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A Conversation With Mr. Dysart

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A Conversation With Mr. Dysart*

Paul Joseph: For many Americans, your *L.A. Law*¹ character, Leland McKenzie, is the prime example of what a lawyer, and especially a senior partner, ought to be. How did you develop the character of Leland McKenzie? Did you pattern him after any real lawyers? Is it important or necessary for an actor to have a real role model to work with when developing a character?

Richard Dysart: Leland McKenzie was quite an assignment. I had played a lawyer previously in a major PBS program² and I was able to approach that character from a historical point of view and check with people who knew the deceased attorney. That was a lot of fun. I had also played lawyers here and there on some network shows and in old plays.³ But none of these characters required the intimacy that I wanted to establish with Leland McKenzie. Also, the intimacy had to be established within the demands of the scripts of the series. I read the pilot several times. I extracted what we learned about McKenzie, which was very little, and I had an appointment with Steven Bochco, the Executive Producer and writer, which was very interesting. Of course, he knew what I was interested in and gave me a little thumbnail sketch of the character, not even a thumbnail sketch.

Joseph: What did he say?

Dysart: Well, he went right into it. He said, "Leland is the senior person here and there's no doubt about it." He said, in effect, "don't be surprised if we don't know or learn as much about Leland as we know about the other characters," and I said, "well, I guess my function is different than theirs." And he said, "yes. Your function is to the script." He used the term "authority figure," but he changed that later and I don't recall what it was. It's not a good phrase. "Authority figure" sounds like "you shall not," and that's not what we wanted to achieve from Leland.

* On February 9, 1999, distinguished visiting Goodwin Professor, Richard Dysart, sat down for a conversation with 1999 Goodwin Professor, Associate Dean Paul Joseph.

1. *L.A. Law* originally aired on NBC.
2. *CONCEALED ENEMIES*, Comworld Productions (1984).
3. *See, e.g.*, *BLOOD AND ORCHIDS* (1986); *THE PEOPLE VS. JEAN HARRIS*, RKO Television (1981) (playing Judge Russell R. Leggett).

Later, I thought how glad I was that I had spoken to him because on series television you have the same format of people all the time within all episodes. And characters don't change much on series television, because the audience doesn't want them to. It was nice to have all that concise information from my Executive Producer before we started so if I had to deal with individual directors down the line, I knew that I would be on good, safe ground if they wanted to say, "maybe he could juggle here" [laughs], not that they would. But, at least, to maintain the sovereignty of the character.

Joseph: It sounds like you are drawing on what kind of person Leland is, rather than specific traits that are lawyer traits.

Dysart: Oh, yes. Definitely. I wasn't even thinking of character at the time, Paul. I was thinking: "What are the demands of the show? What are the demands of the script? Who is Leland McKenzie in relation to the other characters and in relation to what he was going to be called to do?" That was my first duty. Then, that having turned out pretty much the way I thought it should, I was free to think of real lawyers I knew or knew of and I didn't have to go very far for that, so I felt comfortable within the framework of the pilot script and what I thought would be coming.

I think I may have mentioned to you—I know I mentioned to you—that I was so pleased to be part of the project because I loved the court battles that I assumed Leland McKenzie was going to have, you know, every week involved in different situations and different intensities, different colorations and it was going to be a tremendous challenge as an actor, as an individual, and as a television series lawyer. So time went by. We did five episodes and I hadn't been to court. So I saw Mr. Bochco one day and I said, in effect, "when am I going to court?" And he said, "do you want to go to court?" And I said, "yeah." He said, "well, senior partners very seldom go to court." I hadn't known that.

Joseph: He hadn't mentioned that to you?

Dysart: No, I had not done my homework. And I felt bad about that. Then, as the rigors of the assignment mounted up through the week after week, episode after episode, and I would see my fellow actors, my fellow attorneys, working deep into the night to go over these long summations that were no longer in their heads because of fatigue, I felt, "ok, that's good" [laughs]. Keep me away from court. Even so, I did go to court several times.

Joseph: One of the things that you are talking about in the development of the character was finding a *person* more than a lawyer, and my guess is that the writers were more interested in finding the *drama* than in necessarily finding the law. Did you have a sense of that? Do they pay any attention to portraying law accurately? Was that something on their minds?

Dysart: It was something very much on their minds. They sent us collectively in a bus down to the court house in Los Angeles. We were expected and ushered into several court rooms that were in session on different levels of the justice system.

Joseph: No wonder you thought you were going to court.

Dysart: Yes [laugh]. And that was just the physical thing of going to a court room and seeing the actual lawyers moving around within the system. But, beyond that, they didn't speak to me at all about the law and I don't know if they did to the other characters.

Joseph: Would concern over "getting the law right" have been something that went on more with the writers and producers and the legal consultant [Distinguished visiting Goodwin Professor Charles Rosenberg] than with the actors?

