

DOC 372/472 Documentary Law and Ethics
Winter Quarter 2023
Monday 5:45-9:00PM Location: Online: Sync

COURSE SYLLABUS

Instructor: Brenda Robinson Office: Online (via Zoom)
Email: brobin37@depaul.edu Office Hours: Mondays 4:00-5:00PM

Course Overview and Learning Tools

Course Website: D2L

Course Overview

Students will explore the legal and ethical issues that can arise in the course of documentary and non-fiction media production. The course will discuss standards and practices; decision making and creative control; archival footage and its fair use; legal requirements and implications; the question of informed consent; and ethical issues ranging from paying subjects, staging and reenactments, to sale and resale footage. Case studies of selected documentary films will be presented and analyzed by the class.

Learning Goals:

By the end of this course, students will be able to:

- Recognize and analyze common legal and ethical issues that present on documentary projects and how to develop solutions or ways to approach these issues in the best interests of a film and its subjects
- Analyze and negotiate basic legal agreements commonly found on documentary productions
- Demonstrate a solid command of the concept of fair use, how the analysis is applied in the context of common clearance issues in documentary and when fair use may be invoked as a defense
- Demonstrate knowledge of the current state of the marketplace in documentary film while further honing the practical skills needed to succeed in the film business

Prerequisites: None

Required Text or Materials: None

Grading: Assignment Guidelines and Evaluation Criteria will be posted in D2L

Attendance = 15% Participation = 25% Midterm Quiz = 20% Final Exam = 40%

Total = 100%

A = 100-93 A- = 92-90 B+ = 89-87 B = 86-83 B- = 82-80
C+ = 79-77 C = 76-73 C- = 72-70 D = 69-60 F = 59-0

A indicates excellent work; B indicates great work; C indicates satisfactory work; D indicates unsatisfactory work; F indicates failure to engage in the material or demonstrate adequate understanding of course concepts

SCHEDULE

Week 1 – February 6, 2023: Overview: State of the Documentary Film Industry; Topics and Trends

1. Overview of Course: Review Syllabus
2. Lecture on State of the Film Industry: Trends, Financing Landscape, Distribution, Diversity, Equity and Inclusion, Ethics
3. Basic Skills: Managing a production, time management, budget, responsibility and professionalism
4. Review of resources for successful careers in documentary film; tips on getting the most out of the course

Week 2 – February 13, 2023: Fundamentals of Documentary Production

1. The power of nonfiction storytelling
2. Truth, accuracy, privacy and moral questions
3. Navigating insurance issues, litigation
4. Analysis of recent documentary films

Week 3 – February 20, 2023: Entertainment Law for Filmmakers I: Contracts, Production Legal Matters

1. Intellectual Property Basics: Overview of Copyright and Fair Use
2. Analysis of Common Production Agreements / Contracts / Releases
3. Clearance Issues (Consent, Defamation, Surveillance, Hidden Camera, Right of Publicity)
4. Experimenting with the form (Staging and reenactments, Linear v. Nonlinear storylines)

Week 4 – February 27, 2023: Entertainment Law for Filmmakers II: Financing and Distribution

MIDTERM QUIZ: Written Exam of 1 Hour Duration; Exam available from 5:45-7:15PM CT

CLASS BEGINS AT 7:30PM CT

1. Financing and Distribution Terminology
2. Financing Agreements
3. Equity investment in documentary film v. non-recoupable grants
4. Credits and Credit Guidelines (DPA)

Week 5 – March 6, 2023: The Future of Documentary Film

1. War Stories from the trenches
2. Programs, Labs, Film Festivals, Memberships and Affinity Groups - Establishing Your Network
3. The Future of the Film Industry, Careers in Documentary Film, The Ever Evolving Landscape

End of Quarter: Final Exam – March 13, 2023: Written Exam of 2 Hours and 15 minutes Duration

Course Policies

Changes to Syllabus

This syllabus is subject to change as necessary during the quarter. If a change occurs, it will be thoroughly addressed during class, posted under Announcements in D2L and sent via email.

