

Law, Politics, and the Media

LAW 839/NEW 500/PSC 700

Monday & Wednesday, 3:50p.m.-5:10p.m.

Room 204

Syracuse University College of Law

Spring 2009

This course is generously supported by grants from the John Ben Snow Foundation and the Carnegie Corporation of New York.

Faculty

Keith J. Bybee
321 Eggers Hall
Law and Maxwell
Office Hours:
Wed., 10am-12pm

Lisa A. Dolak
244F White Hall
Law
Office Hours:
Mon., 2:30-3:30pm
Tues., 11:45am-1:00pm

Mark Obbie
447 Newhouse III
Newhouse
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Mon., 1-3:30pm,
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Graduate Assistants

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Course Description

The American judicial system today operates in a complex environment of legal principle, political pressure, and media coverage. The separate elements of this complex environment are typically studied by different groups of individuals working from different perspectives. Law faculty tend to focus on legal principle; political scientists examine the influence of politics; and scholars of public communication assess the media.

The goal of this course is to introduce students to the court system and its environment as a single, integrated subject of study. To this end, the course is taught by a team of faculty instructors drawn from law, journalism, and political science. Academic discussions are

complemented by lectures from sitting judges, practicing lawyers, and working journalists.

Topics to be covered in the course include: conventional understandings of judicial independence; contemporary public opinion of the courts; the ethics of good judging and good journalism; the politics of judicial elections and judicial appointments; the possibilities for judicial reform; litigation public relations; the politics and law of recusals; the media, tort reform, and the litigation crisis; “trials of the century;” the media treatment of wrongful convictions; and the relationship between press coverage, the courts, and national security.

Course Requirements and Grading:

Class participation (20%). Attendance will be taken at each class. If a student records more than four unexcused absences, then that student will be dropped the course. Please note that attendance is the minimum requirement for the participation grade. To receive a good participation grade, students must attend and actively participate in class discussions.

Two six-page papers critically assessing the presentations of two guest speakers of each student’s choice (20% for each paper). Papers are due in class on the Monday following the lecture about which students choose to write.

Twenty-page (fifteen-page for NEW undergraduate students) research paper (40%). Requirements for the paper will be discussed in detail as the course progresses. Papers are due by 5:00pm on Monday, May 4. NEW grad students will have one additional assignment during the semester, to contribute to Professor Obbie’s “LawBeat” blog on legal reporting, as part of the class participation grade. All other students may, if they wish, post to the LawBeat blog for extra credit. Professor Obbie will discuss student participation in LawBeat as the course progresses.

LAW students: please note that this course is exempt from the upper-class grading curve.

Readings:

- Keith J. Bybee, ed., Bench Press: The Collision of Courts, Politics, and the Media (Stanford University Press, 2007).
- Course reader with selected cases and articles.
- Online material (urls are provided on the course schedule below).

Bench Press and the course reader can be purchased through the University Bookstore.

Guest Lectures:

Over the course of the semester there will be 8 guest lectures. The lecture dates are indicated on the course schedule. Lectures will be held in our usual classroom, will run from 3:50pm-5:10pm, and will be open to the public. There will be a small reception with refreshments at every lecture.

Course Lunches:

Each guest lecture will be preceded by an informal lunch for students in the course and the guest speaker. The lunches will be held 11:45am-12:45pm in the Alumni Heritage Lounge in the College of Law and food will be provided. Attendance at the lunches is optional, but students who do attend will have an invaluable opportunity to interact with the guest lecturers.

Additional Notes:

Law students: If you have a disability that may affect your performance in this class, please see College of Law Assistant Dean Tomas Gonzales, Suite 444, as soon as possible, to discuss necessary accommodations.

Newhouse and Maxwell students: If you have a disability that may affect your performance in this class, please contact the university Office of Disability Services (ODS), 304 University Avenue, Room 309, 315-443-4498.

We do not object to the use of tape recorders to record class discussion, but we do expect all cell phones, pagers, and similar devices to be turned off during class time. We also ask that students refrain from emailing, surfing the web, instant messaging, gaming, and other computer diversions during class.

