

INTRO TO MEDIA LAW: AD/PR/SC

MEJO 341-001 | Fall 2023

The University of North Carolina at Chapel Hill



COURSE INFORMATION

Credit Hours: 3

Prerequisite: MEJO 153

Class Time: Tuesday-Thursday 9:30-10:45

Instructional Format: In-Person

Classroom Location: Carroll Hall, Room 305

Course Website: Canvas

INSTRUCTOR INFORMATION

Name: Sterling Logan (she/her)

Email Address: slogan@live.unc.edu

Office Hours: Wednesdays @ 12 noon

Office Hours Link: <https://unc.zoom.us/j/9298310896>

COURSE CONTENT

Course Description

This course will explore issues related to the First Amendment. Topics include commercial speech, corporate speech, libel, privacy, regulated commercial communications, federal regulation of electronic and new media, freedom of information, intellectual property, and international issues. The general purpose of this course is to inform students of the laws governing advertising, public relations, and strategic communications fields.

Course Objectives

1. Develop a clear understanding of the basics of media law.
2. Analyze common issues in media and understand how to practice within the bounds of the law.
3. Understand defenses designed to protect practicing media professionals.

Course Texts & Materials

Trager's The Law of Journalism and Mass Communication 8th Edition

By: Victoria Smith Ekstrand, Caitlin Ring Carlson Erin Coyle, Susan Dente Ross, and Amy Reynolds

Available: Student Stores, Park Library (7th Edition), Amazon

Expectations / Class Etiquette

This course covers topics in law that inevitably intersect with current events. Each student is expected to focus class contributions on legal analysis and professional application of the law in a respectful manner. I expect each student to fully engage with assigned materials prior to the start of each class. In the event any class discussions cause undue distress, students are permitted to exit class without penalty, but are responsible for any missed content. I also ask that you arrive to class on time and refrain from browsing, online shopping, scrolling social media, etc. during class.

Determination of Grade

Grading Scale:

A: 92-100
A-: 90-92
B+: 88-90
B: 82-88
B-: 80-82
C+: 78-80
C: 72-78
C-: 70-72
D: Below 70

Grading Rubric:

Participation: 10%
Quizzes: 20%
Midterm: 30%
Final: 35%

EXTRA CREDIT

If an opportunity for extra credit arises – of which there is no promise or guarantee – it will be offered to the entire class. No individual extra credit opportunities are offered. Students should not ask for individual exceptions.

COURSE ASSIGNMENTS & ASSESSMENTS

Case Brief

Toward the beginning of class there will be a case brief. This is designed to ensure you are gleaning the proper content from the cases. This is 5% of your grade.

Participation

There will be opportunities to participate in class, and online through forums. Weekly contribution is expected and posts or in class comments that clearly engage with the readings will receive full credit. Forums are accessible on Canvas. This is 10% of your grade.

Quizzes

There will be 8 quizzes designed to test your understanding of weekly content. The quizzes will be made available on Canvas. Quizzes are due by midnight on the date listed in the course schedule. This is 20% of your grade.

Midterm Exam

The midterm exam is designed to ensure you stay on top of the content prior to the final exam. This is 30% of your grade.

Final Exam

The final is cumulative and comprises 35% of your grade.

COURSE SCHEDULE

Week 1: Introductions, Getting Ready to Study Law

Aug. 22

READ: Syllabus

READ: Trager et al., Chapter 1 pg. 1-26

Aug. 24

READ: Trager et al., Chapter 1 pg. 27-49

Cases: *Marbury v. Madison*, *U.S. v. Alvarez*

Week 2: Basic First Amendment & Prior Restraint

Aug. 29

READ: Trager et al., Chapter 2 pg. 49-75

Aug. 31

READ: Trager et al., Chapter 2 pg. 75-100

Due: Case Brief – *Submit on Canvas by 11:59pm*

Week 3: Speech Distinctions

Sep. 5

Wellness Day: NO CLASS

Sep. 7

READ: Trager et al., Chapter 3 pg. 101-124

Due: Quiz 1

Week 4: Libel & Emotional Distress

Sep. 12

READ: Trager et al., Chapter 4 pg. 154-186

Case: *New York Times Co. v. Sullivan* pg. 198-200

Sep. 14

READ: Trager et al., Chapter 4 pg. 186-197

Case: *Hustler Magazine, Inc. v. Falwell* pg. 200-201

Due: Quiz 2

Week 5: Libel Defenses & Privileges

Sep. 19

READ: Trager et al., Chapter 5 pg. 205-219 (stop at Section 230 Immunity)

Case: *Milkovich v. Lorain Journal Co.* pg. 232-233 complete textbook questions

Sep. 21

READ: Trager et al., Chapter 5 pg. 219-231

Due: Quiz 3

Week 6: Privacy

Sep. 26

READ: Trager et al., Chapter 6 pg. 245-276 (stop at Private Facts)

Sep. 28

READ: Trager et al., Chapter 6 pg. 276-303

Due: Quiz 4

Week 7: Midterm

Oct. 3

Exam Review – come to class with questions

Oct. 5

Midterm

Covered Topics: 1st Amendment, Speech Distinctions, Libel & Emotional Distress, Libel Defenses & Privileges

