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By Jacob Gershman | March 13, 2017

## **Atticus Finch, Perry Mason and Michael Clayton Have Nothing on the Legal Profession's Favorite Attorney: Vinny**

The 1992 comedy 'My Cousin Vinny,' with its smart-aleck hero played by Joe Pesci, is still a hit with lawyers; 'a paean to the American system of justice'



"My Cousin Vinny" has been a favorite of real-life members of the legal profession since it debuted 25 years ago. Photo: 20th Century Fox/Everett Collection

<http://www.wsj.com/video/legal-eagles-love-my-cousin-vinny/1436F12F-4BF5-492E-9606-4ED2A93B0DB4.html>

Vinny Gambini flunked his bar exam five times before passing it, which is among the reasons he is admired by Joseph F. Anderson Jr. , a federal judge in South Carolina.

"Despite the many setbacks he endures, Vinny's devotion to his clients and the cause of justice never waivers," the judge wrote. "The lesson here: Good lawyers are not quitters."

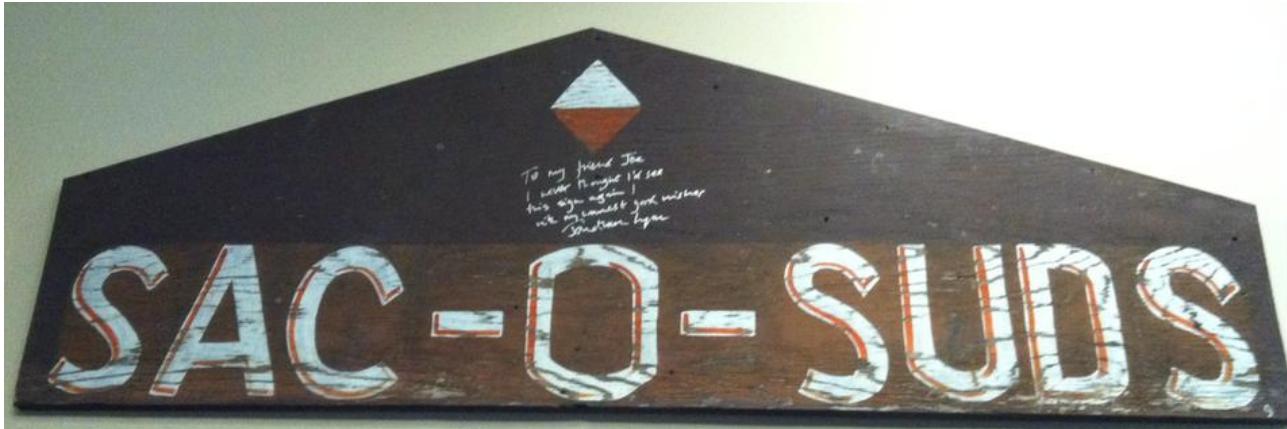
It was a quarter-century ago Monday when the movie "My Cousin Vinny" made its debut in theaters. Over time, the comedy and its leather-jacketed, smart-aleck hero, played by Joe Pesci, have swaggered into the pantheon of legal cinema, taking a seat alongside the genre's dramatic greats, "12 Angry Men" and "To Kill a Mockingbird."



‘Vinny Gambini’

Judges have referenced it in rulings more than two dozen times. Just this month, “Vinny” made a cameo in an opinion written by U.S. Circuit Judge Janice Rogers Brown in Washington, D.C. [Lawyers](#) talk about the movie with a “Casablanca”-like fondness. Professors at elite law schools have invited “Vinny” into their classrooms, using the film as a teaching tool for courses in evidence and trial advocacy.

“The movie is actually a paean to the American system of justice,” says Judge Anderson, who estimates he has seen it up to 50 times. He owns the original plywood “Sac-O-Suds” store sign featured in the movie and the wooden gavel banged by the late Fred Gwynne as the film’s fearsome judge. “It’s a timeless movie,” he says.



The original ‘Sac-O-Suds’ sign, from the movie ‘My Cousin Vinny,’ is owned by Joseph F. Anderson Jr., a federal judge. *PHOTO: JOSEPH F. ANDERSON JR.*

“My Cousin Vinny” tells the story of Vincent La Guardia Gambini, a mechanic-turned lawyer from Brooklyn, and his trial by fire in small-town Alabama.

His younger cousin and a pal are driving in the South when they get mistaken as the killers of a convenience-store clerk. They have little money and hire Vinny, who has practiced law for six weeks, is good at arguing, but hasn’t a clue about how to try a case. His courtroom stumbles earn him jail-time for contempt. Shamed by his brassy fiancée Mona Lisa Vito (played by Marisa Tomei, who won a best-supporting actress Oscar for the role), Vinny learns his craft. By the end, he’s proven both himself as an attorney and his clients’ innocence.

