damned. It's a custom-made dual port, 45 automatic, cost two grand. **He pushes a button on the gun, steps back and aims at Aarons head.** Laser aim. I got a little red dot right between your eyes.

Aaron Sears: Hey. You're willing to die? I'm willing to die. But are you willing to kill your colleagues? Now put down the gun, Mr Crane.

Joe Gordon: Please, Mr Crane. This man is serious.

Denny continues aiming his gun at Aaron's head. Aaron lifts the hand holding the remote. It's a standoff. Finally Denny puts his gun down on the table. Joe breaths a sigh of relief.

Denny Crane: What do you want?

Aaron Sears: **He points to Joe.** This man killed my mother. And you and your father got him off.

Joe Gordon: I didn't do it!

Aaron Sears: Shut up!! **To Denny.** You pulled some stupid trick just to cheat justice. Well, we're gonna have another trial. Right here in this office. Only this time, you and your father, you're not gonna be able to fix the verdict.



In Judge Floyd Hurwitz's courtroom.

Clerk: Three, two, one, six, four! Commonwealth versus Jenna Aesop. **A clerk leads in Jenna.** Commonwealth versus Wallace Bird.

Alan Shore: **He comes in.** Alan Shore for Ms Aesop. We can waive reading.

Attorney Adam Jovanka: Adam Jovanka for Wallace Bird. I've discussed this matter with the District Attorney and I'd like to enter, on behalf of Mr Bird, a plea of No Contest if...

Alan Shore: No Contest?

Attorney Adam Jovanka: This doesn't involve you.

Alan Shore: I certainly does. Especially if your deal involves him giving testimony against my client.

Attorney Adam Jovanka: Your Honor, we can dispose of this unfortunate matter...

Alan Shore: **To the Judge.** Ten seconds to confirm with my learned brother, Your Honor.

Judge Floyd Hurwitz: Hurry up!

Alan Shore: **He takes Adam by the arm and walks him away.** The police can't make this. Did you read the incident report?

Attorney Adam Jovanka: I did. It listed my client's reproductive appendage as being lodged against your client's esophagus.

Alan Shore: She faces conviction if he cooperates.

Attorney Adam Jovanka: That would be your problem.

Alan Shore: She'll get time.

Attorney Adam Jovanka: That would her problem.

Judge Floyd Hurwitz: Ten seconds are up, Counsel.

Alan Shore: Seek to remove Mr Jovanka as Counsel for Mr Bird. **To Wally.** Is it really Bird?

Attorney Adam Jovanka: Your Honor...!

Alan Shore: He's about to plea No Contest to a case the police can't make.

Attorney Adam Jovanka: Your Honor!!

Alan Shore: The fact that they were caught having sex means nothing. There's no evidence of money changing hands and the police can't prove this was anything other than a consensual relationship between two people who were, and still are, very much in love.

Judge Floyd Hurwitz: Oh? They're in love?

Alan Shore: Truly. Madly. Deeply.

Judge Floyd Hurwitz: Step up here, Counsel.

Alan Shore: This is never good when they ask me to step up. **He walks up to the bench.**

Judge Floyd Hurwitz: You think I'm an idiot?

Alan Shore: **A beat.** Judge, I cannot be held accountable for what I do with straight lines lobbed right over the plate.

Judge Floyd Hurwitz: How would you like to be held in contempt, Mr Wisenheimer?

Alan Shore: Again, Judge, that was a beach ball. Straight down the middle.

Judge Floyd Hurwitz: Two days! Put him in the same cell with his client! They can discuss her wedding plans.

Alan Shore: You can't plan a wedding in two days!

At the jailhouse, in jail cell, Jenna is sitting on a bench and Alan is pacing.

Jenna Aesop: Will they really keep us in here two days?

Alan Shore: He might. Jenna, I thought you'd hung up your spurs.

Jenna Aesop: I need to make money, Alan.

Alan Shore: This time, I'm afraid, you could be in real trouble.



At Crane, Poole and Schmidt, Denny, Aaron and Joe are walking out of Denny's office.

Aaron Sears: You got a conference room?

Denny Crane: Conference room? I got a Gulf Stream.

Aaron Sears: Well, let's go to the conference room.

They walk up to Paul Lewiston and Denise Bauer in the corridor.

Paul Lewiston: Denny? Is everything alright?

Denny Crane: Not especially. I'm a little wired today.

Aaron Sears: Juror number one, juror number two. Let's go.

Denise Bauer: Wha, what's going on?