Online Course Evaluations

Evaluations are a way for students to provide valuable feedback regarding their instructor and the course. Detailed feedback will enable the instructor to continuously tailor teaching methods and course content to meet the learning goals of the course and the academic needs of the students. They are a requirement of the course and are key to continue to provide you with the highest quality of teaching. The evaluations are anonymous; the instructor and administration do not track who entered what responses. A program is used to check if the student completed the evaluations, but the evaluation is completely separate from the student's identity. Since 100% participation is our goal, students are sent periodic reminders over three weeks. Students do not receive reminders once they complete the evaluation. Please see <https://resources.depaul.edu/teaching-commons/teaching/Pages/online-teaching-evaluations.aspx> for additional information.

Academic Integrity and Plagiarism

This course will be subject to the university's academic integrity policy. More information can be found at <https://offices.depaul.edu/oaafaculty-resources/teaching/academic-integrity/Pages/default.aspx>.

Academic Policies

All students are required to manage their class schedules each term in accordance with the deadlines for enrolling and withdrawing as indicated in the [University Academic Calendar](#). Information on enrollment, withdrawal, grading and incompletes can be found at:

<http://www.cdm.depaul.edu/Current%20Students/Pages/PoliciesandProcedures.aspx>

Incomplete Grades

An incomplete grade is a special, temporary grade that may be assigned by an instructor when unforeseeable circumstances prevent a student from completing course requirements by the end of the term and when the student otherwise had a record of satisfactory progress in the course. All incomplete requests must be approved by the instructor of the course and a CDM Associate Dean. Only exceptional cases will receive such approval. Information about the Incomplete Grades policy can be found at

<http://www.cdm.depaul.edu/Current%20Students/Pages/Grading-Policies.aspx>

Students with Disabilities

DePaul University is committed to ensuring equal access to its educational and extracurricular opportunities for students with disabilities. The Center for Students with Disabilities (CSD) offers reasonable academic accommodations and services to support our students. We also serve as a resource to the many university departments that have a responsibility to accommodate students.

Please see <https://offices.depaul.edu/student-affairs/about/departments/Pages/csd.aspx> for Services and Contact Information.

Attendance

Students are expected to attend each class and to remain for the duration. Coming 15 minutes late or leaving 15 minutes early constitutes an absence for the student. Any unexcused absences, late arrivals or early departures without prior notice will result in a reduction of the attendance/participation grade.

Class Discussion

Student participation in class discussions will be measured in two ways. First, students are highly encouraged to ask questions and offer comments relevant to the day's topic. Participation allows the instructor to "hear" the student's voice when grading papers. Secondly, students will be called upon by the instructor to offer comments related to any reading assignments. Students must keep up with any reading assigned in order to participate in class discussion.

Standards of Professionalism

A professional and academic attitude is expected throughout this course. Measurable examples of non-academic or unprofessional attitude include but are not limited to: talking to others when the instructor is speaking, mocking another's opinion, cell phones ringing, emailing, texting or using the internet whether on a phone or computer. If any issues arise a student may be asked to leave the classroom. The professor will work with the Dean of Students Office to navigate such student issues.

Civil Discourse

DePaul University is a community that thrives on open discourse that challenges students, both intellectually and personally, to be [Socially Responsible Leaders](#). It is the expectation that all dialogue in this course is civil and respectful of the dignity of each student. Any instances of disrespect or hostility can jeopardize a student's ability to be successful in the course. The professor will partner with the Dean of Students Office to assist in managing such issues.

Cell Phone Usage

If you bring a cell phone to class, it must be off or set to a silent mode. Should you need to answer a call during class, students must leave the room in an undistruptive manner. Out of respect to fellow students and the professor, texting is never allowable in class. If you are required to be on call as part of your job, please advise me at the start of the course.