



JOMC 840.01: Seminar in Media Law – Spring 2018

Wednesdays, 2:00-4:45 p.m., Kuralt Room, Carroll Hall (second floor, near library)
School of Media and Journalism
University of North Carolina at Chapel Hill

Instructor

Michael Hoefges, J.D., Ph.D.

- Office: 355 Carroll Hall (third floor in the “new” part of the building)
Weekly Office Hours:
 - Thursdays – 2:00-5:00 p.m. Please sign up on Sakai – there are fifteen minute slots, but you may sign up for thirty minutes (two slots). If you need more time than thirty minutes, please let me know. We’ll find another day so we can keep office hours available for all.
- Telephone: 843-0971 (direct line to my office, equipped with voice mail)
- Email: mhoefges@email.unc.edu

Course Description and Objectives

Welcome to MEJO 840 – Seminar in Media Law. Official course description: “In this seminar, students explore free expression theory and the research perspectives and methods used in the study of media law. The main goals of the course are to 1) familiarize students with First Amendment theories and interpretations; 2) expose students to an array of legal research focusing on communication law; 3) teach students to critically read and evaluate such research; and 4) provide students with experience in legal research and writing. Each student will identify a legal research question he or she will investigate, write a paper proposal, produce a research paper, and present his or her research findings to the class. It is expected that all papers will be of high enough quality to be presented at a scholarly convention and/or published in a scholarly journal.” Prerequisite: MEJO 740 (or an equivalent course) or a law school course in media law. Please note: Students are expected to have already obtained a thorough grounding in the field of media law – including substance and procedure – and also have learned how to conduct legal research (including primary and secondary legal sources), especially in the field of media law, before taking MEJO 840.

Course objectives. You will have the opportunity to develop substantive expertise in a particular theoretical or conceptual framework (or, perhaps, one particularly significant First Amendment scholar) that you select with the instructor as most relevant to your legal research project, and, ideally, to your overall studies and goals (i.e., your thesis or dissertation). You will have the opportunity to develop a publication-quality manuscript of original legal research that you will develop and complete with the instructor and classmates. Through this process, you will have the opportunity to further develop your expertise – and hone your skills – in legal research methods. You will have the opportunity to further develop your expertise in a substantive area of mass communication law that you also will select with the instructor for your legal research project. You will be expected to utilize legal research methodology as the primary method for completing your research project in the course. You’ll receive further instructions on completing the research proposal and the legal research paper along with other course requirements.

Customization. Because of the limited enrollment in this course, there may be opportunities to customize the course for students depending in their particular interests, goals and courses of study – through targeted readings and through the research project, for example. In other words, it is the aim of the course to best serve your program and course of study here and, ultimately, your professional goals upon graduating from the program – while ensuring that we cover the overarching goals and objectives set out above for MEJO 840.

Required Course Materials and Resources

Required*:

- (1) THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass'n et al. eds., 20th ed. 2015)
- (2) PUBLICATION MANUAL OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION (Am. Psychol. Ass'n ed., 6th ed., most recent printing) (*required only if you are planning to use APA style for your paper – remember that APA refers to Bluebook for various legal citations)
 - a. RESOURCE: APA STYLE, [HTTP://WWW.APASTYLE.ORG/INDEX.ASPX](http://www.apastyle.org/index.aspx) (last visited Jan. 7, 2018)
 - b. Resource: PURDUE ONLINE WRITING LAB, APA STYLE AND FORMATTING GUIDE, [HTTPS://OWL.ENGLISH.PURDUE.EDU/OWL/RESOURCE/560/01/](https://owl.english.purdue.edu/owl/resource/560/01/) (last visited Jan. 7, 2018)

Other assigned readings will be available from one or more of the proprietary databases available through the UNC Libraries (i.e., HeinOnline, LexisNexis Academic, Westlaw, etc.) and on reserve in the Park Library. HeinOnline provides access to law review articles and major cases, among other content, in PDF format, which allows you to read an available article or case in its original printed format. In addition, you may retrieve most law review and journal articles, and many primary legal documents such as court opinions, from LexisNexis Academic and Westlaw. Also, you may access non-legal communication and other academic journals from various other databases we have available through the UNC Libraries. Please note that access to electronic databases may vary from semester to semester.