Aaron Sears: What's going on is Mr Crane and I are wearing explosive devices. You two are hostages.

Bethany Horowitz: **She comes up.** Denny? I made reservations at... Why are you wearing that ridiculous vest?

Aaron Sears: Juror number three. Cancel your reservations.

At Crane, Poole and Schmidt, in the conference room Miss Arkansas (Debbie) and Miss Montana (Bobbie) are engaged in a heated argument, while Brad Chase, Clarence Bell, and Shirley Schmidt attempt to mediate.

Debbie: **Re: Bobbie.** –She like snatched the crown right off my head!

Bobbie: I snatched the crown?

Debbie: It's like a metaphor, okay? You reported my supposed misconduct, this from a debutant who rode cowgirl on Miss Hawaii. Or was that your talent?

As Denny Crane Karen, Joe, Paul, Denise and Bethany enter.

Aaron Sears: Alright! **He comes in with the others right behind him.** This conference room is being commandeered for a trial! **Re: Joe.** This man killed my mother. **Re: Crane.** This man and his father fixed the trial and got him freed. We are now gonna have another trial. **To Joe.** You! Pull out the trial transcripts. I will be the judge. **To Clarence.** You. You're gonna read the transcripts. **To Denny.** And you. You just go ahead and play your part. **To Paul.** You! You be the jury foreman. If I so much as see a cop, we will all explode. And I was once a cop myself, so I can spot an undercover officer. **To Brad.** You! Pretty boy! Get out, you're dismissed.

Brad Chase: Why?

Aaron Sears: Because you look like pro-prosecution to me and I wanna have a fair trial. **To Shirley.** You! Who are you?

Shirley Schmidt: Shirley Schmidt.

Aaron Sears: You're dismissed, also. You be the voice of reason between me and the police. You let 'em know how serious I am. Because, if my thumb comes off this button, this whole floor is gonna be reduced to rubble. So go on. Out! Now!

Shirley and Brad exit.

Paul Lewiston: Sir? What do you really hope to accomplish here?

Aaron Sears: You will hear the evidence. You will render a fair verdict. Or you will die.

At Crane, Poole and Schmidt, down the hall from the conference room, Brad sneaks a peek around the corner to the conference room. Behind him the police SWAT team is talking to Shirley.

Shirley Schmidt: You cannot go out there. He says if he even sees a police officer... also he claims that he can spot any undercover agent, so...

Brad Chase: I can do reconnaissance. He knows I'm a lawyer. I'm an ex-Marine. I'm combat trained.

Detective Sean Wilkins: Alright. Check the air ducts. See if there's any way to get access.

Shirley Schmidt: What are you gonna do? Send in a dwarf? There's one in there already.

Detective Sean Wilkins: Maybe we can pump in some sleeping gas. Put him out.

Shirley Schmidt: Not a good idea. He falls asleep, his thumb comes off the button.

Brad Chase: I'll just check, Shirley.

At Crane, Poole and Schmidt, inside the conference room.

Aaron Sears: I was three years old when he killed my mother. My father never really got over what happened. It broke him. He started drinking, he started hitting us. My brother ran away when I was ten. Then a couple years later my Dad takes his car and he drives it into a truck. Drinking? Suicide? Both? **Shrugs.** I don't know. Then my life started going pretty much the same way. I started drinking. And drugs. Bad marriage. Next thing you know, I'm hittin' my own kids. **Looking at Joe.** Because this man's violence infected my whole life. **Pointing to Denny.** Because him and his father got him off. **Then.** That concludes my opening statement. **To Denny.** You wanna make one?

Denny Crane: Yes. **He faces the mock-jury.**

Aaron Sears: Go ahead.

Denny Crane: Members of the jury... I stand before you... with my father I guess... representing an innocent man.

Denny morphs into a black and white image of himself. We're watching a scene from fifty years ago.

Walter Crane: He killed this woman.

Denny Crane: Oh, now wait a minute.

Walter Crane: There's no question in my mind. He's guilty. And every single piece of evidence that's gonna be presented in that courtroom says he is.

Denny Crane: He's no murderer. I can't base it on any evidence or anything. It's something I feel. And the way he sits there.

Walter Crane: You don't know what you're talking about, boy. You've got a lot to learn.

We're back to current Denny, standing deep in thought.

Aaron Sears: Talk!! Dammit!

Denny Crane: *A long beat.* Members of the jury. **He walks up to Joe and puts his hand on Joe's shoulder.** Joseph Gordon did not kill Helen Sears. He didn't do it.



