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| |  | | --- | |  |  |  |  |  | | --- | --- | --- | | Katherine Lasher graduated from the University of Cincinnati, magna cum laude, in 1994, and received her Juris Doctorate from the University of Cincinnati, College of Law in 1998. Ms. Lasher is currently a judicial law clerk for Judge Howard Sundermann, Jr. She is a member of the Cincinnati Bar Association, and serves on the Executive board as the committee co-chair for the YLS Community Service Committee.      Typically, female attorneys are portrayed as having unfulfilling personal lives, being divorced or single, having few female role models, making bad judgments in character (particularly when it comes to sexual decisions), and being driven by emotion. In the end, most female protagonists find themselves making ethical decisions that affect their professional careers to obtain justice. | |  | | --- | | **The Portrayal of Women in Film After 1970**  by Katherine M. Lasher  The portrayal of lawyers and the legal system in film has changed considerably since the 1970's. As discussed in Michael Asimow's *Bad Lawyers in the Movies*, 24 Nova L.R. 533 (2000), films since the 1970's have portrayed lawyers in a negative light. And women attorneys are no exception to this trend.  Prior to the 1970's, only a handful of films actually portrayed women as attorneys. One of the most famous films depicting a woman as an attorney is *Adam's Rib* (Turner Entertainment Co., 1949) a comedy made in the 1940's. In *Adam's Rib*, Katharine Hepburn portrays a spirited female attorney, Amanda Bonner, who is married to a local prosecutor, Adam (Spencer Tracy). Both spouses face each other in the courtroom when Amanda defends a woman who has been charged with attempted murder of her husband, and Adam prosecutes the case. Some critics argue, that Amanda's courtroom antics, and not her intelligence, allowed her to win the case. This is highlighted, in one courtroom scene when Adam criticizes Amanda's arguments starting: "First of all, I should like to say that I think the arguments advanced by counsel were sound . . . MERE sound." But, in my opinion, Amanda is portrayed as a creative trial advocate who is gutsy and intelligent both inside and outside the courtroom. For a film made in the 1940's, Amanda's character is extremely independent and self-sufficient. Amanda has a driver's license (though Adam is unnerved by her driving habits), Amanda shares household responsibilities with Adam (and the maid), and Amanda has her own practice. More importantly, Amanda is driven to free her client because she observes that there is a sexual double-standard at play and the case offers her an opportunity to showcase a woman's inherent constitutional right to justice. However, like many contemporary films portraying women in positions of power, Amanda's marriage suffers as a result of her taking the case against her husband. Despite this, Amanda's portrayal of a female attorney is probably one of the best we have seen to date.  In the late 1970's, women's roles as attorneys in film became more evident. This is due, in large part, to the growing number of females entering the law profession. For example, polls show that in the 1960's female attorneys comprised 3% of the associate population, by the 1980's they comprised about 20% of the associates, and by the 1990's they made up almost 40% of the associate population (See Cynthia Fuchs Epstein, et al., *Glass Ceiling and Open Doors:* *Women's Advancement in the Legal Profession*, 64 Fordham L.Rev. 291, 313-314 (1995)).  There have been several changes in the portrayal of female attorneys since the 1970's. First, women attorneys are now portrayed as main characters in film. Second, while there has been an increase in the number of women attorneys both in film and in practice since the 1970's, female attorneys in film, like their male counterparts, have generally been portrayed in a negative light.  One film that incorporates practically all of the images discussed above, and challenges the protagonist to make many ethical decisions is *Class Actio*n (20th Century Fox, 1991). In this film, Maggie Ward (Mary Mastrantonio) works for a large firm doing primarily defense work. Throughout the film, Maggie's actions as an attorney are contrasted with her father's actions as a plaintiff's attorney. Jed Ward (Gene Hackman) is a reputable, liberal lawyer whose most celebrated case is representing a whistleblower. The importance of gender roles appears in opening scenes, which switches between two courtroom scenes. In one courtroom, Maggie argues a motion to dismiss. She focuses on the "black letter law," and even informs the judge that "appeals to emotion have no place in a court of law." Jed, in contrast, appeals to the jurors' emotions when arguing his case in the adjoining courtroom. In the courtroom, and throughout most of the film, Maggie is surrounded by male associates, which is accentuated by the fact that there is no other woman who has the same occupational status in her firm. The image portrayed by this is that Maggie is isolated from her female peers. The climax of the film occurs when Maggie aligns herself with her father after she discovers that her supervising partner, with whom she has been having an affair, has used his status with her to cover-up material evidence pertinent in the lawsuit. In the end, Maggie changes her personal life by trusting her emotions, but not without sacrificing her legal career.  