

Mens Rea

Written by Jack Cherry

Characters/Cast List

Jonathan Starbuck - Andy Lehbun

James H. Falter - Julian O'Byrne

Mr. Pawney - Reece Grover

Dad/Tom - Jonathan Champion

Roman/Rubin - Sam Marzella

*Everything about this script is incredibly fast, particularly the dialogue and the transitions from scene to scene...
The speed of the script is to help emphasize the wit of the protagonist and how quick his mind moves to follow his impulses
and make the choices that he does.*

Have fun my dudes!

- JC

Lights up.

A cold, metal desk sits at the center of our blank stage with three metal chairs. In one sits a well groomed, lengthy, but sluggish man who looks as if he's in his early 30s/late 20s. His name is Jonathan, Jonathan Starbuck. He wears a rugged suit and tie that once fit him trimingly, now with a post-prom sloppiness. He sits upright and awkward, matching his usual personality, but also with a bit of boredom and frustration. He's been sitting there, alone in an empty room, for half an hour.

Two bright lights sting Jonathan's eyes as the two opposite doors from DS left and right swing open at the exact same time. From stage left enters Pawney, an older man in his late 40s holding a briefcase and a cup of coffee. From stage right enters James, a man who looks as if he matches the age of Jonathan, holding a cup of coffee and a very thin file. Both men wear very fitting suits that seem far nicer than Jonathan's.

They sit at the table across from him. James pulls out a phone and sets it on the table. He opens a Voice memo app to record the conversation. Pawney takes out a notepad and pen from his briefcase and sets it in his lap. Neither of them have even looked at Jonathan, though Jonathan sits still and watches the other two get settled.

There is a very long stretch of silence. There should be a large portion of that with Pawney and James staring down Jonathan.

James: This interrogation is being recorded under the jurisdiction of the Board of Law Examiners in the state of New York. My name is James H. Falter, this is my associate Mr. Pawney. This interrogation is being conducted on July 29th, 2017. State your name.

Pause.

Jonathan: Jonathan Starbuck.

James: Date of birth.

Jonathan: Um- October 23rd, 1981.

James: Johnathan Starbuck, you are being charged for misconduct after having been caught cheating on the New York Bar examination assessment. Are these charges clear to you?

Jonathan: Yes.

James: Is there anything you'd like to add before we start.

Pause.

Jonathan: Would it be ironic if I asked for a lawyer here?

James: Would you like to have a lawyer present?

Jonathan: What? No, I- no, no. That was a joke.

Pause. They're not laughing.

Jonathan: Great.

Pause. He notices Pawney.

Jonathan: You're quiet.

He doesn't respond.

Jonathan: It's making me very uncomfortable.

Pawney sighs.

Jonathan: No- Nope, yeah- don't do that, makes it far worse.

James: What would you prefer us to say Mr. Starbuck?

Jonathan: My name is Jonathan.

Pause.

James: Jonathan.

Jonathan: I'd prefer you to start the questions, with all due respect.

James: Even though you stated you wanted a lawyer present?

Jonathan: That was a joke.

Pawney: Wasn't very funny.

Pause. Jonathan's taken aback by Pawney's deep resonant voice with a mild southern twang.

Jonathan: So you can speak?

Pawney: Son, I've about had it with your games and jokes. We would really like to take the time to get to the bottom of these circumstances.

Jonathan: Then start asking questions?

James: Why would you cheat on the bar exam, Jonathan?

Jonathan: I didn't cheat.

Pawney: Eye witness states you were hunched over staring at the answers of another test taker.

Jonathan: I was hunched over, because I was tense.

James: Why were you tense Mr. Starbuck?

Jonathan: Jonathan!

Pause.

James: Jonathan, I've looked through your file. It's short, and I'd be lying to you if I said that **I wasn't the slightest confused.** You have a degree listed from the University of Minnesota, not counting your experience in law, but there's just an empty space under your record of previous occupations.

Jonathan: I'm starting as a lawyer. Why is that so strange?

Pawney: Because, on average, the age of candidates who take the bar examination ranges from 21-25. You are 31 years old. They have reason for the blank space, but you shouldn't. Why don't you tell us what you were doing with all that time. Criminal history?

Jonathan: What? No.

James: Unemployment?

Jonathan: It's complex.

Pawney: Yes.

Pause.

Jonathan: That degree from Minnesota is a BFA. Do you know what that means?

No response.

Jonathan: Bachelor of Fine Arts.

James: You're an artist?

Jonathan: An actor.