At the jailhouse, in a cell, Alan and Jenna are there when a guard brings in Wally.

Alan Shore: What's this?

Wallace Bird: What's this? You pissed off the Judge, that's what this is. After I gave him a piece of my mind for not takin' my plea, he throws me in. Now, why wouldn't he take my deal? Because of you! You think you're really gonna have a career in this town after I get done with you?

Alan Shore: Mr Bird, you're a carpet salesman. The fact that you were able to buy your way into public office, no doubt by evading income taxes...

Wallace Bird: I will knock you to the ground, sure as I'm standing here.

Jenna Aesop: Shut up, Wally. Just shut up.

Wallace Bird: Honey. I gotta make this go away. You know I do.

Alan Shore: The problem is Jenna goes away if you admit that prostitution took place here.

Wallace Bird: Was I talking to you?

Alan Shore: You were talking to my client, Mr Bird. She's represented by Counsel.

At Crane, Poole and Schmidt, down the hall from the conference room.

Shirley Schmidt: **She is reading off a computer screen.** His name is Aaron Sears... dishonorable military discharge... worked briefly in law enforcement... in and out of rehab facilities. **She turns backs to see Brad crouched in front of a vent, unscrewing the screws.** What the hell are you doing?

Brad Chase: This duct here might connect to the other ducts running into the conference room. If I can shimmy in I might be able to tell where they lead.

Shirley Schmidt: You're going to go into that vent? Don't be ridiculous!

Brad Chase: *He starts to climb in. From inside.* Shirley, I'm practically a Navy Seal!

Shirley Schmidt: Shouldn't seals be in water?

Brad is halfway into the vent when there's a sudden jerk. Ah... I'm stuck.

Shirley Schmidt: Well, what do you mean you're stuck?

Brad Chase: *From inside the vent.* I mean... ah... I can't get out.

Shirley Schmidt: I knew you'd go Die Hard, first chance.

Brad Chase: *From inside the vent.* Shirley! Can you... help me? *He waves his left arm helplessly and he tries to squirm back out unsuccessfully.*



At Crane, Poole and Schmidt, in the conference room.

Clarence Bell: *He is reading from a thick transcript from the trial of fifty years ago.* I, I was the maid and I had the night off. I arrived at the Sears' residence at around nine PM.

Aaron Sears: *Also reading from a thick binder.* And what did you see?

Clarence Bell: *He's still reading.* As I opened the door, that man ran out, the defendant. He struck me and I fell to the ground.

Aaron Sears: *Reading.* Are you sure it was the defendant?

Clarence Bell: *Reading.* Positive. And then when I went inside I discovered Mrs Sears lying on the floor.

A beat as Aaron composes himself.

Aaron Sears: *Reading.* Can you describe her?

Clarence Bell: *Reading.* She was dead. Her face was purple. There were bruises on her throat. It looked like she'd been strangled.

Aaron Sears: *To Denny.* Your witness. Do your father's cross and read it exactly.

Denny Crane: *Reading.* A man runs at you. Strikes you. Runs away. How long did this take?

Clarence Bell: *Reading.* Seconds.

Denny Crane: *Reading.* Seconds? Can you really be sure that this is the man you saw?

Clarence Bell: *Reading.* Yes. I'll never forget his face. He's the man.

Denny Crane: *Reading.* Nothing further.

A beat as Denny stands deep in thought to the original trial.

Walter Crane: But I wanna tell you this. He killed that woman as sure as I'm standing in front of you, and I don't want to see him walk out of that courtroom a free man. **Denny is speechless.** It may seem a little shocking, but that's the truth.

Denny Crane: You're hanging that boy.

Walter Crane: That's not so. He's hanged himself.

Denny Crane: But you're his lawyer. You're supposed to do everything you can to...

Walter Crane: Don't tell me what I'm supposed to do. I'm here to give him an ethical defense, so that's what I'm giving him. You know the meaning of that word?

Denny Crane: I know what it means. But your personal ethics are killing him and you know that.

A phone from the present starts to ring in the room.

Walter Crane: That's enough!

It's back to the present with Denny sitting deep in thought.

Aaron Sears: Mr Crane! **Denny doesn't answer. He is still deep in thought as the phone continues to ring.**

Mr Crane! Can you hear me? **Denny looks at Aaron.** Pick up the phone, and see whoever it is and ask them not to interrupt!

Denny Crane: **He goes to pick up the phone.** Yeah. **He hands the phone to Aaron.** Hostage Rescue Team. They wanna talk to you.