Probably one of the best films portraying an attorney who makes a bad judgment in character is *Jagged Edge* (Columbia Pictures, 1985). In this film Teddy Barnes (Glen Close), a former prosecutor turned civil defense attorney, represents her firm's biggest and wealthiest client who has been charged with murdering his wife. Barnes, like many other female attorneys portrayed in film, is divorced. During the course of trial preparation, Barnes leaps into bed with her client. Instead of withdrawing as counsel, Barnes continues to represent her client and becomes conflicted when she learns that her client, now lover, may have in fact been the murderer. Barnes is able to get her client acquitted, but after the trial, Barnes accidentally discovers the identity of the murderer. Instead of reporting this information to the police or prosecutor, Barnes takes matters into her own hands. In the end, justice is served, but not without Barnes potentially sacrificing her legal career.  Barnes' colleagues fare no better when confronted with ethical dilemmas, particularly when it comes to sexual relationships. In *And Justice For All* (Malton Films, 1979), attorney Gail Packer (Christine Lahti) has an affair with fellow attorney Arthur Kirkland (Al Pacino) even though she is a member of the state bar ethics committee that is investigating Kirkland. And, in *Suspect* (Tri-Star Pictures, 1987), Kathleen Riley (Cher) is a burnt-out public defender who has a lonely personal life until she teams up with a juror on her case to solve the murder. And to push our professional code of ethics completely over the line, Riley sleeps with the juror in the process.  *Music Box* (Carolco Pictures, 1990) is a good example of a female attorney who becomes so driven by her emotions that she loses power over her case. In this movie, Ann Talbot (Jessica Lange) is a successful criminal attorney who is divorced but has an amicable relationship with her father-in-law. In the beginning of the film, Talbot is portrayed as a tough and skilled litigator. The opening scenes of the movie demonstrate Talbot's ability to win cases for her defendants, while maintaining a safe separation from her clients. However, when Talbot's father receives a notice of deportation, which is based on the government's allegations that Talbot's father had lied on his citizenship application, Talbot agrees to represent her father. Talbot's father is accused of being a notorious Nazi SS officer responsible for hideous war crimes during World War II. Talbot's father plays heavily on her emotions and Talbot is ultimately unable to remain emotionally detached from the case, and seeks the assistance of her former father-in-law. Ultimately her father-in-law's tip, along with another anonymous tip, allows the case against her father to be dropped. Though this film plays heavily on the loss of power women in film feel when they rely on their emotions, the film offers some redemption when Talbot finally faces the truth about her father and turns evidence implicating her father over to the special prosecutor.  The film that best depicts a woman attorney as striving to obtain justice without confronting serious ethical dilemmas is *The Client* (Warner Bros., 1994). In this movie Reggie Love (Susan Sarandon) is a successful female attorney, who agrees to represent a young boy who inadvertently knows too much about a Mafia killing. While there has been some criticism that the young boy Love represents saves her from stereotypical female emotional reactions, Love actually exemplifies a contemporary female attorney who is competent, passionate, and ethical. Although Love is a recovering alcoholic, the film focuses more on her defending the young boy and keeping him from harm. And, unlike most female protagonists, Love is portrayed as almost a hero by the end of the film when she helps her client obtain justice.  Since the mid-1990's, there have been few films portraying female attorneys as the main character. Nevertheless, through the use of female attorneys in minor roles, several other films have demonstrated that a new trend in the portrayal of women attorneys is emerging. I suggest that this trend, which portrays women as more independent and less reliant on their male colleagues, is a more accurate depiction of a female attorney today. For example, in *Legally Blonde* (MGM, 2001), Elle Woods (Reese Witherspoon), an LA valley girl who resembles a Barbie-doll, loses her boyfriend to Harvard Law School. Woods is determined to win him back by getting a law degree herself. Her first year of law school is supposed to resemble the modern day version of *The Paper Chase*. And, while certain aspects of the film are unrealistic, this departs from the older films by showing a female protagonist who is able to overcome her personal life and succeed professionally. Also, the film departs from earlier films by using a female law professor as Woods's role model.  Whether future films will continue the trend away from the traditional model of a female attorney established in the 1970's and 1980's, it appears that, no matter how they are portrayed, female attorneys will continue to play an important role in film. While the jury is still out about whether law is a reflection of our society or simply impacts our perceptions, there is no doubt that law, with all its strengths and weaknesses, is reflected most boldly and largely on the silver screen.  Posted May 13, 2002 |   **Would you like to comment on this article? 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