Pawney: Explains the unemployment.

Jonathan looks at Pawney with his jaw dropped. No words come from his mouth, but his eyes scream the words "Fuck you, Murtah!" He ignores and looks at James.

James: So we are currently speaking with a 32 year old, unemployed "actor," without a dime to his name, that so happens to make it as far as the bar exam within law education, then to our interrogation room. Do I have that right?

Jonathan: Thanks for the mansplaining, the story is much clearer now. Thank you.

Pawney: Does that sound unrealistic to you? Fuckin good, we're on the same page then.

Jonathan: Your system isn't hard.

James: I'm sorry.

Jonathan: Becoming an attorney. Stand back and really take a good look at your system. It's just long. Lacking in difficulty.

There's a pause.

Jonathan(cont.): Are you not getting it? You're not getting it. ***(Beat)*** Okay...

Jonathan stands and faces the audience. The lights go dark behind him, so Jonathan, alone, is the main focus. Pawney and James also stand from their chairs, but they stand in the dark behind him. They listen.

Jonathan: The LSAT exam runs in a cycle of 5 testing periods in one year. The first chance for you to take it falls in June. It gives you the first 6 months of the year to study and by the completion of the exam, your scores release just around application season. The earlier you apply with your score, the more seats available.

James barely steps into the light

James: How would you even know where to start studying for the LSAT?

Jonathan: The test is split into 5 separate multiple choice sections and an essay to finish it off. Within the multiple choice questions, there is no test based on judgement it's all logical, meaning there is only one correct answer. A majority of the test is composed of questions based on logical reasoning. Raising the stakes of your argument, dissolving paradoxes, using facts to draw conclusions, etc., etc..

Pawney barely steps into the light.

Pawney: And that's just simple to you?

Jonathan: You ever seen "The Verdict" before? Paul Newman? Plays a lawyer, raging//alcoholic-

Pawney: Yes.

Jonathan: Good. Go back and watch it. You'll realize Newman, as an actor, covers everything I just said. The inner and outer workings that an attorney requires. It's not that hard, it's just studying a character. *(Beat)* The second part is trickier.

James: The second part?

Jonathan: The second type of question. They're logic games, math and science. I found a trick to passing through them. If you perceive it as a test, your inner stress will never get you through the 35 minutes. If you look at them for what they are, puzzles, they're simple.

Pawney: It was that easy for you.

Jonathan: Mind over matter goes a long way.

Pawney: Jesus christ.

James: Jonathan, what score did you receive on the LSAT?

Jonathan: The average scaled score is 152 out of 180.

Pawney: That wasn't the//question.

Jonathan: 167.

Pause.

James: And the Essay?

Jonathan: Applications into most schools don't take a minute to look over the essays, so just as long as I used complete sentences and didn't drool on it. I was fine.

Pawney: Wow...

James: Jonathan, can you tell us again why you chose to do this?

Jonathan: I didn't.

Pawney: Then tell us for the first time.

The sound of cell phone rings into the audience. Jonathan pulls his phone cell phone out of his pocket and answers. A light shines on the opposite end of the stage(the other line). Pawney and James have disappeared back into the darkness

On the other end of the line is Jonathan's father. He appears at the other end of the stage. Jonathan starts to stutter and trip over his words more when speaking with his father.

Dad: John. John?

Jonathan: Yeah Dad, what- what's up- what's going on?

Dad: Well, I um-

Jonathan: Anything wrong?

Dad: Oh! No, no. You stole my question, actually.

Jonathan: What? Is- Is there anything wrong with me? Is that what you're asking?

Dad: You're asking yourself, but I'm curious.

He hesitates.

Jonathan: I'm fine Dad.

Slight pause.

Dad: Johnny...

Jonathan: Dad, don't call me Johnny. What?

Dad: I got a call from your landlord the other day.

Jonathan: Jesus christ...

Dad: Three months behind? Is that because you're forgetting to pay or you have nothing to pay with?

Jonathan: It's not-

Dad: I gave Terry a call after that//
ask if there was anything wrong with
you two. You won't answer your phone
John!

Jonathan: Dad! Why? Why would
you do that?

Jonathan: Dad it's nothing you//should-

Dad: Terry said you two broke up... three months ago. The exact time when you started being late on your rent. How much did she pay over you in rent John? Has she been covering for you entirely?

Jonathan: No! Can you stop?

Dad: How much?

Jonathan: We split the rent, Dad.

Dad: The ratio doesn't seem fair then Johnny!

Jonathan: Stop calling me Johnny!

