**Introduction to Media Law**

**Journalism Focus**

**MEJO 340.003 --- 3 Credits**

**Fall 2020**

###### Course Policies & Syllabus

Instructor: C. Amanda Martin

Email: amartin@smvt.com

Class: By Zoom, 3:00-4:15 p.m. Tuesday and Thursday

 Zoom meeting invitation is on the last page of syllabus

Office hours: Ultimately I will have set, recurring office hours. At the beginning of the semester, however, I will have office hours by appointment. If you let me know you’d like to meet, we will find a time, and I will send you a Zoom link. Email is a great way to ask quick questions, but please don’t hesitate to set up a time to talk. I think you will find it a better way to get questions fully answered.

Phone: 919-810-6246

Twitter: @ncmedialaw

Blog: [1stforareason.wordpress.com](http://1stforareason.wordpress.com)

**Class Time & Place**

See Zoom Meeting Invitation on the last page of syllabus

**MEJO 340 is not for public relations, advertising or strategic communication students. Those students need to take MEJO 341. Also, successful completion of MEJO 153 is a prerequisite for this course.**

**Textbook**

Susan Dente Ross, Amy Reynolds & Robert Trager, The Law Of Journalism And Mass Communication (7th ed. 2020) (ISBN-13: 978-1544377582). (Be sure to buy the correct edition.)

The publisher has some helpful study aids that accompany our textbook at this link:

<https://edge.sagepub.com/medialaw7e/student-resources-0>

**Course Objectives/Professional Values and Competencies**

The School recognizes that only professional communicators possessing knowledge of mass communication law can thoughtfully assert their rights and avoid needless infractions of the law. This course is designed to make communicators – reporters, copy editors, broadcasters, bloggers, Web designers, photographers and others – expert in recognizing their legal rights to gather, prepare and disseminate news and other information. The course also is designed to instill in students an appreciation of the role of free expression in a democracy.

Course Work

Careful and sustained reading is necessary for this course. Most of the reading will be from the assigned text with some additional readings assigned online. All reading assignments should be completed before the class for which they are assigned.

A short, multiple-choice online quiz will be given most weeks. If you miss a quiz, you cannot make it up. However, your lowest quiz grade will be dropped.

There also will be three examinations, including a comprehensive final examination.

**Attendance Policy**

Law is a complex, continually changing subject. Lectures are designed to explain and expand upon the material in the textbook. You should complete your reading before class in order both to enhance your understanding and to be able to fully participate in class discussions.

You are expected to attend class. You will be allowed two unexcused absences without penalty. That is than an entire week of class. You need not provide any excuse or explanation for these absences. You should use your allowed absences wisely, saving them for illnesses, job interviews or trips arranged as part of another class, for example. No extra absences will be granted to complete assignments for other classes or for campus publications.

**E-mail**

For the fastest response, use my lawfirm email: amartin@smvt.com, and I will strive to respond to emails within 24 hours.

You will receive e-mail messages from your professor. Be sure to read those messages! You might learn a test date has been changed, a class has been cancelled or an additional reading has been assigned. If you think you might have missed an email, let me know so I can check what went wrong.

For the midterms and final exam there is a “cut off” day for substantive questions. For the midterms, I will not answer substantive questions within 24 hours of the exam. The cut-off date for questions before the final exam date is the last day of class.

Keys to Success

Read all assignments before class.

Study the study guides.

Come to class and come on time.

Print out the PowerPoint slides before class.

Take good notes.

Participate in class discussions.

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

Study hard all along, not just the night before the first exam.

Form a study group.

Use the publisher’s tools to help prepare for quizzes and exams.

**Course Assessments & Grade Scale**

|  |  |  |
| --- | --- | --- |
| WHAT | WHEN | WORTH |
| Class Participation | Panel Assignment | 20 points |
| Weekly Quizzes | Most Weeks | 60 points |
| Forum Assignments | As Assigned | 60 points |
| Case Brief  | August 25 | 10 points |
| Midterm #1 | September 10 | 100 points |
|  |  |  |
| Midterm #2 | October 8 | 100 points |
| Final Exam | November 23 | 150 points |

Grade scale:

A = 465-500 points (93-100%)

A- = 450-464 points (90-92.9%)

B+ = 435-449 points (87-89.9%)

B = 415-434 points (83-86.9%)

B- = 400-414 points (80-82.9%)

C+ = 385-399 points (77-79.9%)

C = 365-384 points (73-76.9%) \*

C- = 350-364 points (70-72.9%)

D+ = 335-349 points (67-69.9%)

D = 300-334 points (60-66.9%)

F = 299 points or fewer (less than 60%)

\*This course is required for students enrolled in the Hussman School of Journalism and Media. You must earn a C or better to avoid repeating the course.