Important University and Course Policies

Honor Code: According to the **University Office of Student Judicial Conduct**: “The University of North Carolina at Chapel Hill has had a student-led honor system for over 100 years. Academic integrity is at the heart of Carolina and we all are responsible for upholding the ideals of honor and integrity.

The student-led Honor System is responsible for adjudicating any suspected violations of the **Honor Code** and all suspected instances of academic dishonesty will be reported to the honor system. Information, including your responsibilities as a student, is outlined in the **Instrument of Student Judicial Governance**. Your full participation and observance of the Honor Code is expected. . . . [For example,] **plagiarism** in the form of ‘deliberate’ or ‘reckless’ representation of another’s words, thoughts, or ideas as one’s own without appropriate attribution to the original author in connection with submission of academic work, whether graded or otherwise, is a serious breach of the academic integrity demanded by the Honor Code and one of the most common forms of academic misconduct processed by the Honor System. . . . [To help prevent plagiarism:] Quote and cite any words that are not your own. If you paraphrase the words of another, you must still give proper attribution. If you look it up, write it down. . . . [Regarding **unauthorized versus authorized collaboration**:] All academic work in this course . . . is to be your own work, unless otherwise specifically provided. It is your responsibility if you have any doubt to confirm whether or not collaboration is permitted.” (Emphasis added.) The University requires that written work be submitted with a signed statement of Honor Code compliance. We’ll also discuss how the Honor Code applies to assignments in class. Throughout the semester, please see me immediately if you have any questions about how the Honor Code applies in the context of the course or specific assignments.

For details, please read the **Instrument of Student Judicial Conduct (July 2017)** at: <https://studentconduct.unc.edu/sites/studentconduct.unc.edu/files/documents/Instrument.pdf>.

For more information, please visit the website for the **Office of Student Judicial Conduct** at: <https://studentconduct.unc.edu/>.

Accessibility Resources and Service (ARS): According to ARS: “The University of North Carolina at Chapel Hill facilitates the implementation of reasonable accommodations, including resources and services, for students with disabilities, chronic medical conditions, a temporary disability or pregnancy complications resulting in difficulties with accessing learning opportunities. All accommodations are coordinated through the Accessibility Resources and Service Office.”

- ARS can be reached by telephone at 919-962-8300 or by email at accessibility@unc.edu
- Detailed information about the registration process is available at <https://accessibility.unc.edu/about-ars/policies/student-and-applicant-accommodations>
- Additional information about ARS is available at <https://accessibility.unc.edu/about-ars>

Please know that I am fully committed to working with you and ARS confidentially if accommodations are recommended for you in this course. (ARS contact information above reformatted for clarity.)

Diversity and Inclusivity: The University’s “Commitment to Diversity” states: “The University of North Carolina strives for excellence both in academic engagement and cocurricular support. Sustaining a diverse and inclusive community is critical to achieving educational excellence.” You may read the entire commitment statement at <http://catalog.unc.edu/about/introduction/> and learn more information, including policies and procedures, by visiting the University’s Diversity and Multicultural Affairs (DMA) website at <http://diversity.unc.edu/>. Please know that I am fully committed to these policies and procedures.

Discrimination, Sexual Violence and Harassment: “Any student, whether they are an undergraduate or a graduate/professional student, with concerns about discrimination on the basis of membership in any protected class, including sexual violence and harassment, is encouraged to contact EW Quimbaya-Winship, Deputy Title IX/ Student Complaint Coordinator at egw@email.unc.edu.” Please know that I am fully committed to the University’s policies against discrimination, sexual violence and harassment.