Pause.

Dad: Jonathan. When was the last time you got work?

Jonathan: I had an audition today.

Dad: How did it go?

Jonathan doesn't say anything.

Dad(cont.): Right... ***(Beat)*** Jesus christ...

Jonathan: What?

Dad: Nothing.

Jonathan: Dad! Talk.

Dad: I told you how to do it wrong.

Jonathan: What?

Dad: Being a man god dammit ***(Pause)***, being able to support yourself.

Jonathan: I'm supported just fine.

Dad: You think your landlord agrees with that?

Jonathan sighs, knowing what he's about to hear.

Dad: You couldn't even ask for a little help? You think I wouldn't help get you off your feet?

Jonathan: I don't need my Dad's help!

Dad: So now you decide to stand up and grow. When your family gives you a hand? Listen John, there is a clear distinction in being your own man and being ignorantly stupid.

Jonathan: So you're saying I'm-

Dad: Yes. You had every opportunity. You are not dumb. You're smart. You went to college for christ//sake-

Jonathan: Dumb fucks graduate from colleges every year.

Dad: BUT THAT'S NOT WHAT YOU ARE! *(Pause)* You're better than that. You're still young with plenty of potential. You just picked the wrong-

Jonathan: Career. I get it, you don't like what I do for a living. It's as simple as that, just say it.

Dad: I don't like that you're not doing anything for a living. *(Beat)* Did you know, when I met your mom, she wanted//to be a singer?

Jonathan: *(Completely overlapped by Dad)* I'm well aware, you don't need to remind me.

Dad: She went back to school and got a degree in law. Bettered herself. She never had to turn back to the hardship of what she wanted-

Jonathan: You think she may have died happy if she did? *(Beat)* I'm proud of what I do.

Dad: *(Defeated)* Well, I wish I could share that with you.

Jonathan remains where he is, his father exits. Pawney and James enter back into the light behind Jonathan.

Jonathan: My mom went to the University of Minnesota after she gave up sing- you know what, that's a terrible way to say it. "Gave up?" She didn't give up. No one who can sing can just give up. She was a singer till the day she died. The only way to give up something like that is through death.

James: Things like what?

Jonathan: Dreams? Gifts? Ambition. She sang to me every//night-

Pawney: So She attended the University of Minnesota as well, correct?

Jonathan: Correct, her credit as an alum helped me in the arts program the first time. Then the second time happens, I'm at the door of UM as alum myself, son of a treasured alum, holding the golden ticket of an incredible LSAT score in my bare hands.

Pawney: So?

Jonathan: Meaning, they were more than welcome to let me back in.

James: And just like that, you came to the conclusion to go to law school because you were fed up with your father.

Jonathan: That's putting it simply, but in a way, yes.

Pawney scoffs.

Jonathan(cont.): What you don't believe me? I'm sitting here talking to you two aren't I, you have my file.

Pawney: It still just seems outlandish that you come up with an idea like that out of the blue.

Jonathan laughs.

James: What?

Jonathan: It wasn't my idea.

The lines continue to overlap and move fast through the scene-change. An enormous chalk board enters the stage with Jonathan's acting teacher, Roman. He wears incredibly tight pants and a turtle neck. On the chalkboard are clipped pictures from stage shows and famous films, overlapped with scattered pages of different scripts. On the top of the chalkboard a quote is written. "I asked God for a bike but I know God doesn't work that way. So I stole a bike and asked God for forgiveness." - Al.

James and Pawney disappear into the dark.

Roman: I wish pilot season wouldn't fuck my students so roughly! A gentle fuck would be nice once in a while.

Jonathan: Don't hyperbolize. It wasn't that bad.

Roman: You told the writer his script wasn't worth shit.

Jonathan: I didn't use those words.

Roman: You're an actor honey. You don't need words to imply ideas.

Jonathan: Look, the script wasn't well worth my time anyway.

Roman: Then what script is John? I don't believe you are in the right position to pick and choose what scripts you want to take seriously.

Jonathan: You expect me to take "Benadryl-Sergeant" seriously?

Roman: I expect you to take something seriously, my boy. You have to rise through the shit in order to get out of it, right? *(beat)* Okay, this conversation is over before you give me an aneurysm for the millionth time, beautiful.

Jonathan: Roman-

Roman: I have a scene I want you to try for next week's class, okay? I'm going to have Chris run it with you after he's done with his 3 day tour of Three Sisters.

He hands Jonathan the scene. Jonathan scans it.