\*\*\* Makeup exams will be given only in cases of true emergencies and then only if your instructor is notified in advance of the scheduled exam. No make-up quizzes are given. If you miss an exam without permission, your grade will be a zero. The same goes for missed quizzes.

## Class Participation

Twenty (20) points of your final grade are based on class participation. Preparation and class attendance are a mandatory part of this course. Be present at each class session and be prepared to actively listen and participate. I will call on students to generate a conversation about the course material. By contributing your own perspectives and engaging with the perspectives of others in class you will come away with a richer understanding of the material than you would just from the casebook or just from listening to me. I will use a “panel system” to structure most of the class participation.

The class will be divided into panels (see below), and each panel will be assigned to specific class periods. I will call on students from the assigned panel for the specified day, so you will know in advance when you will be called upon. Everyone should read the required assignments prior to class, and members of the on-call panel should be prepared to answer questions and to discuss the required reading for the day. Non-panel members are also free to volunteer, and I hope you will! Everyone should prepare, and the assignment of a panel for a particular day simply means that when I call on people for specific answers, I will choose from the panel for that particular session. If you are unable to participate on your assigned panel day, please contact me in advance of the class session.

With that in mind, I expect you to be prepared for each class. All of the assignments in the syllabus are fair game for the exams. The panels are to encourage a livelier discussion.

The six (6) panels are assigned by the first letters of last names:

Panel 1: A - C Panel 4: L – O

Panel 2: D – G Panel 5: P – S

Panel 3: H - K Panel 6: T - Z

Panel assignments may be adjusted after drop/add ends.

## Weekly Quizzes

Sixty (60) points of your final grade will be based on multiple choice and/or true-false questions administered via Sakai. There will be twelve (12) quizzes with approximately five (5) questions each. Each quiz question will be worth one (1) point.

These continual assessment questions will be posted on the class Sakai site. These quizzes will be timed and accessible for a limited time. In other words, once you start the quiz you will have a limited amount of time within which to complete the quiz. Please plan accordingly. You may consult your notes and other class materials, but you may not receive assistance from anyone. The Honor Code is in effect for these quizzes.

These weekly reading quizzes serve four key purposes: (1) assess student understanding of the class materials; (2) reward students who keep up with the reading assignments and pay attention in class; (3) motivate students who see they are underperforming compared to their peers; and (4) give all students a chance to practice for the midterm and final exams.

## Forum Discussions

Sixty (60) points of your final grade will be based on graded forum discussions. Forum discussions can be a vital part of communicating in an online learning environment. If all participants follow principles of civility and professionalism, the forums can be a great opportunity to express opinions, share ideas, and receive feedback from peers who are engaged in the same learning objectives. Shared knowledge helps us all to learn more.

Please respect that these forum discussions are for educational purposes. Tone is important and please keep responses positive and constructive. Humor can be difficult to convey in writing, as there are no physical gestures or voice inflections to accompany the text. Think through and re-read your comments before you post them. Be nice. Refrain from inappropriate language and derogatory or personal attacks. Make a personal commitment to learn about, understand, and support your peers. Assume the best of others in the class and expect the best from them. You are encouraged to disagree with ideas but avoid challenges that may be interpreted as a personal attack. Be open to be challenged or confronted on your ideas or prejudices. Challenge others with the intent of facilitating growth. Do not demean, harass, or embarrass others. Encourage others to develop and share their ideas. I reserve the right to delete any inappropriate message or messages not in accord with these guidelines. Lastly, proof-read all messages and ensure that your writing style conforms with the rules of standard English. Readability and clarity are the goals.

## Case Brief

Ten (10) points of your final grade is based on a graded case brief. A case brief is a written summary of a legal opinion. The purpose of summarizing cases is twofold: (1) it is a helpful means of bringing the facts of a case back to memory in a short time (e.g., during classroom discussion); and (2) it helps you identify the principles of law that the case sets forth. A case brief is primarily a study tool; as such, you should structure case briefs to meet your own needs.

For the graded case brief you must include, at a minimum, the following information: (a) the facts of the case; (b) the legal issue; and (c) the holding and reasoning of the majority opinion (i.e., the legal principle applied in the case). You may also include a summary of any concurrences and dissents.

## Exams

We will have three (3) exams: two (2) exams during the semester (i.e., midterms) and a comprehensive final exam. The exams will cover material presented in class and in the readings. Exam questions may appear in the form of multiple choice, true-false, short answer, or essay questions. Note: The final exam will be cumulative.