Course Schedule:

Week 1

1/12/09:

Overview of course and requirements

- Distribution of Maxwell Poll questions

1/14/09:

“A Primer on Courts, Politics, and the Media”

Readings:

- Bybee, “All Judges are Political – Except When They Are Not” (Course Reader).
- Bybee in Bench Press
- Republican Party of Minnesota v. White (Course Reader)

Week 2

1/19/09:

Martin Luther King Holiday – No Class

1/21/09:

“Deciding Not to Decide: A Swirl of Law, Politics, and Media Coverage”

Readings:

- Selections from *Caperton v. A. T. Massey Coal Company*
 - Justice Benjamin’s concurrence, pp. 1-4 and 17-58.
<http://judgepedia.org/images/f/f0/Harman_v_massey.pdf >
 - Petition for cert:
<http://brennan.3cdn.net/f493e1e4053bc33660_agm6b5ib9.pdf>
- Memorandum of Justice Scalia.
<<http://fl1.findlaw.com/news.findlaw.com/hdocs/docs/scotus/chny31804jsmem.pdf>>

Week 3

1/26/09:

“The Role of Judicial Elections in a Federal Republic”

Justice Harold See, Alabama Supreme Court

Readings:

- Tarr, Graves, Alper, See, Geyh and Walker chapters from Bench Press
- Hamilton, Federalist No. 78
<http://thomas.loc.gov/home/histdox/fed_78.html>
- Brutus, Anti-Federalist XI
<http://teachers.sduhsd.k12.ca.us/tpsocialsciences/american_govt/antipapers/brutus11.htm>
- Webcast from “Law, Politics, and Media Lecture Series” – Video 2: Judge Joanne F. Alper
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>

1/28/09:

Discussion Session

Week 4

2/2/09:

“The Media in Court”

Jonathan Sherman, Boies, Schiller, & Flexner LLP.

Readings:

- Webcast from “Jail for Journalists: Freedom of the Press, Confidential Sources, and the Demands of Criminal Justice”
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>
- Reporters Committee for Freedom of the Press.

Selections:

- “Secret in Seattle,” by Rani Gupta, *News Media & the Law*, Spring 2007 <<http://www.rcfp.org/news/mag/31-2/cov-secretin.html>>
- “First Amendment Handbook: Access to Courts”
<<http://www.rcfp.org/handbook/c07p01.html>>
- “Disappearing Dockets,” by Kirsten B. Mitchell and Susan Burgess, *News Media & the Law*, Winter 2006
<<http://www.rcfp.org/news/mag/30-1/cov-disappea.html>>

2/4/09:

Discussion Session

Week 5

2/9/09:

“Legal and Media Issues in the Nation's Largest Domestic Terrorism Trials: The Oklahoma City Bombing”

Jo Thomas

Readings:

- John Kifner, *Terror in Oklahoma City: The Overview*, N.Y. Times, Apr. 20, 1995.
<<http://query.nytimes.com/gst/fullpage.html?res=990CE2DE173EF933A15757C0A963958260&sec=&spon=&pagewanted=all>>
- David Johnston, *Terror in Oklahoma: The Investigation*, N.Y. Times, Apr. 22, 1995.
<<http://query.nytimes.com/gst/fullpage.html?res=990CEFD91331F931A15757C0A963958260&sec=&spon=&pagewanted=all>>
- Tim Weiner, *Terror in Oklahoma: The Overview*, N.Y. Times, Apr. 23, 1995.
<<http://query.nytimes.com/gst/fullpage.html?res=990CE1D71039F930A15757C0A963958260&sec=&spon=&pagewanted=all>>
- Robert McFadden, *Terror in Oklahoma: The Suspect*, N.Y. Times, Apr. 23, 1995.

- <<http://query.nytimes.com/gst/fullpage.html?res=990CE5DC1139F930A15757C0A963958260&sec=&spon=&pagewanted=all>>
- Jo Thomas and Ronald Smothers, *Oklahoma City Building Was Target Of Plot as Early as '83, Official Says*, N.Y. Times, May 20, 1995.
<<http://query.nytimes.com/gst/fullpage.html?res=990CE1D9143CF933A15756C0A963958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *Sightings of John Doe No. 2*, N.Y. Times, Dec. 3, 1995.
<<http://query.nytimes.com/gst/fullpage.html?res=9403EFDE1E39F930A35751C1A963958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *After 2 Years, Bombing Trial Is Set to Begin*, N.Y. Times, Mar. 30, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9F00E0D8103AF933A05750C0A961958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *Trial Begins in the Oklahoma City Bombing Case*, N.Y. Times, Apr. 25, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9C04E1DE1F3EF936A15757C0A961958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *At Bomb Trial, Tearful Stories of Terrible Day*, N.Y. Times, Apr. 26, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9F05E5DE1731F935A15757C0A961958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *McVeigh Jury Decides on Sentence of Death in Oklahoma Bombing*, N.Y. Times, June 14, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=980CE3DA123FF937A25755C0A961958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *Bomb Trial Focus on John Doe No. 2*, N.Y. Times, Dec. 10, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9400E7D6153CF933A25751C1A961958260&sec=&spon=&pagewanted=all>>
 - Jo Thomas, *The Bombing Verdict: The Conspirator*, N.Y. Times, Dec. 24, 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9E03E2D6133EF937A15751C1A961958260&sec=&spon=&pagewanted=all>>