Dysart: Yes. And Chuck Rosenberg was indeed the consultant for the entire eight year run with the exception of the two-hour pilot.

Joseph: So if there were any ethical gaps in the pilot, he can disclaim responsibility?

Dysart: Yes, and he is not shy about coming forward and [laughs] disclaiming. But, that's true. And that's partly why they got Chuck.

Joseph: Do you know how Chuck worked with the writers? I think that people who are not involved in the industry probably imagine that writers write a complete script, send it over to a legal consultant and he says, "you have to do this or say that." When Chuck was here he suggested that it was a much more organic process, and I wonder whether you saw that at all?

Dysart: It was very fortunate that it was so organic. It was a great give and take. Some of those involved with writing the show were lawyers too. It was

not a situation where Chuck was working against the writers. Very seldom, early on, he did have to set things straight. The few times I think that happened involved California law and a writer who was not schooled that much in California law. Later on, when the good people left throughout the years, the good writers, who got promoted, Chuck was working with people that were more interested in fiction, and actually had no idea or very little idea of the law, despite what they said on their interviews.

Joseph: And it hurt the show?

Dysart: Oh, yeah.

Joseph: I think the critics had a sense that something important about the show had gone off-center.

Dysart: There were several changes in *L.A. Law* through the course of it. Major little jolts. And that was one—when the legal brains left and the fiction writers came in. And at that time, Chuck had to really get to work on those people. And he did very effectively by citing to them why [they could or couldn't do something] and also by saying, "what if?" And he gave them just a little idea of how they could accomplish what they wanted in a different way.

They knew of his knowledge, not in a power play way because it didn't work that way, but they were a little skeptical of him, but he won them over by suggesting to them how they could probably achieve what they wanted in a different way. Very unusual man.

Joseph: And, in fact, he was here last week.

Dysart: Yes.

Joseph: And he has another article in this very symposium.

Dysart: And he was the intermediary who called me first and checked out my interest in visiting Nova. That was very nice of him. And he probably told all my stories because he got here first [laughs.] Chuck's a fine man.

Now you asked if it was important and necessary for an actor to have a real role model to work from as he develops a character. I don't think so. Because you can trust the character isn't going to change too much, that the producers and writers aren't going to change an individual too much, you can trust that

and go with it. Of course in the first episodes you really don't know and a good producer who has enough faith in himself and his writers and concept, won't tell you, won't step on the actor's prerogative, won't implant in their minds the idea that, well, you have to do this or you have to do that. Trust keeps it more organic.

Joseph: I guess if the producer were saying to you, you know, "be like him," some real lawyer, it becomes just mimicry.

Dysart: Exactly. And if something goes wrong early on, and they look at the dailies of the work done that day, they just go to the actor and say, you know, try it this way. We'll shoot again. No problem. And they will guide that way.

I had several people that I knew in mind, but I didn't think in any way of imitating or copying anything physical or psychological about the folks. One was an old lawyer up in Maine who's been a good friend of my dad and is no longer with us. Another was a great Supreme Court [Justice], William O. Douglas. But I didn't copy them. They were just in my mind and that's the extent of using any other real individual.

Joseph: But I think the plots were sometimes taken from real cases and real trials.

Dysart: Oh, many times. In fact, just about all the plots or the court cases definitely were from files. West Publishing was extremely helpful in that regard. The backgrounds of the lawyers themselves, the writer-lawyers, were extremely helpful. And they would have sessions when they would just come in and bat ideas around, saying, "yeah, I remember this case." And then somebody would go look it up and take some of that or if it's a good story that could be modified into the demands of the show. So they had plenty of ideas. They always were there with ideas for stories. The difficulty there, and the genius there, I'd say, is the meld of the various stories that would be in each episode, usually three court cases, on different subjects, and the way of presenting those three cases so at the end of the program it wouldn't necessarily be the "A" story that is dominant. The others are there not just to fill up time. And it's the feeling that was left with the audience that the juxtaposition of those three cases fit. That was difficult to do.

Joseph: There was some sort of larger theme that each of the cases fit into?

Dysart: Yes.

Joseph: How much do you think television shows influence audiences as far as their perceptions of reality? Do viewers think that lawyers are like *L.A. Law* lawyers?

Dysart: My guess is that there isn't too much influence. The influence is probably more visible than just how the process of the law works or how a trial works. I've heard people say that they had to go to court for such and such a reason and they walk in and there are no glamorous people around. Where is Grace Van Owen (Susan Dey), where are these blouses, where are all the snappy witnesses in there?

Joseph: And the quick summations—as they whittle a case down to just a few sentences.

Dysart: That's right.

Joseph: And in real life the lawyers lay foundations forever.