Final exam times are based on the University final exam schedule. Exams are scheduled according to the day and start time of the first meeting of the course each week.

**Zoom Etiquette**

Unless you are talking, please mute your audio during class. You may need to stop video briefly if something arises, but for the benefit of fruitful class participation, you should plan to keep your video on. (If there is some reason that is problematic for you, please let me know.) I realize you may be attending our online class in less than ideal circumstances, and I (and our whole class, I hope) will extend you respect and good nature to allow flexibility when necessary under these circumstances.

If you have a question or would like to contribute during class, please use the Zoom chat feature. Because I cannot see all students on my screen, I may not see you if you raise your hand in person. I will do my best to monitor the chat during class. For complex questions or to clarify your question, I may invite you to unmute and ask your question aloud. Also, I will log on for class early and will stay logged on after class has ended, in case anyone has lingering questions.

All classes will be recorded and posted in Sakai.

**Accreditation**

The School of Media and Journalism’s accrediting body outlines a number of values you should be aware of and competencies you should be able to demonstrate by the time you graduate from our program.  Learn more about them here:

<http://www2.ku.edu/~acejmc/PROGRAM/PRINCIPLES.SHTML#vals&comps>.

No single course could possibly give you all of these values and competencies; but collectively, our classes are designed to build your abilities in each of these areas.  Among the Professional Values and Competencies for accreditation that will be addressed in this course is understanding and applying the principles and laws of freedom of speech and press in the United States, as well as having an understanding of the range of systems of freedom of expression around the world, including the right to dissent, to monitor and criticize power, and to assemble and petition for redress of grievances. Our focus in this course will be American law, but the course will include selected international and foreign media law principles and the extent and role of free speech and press in other countries.

**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.”

Students Needing Academic Accommodation

Students who may need academic accommodations and associated resources, like extended testing time, must contact the Department of Accessibility Resources and Service (DARS) in a timely manner to determine whether and to what to extent such accommodations or resources are necessary for this course. Only DARS can make this determination for you – not your professor. It is the goal of UNC to “ensure that all programs and facilities of the University are accessible to all members of the University community.” If you think this might apply to you, please contact DARS as soon as possible either by telephone at 962-8300 or through the DARS website at <http://accessibility.unc.edu/about-us> for additional information. Please know that I am fully committed to this policy and will abide by any recommendations DARS makes for you for this course.

**Diversity and Inclusivity**

The University is committed to fostering a diverse and inclusive academic community, and prohibiting discrimination and harassment. Please review the University policy statements on diversity and inclusivity, and prohibited harassment and discrimination, both in *The Undergraduate Bulletin 2014-2015* at <http://www.unc.edu/ugradbulletin/>. Please know that I am fully committed to fostering and enforcing these policies.

## Special Challenges

Many things about this semester will be a challenge. If you are facing difficulties related to technology – either equipment or connectivity – please let me know, and I will get you connected to someone within the School who may be able to help you. The time allotted for quizzes has been enlarged to take into account that things like internet speed can affect your performance. Similarly, if you or someone within your family or for whom you are responsible develops a medical issue that creates a challenge for you in class, please let me know in time that I can help. You do not need to share the details of your situation in order to reach out for help, but I can only offer help if I know you need it.

ASSIGNMENT SCHEDULE

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Class** | **Date** |  | **Topic** | **Assignment** | **Panel** |
| 1 | 8.11 | T | Class IntroOverview of the course and description of how the law is made and how the court systems are structured | Read syllabusChapter 1 (pages 1-25) |   |
| 2 | 8.13 | TH | Cont. how the law is made, separation of powers and how the court systems are structured | Chapter 1 (pages 26-45)Revisit your childhood and watch https://www.youtube.com/watch?v=tyeJ55o3El0  |   |
| 3 | 8.18 | T |  The First Amendment In Theory and Practice | Chapter 2 (pages 47-71) | 1 |
| 4 | 8.20 | TH |  The First Amendment In Theory and Practice | Chapter 2 (pages 71-87) | 2 |
| 5 | 8.25 | T | Speech Distinctions: Different Categories = Different Treatment | Chapter 3 (89-110)Case Brief due | 3 |
| 6 | 8.27 | TH | Speech Distinctions: Different Categories = Different Treatment | Chapter 3 (110-131) | 4 |
| 7 | 9.1 | T | Introduction to intellectual property, focus on copyright | Chapter 11 (pages 431-449) | 5 |
| 8 | 9.3 | TH | Fair Use Defense to Copyright | Chapter 11 (pages 449-454 and 465-475) | 6 |
| 9 | 9.8 | T | Section 1 Review |   |   |
| 10 | **9.10** | **TH** |  | **Midterm #1** |   |
| 11 | 9.15 | T | Libel: The Plaintiff's Case | Chapter 4 (pages 133-148)Read NYT v Sullivan (pages 169-171) | 1 |
| 12 | 9.17 | TH | Libel: The Plaintiff's Case | Chapter 4 (pages 148-161)Read Daniels v. Metro Magazine (Sakai) | 2 |
| 13 | 9.22 | T | Libel: Defenses | Chapter 5 (pages 175-189; 191-194) | 3 |
| 14 | 9.24 | TH | Libel: Defenses & review exam 1 | Read Milkovich v. Lorain Journal (200-203)Read LaComb v. Jacksonville Daily News (Sakai) | 4 |
| 15 | 9.29 | T | Libel and the Internet | Chapter 5 (pages 189-191)Read Dendrite v. Doe (Sakai) | 5 |
| 16 | 10.1 | TH | Emotional Distress | Chapter 4 (pages 161-169)Read Hustler Magazine v. Falwell (171-173) | 6 |
| 17 | 10.6 | T | Section 2 Review |   |   |
| 18 | **10.8** | **TH** |  | **Midterm #2** |   |