Aaron Sears: **He takes the phone and starts talking right away.** No, I don't have any demands. Yes, I do have an exit strategy. I believe you people call it SBC.

Denise Bauer: **She whispers to Paul.** What, what does that mean?

Paul Lewiston: SBC. Suicide by cop. He's not planning on leaving this place alive.

At the jailhouse, in a jail cell, Alan and Jenna are huddled. Wally sits on the other side.

Alan Shore: **Whispering.** There's no evidence of a transaction. If both you and Wally claimed it was just consensual sex, with no money changing hands, the police really can't prove otherwise. Unless one of you cooperates.

Jenna Aesop: I get that, Alan.

Alan Shore: Yes, but Jenna, he's the bigger fish. If you're willing to flip Wally, I'm sure the DA would much rather deal with you.

Wallace Bird: I heard that!

Jenna Aesop: I can't, Wally's been too good to me.

Alan Shore: He's trying to make a deal that puts you in jail. Would you prefer that?

Jenna Aesop: I'd prefer you think of something else.

Adam enters.

Attorney Adam Jovanka: The story's broken.

Wallace Bird: Aw crap. **He turns to Alan.** You bastard.

Attorney Adam Jovanka: It's only on the wire services, television will hold it 'till tonight if I promise to give them a quote. Fortunately, there's a hostage situation somewhere, so that's getting all the play. **Then.** Wally, I'd better bring Harriet down here so you can tell her. Better she hear it from you.

Wallace Bird: Oh God. Oh God!

Alan Shore: **To Jenna.** Harriet would be...?

Jenna Aesop: His wife.

Alan Shore: Hm.

At Crane, Poole and Schmidt, down the hall from the conference. A tense mood. Shirley is looking around the corner toward the conference room.

Detective Sean Wilkins: **He comes up to Shirley.** How far that way 'til we're within his eye line?

Shirley Schmidt: This is about it.

Detective Sean Wilkins: This is Lieutenant James, he's head of the Hostage Rescue Team.

Shirley Schmidt: Hello.

Lieutenant James: Do you know how to work the inter-office communications system?

Shirley Schmidt: I think so.

Detective Sean Wilkins: **To Brad who is still stuck in the duct. On his knees, facing in. Butt sticking out.** You still okay, Sir?

Brad Chase: Fine.

At Crane, Poole and Schmidt, in the conference room.

Clarence Bell: **Reading.** The prosecution calls Dr Malcolm Sears.

Aaron Sears: I'll read his part. He was my father. **To Denny.** The man you tricked when he was on the witness stand!

Denny Crane: Objection. Is this supposed to be a fair trial or not?

Aaron Sears: **To Clarence.** Ask the questions.

Suddenly, the video conference screen lights up. A distraught woman, Karen, appears on the screen.

Karen Sears: **On the screen.** Dad?

Aaron Sears: **He sees her – stops in his tracks.** Karen?

Karen Sears: **On the screen.** Don't do this, Dad!

Aaron Sears: No. You don't understand. This is the right thing to do! I am doing something right!

Karen Sears: **On the screen.** For God's sake, Dad, please don't hurt these people. They have families!

Aaron Sears: Honey. You'll understand some day.

Karen Sears: **On the screen.** They have people who love them!

Aaron Sears: Turn this thing off!

Karen Sears: **On the screen.** Dad, listen to me!

And Aaron shoots the screen, it goes black. Screams. A beat.

Debbie: Okay. You just shot your own daughter.

Aaron Sears: Shut up.

Debbie: I'm just saying. You're not making a very good impression on the jury.

Paul Lewiston: Debbie. Please shut up.

Bethany Horowitz: **Tenderly.** May I please say something, fully realizing that jurors are supposed to be quiet?

Aaron leans down to listen to her. My mother was the victim of a violent sexual attack.

Denny listens with interest. I walked in on it. I was three years old. I suffered a severe trauma. In fact, the doctors are convinced it's why I stopped growing. After twenty-nine years of therapy, three months ago, I finally started to grow again. What you're doing here is gonna stunt my growth all over again. I'm gonna be a little dwarf forever.



A beat.

Aaron Sears: Do you take me for a complete idiot?

Bethany Horowitz: I take you for a total nut job! Just let us out before a sniper puts you nightie night!

Aaron Sears: Somebody shoots me lady, my thumb comes off of this button! We're gonna resume the trial. We're getting to your big strategy now, Mr Crane. Remember that?

