**JOMC 440**

**The Law of Cyberspace**

**Syllabus**

**Spring 2014**

Instructor: Dr. Cathy Packer

Office hours: 2 to 3:15 p.m. Tuesdays and Thursdays or by appointment

Office: 358 Carroll Hall

Office phone: 919-962-4077

E-mail address: [clpacker@email.unc.edu](mailto:clpacker@email.unc.edu)

Co-instructor: Ph.D. student Liz Woolery

Office: 365 Carroll Hall

E-mail address: [ewoolery@email.unc.edu](mailto:ewoolery@email.unc.edu).

**Texts:**

Rebecca MacKinnon, *Consent of the Networked: The Worldwide Struggle for Internet Freedom*, New York: Basic Books, 2012.

Daniel J. Solove, *Nothing to Hide: The False Tradeoff Between Privacy and Security*, New Haven: Yale University Press, 2011.

Lawrence Lessig, *Free Culture: The Nature and Future of Creativity,* New York: The Penguin Press, 2004. You can download this book for free – and legally – here: <http://www.free-culture.cc/freecontent/>.

Saul Levmore & Martha C. Nussbaum, eds., *The Offensive Internet: Speech, Privacy, and Reputation*, Cambridge, Mass.: Harvard University Press, 2010.

**Sakai:**

PowerPoint slides, reserve readings, and other materials will be posted on the Sakai site for this course. Also, all important emails to the class also will be posted as announcements on the Sakai site.

**Course Objectives:**

Current students of the UNC-CH School of Journalism and Mass Communication one day soon will be among the leaders in all areas of communication. Because all areas of communication are being changed radically by the Internet, students need to understand the legal issues raised by Internet technology. This course is designed to identify and explain some of those issues and to guide students in thinking critically about how those issues can best be resolved. This course will review what the courts have said about the Internet as well as how other branches of the government and the private sector have responded to the Internet. The course will focus both on very broad questions of how the First Amendment applies to the Internet as well as on narrower issues such as the website liability for content posted by third parties. Attention also will be paid to how foreign governments are regulating the Internet.

**Course Work:**

* Careful and sustained reading is necessary for this course. Assigned readings include four books, court decisions, and law review and other articles. Additional readings may be assigned besides those listed on the assignment sheet. All reading assignments should be completed before the class for which they are assigned. Also, all assigned cases should be briefed before the class for which they are assigned. Instructions on how to brief cases are posted on your class Sakai site.
* There will be a 10-minute reading quiz approximately once a week. Your instructor will announce the quiz dates in advance. No make-up quizzes will be given, but the lowest quiz grade of the semester will be dropped.
* Each student must participate in class discussions. If you do not like to participate in class discussions, this is not the class for you. A student who comes to every class but does not participate voluntarily will earn a “D” for class participation. Class participation is 30 percent of the final grade.
* Each student must complete a research paper and make an in-class presentation of his or her research findings.
* There will be no exams.

**Special Events:**

During this semester, students may be required to attend lectures and/or panel discussions outside of class. Think of them as Internet-law field trips! Students who are unable to attend these events must talk to Dr. Packer. She will assign other lectures to attend. Students who attend neither an assigned event nor an approved alternate event will be counted absent.

**Attendance Policy:**

Class attendance is essential because this course is designed as a seminar in which all students are active participants. This is not a course for students who do not want to attend class or who do not want to talk in class.

You will be allowed two absences without penalty. That is an entire week of class. You need not provide any excuse or explanation for these absences. However, for each absence in excess of two, your final grade will be reduced by one point. Thus, a student who completes the semester with an average of 83 but with a total of four absences will have his or her grade reduced to 81. You should, therefore, use your two allowed absences wisely, saving them for illnesses or job interviews, for example. No extra absences will be granted to complete assignments for other classes, to take trips for other classes, or to work on campus publications.

The roll will be taken at the start of class. Students who arrive after the roll has been taken will be counted as absent. If you need to leave class early, please tell the professor before class begins. Otherwise you will be counted as absent.

Turn off your cell phones and put them away.

Napping in class will not be tolerated.

**Honor Code:**

The Honor Code and the Campus Code, embodying the ideals of academic honesty, integrity and responsible citizenship, have for over 100 years governed the performance of all academic work and student conduct at the University. Acceptance by a student of enrollment in the University presupposes a commitment to the principles embodied in these codes and a respect for this most significant University tradition.

Your participation in this course comes with the expectation that your work will be completed in full observance of the Honor Code. Academic dishonesty in any form is unacceptable, because any breach in academic integrity, however small, strikes destructively at the University's life and work.

The [Instrument of Student Judicial Governance](http://instrument.unc.edu/), which contains the provisions of the Honor Code, states that students have four general responsibilities under the Code:

1. Obey and support the enforcement of the Honor Code;
2. Refrain from lying, cheating, or stealing;
3. Conduct themselves so as not to impair significantly the welfare or the educational opportunities of others in the University community; and
4. Refrain from conduct that impairs or may impair the capacity of University and associated personnel to perform their duties, manage resources, protect the safety and welfare of members of the University community, and maintain the integrity of the University.

The [Instrument](http://instrument.unc.edu/) defines plagiarism as "deliberate or reckless representation of another's words, thoughts, or ideas as one's own without attribution in connection with submission of academic work, whether graded or otherwise."

Please submit all written work with the following pledge: “On my honor, I have neither given nor received unauthorized aid on this assignment.”

**Keys to Success:**

Read all assignments before class.

Come to class and come on time.

Stay awake.

Take good notes. They will be useful for your research projects.

Participate in class discussions.

Talk to your instructor before, after and outside of class.

**Final Grades:**

Quizzes 30%

Class participation 30%

Research presentation 10%

Research paper 30%

100%