2/11/09:

Discussion Session

Week 6

2/16/09:

“The Relationship Between Congress and the Courts”

Readings:

- Chapters 2 & 5 from Geyh, When Courts and Congress Collide (Course Reader)

- Webcast from “Law, Politics, and Media Lecture Series” – Video 3: Chief Judge Paul R. Michel
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>

2/18/09:

“When the Media looks at Courts, What do They See?”

Readings:

- Obbie, Lithwick, Goldstein, and Lewis chapters from Bench Press Webcast from “Supreme Makeover”
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>

Week 7

2/23/09:

“Judicial Elections Through the Eyes and Ears of Voters”

Bert Brandenburg, Executive Director, Justice at Stake Campaign

Readings:

- Bert Brandenburg & Roy A. Schotland, “Keeping courts impartial amid changing judicial elections,” *Daedalus*, Fall 2008 (Course Reader)
- Jordan M. Singer, “Knowing Is Half The Battle: A Proposal For Prospective Performance Evaluations In Judicial Elections,” *University of Arkansas at Little Rock Law Review*, Summer, 2007 (Course Reader)
- Judicial Election Results, Harris County, Texas, November 04, 2008 (pp. 5-6, 16-22)
<<http://www.election.co.harris.tx.us/Cumulative/cumulative.pdf> >
- Ohio League of Women Voters, Voter’s Guide 2008, pp. 12-15
<<http://www.lwvohio.org/FINAL%20VOTER%20GUIDE%202008%2010.7.08.pdf>>
- League of Women Voters of Alabama, Alabama Appellate Courts Voter Guide 2008 <<http://www.lwval.org/election2008/voterguide/>>
- Indiana Right to Life 2008 judicial candidate questionnaire
<http://www.indianalife.org/html/documents/INRTL2008QuestionnaireInjunction_000.doc>
- Transcript, Wisconsin State Supreme Court Candidate Forum, March 28, 2008 <<http://www.channel3000.com/politics/15741040/detail.html>.>
- Webcast from ““The Media's Effect on Judicial Independence: A Kaleidoscopic View”
<<http://jpm.syr.edu/resources.cfm?type=1&on=9>>

2/25/09:

Discussion Session

Week 8

3/2/09:

“The Impact of Media Coverage on a Defendant's Right to a Fair Trial”

Midwin Charles, Midwin Charles & Associates LLC

Readings:

- Steven A. Kohm, “The People’s Law versus Judge Judy Justice: Two Models of Law in American Reality-Based Courtroom TV,” Law and Society Review 40 (2006): 693-727. (Course Reader)

3/4/09:

Discussion Session

Week 9

Spring Break. No Class.

Week 10

3/16/09:

“Judicial Malfunctions: Wrongful Convictions, Cold Cases, and the Media”

Readings:

- Ofra Bikel, “The Case for Innocence,” *Frontline*. Transcript: <<http://www.pbs.org/wgbh/pages/frontline/shows/case/etc/script2.html>>
- Fernanda Santos, “Vindicated by DNA, But a Lost Man on the Outside” < <http://www.nytimes.com/2007/11/25/us/25jeffrey.html?th&emc=th>>
- Steve Weinberg, “Innocent Until Reported Guilty,” *Miller-McCune*, October 2008. < <http://www.miller-mccune.com/article/675:>>
- Steve Weinberg, “DNA Exonerations,” *Dallas Morning News*, October 2008 (free registration required). < <http://www.dallasnews.com/sharedcontent/dws/spe/2008/dna/>>

3/18/09:

“Tort reform, the Media, and the Litigation ‘Crisis’”

Readings:

- Chapters 5 & 6 from Haltom and McCann, Distorting the Law (Course Reader).
- Alison Frankel, “It’s Over” from *The American Lawyer* (Course Reader)

Week 11

3/23/09:

“The Saga of Same-sex Marriage in California”

Readings:

- Overview: <http://pewresearch.org/pubs/795/gay-marriage>
- Constitutional dimensions: <http://pewforum.org/docs/?DocID=289>
- In re Marriage Cases (Course Reader)
- Proposition 8 analyses from *The New Republic* and the Volokh Conspiracy.
 - TNR: <http://www.tnr.com/politics/story.html?id=fcb8bfb9-a829-4d92-84d5-a180a06c118a>
and <http://www.tnr.com/politics/story.html?id=485a245e-84b3-4534-99e3-2bcfe63952d7>
 - Volokh <http://volokh.com/posts/1226989317.shtml>

3/25/09:

“The Courts, the Press, and the War on Terror”

Readings:

- William Banks, “Media, Government, and Terrorism” (Course Reader)
- Jane Mayer, “The Battle for a Country's Soul,” *The New York Review of Books*, Aug. 14, 2008.
< <http://www.nybooks.com/articles/21716> >
- Philippe Sands, “The Green Light,” *Vanity Fair*, May 2008.
<http://www.vanityfair.com/politics/features/2008/05/guantanamo200805>

Week 12

3/30/09:

Reforming the N.Y. Courts

Readings:

- Webcast from “Law, Politics, and Media Lecture Series” – Video 7: Dirk Olin
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>
- Lopez Torres v. New York State Board of Elections (Course Reader)
- New York State Board of Elections v. Lopez Torres (Course Reader)
- Glaberson, “Broken Bench” NYT series
<<http://www.nytimes.com/2006/09/25/nyregion/25courts.html>>
<<http://www.nytimes.com/2006/09/26/nyregion/26courts.html>>
<<http://www.nytimes.com/2006/09/27/nyregion/27courts.html>>

4/1/09:

Meet with faculty to discuss research papers.

Week 13

4/6/09:

“Litigation PR and Crisis Communications”

Robert Bork, Jr.

Readings:

- TBA

4/8/09:

Discussion Session

Week 14

4/13/09:

“The Important vs. the Interesting - Reporting & Blogging from Court”

Mary Flood, Legal Reporter, Houston Chronicle

Readings:

- Election defeat stuns incumbent Harris Co. judges
<<http://www.chron.com/disp/story.mpl/headline/metro/6097733.html>>
- Scalia: Foreign law isn't ours: At Houston gala, he criticizes courts that cite countries' trends for rulings
<<http://www.chron.com/disp/story.mpl/headline/metro/6117982.html>>
- Gag order issued in Judge Kent case / Visiting judge says publicity could undermine right to fair trial
<http://www.chron.com/CDA/archives/archive.mpl?id=2008_4631882.
- Job bias lawsuits on the increase / Rise may be due to economy and easier online access to EEOC
<http://www.chron.com/CDA/archives/archive.mpl?id=2008_4615716>
- Webcast from Tony Mauro, "Media Representation of Judges" – Video 4:
<<http://jpm.syr.edu/resources.cfm?type=1&on=9>>

4/15/09:

Discussion Session

Week 15

4/20/09:

“Cowboys and Indians Together at Last: Labor and Business Unite to Protect Judicial Independence in Colorado”

Chris Nevitt, City Councilman, Denver, Colorado

Readings:

- Webcast from “Law, Politics, and Media Lecture Series” – Video 1: Justice Rebecca Kourlis
<<http://jpm.syr.edu/resources.cfm?type=1&on=7>>
- Webcast of Nina Totenberg’s lecture on judicial independence – Video 1 from “Bench Press” Conference.
<<http://jpm.syr.edu/resources.cfm?type=1&on=9>>

4/22/09:

Discussion Session

Week 16

4/27/09:

“Campaign Finance: A Study of Law, Politics, and the Media”

Readings:

- “Campaign Finance Reform’s War on Political Freedom” by Bradley A. Smith <<http://www.city-journal.org/html/ws2007-07-01bs.html>>
- “Strengthening U.S. Democracy through Campaign Finance Reform”
Carnegie Review
<http://www.carnegie.org/pdf/carnegie_review_2008_nov.pdf>

Last Day of Class.

4/29/09:

Legislative Friday. No Wednesday Classes.