Denny doesn't answer. We return to memories of the original trial.

Walter Crane: This is a cheap ten-cents-store trick and I won't touch it. I've never done a thing like that in a courtroom in my life.

Denny Crane: It's my job to save his life, dad, and this might do it.

Walter Crane: I'm not gonna turn this trial into a circus to get him off. Do you hear me?

Aaron Sears: Mr Crane. **It's back to the present with Denny deep in thought.** Mr Crane. I said start at the top of page seventy-two!

Denny Crane: **He takes the transcript and reads.** Do you see the man, Dr Sears, who ran out of your apartment building?

Aaron Sears: **Reading.** Yes, the defendant.

Denny Crane: **Reading.** Are you absolutely positive the man you saw that night is sitting right here?

Aaron Sears: **Reading.** I'm one hundred percent positive. **A long beat. Then, to Denny.** Do you wanna tell the jury what just happened? **Denny doesn't answer.** I'll tell. He put a man who looked like Joe Gordon at the defense table. Then he got my father to identify the wrong man! My mother's killer went free because of that trick.

A beat. Prosecution rests. Read your next line.

Denny Crane: Defense rests.

At Crane, Poole and Schmidt, just outside the conference room two SWAT team members, fully dressed in protective armor, crouch behind shields. One of them sticks out a long handle with a mirror at one end and positions it so that he is clearly able to see what is going on in the conference room.

Aaron Sears: **To the others in the conference room with him.** You can go outside the room and deliberate, but stay right there within my sight.

Joe Gordon: **Paul starts to get up.** Hold on a second. I wanna testify.

Aaron Sears: Why? You didn't testify at the trial.

Joe Gordon: Exactly. Which is why people thought me guilty. You got to put new evidence, so should I.

Aaron Sears: I put in the real truth.

Joe Gordon: Well, let me offer the real truth. **Nodding toward Denny.** Not even he knows it.

Aaron Sears: Alright. Defense calls Joe Gordon.



At the jailhouse, in the jail cell, Alan, Jenna and Wally are there. Adam approaches with Harriet Bird. The guard lets her in.

Harriet Bird: My God, Wally. What's happened?

Wallace Bird: I'm okay, Harriet. Sit.

Harriet Bird: What have you done?

Wallace Bird: Please! Sit, sweetheart.

Adam brings a chair. She sits.

Harriet Bird: I'm getting short of breath.

Wally sits down in front of Harriet.

Wallace Bird: **To Alan.** Privacy, please. **Alan looks up.** Look away.

Alan and Jenna look around, then at each other.

Attorney Adam Jovanka: **To the Guard.** This is private.

And the Guard heads off. Alan and Jenna turn towards the wall.

Wallace Bird: Harriet, ah. I wanna talk to you about our... sexual life.

Harriet Bird: I didn't know we had one.

Wallace Bird: Which is what... Harriet... how do I say this? **A beat.** I'm very un-proud of my physical self... and it's... very difficult for me to feel good about my body. **Harriet stares back, unsure where this is headed. He swallows some fear.** This morning I was arrested for having sexual relations with a prostitute. I am very

ashamed, Harriet. **Harriet stares back. Alan and Jenna look up toward the ceiling, as if they're looking for a hole they can crawl into.** It has nothing to do with my love for you. It's more about my own physical loathing that...

A beat. It was never my intent to humiliate you... and I'm sorry. **Weakly. She continues to stare at him.**

Until he can't take it any longer. Oh, please say something, Harriet.

Alan and Jenna look at each other. Harriet doesn't answer Wally. She stares at Wally. Finally, she rises.

Harriet Bird: Please. **She continues staring.** Let me out.

Attorney Adam Jovanka: Guard!

The Guard unlocks the door and Adam guides Harriet out. Off she goes. Alan looks at a devastated Wally who just shakes his head. Alan and Jenna look down.

At Crane, Poole and Schmidt, in the conference room.

Denny Crane: Joe? You refused to testify at the original trial back in 1957.

Joe Gordon: That's right.

Denny Crane: You even refused to say where you were at the time of Mrs Sears' murder?

Joe Gordon: Yes.

Denny Crane: My father told you to testify. He said it was your only chance to convince the jury of your innocence.

Joe Gordon: That's right.

Denny Crane: What you don't know... or perhaps you do. This refusal on your part made my father think you were guilty.

Joe Gordon: I suspected as much.

Denny Crane: So my question is...? Why not testify?

A beat. He has the jurors' full attention.

