|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  | | --- | |  |  |  |  |  |  | | --- | --- | --- | --- | | [Rob Waring](http://docs.google.com/bios.htm#waring)       |  | | --- | | **Read other reviews:**  [Official site](http://abc.go.com/primetime/thepractice/index.html)  [Internet Movie Database](http://www.us.imdb.com/Title?0118437)  [All Movie Guide](http://allmovie.com/cg/avg.dll?p=avg&sql=A242083)  [Readers' comments](http://docs.google.com/user_feedback.htm) |         When a lawyer has a lying client who is manipulating her, she should get off the case as the earliest opportunity. Resign. Vengeance is what defense attorneys fight against. If it gets a hold of your emotions, it's time to consider becoming a prosecutor. | |  | | --- | | ***The Practice* gets warmed up**  by Rob Waring  In the episode that aired on October 5, 2003, *The Practice* got weirder. (Please see Paul Bergman's excellent [recap of cast changes](http://docs.google.com/practice03_bergman.htm) for the new season and the first episode.) Eleanor defends a man accused of poisoning his wife, but the case against him grows stronger when another suspect (his sister-in-law) holds up well on cross-examination. Against the advice of his lawyers, he insists on taking the stand in his own defense because he thinks he has an honest face. Predictably, it gets worse for him when he is confronted with a marital argument a neighbor overheard that contradicts a key part of his testimony. His ten-year-old daughter, who inexplicably and inappropriately is brought to the courtroom each day to hear the sordid tales of her parents' affairs and arguments, then blurts out that she knows something. Eleanor pulls a confession out of her that she poisoned her mother. On the strength of this, the rather gullible DA opts to dismiss the charges against the father, having been told that he'll have to take defense counsel's word because the girl's new lawyer will not allow her to incriminate herself again.  In a subsequent twist, the father confesses to his lawyers that he duped them by putting his daughter up to a false confession. Since double jeopardy applies, he believes he has now gotten away with murder. As they set their jaws in frustration at having been "played," he earnestly (with that honest face) implores them to work with him to free his innocent daughter. After he leaves, an embittered Eleanor vows that they will "take him down." That should be a real WWF smack-down event. So, we have yet another edition of the noble defense lawyer who wants to play judge and jury. Memo to viewers: when a lawyer has a lying client who is manipulating her, she should get off the case as the earliest opportunity. Resign. Vengeance is what defense attorneys fight against. If it gets a hold of your emotions, it's time to consider becoming a prosecutor.  Considering how sophisticated he appears, it is hard to believe the father has not considered another problem. Pushed by the girl's aunt, Child Protective Services will almost certainly seek to have him declared an unfit father if he testifies that the girl was lying. Convincing a child to falsely confess to a murder only adds to the presumption that a parent who kills is not a fit parent. In a dependency hearing, unlike in criminal court, that he killed wife need not be proved beyond a reasonable doubt. But, maybe he is a total sociopath and doesn't really care about custody of his daughter. Stay tuned.  The second story line is likely to create more fuel for future episodes. In a delicious reprise of his role as a sadistic lawyer in the film *Secretary*, new cast member Alan (played by James Spader) takes on the claim of Sheila (played by Sharon Stone), a friend and brilliant litigator who has never lost a case. It seems she has been fired from her law firm because she hears and obeys the voice of God. She also thinks bald men can read her thoughts. So naturally, Alan claims she has a disability and that her firing violated laws protecting the disabled. Adam Arkin, making a guest appearance as defense counsel, asserts that the claim is frivolous because the disability laws do not protect people who are insane. (The Americans with Disabilities Act has been held to protect workers with moderate forms of mental illness.)  Alan tries to obtain a settlement by pointing out that the senior partner in the firm had sex with the plaintiff, and that if their defense is insanity she lacked the ability to give consent. That would make the partner guilty of rape under the law. Arkin protests that a threat of a criminal prosecution in order to force a settlement is blackmail and a violation of a lawyer's ethical duties that is grounds for disbarment. Later, Eugene, who seems to have assumed the role of senior partner on the show now that Bobby is gone, also chastises Alan for this tactic.  Although I recall Alan referring to the criminal violation as being strong enough to interest the DA, he did not actually condition bringing the charge upon failure to settle the ADA claim. He was pushing the envelope, and should have chosen his words more carefully. It was legitimate for him to point out that his trial strategy for refuting Arkin's assertion that Sheila was insane would be to raise the sexual relations as proof that the senior partner apparently did not regard her as insane. (Or else that would make him a rapist subject to prosecution.) In any event, as a plot device it provides further evidence that Alan is unethical and that he and Eugene are likely to have more confrontations over his tactics.  Flash forward to the trial, with Sheila making her opening statement. Apparently getting messages from God, she is able to point out personal details in the lives of several jurors. This explains her unbroken string of trial victories. In this case, however, she is a bit too open about her secret weapon, and her unnerving approach results in a mistrial. (Proving once again, that an attorney who represents herself has a fool for a client.) Sheila, who cannot stand to be alone with her thoughts (apparently God is a bit of a chatterbox) begs Alan to give her a job and a case to work on. His loyalty to her (heavily sprinkled with flirtation) proves strong, and he agrees to find a way for her to work for his new firm, even though he has not consulted Eugene. So now there is a a supernatural character and plot element, just in time for Halloween.  The obvious place for Sheila is as a jury consultant. Her source of inside information would make her a much sought after trial weapon. This closely tracks one of the plot elements in *The Devil's Advocate*, where Keanu Reeves, apparently in communication with the devil, has an uncanny ability to pick juries and has never lost a case. (He does provide an earthly explanation as to how he was "privy" to the minds of jurors, but the suspicion remains that he has some help from Dad.) It will be interesting to see if *The Practice* pursues this vector. (If the show does go in this direction, it won't be with this character. Sharon Stone is only scheduled for a guest appearance for a few episodes.) A lawyer with an unlimited source of inside information could raise holy hell in the courtroom.  Posted October 14, 2003 |   **Would you like to comment on this article? Please submit your comments** [**here.**](http://docs.google.com/submit-comments.htm) |  |  | | --- | | [Top of page](#gjdgxs) |  |  | | --- | | [Home](http://docs.google.com/index.html) | [Silver Screen](http://docs.google.com/silver_screen.htm) | [Small Screen](http://docs.google.com/smallscreen/small_screen.htm) | [News & Views](http://docs.google.com/newsnviews.htm) | | |