5/4/09: **Research Papers Due.**

Guest Speaker Biographies

Robert Bork, Jr. is an experienced advocate specializing in the development and implementation of communication strategies in support of litigation and legal policy. In his many years of experience managing the public environment surrounding high-risk, high-profile litigation, he has worked on behalf of CEOs and general counsel of major U.S. and international corporate clients and their lawyers. Mr. Bork is "considered a pioneer in the area of litigation PR," according to PR Week. He has designed strategies in some of the most important cases and policy battles in recent years. Mr. Bork's experience includes directing the litigation pr strategy for the former manufacturers of lead pigment, the national media campaign in support of ProComp, a coalition of hi-tech companies supporting the U.S. government's position in the Microsoft antitrust case, and the national earned media campaign of a large coalition of corporate general counsel seeking broad federal legal reform in Congress in the mid-1990s. He has been engaged to counsel clients at every stage of litigation, from pre-litigation through appeals up to and including the Supreme Court of the United States. Mr. Bork has broad public policy experience in government and in journalism. He served as special assistant to United States Trade Representative Carla A. Hills. Earlier, Mr. Bork served as special assistant to U.S. Senator Gordon Humphrey and was a visiting fellow at The Heritage Foundation. As a journalist, he covered international economics at U.S. News and World Report, was managing editor of the quarterly journal Regulation, and worked as a reporter at Forbes, the Detroit Free Press, the Fort Worth Star-Telegram and at the Miami Herald. Mr. Bork was graduated from Carleton College with a degree in history. He was a Herbert J. Davenport Fellow in Business and Economic Journalism at the University of Missouri School of Journalism.

Bert Brandenburg is the Executive Director of Justice at Stake. Brandenburg was the Justice Department's Director of Public Affairs and chief spokesperson under Attorney General Janet Reno. He served in policy and communications positions for the U.S. Secretary of Agriculture, the National Performance Review, the 1992 Clinton-Gore campaign and presidential transition team, Congressman Edward Feighan, and the Progressive Policy Institute. Brandenburg was Vice President of International Programs for the Santéch Institute, and served as an observer during the 1990 Pakistan national elections. Brandenburg serves on the National Ad Hoc Advisory Committee on Judicial Campaign Conduct and the Coalition Alliance of the American Bar Association's Coalition for Justice. He holds a J.D. and B.A. from the University of Virginia.

Midwin Charles is a New York based lawyer who appears as regular guest commentator for the *Nancy Grace Show* and *Showbiz Tonight* on CNN Headline News, TRU TV's (formerly Court TV) *Open Court*, *Best Defense*, and *Courtside*. She also provides commentary for *America's Nightly Scorecard* and *Happy Hour* on the FOX Business Network and MSNBC. Midwin is the founding member of Midwin Charles and Associates LLC, a law firm that services clients in the areas of criminal law, general corporate and litigation. She worked at Fried, Frank, Harris, Shriver & Jacobson LLP for six years where she managed complex general and commercial litigation, federal investigations, and defended class action suits. Her experience includes the

representation of World Trade Center victims, Volunteer Lawyers for the Arts clients, and criminal appellate work. As an expert public speaker, Midwin has covered topics ranging from careers in law and legal journalism to entrepreneurship and hot button news issues for the American Bar Association, International Law Section, the Sylvania Woods Conference at the American University's Washington College of Law (WCL), Women in Entertainment Empowerment Network (WEEN), and various other organizations. An avid supporter of diversity in higher education, Midwin is a member of the Dean's Diversity Council for WCL and the Marketing Committee for Syracuse University.

Midwin graduated from Syracuse University then earned her law degree from the American University, Washington College of Law, where she was an Articles Editor for the American University Law Review. Following law school, she served as a law clerk for U.S. Court of Appeals for the Sixth Circuit Judge Eric L. Clay and as the A. Leon Higginbotham, Jr. Research Fellow in Social Justice at Harvard Law School under the supervision of Charles J. Ogletree, Jr. She is admitted to the New York State Bar, the U.S. District Courts for the Southern and Eastern Districts of New York and the Supreme Court of the United States.

Mary Flood is a lawyer and a legal reporter for the Houston Chronicle, where she covered Enron for more than four years. She previously worked as a legal reporter for the Wall Street Journal's Texas Journal. A cum laude graduate of Harvard Law School, Flood practiced law for three years in Washington, D.C. and Houston. She's taught Media Law and Ethics at University of Houston and has won more than 50 awards for excellence in reporting and writing.