Joe Gordon: At the time Mrs Sears was killed... I was in the building. But I was never in the Sears' apartment. I was at the apartment of a friend. My lover. A married man. **A beat.** I couldn't say that back then. Not in 1957, not even with the risk of being convicted of murder. A crime I didn't commit. My mother was in the courtroom. Being gay was... they didn't even have that word. You were a queer. It would have ruined Tim's life, and mine. Destroyed my mother. So when you told me that... maybe you could get me acquitted some other way...

Aaron Sears: Oh, come on! This is just another trick!

Joe Gordon: It's not a trick, Mr Sears. It was me your father saw leave the apartment building. When I heard the commotion, I just got the hell out. But I was not in your apartment. I did not kill your mother.



In Judge Floyd Hurwitz's courtroom, Wally and Alan are standing in front of the Judge's bench; Adam is behind them at the table.

Judge Floyd Hurwitz: Well, well, well. And what lessons have we learned today?

Alan Shore: Standing here, I've learned that you smell like cheese.

Wally and Adam are startled. The Judge is not pleased.

Judge Floyd Hurwitz: Back to jail they go.

Alan Shore: That was an olive branch.

The guards lead Wally and Alan away. The Judge looks to Adam who shrugs helplessly then leaves in disgust.

At Crane, Poole and Schmidt, in the conference room. Aaron is there with his mock jury, Joe and Denny. Paul unobtrusively sends a message on his hand held computer. The message says, "Closing arguments."

Shirley Schmidt: **Outside the conference room.** Got a text message from Paul Lewiston. They're starting closing arguments.

Aaron Sears: **Inside the conference room.** It wasn't just my father who saw him. Mrs Bailey, the maid, she saw him too. She testified that she would never forget his face. It's right here in the transcript. Oh, he did it. There's no evidence of anybody else being there. He's the man. He's the man who killed my mother. **He sits down.**

Denny Crane: **He gets up.** The man looked like Joe. We know that, because that's how I was able to pull the stunt. Put in a man who looked like... but wasn't... Joe. The maid? Saw the man in a flash, got hit, knocked down, and I don't have to tell this jury, a bunch of lawyers, that eyewitness testimony is the most unreliable of all evidence. There's no other evidence! There's no fingerprints of Joe. Nothing. Your father saw my client. The maid saw someone else. My client shouldn't go free because of a trick. My client should go free because of reasonable doubt.

A beat.

Aaron Sears: Okay. Go! Deliberate. And I want a real verdict! Don't try to patronize me. I want a real verdict, because if I don't get one...

Bethany Horowitz: Small point of order. How will you be able to tell if we just shine you on? You don't strike me as an astute judge of character.

Aaron Sears: Just go!! Hey! Don't underestimate my ability to know if you're being genuine or not.

The mock jury leaves the room.

Joe Gordon: What happens if they come back guilty?

Aaron Sears: Then you die.

Denny Crane: And not guilty?

Aaron Sears: That's for me to know.



At Crane, Poole and Schmidt, right outside the conference room, the mock jury mills around as the SWAT team observes from around the corner.

Denise Bauer: There's clearly reasonable doubt. One lone witness?

Paul Lewiston: Two.

Denise Bauer: The father's ID only goes to the building. The defendant admits he was in the building.

Bethany Horowitz: Oh, please. He's guilty. I'm getting sick of killers pulling the gay card.

Denise Bauer: How can you conclude he's guilty? One eyewitness which happened in seconds.

Bethany Horowitz: I can conclude he's guilty because if we come back "Not Guilty" he'll blow us all up!

Paul Lewiston: I think we'd better give this man a real verdict

Bethany Horowitz: And it should be "Guilty".

Clarence Bell: I say, "Not Guilty" there's not enough evidence.

Denise Bauer: I agree.

Bethany Horowitz: There no evidence whatsoever of anyone else being there!

Denise Bauer: That's because the police only focused on Joel!

Bethany Horowitz: Because the maid saw him.

Denise Bauer: Thought she saw him.

Bethany Horowitz: Look. The man didn't testify at the real trial. That tells me he did it.

Paul Lewiston: It's his choice not to testify and you are barred from construing that against him.

Bethany Horowitz: Right. Like that never happens.

Debbie: He said why he didn't testify. He's a homosexual, gay, man. Who's gonna admit that in the fifties? In Arkansas, they still don't.

Denise Bauer: Okay. What we've heard does not satisfy the State's burden. Are we gonna do this for real or not?