Dysart: Yes. Well, judges all over the country were forever remarking on the competency of the people who wrote the summations and the judges themselves would see it in terms of a full case, saying, in effect, "gee, I wish lawyers in my court would do that."

But of course, finding the essentials and the dramatic areas of any story, any court case, and putting them into a crucible where it is melted down into its essence, you have to leave out a lot of the smaller points of the law that you do have to mention in your actual summations, you do have to tie up your strings and all that. But it was also possible to come up with summations and work backwards as a writer, and to build your story so that later in your summation you could emphasize.

Joseph: Lead up to that.

Dysart: Right. Exactly. So that there was a good meld of what the viewer had seen and heard in connection to the summation.

Joseph: There is a great debate right now, which Dan Quayle may have kicked off in a somewhat simplistic way, about the degree to which television viewing shapes attitudes and about whether writers, producers, actors and

networks should be held responsible for that. The debate raises issues of free speech, but also issues of personal restraint. What is your take on that? Is that something you have to worry about or is that something you leave viewers to sort out?

Dysart: Well, that is a very important area. I'll just say first off that Mr. Quayle, of course, has brought it up several times for no other reason except to get people riled up.

Joseph: As with the *Murphy Brown*⁴ controversy?

Dysart: Yes. He had to retreat on that. If you work within the framework of the First Amendment,⁵ you can express yourself without fear, or one would hope without fear, that people who don't like the story, who don't want to see whatever or hear whatever is necessary to tell that story are going to get angry with the network or with the producer for expressing that story just because they don't like it, and because it might not fit with their religious beliefs. Those people are constantly worried about what their children may learn: "Oh my God, my children may hear this, my children may see this." And therefore they don't want it on television. They seem to be unaware that it's their responsibility to look after what their children see and hear up until a certain area in that child's life. And to come down on anyone else's privacy or anybody else's choices on what they want to see or hear is really none of their business. You just can't take away people's rights just because you don't want to watch your children.

Joseph: If you could have changed something about *L.A. Law* or about your character, what would it have been? As producer for the day, what would you have done?

Dysart: As producer for the day, I would do very little. Let me just say I think they did a beautiful job. They knew that I understood the parameters of the character and his function. Not only on that episode and why it had to be maintained—contained—because of future episodes.

You know, something in acting applies in law as well. Actors and lawyers are very similar in some ways. One important thing is not to give yourself away by raising your voice if you are angered or if someone is really trying to push a

4. *Murphy Brown* originally aired on CBS.

5. U.S. CONST. amend. I.

button. Because, if you lose your strength, you lose the power that you are trying to use to build your case or your character as a lawyer, and once it's gone, it's very difficult to get back. And it always seems to me, as an actor, as I'm sure it does for a lawyer, that less is best.

As far as being the producer for a day, well, I suppose I could tell you all kinds of marvelous plots that should have involved Leland McKenzie.

Joseph: Leland gets to go to court?

Dysart: Leland did get to go to court several times and Leland was a great believer in and fosterer of alternative dispute resolution. We had several alternative dispute cases and Leland served as the, I don't want to say judge, served as the central character there, in relation to decisions. But the ones that they selected to do were all very funny and a bit preposterous. And that worried me because I thought, well, that alternative dispute resolution is very serious stuff and it's going to play a big role in the profession in times to come and by making the cases a little silly are you not denigrating the process, you know, to build up in the audience's mind the fact that, oh yeah, that's the way of doing things, to laugh it off. That's not a big point at all. I am sure alternative dispute resolution is doing whatever it's going to do as a process now, whether *L.A. Law* handled it one way or the other.

The thing is you do get a little ingrown when you play these television characters for the long run. You live with that person a long time.

Joseph: You are protective.

Dysart: Exactly, thank you, very protective. And sometimes overly protective, and you go and split a hair about, well, that person, I don't think I'd do that. This is never the way to express it because anybody could do anything. Yes, very protective.

Joseph: Is there anything that is technically difficult about playing a lawyer as opposed to some other character?

Dysart: Talking heads.

Joseph: Talking heads?

Dysart: Well, you are sometimes limited. If you are in court, there are limitations on the way you can go, the speed that you use to get there. Court cases are more of a head trip in nature than physical action, for the most part. Then there is the question of the actor's memory. Say, an actor is shooting three scenes in a day, or rather, he's going to be working very heavily during a day in the same courtroom in front of the same cameras, the same story, but the final scene that's going to be shot is the summation. Well the actor has diligently prepared, has learned all this information prior to showing up for work. He has done it in such a way that he's sure that it's in his head—her head. But after being there for twelve to fourteen hours and that scene is coming up, and if there is legal language involved, that one may not be too familiar with, though we did familiarize ourselves with terminology, it's very difficult. And sometimes they have to do quite a lot of takes before you get it just right with the intended energy and the smoothness. But such is an actor's job anyway.