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| --- | --- | --- | --- | --- | --- |
| **Class** | **Date** |  | **Topic** | **Assignment** | **Panel** |
| 19 | 10.13 | T | Invasion of Privacy: Private Facts and False Light | Chapter 6 (pages 213-219; 223-226; 237-243)Read Hall v. Post (Sakai) | 1 |
| 20 | 10.15 | TH | Invasion of Privacy: Intrusion and Misappropriation | Chapter 6 (page 219-223 and 226-237)Read Brooks v. Miller (Sakai) | 2 |
| 21 | 10.20 | T | Newsgathering | Chapter 7 (pages 257-263 and 274-288) | 3 |
| 22 | 10.22 | TH | Newsgathering and Exam 2 Review | Read Wilson v. Layne (pages 298-301) | 4 |
| 23 | 10.27 | T | Public Records Laws | Chapter 7 (pages 263-269)Read NC Public Records Law (Sakai) | 5 |
| 24 | 10.28 | TH | Open Meetings LawsRight to Record | Chapter 7 (pages 269-274) | 6 |
| 25 | 11.3 | T | Reporter's Privilege | Sakai Postings | 1 & 2 |
| 26 | 11.5 | TH | Court Access | Chapter 8 (pages 303-321 and 329-342) | 3 & 4 |
| 27 | 11.10 | T | Electronic Communication | Chapter 9 (pages 353-381) | 5 & 6 |
| 28 | 11.12 | TH | Review Section 3 |   |   |
| 29 | 11.17 | T | Overall Review for Final Exam |   |   |
|  | **11.23** | **M** | **4:00 FINAL EXAM -- CUMULATIVE** |

###### ZOOM MEETING INVITATION

Topic: Media Law

Time: Aug 11, 2020 03:00 PM Eastern Time (US and Canada)

 Every week on Tue, Thu, until Nov 24, 2020

Please download and import the following iCalendar (.ics) files to your calendar system.

https://unc.zoom.us/meeting/tJMrcO6vrTgsG9P\_5R6m26Q28OJEnOU1REsZ/ics?icsToken=98tyKuCvqDwtHdeWthiARowEBI\_CKO3ztnZdjfpto0rXVS0BNDKkbs1oF7xQJYni

**Join Zoom Meeting https://unc.zoom.us/j/97677733617**

**Meeting ID: 976 7773 3617**

One tap mobile

+13017158592,,97677733617# US (Germantown)

+13126266799,,97677733617# US (Chicago)

Dial by your location

 +1 301 715 8592 US (Germantown)

 +1 312 626 6799 US (Chicago)

 +1 929 436 2866 US (New York)

 +1 253 215 8782 US (Tacoma)

 +1 346 248 7799 US (Houston)

 +1 669 900 6833 US (San Jose)

 877 853 5257 US Toll-free

 855 880 1246 US Toll-free

Meeting ID: 976 7773 3617

Find your local number: https://unc.zoom.us/u/acIEtp9uRG

Join by SIP

97677733617@zoomcrc.com

Join by H.323

162.255.37.11 (US West)

162.255.36.11 (US East)

115.114.131.7 (India Mumbai)

115.114.115.7 (India Hyderabad)

213.19.144.110 (EMEA)

103.122.166.55 (Australia)

209.9.211.110 (Hong Kong SAR)

64.211.144.160 (Brazil)

69.174.57.160 (Canada)

207.226.132.110 (Japan)

Meeting ID: 976 7773 3617