Bethany Horowitz: Yeah. Great. Let's give the man a real verdict and all go kaboom! Are you people nuts?

At Crane, Poole and Schmidt, inside the conference room, Aaron, Joe and Denny are waiting.

Aaron Sears: You've had quite the big career, haven't you? Denny Crane. It all started with this case, I bet. I bet your father was real proud of you.

Denny is deep in thought, going back to the original trial.

Walter Crane: Why did you become a lawyer? Do you know?

Denny Crane: I don't know if I know.

Walter Crane: Well, I know. You became a lawyer because ever since you were that high, I made you want to become a lawyer. It's been a good life for me and I thought it would be a good life for you. Now I don't know. We don't think alike you and I. I don't really know you.

It's back to the present with Denny deep in thought.

At the jailhouse, in Wally, Alan and Jenna's jail cell, Wally is standing at the bars; Harriet is on the other side.

Wallace Bird: **He is exuberant.** Thanks for coming back, Harriet. The lawyers have all worked it out. If we all stay quiet, the police can't prove nothing. It's all gonna be fine. **He chuckles confidently.** I'd probably be home right now, if it wasn't for Mr Bigmouth over there. **Wally chuckles again, but nothing from Harriet. Just silence.** You know, ah, I thought maybe we could take a trip. Maybe go to Italy. Or Europe.

Alan turns his head towards the wall and raises his eyes to the ceiling. More silence from Harriet.

Finally—

Harriet Bird: **Quietly.** I never deluded myself that you were celibate. I suppose I should be relieved it's a prostitute, and not an affair.

Jenna looks down pretending she's not hearing this.

Wallace Bird: I would never have an affair. Never. **A beat. Another beat.** Harriet. Aren't you... sexually in need? **Delicately.** There are services that you could go to. **Alan and Jenna turn their face to the wall, trying to be as removed as possible.**

Maybe we should consider ah... what do they call it? An open marriage.

Harriet Bird: There's no such thing as an 'open marriage.' Divorce is open. Marriage is... pretending. Denial.

Wallace Bird: That's a very cynical thing to say.

Harriet Bird: Once two people admit that it's not what they want – to wake up with the same person in perpetuity... the choice becomes either divorce or compromise. It's much easier to just pretend, isn't it, Wally? Get a big house, buy nice things, go on expensive trips, all the trappings of a happy life. **A beat. Jenna puts her face even closer to the wall. Alan finds this very painful to listen to.** The only problem is you've been caught. Now others know. Our façade has been broken. It wasn't enough that you did a hooker! You had to get caught!! And now they all know!! **She turns and walks away.** Guard!! Guard!! **She walks to the door, the guard unlocks and opens it. She gives Wally one final look then walks away. Alan and Jenna share a look, but they can't make themselves look at Wally.**



At Crane, Poole and Schmidt, in the conference room. The jurors are filing back in. It's tense. Aaron looks up as the jurors position themselves at the end of the conference table, then he slowly hangs his head.

Outside the conference room, Shirley is looking at her handheld computer.

Shirley Schmidt: Verdict's in.

Detective Sean Wilkins: Okay. This is where you leave. All civilians out! We'll grant you an exception, Brad, 'cause you're combat-trained.

Brad Chase: Okay. **He shoots a thumbs-up. He is still stuck in the duct.**

At Crane, Poole and Schmidt, in the conference room. The jurors are still standing at one end of the conference table with Aaron sitting at the other end. His head is hanging down braced for the verdict.

Aaron Sears: You reach your verdict?

Paul Lewiston: We have.

Joe stands up.

Aaron Sears: Unanimous?

Paul Lewiston: **A beat as he looks at the other jurors.** Yes.

Aaron Sears: **Finally, he slowly looks up at Paul.** What is it?

Paul Lewiston: Not guilty. **Aaron gasps, gags, then hangs his head and starts to sob.** There wasn't enough Mr Sears. There clearly is reasonable doubt.

Aaron continues to sob loudly.

Joe Gordon: I promise you, I'm innocent. **He pleads sincerely.** I promise you.

Aaron continues to sob softly. Suddenly he stands, and points his gun at Joe. Everybody gasps.

Joe Gordon: Please. Please. **A beat as Aaron continues to hold his gun to Joe.** Please.

Suddenly Aaron puts the gun to his own head.

Paul Lewiston: No. Do not do this, Mr Sears. You kill yourself. You kill us all.