Joseph: Did *L.A. Law* care whether the legal community liked what you were doing?

Dysart: Oh, Paul, let me tell you, yes indeed. That was one of the foremost desires of everyone connected with Mr. Bochco's show. We wanted to make sure of the clarity of things so that nobody could take the show apart later for not being truthful to the process or the laws that were going down.

After we had been on awhile the public was giving accolades mostly to the actors. Many people in the public really believe that the actors go to work in the morning and they say these things, they just come down from heaven somehow, and these lovely words happen. That the words just come to them, just like that. They don't usually think of what the writers have done. But the lawyers around the country understood and rallied to *L.A. Law*, right off. There were a number of reasons for that but one was that the writers followed the law, because they knew the law, because they were able to integrate the stories and the characters into the court case without stepping on the law.

Joseph: You know there are a number of legal shows on the air today. Some of them are written by David Kelley who was a writer for *L.A. Law*. I am wondering whether you watch any of the recent shows like *Ally McBeal*⁶ and

6. *Ally McBeal* originally aired on FOX.

The Practice,⁷ which are David Kelley shows, or *Law and Order*⁸ by Dick Wolf. If you do, what do you think of them in comparison to *L.A. Law*? And if you don't watch them, why not?

Dysart: [laughs] Well, you saved me a long process. I love David Kelley. David Kelley was with *L.A. Law* from the very beginning. He became a brilliant writer with *L.A. Law* and guided the fifth season himself; guided, wrote, produced the entire fifth year himself and wrote, I must say, very well for Leland McKenzie. He enabled me to pick up an Emmy for my work that year. To answer your question, I just don't watch television. I watch, well, I shouldn't say that. I watch one show, I watch *NYPD Blue*,⁹ because it's a Bochco show and because I had quite a number of friends who were in it, some are still there. But I have sort of fallen away from that. I like things that are live. Anything that isn't going on pretty close to being live I don't care anything about. I watch *C-Span*, sports, much less than previously in my life, sports don't interest me much anymore. And that's pretty much it. Oh, Julia Child's reruns—they hold my attention.

Joseph: Some members of the Law Review commented that you seem to have an affinity for the legal system. It goes beyond the character. Do you think that's accurate or is that just people connecting you with the character?

Dysart: It's probably both. I have never had any desire to be connected with the law [as a lawyer]. A lot of my friends back in the fifties wanted to be lawyers or dentists, it sort of broke down that way. Neither craft [n]or profession appealed to me at all.

But some things have appealed about the law. I got involved twenty years ago with an organization called Native American Rights Fund ("NARF")¹⁰ which is really not a fund. It is a Native American law firm, centered in Boulder, which has done amazing things within the law system of the United States. It's introduced tribal laws, revised tribal laws for people, helped various tribes establish tribal government and done a lot of things in native rights and

7. *The Practice* originally aired on ABC.

8. *Law & Order* originally aired on NBC.

9. *NYPD Blue* originally aired on ABC.

10. The Native American Rights Fund is a not for profit organization that provides legal representation to Indian tribes and organizations. For further information on the organization, see *Native American Rights Fund* (visited Feb. 6, 2000) <<http://www.narf.org>>.

particularly with treaties, discovering old treaties that were not kept, such as that. And their work appealed to me for a number of reasons, I guess, primarily because I liked the people who were doing it, John Echohawk and the whole group there. Just wonderful people and dedicated way back to getting young Native Americans into the law schools of the United States. Getting them out into helping the people on the reservations and to join NARF as well. I've always liked the way they went about their work. Still do.

Joseph: You are also on the board of the American Judicature Society.¹¹ Did that come out of *L.A. Law*?

Dysart: That sort of came out of *L.A. Law*. One time on the set, waiting to film in my own office on my own desk I was just sort of sitting there mumbling my lines or whatever I was doing. And I looked over and the set dressers had decorated my desk and there was a copy of this magazine so I picked it up and read it and it was called *Judicature*.¹² And it was the magazine of that organization and there were some interesting articles in there. Later, I joined so I could get the magazine. That was the start of my membership with the association. Now I serve on the Executive Committee of the Board.

Years later, just before the second Simpson trial, I was with a group of people and someone said, "you know, this second case, I don't know how they are going to find enough people to make up a jury of people who have no opinions on this." And another individual broke in and said, "well, you know we don't need juries anymore in this country. We have polls now."

Well, that sent a shiver up my back because there was an example of popular culture selling out the justice system and that's a fear of mine, actually. But it was that remark that said, oops, maybe there is something more I can do here. That is when I got more active in the society.

11. The American Judicature Society is an organization established to maintain the independence and the integrity of the courts, while increasing the public awareness and understanding of the judicial system. For further information on the organization, see <<http://www.ajs.org>>. *American Judicature Society* (visited Feb. 6, 2000).

