

**DEPAUL UNIVERSITY
COLLEGE OF LAW**

Fall 2008
Tuesday 2:30 p.m. to 5:30 p.m.

Professor Donald H.J. Hermann
College of Law
Office: Room 829
Phone: (312) 362-8383

LAW AND POPULAR CULTURE

SYLLABUS

COURSE DESCRIPTION

This course will examine social attitudes toward law, lawyers, and legal institutions through viewing and examination of Hollywood films. At the same time, depictions in film will be considered for their effect in molding, not only attitudes toward law, but also in relation to their effects on law and legal institutions. A major focus of the course will involve the image and status of the lawyer in American culture. Special attention will be directed to the question of ethical practice and character development. The issue of decline in the respect for the profession of law will also be considered throughout this course. The films viewed in class will be considered as texts providing contemporary depictions of the subject matter examined in this class. Readings also are assigned for each film and will provide a basis for class discussion.

COURSE MATERIALS

Donald H.J. Hermann. Reading on the Law in Cinema: Materials for a Course on Law and Popular Culture (2005) (with 2006 and 2008 Supplement) [Photocopied New Edition].

METHODOLOGY

Scheduled films and assigned readings will be discussed in class in accordance with the provided schedule. Each class will begin with introductory remarks providing background information and setting the context for each film. Viewing of the film will be followed by a class discussion considering various matter raised by the films including relevant legal issues.

EVALUATION

The grade for this course will be based on a final take-home essay style examination distributed on November 20, 2008 at 3:00 p.m. C.S.T. Final examinations should be time stamped and placed in the take-home final examination box provided by the College of Law.

CLASS AND ASSIGNMENT SCHEDULE

Assigned readings are in Hermann, Readings on Law in Cinema

- 8/26/08 FILM: Counselor at Law (William Wyler, dir.) 51 min.
- Hermann, "The Law in Cinema: An Emerging Field of Study" (7)
Denvir, "Introduction, Legal Reelism" (32)
"Counselor-at-Law", Variety Film Reviews (41)
M. Asimow and S. Mader, "The Life of Lawyers from *Law and Popular Culture* (941)
N.Y. Times, "The Screen and Other Film Review (42-56)
C. Bogus "The Death of an Honorable Profession (902)
- 9/2/08 FILM: Inherit the Wind (1960, Stanley Kramer, dir.) 127 min..
- Knonman, "An Embarrassed Virtue" from The Lost Lawyer (183)
Harris, "Inherit the Wind" (225)
Uelman, "The Trial as Circus: Inherit the Wind" (244)
Minow, "An Idea Is A Great Monument Than a Cathedral: Deciding How We Know in Inherit the Wind" (248)
Bergman and Asimow "Inherit the Wind" (257)
- 9/9/08 No Class Meeting
- 9/16/08 FILM: Compulsion (1959, Richard Fleischer, dir.) 103 min.
- Busch, "The Loeb-Leopold Case" (264)
Reddick, "Compulsion" (319)
Harris, "Compulsion" (323)
Bergman and Asimow, "Compulsion: (338)
Weiler, "Compulsion" (342)
Pearce, "Lawyers as America's Governing Class" (Supp. 850)
Pearce, "Retreat of the Elite" (Supp. 893)
Pearce "Model Rule 1.0: Lawyers are Morally Accountable" (896)
R. Bennett, "Death as Different" (958)
- 9/23/08 FILM: To Kill a Mockingbird (1962, Robert Mulligan, dir.) 129 min.
- Campbell, "To Kill A Mockingbird" (343)

Osborn, "Atticus Finch – The End of Honor: A Discussion of To Kill A Mockingbird" (347)
Bergman and Asimow, "To Kill a Mockingbird" (351)
Freedman, "Atticus Finch – Right or Wrong" (355)
Johnson, "Without Tradition and Within Reason: Judge Horton and Atticus Finch in Court" (365)
M. Asimow and S. Mader, "Lawyers as Heroes" (963)
Taunya Banks "Lawyers in an Unjust Society" (976)

9/30/08 FILM: Anatomy of a Murder (1950, Otto Preminger, dir.) 161 min.