Aaron is still sobbing as he holds the gun to his head. He backs away then out of the room. Everyone in the room is speechless as they watch him slowing walk around the corner towards the SWAT teams who have their guns trained on him.

Aaron Sears: **He still has his gun pointed at his head.** Stay where you are! **He points to two SWAT team members down the hall.** Don't come near me.

Detective Sean Wilkins: Sir? It's over now, Sir.

Aaron Sears: When my thumb comes off this button it'll definitely be over.

Detective Sean Wilkins: You don't want that.

Aaron Sears: Shut up. Shut up!



Denny Crane: Mr Sears. **He has come out of the conference room and is standing behind Aaron.**

Aaron Sears: **He quickly turns towards Denny.** Get away!

Denny lifts both his hands. The SWAT team still has their guns trained on Aaron. Aaron still has his own gun pointed at his temple, his thumb on top of the remote in his hand and is sobbing softly.

Denny Crane: I believed in Joe Gordon's innocence back then, as I do today. **He comes closer. Now they are standing across from each other, with only the hallway between them.** Because I was so convinced that he

didn't do it, I was willing to resort to a stunt to get him off. But, I never once considered your father. **Aaron is sobbing silently, his gun still pointed at his temple.** I never considered the hurt. The damage. To him. To his children. **He's slowing walking closer as he's talking.** I, I should have reached out to your father. **He is standing right in front of Aaron who is nodding.** His anger for me, and yours is... totally justified. I'm sorry. **A beat. Aaron is calming down.** Please... so that other innocent lives aren't destroyed... give that to me. **A beat.** Please. **Another beat. Then—** Give it to me.

Aaron Sears: **He moves his hand toward Denny. Calmly.** You're gonna have to hold the button down. **Slowly, carefully the remote changes hands. Aaron drops his gun to the floor.**

Lieutenant James: Down on your knees, sir!

Denny Crane: **Concerned.** I'm not good with remotes.

Lieutenant James: Pass it to me. Pass it slowly. **And the transfer is made. Slowly.**

Denny takes off his vest, a SWAT team member takes it. Down on his knees, Aaron sobs silently as he lets the police take off his jacket. And the crisis is finally over.



At the jailhouse, the Guard unlocks the door to Alan, Jenna and Wally's cell.

Guard: Judge says you can go. **He opens the door.**

For a moment no one moves. Wally just stares, then starts to go.

Alan Shore: Wally. Or perhaps I should say Senator Wally. I'm certainly no expert on marriage and on relationships in general. Personally, I'm... well... disabled. But from what I heard going on in this cell, you and Harriet seem to love each other very much. I suspect the anger she feels can only come from love. And... well... as the resident bigmouth, I think it's my duty to say... don't let her give up on you. I know you won't give up on her. Don't let her give up on you.

Wally looks at Alan for a moment, and then heads off.



At Crane, Poole and Schmidt, out on Denny's balcony, he and Alan are having scotch and cigars.

Alan Shore: Here I am thinking I was having a day. **Then.** Are you alright, Denny?

Denny Crane: Fine. And I won. Still undefeated.

Alan Shore: **He chuckles.** That must have been some trial in 1957. You and your father.

Denny Crane: We made quite a team. Two birds of a feather.

Alan Shore: What did he say when the verdict came back? Your father?

Denny Crane: Oh, he hugged me. The usual. Proud papa. You know how it goes.

Alan Shore: I don't actually. My father was never proud of me. It's a terrible thing to be disapproved of by your own dad.

Denny Crane: I wouldn't know.

Alan Shore: Well! You led a charmed life.

Denny Crane: Denny Crane.

Alan Shore: Ha.

Denny Crane: I bought a carpet for one of my houses from Fat Wally Bird. Is he still that same empty sack, blow-hard?

Alan Shore: Ha. Still a blow-hard. But the sack? There's something in that sack.

Denny Crane: Tell me about Jenna. Is she cute?

Alan Shore: Forget it.

Denny Crane: Just trying to make conversation.

Alan Shore: Forget it!

A beat.

Denny Crane: I don't wanna go home alone tonight.

Alan Shore: I'll come over.

Denny Crane: He disowned me.

Alan Shore: Sorry?

Denny Crane: My father. He disowned me.

A beat.

Alan Shore: Oh, well. Fathers. Screw 'em.

Denny Crane: Damn right.

Alan Shore: I'm proud of you, Denny.

Denny Crane: For what?

Alan Shore: I just am. I always am.

Denny Crane: When you come over tonight, bring the marshmallows, will 'ya?

Alan Shore: Consider it done.