12. See *American Judicature Society* (visited Feb. 6, 2000) <<http://www.ajs.org/judicature1.html>>. The publication is indexed in the Index to Legal Periodicals, the Current Law Index, the Legal Resources Index, the Criminal Justice Periodical Index, and the PAIS Bulletin. *Id.*

Years before that, early in *L.A. Law*, I had my own pro bono campaign that I did around the United States attempting to persuade lawyers to give more of their time and their energies and their minds to helping the confused and the disadvantaged. And I like to think that I contributed something.

Joseph: The agency that did the campaign must have thought that lawyers would respond to “Leland McKenzie” telling them to go out and do pro bono.

Dysart: There really wasn't an agency involved, just me. I am very proud of that. I sort of conducted it that way. I was the one who ran it because I did it myself. I made all the contacts with the various law organizations in the United States and said that I would do thirty second promotional spots for pro bono law and at the same time I would speak at their associational meetings and this was all pro bono on my part but I would maintain control over what I said, of what the content would be. Organizations have a tendency to blow their own horns, so to speak, but with only thirty seconds there is not enough time to blow their horns and get the message out. So my message was aimed at the lawyers themselves and also at their clients who might just say, “by the way, counselors, do you do any pro bono law?” At least it would require an answer. So I hoped it had something to do with that. I covered about thirty states and twenty-five to thirty bar associations. I spent one whole summer going around and doing that. They just had to supply me with coach transportation and a place to sleep and a little grub and I'd fold my tent and move on to the next state. I enjoyed doing that.

Joseph: Even though you were doing the ads as Richard Dysart were you doing them in Leland's voice?

Dysart: Well, Leland's voice is pretty much the same as mine. I realize that I had to establish a voice for him, different than mine, quite subtle, not very different. I got to the point where I didn't have to think about it. You know, you put on the clothes and everything else. I actually did choose a specific voice but I didn't copy it. I developed the quality of the voice and the crispness of delivery of General Dwight Eisenhower and that in itself lent a certain authoritarian command to Leland.

Joseph: Do you miss that character or once you've been a character are you are happy to let him go?

Dysart: Well, no, I didn't let him go. He's around. I like Leland very much. I had a little difference of opinion with the producers, at the end of *L.A. Law*. They wanted to symbolize the death of McKenzie Brackman, the death of the firm, with the death of the senior partner. I didn't want to die. I did not want that to happen. I also thought it was a lousy dramatic treatment, just a very easy way out of something. But also if they were to have any reunion shows, I wanted to be there. So they said, we'll make him very sick. They did and put him in a sort of dying mood but he wasn't dead and he didn't die.

Joseph: I wanted to ask you that question because there is this tendency now of making movies out of former television shows. I am thinking of *The X-Files*,¹³ *The Brady Bunch*,¹⁴ and *Star Trek*,¹⁵ so if they ever decided to make an *L.A. Law* movie are you ready to go? Would you be interested in that?

Dysart: You are talking about a movie. I am thinking about a made for television film of whoever is left from the cast. I guess everybody is. I don't think they'd make a regular feature film.

Well, I don't know why not. I don't know why not. I'd feel very bad if they did one without me, let me put it that way. Sure, I'm ready.

Joseph: I can also imagine that it would be very interesting to have Leland pop up on *Ally McBeal* and read Ally the Riot Act because she is so out of control. I can see Leland saying, "you've got to get hold of yourself, you know, you've got clients here and you are not serving them well."

Dysart: That's fine for *Ally McBeal's* point of view. And it would be sort of using McKenzie Brackman. The producers of *Ally McBeal* don't own Leland and I don't know what the legal thing would be of just having him float out. I am saying this defensively Paul, because I don't want to do series television. Particularly I don't want to be a guest star dropping in. It just doesn't interest me.

Joseph: It sounds like there's also a little bit of protecting the character of Leland McKenzie.

Dysart: I am very protective. Very protective.

13. 20th Century Fox (1998).

14. Paramount Pictures (1995).

15. DesiLu Productions (1991).

Joseph: You feel that with *L.A. Law* there is a body of work that stands on its own?

Dysart: Exactly.

Joseph: What was your favorite *L.A. Law* story line?

Dysart: There were any number of them. There is one involving Leland that I liked very much. In fact it involved Leland going to court. Usually the first scene of an episode was the conference room scene and that served a marvelous purpose because it told the audience what was going to happen during the hour, who was going to be doing what, and the audience felt very comfortable with that.

