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With special appreciation to the U.S. District Court for the District of Columbia and the U.S. Court of Appeals for the District of Columbia Circuit for their continuing support of the Society.

The Historical Society of the D.C. Circuit is a 501(c)(3)
non-profit organization independent of the Courts.

The Historical Society of
the District of Columbia
Circuit and the Federal
Communications Bar
Association present:



FCC INDECENCY CASES IN THE D.C. CIRCUIT:

AN HISTORICAL PERSPECTIVE

October 14, 2008
4:15 p.m.

Ceremonial Courtroom, 6th Floor
E. Barrett Prettyman U.S. Courthouse
3rd & Constitution Avenue, N.W.
Washington, D.C.

The Historical Society of the District of Columbia Circuit

What lies ahead

- Lectures and panel discussions by and among judges, academics, practitioners, and scholars on historic cases litigated in the Courts of the D. C. Circuit and law-related issues of historic interest.
- Programs exploring competing philosophies of constitutional jurisprudence reflected in the decisions of the Courts of the D. C. Circuit.
- Expansion of the Society's collection of oral histories of judges and lawyers who played key roles in the administration of justice in the Courts of the D.C. Circuit.
- Educational programs for high school students, including mock court arguments on historic cases before the judges of the Courts of the D.C. Circuit.
- Preservation of papers of Judges of the Courts of the D.C. Circuit.

Activities to date

- Publication of *Calmly to Poise the Scales of Justice: A History of the Courts of the District of Columbia Circuit*.
- Programs on historic cases, including "Technology in the Courtroom: Could it Change the Course of History?"; "FOIA, National Security and the D.C. Circuit: A Safeguard or a Sham?"; "The Steel Seizure Case in Historical Perspective: Presidential Power in Wartime"; "The Pentagon Papers Cases: Did the Courts Get it Right?"; "The Landmark AT&T Divestiture Case and Its Economic and Regulatory Repercussions"; "Iran-Contra in the Courts: A Historical Perspective"; and "Reflections on Watergate."
- Development of an exhibition on historic cases presented in the Courts of the D.C. Circuit, now on display in the Courthouse.
- Programs for summer associates and law students, including "High-Profile Cases: A View from the Bench"; "Arguing before the D.C. Circuit: Current & Historical Perspectives"; and "The Art of Cross-Examination: Historical and Current Perspectives."
- A two-day celebration of the Bicentennial of the Courts of the D.C. Circuit.
- Maintaining the Historical Society web site at www.dcchs.org.

FCC INDECENCY CASES IN THE D.C. CIRCUIT: AN HISTORICAL PERSPECTIVE

As the Supreme Court prepares to hear argument on November 4 in the *Fox* case involving the FCC's ruling barring broadcast of "fleeting expletives," the Historical Society and the Federal Communications Bar Association present a panel discussion of the D.C. Circuit's indecency decisions. Appellate litigation arising from FCC indecency rulings was formerly centered in the D.C. Circuit. Judges Tamm, Bazelon, and Leventhal wrote opinions in the *Pacifica* case arising from George Carlin's famous "seven dirty words" monologue. The Court issued other decisions in indecency cases, culminating in two en banc decisions in 1995. What can be learned from these decisions?

Panelists:

Timothy B. Dyk, U.S. Court of Appeals for the Federal Circuit and counsel for broadcasters prior to being appointed to the bench in 2000

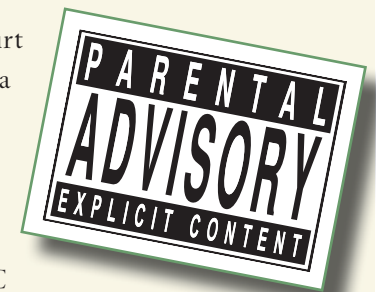
Glen O. Robinson, retired Professor of Law at the University of Virginia and a member of the FCC when the Commission issued its decision in the *Pacifica* case

Laurence H. Silberman, Senior Judge, U.S. Court of Appeals for the District of Columbia Circuit and a member of the en banc court in 1995

Patricia M. Wald, formerly Chief Judge, U.S. Court of Appeals for the District of Columbia Circuit and a member of the en banc court in 1995

Moderator:

Christopher J. Wright, Harris, Wiltshire & Grannis LLP and former General Counsel of the FCC



HISTORY IS IMPORTANT.

Join the Historical Society of the D.C. Circuit today. Call 202.216.7346