Harris, "Anatomy of a Murder" (393)
Bergman and Asimow, "Anatomy of a Murder" (435)
Motion Picture Guide, "Anatomy of a Murder" (442)
Robert Lippe, "Anatomy of a Murder" (443)
M. Asimow and S. Mader, "The Adversary System and the Courtroom Genre" (990)

10/7/08 FILM: The Fortune Cookie (1966, Billy Wilder, dir.) 125 min.

Lucas, "The Fortune Cookie" (36)
Asimow, "Justice With an Attitude" (844)
S. Smith, "*The Fortune Cookie*" and "Whiplash Willie" – the Image of Lawyers" (1003)

10/14/08 FILM: The Verdict (1982, Sidney Lumet, dir.) 128 min.

Hanson, "The Verdict" (446)
Harris, "The Verdict" (451)
Bergman and Asimow, "The Verdict" (469)
Motion Picture Guide, "The Verdict" (475)
M. Asimow and S. Mader, "Lawyers as Villains" (1008)
R. Parker, "The Good Lawyer" (1035)

10/21/08 FILM: The Rainmaker (1997, Francis Ford Coppola, dir.) 137 min.

Hatch-Avis, "John Grisham's The Rainmaker" (476)
Motion Picture Guide, "The Rainmaker" (479)
Washburn and Ware "The Burden of Truth: Reconciling Literary Reality with Professional Mythology" (481)

Harrison and Wilson "Advocacy in Literature: Story Telling, Judicial Opinions, and The Rainmaker," (526)

Elkins, "Troubled Beginnings: Reflections on Becoming a Lawyer," (526)

Esquibel, "Be Led Not Into Temptation: Ethics Lesson from The Rainmaker" (549)

P. Bergman and M. Asimow, "The Rainmaker" (1044).

10/28/08 FILM: A Civil Action (1998, Stephen Zallian, dir.) 115 min.

Flanigan, "A Civil Action" (570)

Motion Picture Guide, "A Civil Action" (573)

Percival, "Lights! Camera! A (Civil) Action" (575)

Asimow, "A Civil Action' Holds Up a Mirror to David vs. Goliath Litigation" (578)

Denvir, "Are All Lawyers Crazy or Just the Ones in Movies?" (580)

McNamara, "David Goliath Battle in 'A Civil Action' Is Bittersweet for Three Lawyers" (582)

Archer, "'True Story' distorts truth about tort law, trial bar," (584)

P. Bergman and M. Asimow, "A Civil Action" (1050)

11/4/08 FILM: Michael Clayton (2007, Tony Gilroy, dir.) 120 min.

M. Asimow, "Bad Lawyers in the Movies" (57)

M. Asimow, "Embodiment of Evil" (585)

R. Pearce, "Lawyers and America's Governing Class (850)

R. Pearce, "Retreat of the Elite" (893)

R. Pearce, "Model Rule 1.0 (869)

11/11/08 FILM: Star Chamber (1998, Stephen Zallian, dir.) 115 min.

J. Maslin, "Star Chamber" (781)

W. Wolf, "The Star Chamber (782)

P. Bergman and M. Asimow, "The Star Chamber" (783)

11/18/2008 FILM: Judgment at Nuremberg (1961, Stanley Kramer, dir.) 190 min.

and Harris, "Judgment at Nuremberg" (670)

11/20/2008 Bergman and Asimow, "Judgment at Nuremberg" (691)

Crowther, "Hollywood's Producer of Controversy" (697)

Shale, "The Conflicts of Law and the Character of Men: Writing Reversal of Fortune and Judgment at Nuremberg" (701)

April, "An Inquiry Into the Juridical Basis for the Nuremberg War Crimes Trial"
(733)
Brand, "Crimes Against Humanity and the Nuremberg Trials" (752)
Douglas, "October 1" from "An Almanac of Liberty" (779)

Take-Home Examination Distributed

Examination to be turned in by December 16, 2008 (3:00 p.m. C.S.T.).

Completed exams are due on December 16, 2008 by 3:00 p.m. C.S.T. (Exam should be submitted in an envelope which has been time stamped. The time stamp machine is located on the 1st floor at 25 E. Jackson Blvd. of the Lewis Center Building (LC) at the end of the hall next to the security guard's station. Your completed examination paper should be placed inside the Take-Home Drop-Off Box located in the hallway of the 9th floor LC which is directly outside the "Office of the Dean" suite doors.

Note: Conclusion of "Judgment at Nuremberg" will be viewed on Thursday, November 20, 2008 at 3:00 pm in Room TBA.