Well, in this particular episode, in the conference room scene, we discover that an attorney is ill, cannot go to court for a case that he has that day, an age discrimination case, so somebody had to go.¹⁶ No one else was available, so they said, "it's up to you, Leland. You are the only lawyer around." And Leland said, "no, no. I couldn't do that." Later on, I guess Kusak (Harry Hamlin) says, in McKenzie's office, "Leland, you got to do it. You're the only one." And Leland says, "no. I'll tell you very frankly. I'm afraid I'd blow it. My hearing is not good and I'm afraid I wouldn't hear something." And Kusak said, "didn't you get some hearing aids?" And Leland says, "yeah. They are right here in my drawer." And Kusak says, "well, shove them in your ear, Leland. Go to court." Leland did and won for his client an age discrimination case that involved his client being fired because he was coming to a certain age where he was going to be collecting various pensions from various health plans and it was going to raise their rates and all that kind of stuff. Well, Leland won for him, and in so doing won a great battle for himself.

Joseph: There is a crossover between the court case involving age discrimination and having the senior partner, who doubted his own ability due to his age, going out and winning.

16. *L.A. Law* (NBC television broadcast).

To change the subject, I guess I have to ask you, because I am sure everyone asks you, about the Rosalind Shays (Diana Muldaur) elevator episode.¹⁷ Did you like that episode?

Dysart: [laugh] Well, I don't have an attorney here to represent me at this interview. Yeah, I did. I liked the drama of it.

The character of Rosalind Shays was brought in to provide conflict within the firm. And that fell on Leland McKenzie's shoulders, even though he did not invite it and was not the type of administrator or personality who would. But the character of Rosalind Shays was something else again. She was what you call a lightning rod. She attracted business. She had a lot of business follow her when she came. She wanted to become senior partner of the firm. McKenzie found himself in a position where he had to defend himself and defend the firm. He stepped aside and after stepping aside started a campaign to win the firm back. And that he did. He won the support of his partners again. In the process of that, he and Rosalind had an affair that the audience didn't know about until the Christmas show, in the fifth season, where Rosalind and Leland were discovered in bed.¹⁸ Well, it had happened several hundreds of times in the show previously, but not to Leland. And the outcry from the audience around the country was really something. They said, "enough!"

Joseph: You were going to bed with a viper.

Dysart: Yes, a viper. Great viper! What has she done? She's trapped him into bed. Well, it wasn't long after that the famous elevator scene took place, in which Leland and Rosalind left the office together, talking, waiting for the elevator. The elevator door opens, Rosalind stepped in and there's no elevator. Well, that doesn't happen every day in contemporary well-built skyscrapers. But it did in that one and Rosalind got the shaft.

Joseph: How did the viewers respond to that? Were they happy to see her go?

Dysart: Yes, they were. But I don't think they gave thought to the idea that she was a character who was supporting the drama at the time. I thought she had more play in it. I was called in by the producers, incidentally, before that

17. *L.A. Law* (NBC television broadcast).

18. *L.A. Law* (NBC television broadcast).

storyline started and told that this whole big disruption was coming to the firm. But don't worry about it. [laughs] I judged from that that I wasn't going down an elevator shaft. But anyway. No. I was just aware that . . .

Joseph: Did Leland push her?

Dysart: [laughs]

Joseph: There are rumors.

Dysart: Oh, Mr. Joseph. I'll tell you. Yes, there are rumors. They've been circling around and any number of people have asked me that. I said to the director of the episode when we came to film the elevator scene. I said, please, show both my hands at all times. Well, of course we couldn't do that. I wasn't serious about that anyway. But I did feel the obligation [laughs]. No, Leland didn't push her. But, my goodness, there are so many cynical people in this world that judge straight up and swear that he had.

Joseph: Let me ask you a harder question. Since you know Leland McKenzie better than anybody, how did Leland feel about her going when she fell down? Was there any part of him that was just happy to see her go?

Dysart: Yes. The way Leland phrased his description in the conference room scene in the following episode was a giveaway to his true feelings. His description of the horrible event, although said in great sorrow and shock, was rather bloody and coldly dramatic.

Anyway, for Leland it's solved a lot of problems. He didn't push her. I didn't push her. And there is no fault there. The firm probably had quite a legal case with the owners of the building and Rosalind's family and such. And I believe she left some money to Leland.

Joseph: But also remember Leland had just told her it was not going to work out romantically.

Dysart: That's right.

Joseph: Seconds before she turns and falls.

Dysart: That was the content that led us to going out to the elevator. There is something else in relation to Rosalind that was very important. She was a

secondary character written in, in the middle of the run to fulfill a function for a few episodes. Diana Muldaur acted so well, she had the whole country talking. Well, that's good. And then her demise, the need for the character was over. Job completed.

When the show went off the air, *Newsday* ran a big article on the show.¹⁹ And they graphed out the history of *L.A. Law*.²⁰ I am sure it's in some archives somewhere. High-points and low-points. The high point of the eight years was the elevator shaft. From there on the graph slowly descends. Such is the nature of episodic television.