Jonathan: "Inherit the Wind?"

Roman: Yes. A play. Jerome Lawrence and Robert E. Lee... not the other one. Courtroom drama, later was a movie. Gene Kelly wore a cute hat, anyway, you'll be playing Henry Drummond, the attorney of the defendant.

Jonathan laughs at the coincidence.

Roman(cont.): What?

Jonathan: Nothing.

Roman: Shit-stick, what is it?

Jonathan: I had a fight with my Dad today. He was questioning whether I should keep this up. Acting, I mean. He thought I should go into law, like my mom.

Roman: Jesus, why is it people always associate failed actors to trying out law. It's like any good public speaker suddenly has the nerve to keep an innocent man from the death penalty? I can barely convince my landlord to fix my toaster oven back at home.

Jonathan: Are you saying Actors are too dumb to be lawyers?

Roman: Of course not. Just... unwilling I guess?

Jonathan: I'd disagree.

Roman: Well that's too bad. Maybe you should give it a try, prove me wrong and your Dad wrong. Do something with your life.

Jonathan: I don't want to be a lawyer.

Roman: It's a joke, honey. I know. I'm just picturing your Dad's face if you had a law degree that you earned... just cause. Then going off to be an actor? Oh god!

Jonathan: What does it look like?

Roman: Do you know the painting, "The Scream."

Roman and his classroom are wiped clean from the stage. Jonathan is left alone again. His jacket from earlier is tossed at him from behind. He turns to see Pawney and James have entered into the light again. James has a pen and pad in his hand. Pawney has nothing now that he tossed the jacket. Jonathan puts it on.

Jonathan: That.

James: That, what?

Jonathan: That's why we're here.

Pawney: A scene from "Inherit the Wind?"

Jonathan: No.

Pawney: Then what?

Jonathan: The feeling I would, once, have the upper hand over my father.

Pawney: With a law degree you wouldn't use after you received it?

Jonathan: Exactly.

James: So you had the stamina to go through all of law school//to-

Jonathan: Yes.

James: Jonathan, it took me 6 years to successfully get through my education. You did it in 3. ***(Pause)*** How?

Jonathan: I studied. Like a smart actor does. ***(Smirking)*** What did you do?

James laughs in awe.

James: You cheated, didn't you?

Jonathan: Why're you always referring to me as a cheat, I'm not.

Pawney: Because it is next to impossible to complete your studies within a 3 year time span.

Jonathan: Not if I focus my damned hardest. Not if you have nothing left to lose.

James: Having nothing left could lead you to cheat also.

Jonathan: I'm not a cheat.

Pawney: You're a hell of a liar too.

Jonathan: I'm actually terrible at lying.

James: But good at cheating.

Jonathan: **(Enough!)** I AM NOT A CHEAT!

Pause.

Pawney: You worked that hard for a degree you'd never use.

Jonathan: Yes.

James: Why?

Jonathan: **(Fed up)** After today, after knowing what I've done- what I'm capable of doing, do think you'll be able to confidently tell my that I'm lazy? That my ambitions don't take me anywhere, that my work ethic needs a little push. No. You can't. I had the opportunity to prove to men like you that my ambitions are clear and in better shape than the average person. Am I successful in my field? No, I'm aware of that, but can you say that's because I don't have the will for it. No. You can't. That degree I will never use is a symbol that proves that I have the ability to do whatever the hell I want in my life. I can be an actor. I can be a fucking lawyer. **(Beat)** I can be a man.

Pause. The two start to feel for him.

James: Okay, Jonathan. One last question.

Jonathan: What?

Pawney: Did you cheat on the Bar exam by looking over someone else's answers?

Jonathan: No, I'm not a cheat. I've said it, I was just hunched over because I was tense.

James: Why were you tense?

A cell phone ring. A light pops on to reveal Roman, back on stage, calling Jonathan. Jonathan stands and picks up his phone.

Jonathan: Yeah-?

Roman: *(Cutting him off)* My boy John-John! I have splendid news!

Jonathan: Did you just call me John-John?

Roman: I called a friend who called another, who decided to call another two of my own friends, so I could've just called those friends, but that's besides the point-

Jonathan: Roman.

Roman: An audition for a supporting character in a Hulu original film. A family drama, looking for a young to mid-life dead beat, who seems a little crazy.

Jonathan: And you thought of me?

Roman: But of course!

Jonathan: *(Jokingly Unamused)* You couldn't step up to/ Netflix-

Roman: Fuck you.

Jonathan: What?

Roman: Fuck you!

