

**Film Review: *Rule of Law*. Written, Directed, and Produced by Dan Iacovella. USA: Bullfrog Films, 2017.**

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Imagine you used to be addicted to drugs and alcohol, but you've cleaned yourself up. Now in the late 1990s, you're working a couple low paying jobs; you work long hours to pay the bills. On the way home one night after working several twenty-plus hour shifts, you fall asleep at the wheel. When you wake up, you find out that you crashed your car, you killed another driver, and you lost a leg. As you're recovering in the hospital, you're cited for multiple moving violations and given a court date to appear.

When that date comes, you arrive at the courthouse in a wheelchair, the same courthouse you had appeared many times before due to previous interactions with the law, but those times, you had two legs. And could climb the two flights of stairs to the courtroom. This time, however, you discover that there is no reasonable means of accessing that courtroom—no elevator, just stairs.

After asking the court, nearby police officers, and others how you can get up to the courtroom, the court comes down with word that you better get upstairs in whatever manner you can or you'll be charged with failure to appear. Left with no options, you crawl up the stairs as those same police officers, the same uniforms that have arrested you countless times and are sworn to "protect and serve," jeer you, as do other able-bodieds wondering about.

When you finally arrive at the courtroom, you are ignored. After a few hours, you need to use the restroom, but find the restroom, too, is inaccessible. You continue waiting in the courtroom, and the judge calls recess for lunch. Everyone leaves and you're left alone in the ominous room where "justice" is served, in theory, equally. After lunch, the court resumes, but you're once again ignored. After another lengthy wait, you're told your case will be recalled at a later date.

So, you crawl back down the stairs and go home.

On that later date, you arrive and request accommodation from the court to get you to the courtroom. After some deliberation, the court offers to have police officers carry you up the stairs. Knowing these are the same officers that humiliated and laughed at you last time, you refuse, because you're afraid they may injure you or drop you. You demand another form of reasonable accommodation. Once again, the court informs you, you better get up there or you'll be arrested for failure to appear. Feeling this is wrong, you refuse.

Officers come down and place you under arrest roughly thirty vertical feet from the courtroom.

You contact an attorney that always treated you fairly when he was a prosecutor, William "Bill" J. Brown, and you tell him what happened and ask, "Isn't there a law that says they can't do this to me?" Yes, there is.

Now in private practice, Bill takes your case and does some investigation into disability law and every courthouse in Tennessee. He finds that almost a quarter of courthouses in the state do not have or provide reasonable accommodations to their

courtrooms. Bill even locates one court reporter that is carried up the stairs by bailiffs, attorneys, and other good Samaritans in order to do her job and pay her bills as a single mom.

With you and others like that single mom as plaintiffs, Bill files suit against all twenty-five counties in hopes of gaining reasonable accommodation for you and every other person with a disability. But the counties see it quite differently and decide rather than follow the law of the land, that is the 1990 Americans with Disabilities Act, they will claim sovereign immunity. In other words, since they make and enforce the law, they are immune to it.

This scenario is very similar to what George Lane went through and what led to the Supreme Court case *Tennessee v. Lane*. The documentary film, *Rule of Law* tells this story through the narratives of Bill, George Lane, Bill's co-counsel, an attorney for some of those counties, and a legal scholar. The importance of this case (and story) continues to influence how those with disabilities are treated in the judicial system, by the government, and by "able-bodied" society.

The simple interview and narrative format of the film make it easy to follow as we learn about George, his experience, and how the case worked its way up to the Supreme Court. While the basics are discussed above, the most important element of the film is the Supreme Court case and what it means. According to the film, the Lane case needed to avoid a similar fate as another Supreme Court case: *Board of Trustees of the University of Alabama v Garrett*. In that case, the ADA of 1990 was challenged and that court found that disability discrimination was *acceptable*, because the cost to

provide accommodation outweighed the right of a business to continue doing business (basically). For the Lane case, however, the Court would determine if States would be required to comply with the ADA, and if Lane lost it would make any ADA legislation toothless.

Understanding the possible rationale behind the Garrett case, Bill and his legal team decided to approach it from another angle and focused on the right of access to governmental services by those with disabilities, such as appearing before the court. Bill knew the court leaned conservative and that the two swing votes, O'Connor and Kennedy, would determine the ruling. In recognizing this, he decided to focus on O'Connor's vote believing she could be persuaded more so than Kennedy. Knowing that O'Connor was once a trial judge in Arizona, he decided to focus on the times when getting a witness, a plaintiff, defendant, or some other critical person to a courtroom impacted justice and the functioning of the court. Bill recognized that O'Connor must have experienced this many times in her court. This insight was proven correct, and O'Connor was the deciding vote.

After the SCOTUS decision, the State of Tennessee declared it was not immune to the ADA, which if that were accurate, there would have been no need to have this case at all. In winning the case, Lane and his co-plaintiffs now had legal right to sue the counties for monetary damages, which would (hopefully) force the court houses to come into compliance with the 1990 ADA laws that included reasonable accommodations and accessibility to court services. Every county settled out of court, but one decided to fight the decision and went to trial—a local trial. That trial, the last case to be dealt with,

concluded that county had done nothing wrong and Lane et al. lost. While not a focus of the film, we must recognize that one county in Tennessee decided that their county did *not* need to provide reasonable accommodations to those with disabilities. This in itself boggles the mind and reminds us of the realities that those with all disabilities continue to face.

The film, however, does suffer from a few problematic features. For example, the film concludes with several minutes about the upstanding character of George Lane and how he always fought for the underdog. For the most part, this detracts from the purpose of the film and takes the similar position the State did when it focused on Lane's shady legal history and not the case at hand. Fortunately, most of the film does not focus on Lane, his character, or his past. Another problematic element of the film is the text and closed captioning within the film. Text was difficult to read due to pixilation. Other closed captioning text was placed on top of other text already in the film, which made both mostly unreadable. In this aspect, the film lacks in production value. Finally, there are over 2 hours of "additional scenes" and one could insert the DVD into a computer for PDFs of certain materials or listen to MP3s of the Supreme Court hearing (both mostly available online too). The additional scenes are mostly repetitive, so viewers do not have over two hours and more likely get one. These elements are detriments to the film.

If viewers can dismiss those minor production problems, they will realize the importance of the Lane case. At its core, the film reminds viewers about valuing all people, because, as Bill observes, "is it not incredibly ironic that the people that we may

hold in the most disdain may be the people that fundamentally protect all of our rights?”

Moreover, what the film does make clear is that the government or a state in this case cannot devalue a citizen because of a disability, and if a person feels that state is not acting reasonably he or she can sue the state. In the end, the film makes Lane more than the uneducated redneck he claims he is. In fact, he is a person with a disability who has the right to be treated like any other (abled) person—with dignity, respect, and the right to governmental services.