Chris Nevitt is a City Councilman in Denver, Colorado. Chris earned a PhD in Political Science from University of California, San Diego, in 1996. After teaching for several years at Arizona State University, Chris moved to Denver, Colorado. There he helped found and then ran the Front Range Economic Strategy Center, the research, policy, and public-interest organizing arm of the metro Denver union movement. In 2007 Chris ran for and won a seat on the Denver City Council.

Justice Harold F. See, Jr. is an Associate Justice of the Alabama Supreme Court. He received his Bachelor of Arts degree from Emporia State University, Kansas, his Master of Science degree in economics from Iowa State University, and his Juris Doctor degree from the University of Iowa College of Law, where he graduated with honors and was awarded the Order of the Coif. Justice See worked his way through school as a heavy equipment operator, a sheet metal worker, and a roofer. He served as Assistant Professor of Economics at Illinois State University and practiced law with the nationally recognized law firm of Sidley & Austin. Justice See then joined the faculty at the University of Alabama School of Law, where he served for over twenty years successively as Associate Professor, Full Professor, and Herbert D. Warner Professor of Law. In 1996, he was elected Associate Justice of the Alabama Supreme Court. Justice See has served as a contributing editor to the Federal Circuit Bar Journal, and he is a member of the American Law Institute, the Alabama Law Institute, the American Law and Economics Association, the Federalist Society, the American Bar Association, the Alabama State Bar Association, and V.O.C.A.L., a victims' rights advocacy group. He served as reporter for

the Alabama Trade Secrets Acts and the revisions to the Alabama Trademark Law. Justice See has authored or edited over 40 books, chapters, articles, and reviews. Justice See is an active member of First Baptist Church, Montgomery, where he teaches Sunday school, and was formerly an active member and deacon of Calvary Baptist Church in Tuscaloosa. He is a member and the founding President of the Carroll's Creek Volunteer Fire Department, which is now a fire protection district.

Jonathan Sherman is a partner specializing in complex commercial litigation, and media defense and First Amendment matters at Boies, Schiller & Flexner LLP. He graduated from University of Rochester, magna cum laude, with a B.A. in History, and he holds an M.A. in History from Yale University and a J.D. from Stanford Law School. Mr. Sherman has more than sixteen years' worth of experience defending and counseling clients (both media and non-media) in matters involving defamation, access to government and judicial proceedings, copyright and privacy rights, government funding of speech, Internet-related access disputes, and international free speech rights. In the First Amendment area, Mr. Sherman, was lead counsel on behalf of Court TV in litigation challenging the constitutionality of New York's statutory ban on television cameras in that State's courtrooms. He currently represents Courtroom View Network, which provides streaming Internet transmissions of judicial proceedings, in its attempts to cover federal court proceedings. He recently assisted CBS Corp. in its defense to the FCC's indecency fine for the 2004 Super Bowl Halftime Show and in 2005, he represented a large media company in connection with an investigation of a leak of information from a highly publicized grand jury proceeding. Between 1998-2001, Mr. Sherman was an Adjunct Associate Professor of Law at Fordham, and he was also a Visiting Lecturer at Yale College in 1993.

Jo Thomas reported for *The New York Times* for 26 years, working as a national reporter, a foreign correspondent, and assistant national editor out of offices in New York, Washington, Miami, London, Denver. She has covered stories in every state except Hawaii and has reported from Europe, South Africa, the Caribbean, Central America, and Australia. Her specialty has been investigations, among them government death squads in Northern Ireland, cancer-causing rice in Puerto Rico, and the Olympic scandal in Salt Lake City. She led the *Times*' Oklahoma City bombing investigation and covered both Federal trials in Denver. She shared the 2002 Pulitzer Prize for Public Service for reporting on the aftermath of the 9-11 attacks. Before joining the *Times*, she reported for the *Cincinnati Post and Times-Star*, where her reports on abuses in inner city housing laws resulted in reform from the state legislature, and for the *Detroit Free Press*, where her expose of the underworld takeover of the steel hauling business resulted in grand jury investigations and extortion convictions for three of those involved. Her exposé of plans for experimental psychosurgery on mental patients in prison resulted in a landmark legal decision banning such experimentation. She has retired from Syracuse University as Associate Chancellor and Professor of Journalism but still collaborates with Chancellor Nancy Cantor on some major speeches. She is now writing a memoir.