Jonathan: I'm just kidding!

Roman: I'm not, this is what you wanted, right? This is the turnaround you need. This is what can help find the solution to your unpaid bills, so do... not... joke... understand?

Jonathan: I'm aware of what it is. *(Pause)* Thank you Roman, you're a blessing, you know? When is it?

Roman: Later this afternoon.

Jonathan: *(Quick response)* Fuck!

Roman: What? John-John?

Jonathan: I'm going into my bar... *(realizes)* You know what, nevermind. I'll be there at the end of the audition period.

Roman: JONATHAN! DO NOT LET THIS ONE/ESCAPE YOU-

Jonathan: Good-bye Roman!

He hangs up. The light on Roman goes out.

Jonathan: *(To himself)* Fuck, fuck, fucking fuck, shit-fuck, fuck-

James: Jonathan?

He doesn't notice.

Jonathan: Fuuuuck, fuck, fuck!

Pawney: Mr. Starbuck!

Pawney's booming voice catches Jonathan off guard, he's back in the present.

Jonathan: Yeah.

Pawney: You didn't answer the question son.

Jonathan: What question?

James: Why were you tense?

Pause.

Jonathan: I had an audition.

Pause.

James: Did you make it to-?

Jonathan: Yeah.

Pawney: And?

A brief pause. Jonathan looks up at them and shakes his head "no." He didn't get it. He sinks back down.

James: Well um- thank you for your cooperation Mr. Star- Jonathan. *(To Pawney)* You need anything else?

Pawney: No, I've heard enough.

James picks up his phone, still recording.

James: This concludes the conduction of this interrogation.

He stops recording. A brief pause.

James: Off the record. If this works out for you, and you decide to try something with that degree... give me a call, okay?

Jonathan: Why?

James: Never seen the type of ambition I saw today in another attorney.

Jonathan: You need to meet more actors.

James: Maybe.

James extends his hand.

James: Have a good one, Jonathan.

They shake. James leaves. Pawney begins to follow, but first puts his hand on Jonathan's shoulder. He looks him the eye.

Pawney: Take care of yourself, son. Sincerely.

Jonathan: I'm always trying to.

Jonathan extends his hand. They shake. Pawney begins to leave.

Jonathan: Oh, wait! Is there a bus coming in around here soon?

Pawney: Someone's here to pick you up, actually.

Jonathan: What?

The lights shift, leaving Pawney and James to disappear into the darkness for good. Another light reveals Jonathan's father, standing behind him. They are left alone with each other on stage.

Dad: You did it.

Jonathan knows the voice almost immediately. Longest pause in the play.

Jonathan: Did what?

Dad: I remember telling you about how much potential you had. How much you could build if you just grasped tightly to your ambitions.

Jonathan: *(Whispered to himself)* "Grasp tightly..."

Dad: I wanted to say I'm sorry.

Pause.

Dad: I'm sorry.

Jonathan: Why are you sorry?

Dad: I said some hurtful things.
NO!

Jonathan: *(Overlapping him)* No, no, no,

I expressed so much doubt in you.

No, Dad. Don't apologize for that.

Dad: What?

Jonathan: You're apologizing for things that mean little to nothing for me. I'm an actor Dad-

Dad: Now a lawyer.

Jonathan: *(Stops and restarts)* I'm an actor, Dad. People have told me hurtful, doubting things my entire life, why shouldn't you? Don't apologize for that.

Dad: Then I feel like I should apologize for something. Let me do something right, Johnny.

Jonathan: DON'T CALL ME THAT!

Pause.

Dad: For all this time you were practicing law, making it big, and you didn't/say-

Jonathan: This wasn't supposed to happen.

Dad: What?

Jonathan can't stand the proud look on his father's face. He thinks about telling him the truth.

Jonathan: You wouldn't get it. Just a dumb joke I was thinking up.

Dad: Okay, well, the car is parked over on the other end of the lot. Let me take you to dinner, so we can catch up?

Dad begins to leave.

Jonathan: Dad.

Dad: Yeah?

Jonathan: Do you think if mom were still alive... do you think she'd be proud of what I do?

Dad: Of what you did? The/exam-

Jonathan: *(Not Law)* Of what I do.

Dad: Yeah- yes of course. She'd be proud of what you do. Just like I'm proud of what you're doing with school. *(Beat)* I'm proud of you, you should know that.

Jonathan: Well, *(Pause)* I wish I could share that with you.

Jonathan leaves his father there, alone.

BLACKOUT.

End of Play.