Class attendance: ...is mandatory. Please remember that because we meet once a week, missing a class means missing an entire week. Importantly, you’ll miss our discussion and also miss contributing your thoughts and ideas for your colleagues to think about. Think of our class as a “marketplace of ideas” to which we all contribute for our mutual knowledge and understanding. That said, I know that life happens. If you must miss class, please advise me as far in advance as possible or as soon thereafter as possible. An absence may be *excused for circumstances such as serious injury or illness to you or someone in your immediate family, or a death in your immediate family, for example, that are unexpected and beyond your control. One *unexcused absence will lower your *class participation grade one full letter grade (H to L, P to L, or L to F, for example). Two *unexcused absences will lower your *class participation grade two full letter grades (H to L, or P to F, for example). Three unexcused absences will result in reduction of your *class participation grade as stated plus a reduction of your *course grade by one full letter grade. Four unexcused absences may result in failing the course (or the need to withdraw). Again, I know that life happens, so if you have to miss class, please let me know, and we can discuss – I will try to be as fair and reasonable as possible. The attendance policy for any student in the course is subject to any accommodations that ARS has recommended for that student (see above).

Assignment deadlines: ...also are mandatory. No late assignments accepted. That said, again, I know that life happens. So, if you must miss (or have missed) an assignment deadline for reasons that would excuse an absence (see course attendance policy above), missing the deadline may be excused with an alternative deadline provided. Again, I will try to be as fair and reasonable as possible. Also, depending on our course progress, deadlines might be extended for the benefit of the class with notice in advance. The deadlines policy for any student in the course is subject to any accommodations that ARS has recommended for that student (see above).

Course Requirements and Grading

Graded components: Your course grade will be determined based on the following components:

Research Project and Presentation:	70%
Topic Memo (5%)	
Research Proposal (10%)	
First Submission (10%)	
Final Paper (40%)	
Presentation (5%)	
Participation:	30%
In-class participation (15%)	
Class discussion leader (10%)	
Written article critique (5%)	

Grading: Grades of H (clear excellence and superiority), P (entirely satisfactory), L (low passing), and F (failure), will be utilized for all graded components of the course and for the final course grades. We'll discuss in particular how these grades apply specifically to each graded component of the course, and you'll receive further explanation in writing about requirements and grading for each of these components.

Course Schedule and Important Due Dates

You will receive a separate schedule of readings and the dates on which they will be discussed along with additional instructions on completing the assigned projects including the legal research project and its components. The written article critique (3-5 pages each) will be due on a date during the semester to be determined. Each student will facilitate one class TBD (and select the readings with the instructor from her or his research literature review, for example). However, please note the following important key DUE DATES:



- ✓ **Wednesday, January 24:** Topic memo DUE before class begins – send electronic copy to instructor and classmates – Word file, please (not PDF). Please bring hard copy to class.
- ✓ **Wednesday, February 28:** Research proposal DUE before class begins – send electronic copy to instructor and classmates – Word file, please (not PDF). This will include selecting a target conference and journal for your project. Please bring hard copy to class.
- ✓ **Wednesday, March 21:** First submission of research paper DUE before class begins – send electronic copy to instructor and classmates – Word file, please (not PDF). Please bring hard copy to class.
- ✓ **Wednesday, April 18:** Final paper DUE before class begins – send electronic copy to instructor and to your classmate(s) – Word file, please (not PDF). Please bring a hard copy to class.
- ✓ **Wednesday, April 25:** Presentations of research papers – academic conference style.

Wednesday, January 10: For our first day of class, please be prepared to discuss topics that you are considering for your research project. If you are a master's student, please think about how your research project in this course might serve your thesis research. If you are a doctoral student, please think about how your research project in this course might serve your dissertation research.

And, please **READ** the following article written for this course, and ultimately published, by one of our doctoral alums now teaching law and ethics at the LSU Manship School of Mass Communication:

P. Brooks Fuller, *Mosaic Theory and Cyberharassment: Using Privacy Principles to Clarify the Law of Digital Harms and Speech*, 22 COMM. L. & POL'Y 309 (2017).