

## **Women Lawyers on TV Moving Closer to Reality**

By Stephanie B. Goldberg

Jill Goldsmith's earliest recollection of a female lawyer on TV was Joyce Davenport—the elegant, impassioned, and eloquent public defender portrayed by Veronica Hamel on *Hill Street Blues* during the 1980s. “I looked at her and said, ‘I want to do that,’” Goldsmith recalls.

After graduating from Washington University School of Law and moving to Chicago, Goldsmith followed in Davenport's footsteps, defending clients in 400 felony trials during a seven-year period. Then she struck out for Hollywood, finding success as a writer for *The Practice* and *Law and Order*. Drawing on her own experiences, she wrote scripts about a new generation of women lawyers on TV that will undoubtedly exert the same fascination for young girls that Davenport had on her.

Goldsmith drew on her past for *The Practice*, tapping her early experiences of practicing law for the paralegal-turned-lawyer character of Rebecca Washington (Lisa Gay Hamilton). When Eleanor Frutt (Camryn Mannheim) won an acquittal for a drug user who was caught red-handed, her impassioned speech was one that Goldsmith had used successfully in a similar case years before. “It was a case where everything that could go wrong did,” Goldsmith says, “yet it was still possible to have the jury look beyond the wreckage.”

### **Portrayals of Substance**

Writers such as Goldsmith may be one reason that many of today's portrayals of women lawyers on television ring true in matters of style as well as substance. “I loved that moment on *Boston Legal* when senior lawyer Shirley Schmidt (Candice Bergen) is walking down the hall at work and stops a young woman lawyer,” says Rikki Klieman, a trial lawyer-turned-anchor at Court TV and the author of *Fairy Tales Can Come True* (Regan Books, 2004). “She says to the woman who is wearing a low-cut top and a miniskirt, ‘Are you a lawyer? Go home and change your clothes and dress the part. We need women who appear the way a jury expects them to appear.’”

The speech resonated with the kind of wardrobe advice Klieman has given women lawyers for years in trial advocacy workshops. And she is more than a little pleased that Bergen—as a woman of a certain age—is shown as being “talented, confident, feminine without being sexual and driven.” She groups Bergen's Schmidt with Lara Flynn Boyle's Helen Gamble on *The Practice*, Angie Harmon's Abby Carmichael on *Law and Order*, and Susan Dey's Grace Van Owen on *L.A. Law*, and calls these characters great role models. “They're good strategists, they're highly competent, and they're always prepared,” Klieman observes. “They're passionate about justice, and they have a range of emotions.”

If they have a flaw, it may be that they are too glamorous, notes Christine Corcos, a law professor at Louisiana State University who has written widely about the image of women lawyers in the media. “I don't know how they manage to have those wonderful apartments and dress the way they do.” But at least women lawyers are numerous. Writing in the *Loyola of Los Angeles Law Review* in 1998, Diane Klein noted that 70 recurring female lawyer characters appeared on TV from 1952–1997.

### **Playing to Female Audiences**

Klein and other scholars have pointed out that characterizations of women lawyers on TV are far more positive than those on the big screen—undoubtedly reflecting the reality that TV audiences are predominantly female. In a 1995 University of Toledo Law Review article, the late professor Carole Shapiro of Touro Law Center in Huntington, N.Y., surveyed more than 20 films about women lawyers in the 1980s and early 1990s and noted that the portrayals in film exemplified Susan Faludi's "backlash." Successful professional women invariably had empty personal lives (e.g., Glenn Close's Teddy Barnes in *Jagged Edge* and Greta Scacchi's Carolyn Polhemus in *Presumed Innocent*), while others were bumbling who couldn't try a case without a man's help (e.g., Cher's Kathleen Riley in *Suspect*).

By contrast, women lawyers on TV are more well-rounded, by virtue of the hours of screen time that writers have at their disposal to develop characters. Amy Brenneman's lead character in *Judging Amy* is challenged by her professional life as a juvenile court judge and her personal life as a single mother in an extended family. She's intelligent, vulnerable, and constantly endeavoring to get things right. "She reminds me of the characters in Louisa May Alcott novels," observes Terry Diggs, an appellate lawyer and film critic who teaches trial advocacy courses at Hastings College of Law in San Francisco. "It's created by and for women."

"[Amy Brenneman's character] has a big problem," Corcos notes. "She has to neutralize her professional status in her personal life because she's a judge, which may be threatening to men. She has to find a male who is her equal, but he's got to be ethically upstanding, and she's limited in the places she can go to meet him," Corcos says, noting that, as a female judge, the character can't really be a barhopper.

### **Break-Through Characters**

Many see *The Practice*'s Eleanor Frutt as a break-through character because, as portrayed by plus-size Mannheim, she defies the stereotype of woman lawyer as glamour girl. "One of the things you liked about Eleanor was that she wasn't the typical lawyer in a miniskirt," says Star Jones Reynolds, a former Brooklyn district attorney who hit it big as a television personality on ABC's *The View*. "It let you see that women of all shapes, sizes, and races contribute to the legal community. I liked that a lot."

"In the 1960s, a woman who was overweight could be very much accepted into a group," Klieman observes. "When that era ended, the woman who did not fit into a traditional physical mold was ostracized." In her own way, Frutt suggests a return to the idealism and nonconformity of the 1960s, when thousands of women and men went to law school to practice public interest law.

Goldsmith, who arrived at *The Practice* after the characters were fully formed, says that Frutt, Gamble, and Kelli Williams' Lindsay Dole were developed in the same mold as the men on the show. "All of the characters were a blend of aggressive courtroom presence and emotional vulnerability," she explains. There were some conscious attempts to reverse roles, however. "When Lindsay and Bobby Donnell (Dylan McDermott) first got involved, she was reluctant to be part of a couple," Goldsmith says.

Yet, while these characters seem real, they present a skewed version of women in practice. Klein analyzed the demographics of a group of women lawyers on TV and compared them to the statistical profile of women in law. She found that government lawyers are "substantially overrepresented while those in private and corporate practice are quite underrepresented." African American female attorneys are overrepresented, and Hispanic and Asian American women lawyers are nearly absent. TV lawyers are more likely to be single and work for the government in criminal

law. They're frequently drawn to nonprofessional men, Klein notes, and they have much lower maternity rates and family sizes than do women in the profession.

### **The Improbable Ally McBeal**

Many lawyers—men and women alike—don't know what to make of the Fox network hit *Ally McBeal*, which featured a flaky yet competent waif of an attorney (Calista Flockhart) in an improbable law firm with its very own unisex bathroom.

"I think lawyers resented Ally, not simply because of the [micro] miniskirts, but because she really doesn't commit to law. It's something she just fell into when she followed her boyfriend to Harvard Law School," Corcos says. "Ally represents someone who never grows up. I kept watching the show, waiting for her to grow into her career, and it never happened. She remained a fish out of water."

Goldsmith, who wrote one script for *McBeal*, believes the show demonstrated "that professional success doesn't feed you on all levels; you can win a victory in court and still walk home alone and lie in bed at night." But unlike the backlash movies of the 1980s, which were cautionary tales, Goldsmith sees the *McBeal* show as "a heightened reality, a different type of universe."

There's a danger in taking TV shows too literally, particularly *McBeal*, which Diggs describes as being more about equality than the legal profession. "Every single episode I ever saw dealt with balancing sex and gender: If women have the same amount of money and power as men, will we also have unisex bathrooms? Ally calls everything women are supposed to want into question and forces us to continually rethink those things," Diggs says. "Like *Legally Blonde*, it's a show about integrating women's differences, not rejecting them."

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