Week 8: Electronic Media Regulation: History, Government Agencies, Broadcast Regulations

Oct. 10

READ: Trager et al., Chapter 9 pg. 425 – 442

Oct. 12

READ: Trager et al., Chapter 9 pg. 443 – 454

Case: *Red Lion v. FCC* pg. 464 – 468

Case: *Federal Communications Commission v. Prometheus Radio Project* pg. 468 – 472

Week 9: Electronic Media Regulation: Internet
Oct. 17 READ: Trager et al., Chapter 9 pg. 454 – 463
Canvas: Section 230, NTY Article, PBS Article
Due: Quiz 5

Oct. 19 *Fall Break: NO CLASS*

Week 10: Obscenity & Indecency
Oct. 24 READ: Trager et al., Chapter 10 pg. 473 – 505

Oct. 26 Case: *FCC v. Pacifica Foundation* pg. 506 – 514
Case: *FCC v. Fox Television Stations, Inc.* pg. 514 – 519
Due: Quiz 6

Week 10: Intellectual Property: Copyright
Oct. 31 READ: Trager et al. Chapter 11 pg. 521 – 549
Case: *Google LLC, Petitioner v. Oracle America, Inc.* pg. 569 – 581

Nov. 2 READ: Canvas links, prepare for in class discussion
Due: Quiz 7

Week 11: Intellectual Property: Trademark
Nov. 7 READ: Trager et al. Chapter 11 pg. 549 – 561
Case: *Matal v. Tam* pg. 562-569

Nov. 9 READ: Canvas links, prepare for in class discussion
Due: Quiz 8

Week 13: Commercial Speech
Nov. 14 READ: Trager et al. Chapter 12 pg. 583 – 600

Nov. 16 READ: Trager et al. Chapter 12 pg. 601 – 628
Case: *Central Hudson Gas and Electric v. Public Service Commission of NY* pg. 629 – 635
Case: *Sorrell v. IMS Health, Inc.* pg. 629 – 635
Due: Quiz 9

Week 14: Commercial Speech
Nov. 21 READ: Canvas links, prepare for in class discussion

Nov. 23 *Thanksgiving Break: NO CLASS*

Week 15: Information Gathering:
Nov. 28 READ: Trager et al., Chapter 7 pg. 305 – 324

Nov. 30 READ: Trager et al., Chapter 7 pg. 327 – 355
Due: Quiz 10

Week 16: Exam Review
Dec. 5 Come to class with questions

Dec. 7 *Reading Day*

Finals Week:
Dec. 12 **The cumulative final exam is on Tuesday, Dec 12th at 8 a.m.**

***Subject to change: 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 and held in the regularly assigned meeting room unless the instructor is otherwise notified. If you are unable to hold your final at the assigned time, contact Julie Dixon-Green to check rescheduling options.*

POLICY STATEMENTS

Attendance Policy

In compliance with the [university attendance policy](#) each student is permitted 3 absences; any subsequent missed classes will impact your grade. In the event you are ill or unable to attend for a verifiable reason please email me as soon as possible to discuss alternative attendance methods, including participating through Zoom. In the event that courses return remote, this class will operate through Zoom.

Honor Code:

I expect that each student will conduct himself or herself within the guidelines of the University honor system (<http://honor.unc.edu>). All academic work should be done with the high levels of honesty and integrity that the University demands. You are expected to produce your own work in this class. Using a set-up sound bite is a violation of the honor code. If you have any questions about your responsibility or your instructor's responsibility as a faculty member under the Honor Code, please see the course instructor or Associate Dean Julie Dixon-Green, or speak with a representative of the Student Attorney Office or the Office of the Dean of Students.

Seeking Help:

If you need individual assistance, it's your responsibility to meet with the instructor. If you are serious about wanting to improve your performance in the course, the time to seek help is as soon as you are aware of the problem – whether the problem is difficulty with course material, a disability, or an illness.

I am committed to each student's success, please reach out if you are in need of assistance. If you are struggling with an issue stemming from mental health UNC-CH offers professional assistance through the Office of Counseling and Psychological Services, <https://caps.unc.edu/>. Hussman School of Journalism also has an embedded counselor for non-emergency-based counseling services. <http://hussman.unc.edu/directory/staff/carolyn-ebeling>.

Diversity:

The University's policy on Prohibiting Harassment and Discrimination is outlined in the 2011-2012 Undergraduate Bulletin <http://www.unc.edu/ugradbulletin/>. UNC is committed to providing an inclusive and welcoming environment for all members of our community and does not discriminate in offering access to its educational programs and activities on the basis of age, gender, race, color, national origin, religion, creed, disability, veteran's status, sexual orientation, gender identity, or gender expression.

Special Accommodations:

If you require special accommodations to attend or participate in this course, please let the instructor know as soon as possible. If you need information about disabilities visit the Department of Disability Services website at <http://disabilityservices.unc.edu/>.

Accreditation:

The School of Journalism and Mass Communication'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. In this class, we will address a number of the values and competencies, with special emphasis on the last six bullet points under "Professional values and competencies" in the link above.