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Real-life underdog tale in 'Marshall' shows future justice's legal prowess

Film focuses on Thurgood Marshall's time traveling NAACP circuit, obstacles he faced

Thawack! Wham! Bang!
It's 1941, and Thurgood Marshall (Chadwick Boseman, "Get on Up"), the 32-year-old lawyer for the National Association for the Advancement of Colored People, is whacking, hard, a billy club — dubbed "the n—— killer" by its constabulary owner — on a southern courtroom table where a black man sits.

Everyone in the courtroom (and the movie theater) is rattled, and we flinch along with the accused at the force of the blows.

Marshall has made his point that there is reasonable doubt as to whether the man was "persuaded" by local law enforcement to make a false confession.

In Connecticut, meanwhile, an elderly woman in a wheelchair, the losing plaintiff, weeps into her hankie as the insurance-defense lawyer Sam Friedman (Josh Gad, "Frozen," "Book of Mormon"), is congratulated for dismissing her claim on a technicality.

Minutiae and technicalities are Sam's specialty.

Marshall, who already has a U.S. Supreme Court argument under his belt, is a circuit rider for the NAACP. He travels the country by rail, from jurisdiction to jurisdiction, trying case after case. His mission is to represent innocent people who have been accused because of their race.

When chauffeur Joseph Spell (Sterling K. Brown, "This is Us")

is accused of kidnapping, raping and attempting to kill Eleanor Strubing (Kate Hudson), the wife of the wealthy white Greenwich, Conn., couple for whom he works, the unlikely combination of Marshall and Friedman become co-counsel for the defense in *State of Connecticut v. Joseph Spell*.

Friedman has to be drafted and manipulated into the role of local counsel. He doesn't want to risk his family, his practice and his community standing by becoming entwined with Negroes in an unpopular case. He expects Marshall, upon being admitted pro hac vice, to handle the case alone.

But the presiding Judge Foster (James Cromwell) won't let Marshall speak in the courtroom and insists that Friedman try the case.

Thurgood can't talk, and Sam must show swagger. This is each man's worst nightmare.

"Marshall," the movie based on the *Spell* case, is a crime procedural, courtroom drama and biopic in one. It traces the arc of friendship and mutual respect that develops between the two lawyers as they investigate and try the case.

Although "Marshall" concerns serious topics, it is not a somber movie. It's a classic underdog tale, directed with humor by Reginald Hudlin ("Boomerang"), in which the coach is tough but fair, an essential player lacks confidence, the opponents hit



**REBECCA
L. FORD**

Rebecca L. Ford is counsel at Scharf Banks Marmor LLC, and concentrates her practice on complex litigation, compliance, board governance and specialized employment issues. She is the former executive vice president for litigation and intellectual property at MGM. She can be reached at rford@scharfbanks.com.

below the belt and victory is by no means certain. It delivers the moral lesson that it is costlier to remain silent than to fight for truth.

In a recent interview, I asked Hudlin about the main characters' relationship.

"Obviously Sam Friedman is living this successful but unfulfilling life," Hudlin said. "He doesn't know what he is missing, and certainly he doesn't think Thurgood Marshall is the solution — this guy is wrecking his life. He's right. Marshall is wrecking his life. But it's more like he's wrecking his life for the better, because Marshall imbues Sam's life with a sense of mission."

Does that mean that Friedman, whose character changes the most in the course of the film, is actually the hero of the movie? No, according to Hudlin, because Marshall changes as well:

"He is this lone lawman who goes from town to town, western-style," he said. "It's an economic necessity, but also that's kind of how he likes to function. When he is forcibly paired with Friedman, who seems completely unqualified to assist him in any way, and realizes this guy is good and all he needs is kind of a re-orientation and can be an incredible soldier and resource in the civil rights battle, he goes, 'Wait,

I can make an army of these guys.'"

We are watching the origin of the NAACP Legal Defense Fund, Hudlin said.

"And Sam Friedman is a foreshadowing of Jack Greenberg and all the men and women who made up that team."

"Marshall" the movie makes clear that with *Spell*, Marshall the lawyer has a difficult client, a difficult judge, a difficult opponent, a difficult partner and some very bad facts. The obstacles to a winning verdict seemed insurmountable.

The solutions he applies to unlock each puzzle — ranging from a particularly insightful voir dire selection to the resolution of the entire case — have as much to do with Marshall's understanding of human nature as the law.

That was typical of Marshall, observed David Wilkins, a Chicago native and professor at Harvard Law School who clerked for Marshall on the U.S. Supreme Court. Marshall was a keen observer of people who understood the complexities of race and class.

"He wasn't just trying cases," Wilkins said. "He was interacting with people. He was observing people, he was figuring out how the world works at a granular level and that's why he was such an effective advocate."

Wilkins made the point that the Rev. Martin Luther King Jr. could operate at the level of principle and cause, which was not the case with lawyers like Thurgood Marshall.

"They had real clients and they had to make real choices every day about how to represent those real clients in a justice system that was rigged against them and still, by doing that, change that system," he said.

"And it had never been done before, and every time it has been done since it has been done on the model created by these amazing black lawyers."

"And that," declared Wilkins, "is an accomplishment worthy of a Hollywood movie."