Joseph: Was that a David Kelley creation?

Dysart: Yes, that was on David's watch. I never did look at what they call the bible, the bible being kept in a safe somewhere, the bible being the overall story line that Mr. Bochco had devised long before.

Joseph: And it contained summaries of the characters, things that the writers could use to see what the basic relationships were.

Dysart: Yes. And to keep the drama flowing. He probably, I don't know, I didn't see it. But I imagine that Bochco had called for conflict within the firm. Everything is based on conflict.

Joseph: I think if I am not mistaken that you are good friends with Diana Muldaur.

Dysart: Yes, for many years.

Joseph: And you mentioned that she did not know she was going down the elevator shaft until she saw the script for that episode. Is that a normal way to do that? Why was that the way it was done?

Dysart: My public feeling is that you have to realize that rejection is the most difficult thing for an actor to encounter. It comes along particularly early in the career, as it does for most people in their careers. But for actors it's a personal judgment and the actor has to take it as that. Although the fact may

19. Gene Seymour, 'L.A. Law: The Final Verdict After Eight Years; Guilty of Overstaying its Welcome, *NEWSDAY*, May 15, 1994, at 20.

20. *Id.*

be that the actor is not tall enough, the star is shorter than they are or for whatever reason. But it is a rejection. So, in a sense, Rosalind was being rejected. Her task within the project had been completed.

Joseph: Thank you very much and so long.

Dysart: And so long. And it was done in a dramatic way so that it would really grab the American public.

Joseph: Did you think maybe an actor would feel that this was a high point—to go out in a way that everybody remembers?

Dysart: I would think so. I know of a little opposite story. I know of an actor who was working in a television series who lived in another part of the country far from Southern California. And they had to fly this actor to the set and when the actor didn't work for a week or so, they had to fly him home again. And it was expensive and it was also a pain because the actor was not physically there to talk to and so on. And finally this actor decided he wanted to do something else and they said, "it's too bad, but it's alright with us." And he died on the show. The character died and they showed him on the gurney being taken out of the house in a bag with a zipper. He was laying there. All the cast members took a look and then an extra came along and zipped him and then sent the bag home. That's heavy.

What happened with Diana Muldaur was quite different. But it was terribly shocking, I am sure, when she read that in the script. I was shocked to read it. What Diana welcomed was the opportunity to go home and complete her new house on Martha's Vineyard. See? Rosalind was rejected—shafted—and Diana was freed.

Joseph: Nothing that would have prepared you for that. It was such a moment.

Dysart: And it was filmed in such a way that it became a shock for the audience.

Joseph: She turns and goes.

Dysart: Yes.

Joseph: Do people ask you for legal advice?

Dysart: Yes, it has happened once, and that's once too often, I must say. That happened in my own neighborhood in Santa Monica. I was walking my dog and a woman that I would often meet walking her own little dog, an elderly lady who owned an apartment house stopped me one day and said "I am having an awfully difficult time with one of my tenants." And asked me for advice on how to deal with it from a legal point of view! What were her rights? What were her tenants' rights? And I said, I don't know, Lady. You better get yourself a lawyer.

Joseph: "I thought I did!" She said, "I thought I did! I am talking to you!"

Dysart: [laughs] She didn't say that but that was her thrust.

Joseph: You are also invited to speak before lawyers' groups around the country.

Dysart: There is a very close relationship between the two professions, the two crafts. Both actors and lawyers are involved in role playing. Everyone's involved in role playing. But actors and lawyers do it within their work, they do it everyday and lawyers I think, even more than actors, are aware there is an affinity. Many lawyers I've spoken with over the years said, "you know, I used to do theater work in college." There is a performance. A lawyer is performing.

Joseph: Would it make sense in law schools to teach an acting course for lawyers?

Dysart: An acting course for lawyers. Yes, to a degree.

Joseph: To become more intentional about what they are doing

Dysart: To become aware of themselves doing it. And I intend to speak to that tonight to your class. The ability to get up on your feet and talk and express yourself is invaluable to a lawyer. And the easier that they can do it the easier it is on the jury. And the more simpatico would be the jury. Oh, I think it would be invaluable. You'd be surprised at the number of actors who cannot walk and speak memorized lines at the same time!

Joseph: The Law Review has done some research and I think found a series of court cases in which the appellate judges had actually cited *L.A. Law* for

some proposition.²¹ Does that please you? Do you think it would please Steven Bochco?

Dysart: [laughs] One in particular really gets me. I forget his name, Frozen Foot, he had a very odd name.²² And he was in all kinds of trouble, petty crimes.²³ And he had gotten on a plane and flew to Los Angeles with some stolen property.²⁴ He was sent back with the property.²⁵ And somebody said, “why did you go to Los Angeles?” He said, “[I was going] to act in *L.A. Law!*”²⁶

Joseph: In his mind.