“If you asked any lawyer you know, what’s your favorite legal movie, I bet 80% of the time the answer is ‘My Cousin Vinny’,” says Raffi Melkonian, a Harvard Law School-educated appellate litigator in Houston.

That 80% camp included the late Justice Antonin Scalia, who has been quoted as saying he could watch it “over and over again” and made a reference to the film during oral arguments when he asked, to laughter, about “the real case of My Uncle Vinny,” getting the title almost right.

When released in 1992, the Jonathan Lynn -directed comedy garnered warm reviews and did well at the box office. It hardly seemed destined for legendary status. “The kind of movie home video was invented for,” wrote Roger Ebert.

So what explains the veneration of “Vinny”?

“There are a lot of legal movies that are just kind of nonsense,” says Mr. Melkonian. “For whatever reason, ‘My Cousin Vinny’ feels real.”

Director Mr. Lynn studied law at Cambridge and was “determined not to have anything in the movie that was legally incorrect,” assuming accuracy would be funnier.

“Vinny” screenwriter Dale Launer isn’t a lawyer but did his homework. He interviewed cops from Yazoo County, Miss., and a deputy district attorney from Butler, Ala. on whom the movie’s competitive-but-collegial prosecutor was modeled.

A source of inspiration was a courtroom tale about Abraham Lincoln. Representing an accused murderer in 1858, Lincoln is said to have used an almanac to impeach the testimony of a witness claiming he saw his client kill a man under a full moon’s light.

According to Mr. Launer, the tale inspired the scene where Vinny uses his newfound knowledge about grits—and how long it takes to cook them—to spot a hole in the timeline of a key prosecution eyewitness.

“Are we to believe boiling water soaks faster into a grit in your kitchen than on any place on the face of the earth?” Vinny asks the man on the stand. “I don’t know,” he sheepishly responds.

It is among the film’s “textbook examples of effective cross-examination,” wrote Judge Anderson in an essay titled: “Ten Things Every Trial Lawyer Could Learn from Vincent La Guardia Gambini.”

Others tips, he wrote, include perseverance, keeping promises and the “proper use of experiential experts.” In the movie’s climax, Mona Lisa, who comes from a family of mechanics, is summoned to the witness stand. Her testimony proves Vinny’s clients weren’t driving the getaway car, prompting prosecutors to drop all charges.

The “greatest expert witness OF ALL TIME!” tweeted Texas Supreme Court Justice Don Willett.

Compared with “To Kill a Mockingbird,” “Vinny” is a richer trove of lawyer practice hints, says U.S. Circuit Judge Richard Posner. (He deems the Gregory Peck-starring adaptation of Harper Lee’s novel to be “rather corny.”)



A scene from 'My Cousin Vinny' starring Joe Pesci. PHOTO: TWENTIETH CENTURY FOX/EVERETT COLLECTION

Attorneys also nod knowingly at the courtroom smackdowns delivered by Judge Haller. "When it comes to procedure...I'm not a patient man," the character warns Vinny early on.

"We have all experienced judges like" Haller, says attorney Alan Dershowitz.

U.S. Circuit Judge Alex Kozinski says he views the film as a reassuring reminder of the presumption of innocence and "that a good lawyer can make a difference."

Judge Kozinski, who sits on the Ninth U.S. Circuit Court of Appeals in San Francisco, has organized two screenings of the film for his colleagues. He recalls that at a gathering of chief circuit judges in Washington, D.C., one judge handed everyone bags of raw grits as a "Vinny" homage.

Mr. Lynn, the director, says he first became aware of Vinny's legal fan club about 15 years ago when federal judges invited him to speak at a judicial conference. "I thought that was odd," he remembers thinking at the time.

If there is a limit to the appreciation, it might have been reached last year in a federal courtroom in Texas.

Cary Moomjian, a drilling-industry expert and registered lawyer representing himself as the plaintiff in a dispute, wrote a brief asserting that the defendant's claim for attorney fees should be denied because it's "BS."

Mr. Moomjian specified he was paraphrasing a line from "My Cousin Vinny," but U.S. District Judge Sam A. Lindsay replied with a Haller-like rebuke.

“The undersigned has been a judge of this court for almost 18 years, and no attorney has ever used this type of language in a filing with the court,” he wrote.

Reached by phone, Mr. Moomjian had no apologies: “I was trying to inject a little humor and got nailed.”

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