Dysart: In his mind he probably was.

Joseph: If you were given the opportunity to play either a doctor or a lawyer on television, which one would you choose? Which one is the more interesting character?

Dysart: Oh, I think the lawyer, by far.

Joseph: Why? Because there is so much in these medical shows today are very, do this and that?

Dysart: Yes, that. Electrocute him! Put those things on the chest so the audience can see him jump involuntarily! That’s part of the problem, incidentally, medical shows have created problems for themselves. With the fast cutting of these emergency cases. They can’t let down. The energy’s there. And any medical show that comes along in the future that doesn’t do the same razzmatazz is going to have a difficult time. People don’t listen anymore, it’s all visual. Besides, who wants to spend their career with a mask over their face?

21. See, e.g., *Utah v. Holland*, 876 P.2d 357, 362 (Utah 1994); *Fast Horse v. Class*, 87 F.3d 1026 (8th Cir. 1996).

22. *Fast Horse*, 87 F.3d at 1026.

23. *Id.*

24. *Id.* at 1028.

25. *Id.*

26. *Id.* at 1029.

I'd rather play a lawyer than a doctor and I have played some interesting doctors in films. I think a lawyer is more available than a doctor. I think there are more areas of the human condition which a lawyer can address.

Joseph: Doctors have this distance from their patients.

Dysart: There is a distance from the patient, distance from the patient's relatives and such that has to be. And doctors are involved with people who are ill. That's a given. And lawyers are involved, not necessarily, with people who are ill.

Joseph: When you look at all the roles that you've done, I'll be very curious to know what your favorite role is. Of all the different things that you've done which one do you look back on and say, "that's the one I had the most fun with?"

Dysart: Of course I had a lot of fun with Leland McKenzie, but that was an eight-year series, 178 episodes. I was always looking for variant ways to be Leland. It's a hard question to answer because I always think of the story, not necessarily the character. Most actors, I guess would look at it the other way around. Well, *Being There*²⁷ was my favorite. But, you know Paul, there was a time when I would have answered a question about my favorite role by saying, "the next one."

I enjoyed playing Dr. Robert Allenby in Jerzy Kosinski's *Being There*,²⁸ with Peter Sellers. To this day that it's a brilliant, brilliant film. It got squashed a bit at the time. It was made, what, in 1979, we made it 78-79. It was a dark comedy that was so against television, or at least the people who ran television thought so, thought it to be a great threat, and within the film industry as well. They did not give it fair shift. Didn't treat it to its best advantage. Because, we know why. Also the writer, Jerzy Kosinski created a troubling situation for himself by agreeing to have an additional writer brought in to put some humor into the script. Then, after the production was finished and the film was being put together, he demanded that only his name appear in the credits as the writer. He won, money, of course, being the factor. And the other individual, who did marvelous things for that script, withdrew. Of course all the writers in town, in the industry, were aware of what had happened, and they were not

27. Lorimar Film Entertainment (1979).

28. *Id.*

about to vote Kosinski for best screenplay. Mr. Kosinski's ego would not allow him to think ahead.

Joseph: It was certainly one of the more individualistic films, not like other films.

Dysart: It's true. And Kosinski himself did not think it could be filmed. Sellers talked him into it. Persuaded him. Followed him three years almost. Anytime they were in the same city, Paris or London or wherever, Sellers would find out if he was there. He'd send him a small gift and say, "hi, anytime you say!" I enjoyed working on that film. I enjoyed creating that character because it was only mentioned in the novella. He was made pivotal to the film. They realized that the audience, the viewing audience in the movie theater, might not accept this "black comedy." They needed somebody present in the story that the audience could trust and go along with. And Dr. Allenby, you know, let the audience know that it was okay to laugh at this. Just a little smile can release them, to say, "this is funny," and to go with it. I enjoyed that challenge very much.

Joseph: In *L.A. Law*, rumor has it that in order to shoot the conference room in *L.A. Law* they cut the conference table in half. Is that accurate?

Dysart: Well, that's very accurate. The table was how long, I don't know, twenty feet?

Joseph: It was big.

Dysart: It was huge. And at its widest point it was probably not quite five feet wide. The side of that room made it impossible for more than one camera to be there. It was an extremely tedious all day job to shoot those few pages. They cut the table in half, so that they could separate it when they wanted to. It would allow two cameras to come in right there at the base of the cut. Two cameras saved much time. It was done to suit the capital, as most things are in television.

Joseph: Finally, I want to ask you. What have I not asked you that you wished I had asked you? Is there anything?

Dysart: Well. Right offhand my mind doesn't register that. But can I take a rain check?

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Dysart

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Joseph: Absolutely. Thank you very much.

Dysart: Yes, Sir. Thank you.

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