

LAW OF MASS COMMUNICATIONS

MMC 4200, Section No. 25034

Fall 2019

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Course Description and Goals

This course will facilitate an understanding of the law, which guarantees and protects the privileges and defines the responsibilities of the mass media. This includes problems of constitutional law, libel, privacy, and governmental regulations.

The goal of this class is to build an awareness of the legal issues media professionals may encounter during their careers. This course will provide students with the legal and historical underpinnings of the many facets of media careers. This, in turn, will assist students in understanding their places within the rules and regulations in media law.

By the end of this course students will: know their rights and responsibilities in accordance with media law; be able to describe the legal and historical foundations of the laws affecting media careers; be able to find, analyze and interpret the rule of law in judicial opinions and both state and federal statutes; be able to apply the rule of law to real-life situations.

My goal for this class is to help you understand why the law is important and how it relates to you as a professional and as a person. I am a recent graduate of UF, where I received my law degree and Master's in Mass Communications. I am currently a practicing attorney at Banker Lopez Gassler P.A. in Tampa, Florida. I decided to go to law school after I took this class as a journalism student in undergrad. I love these topics and I want to make this class a good experience for you (even if you don't want to go to law school by the end of the semester). I know that the law can be dry or intimidating to some, but my goal is to make this material as dynamic and relatable as possible.

Readings

The book for the course is Mass Media Law, 20th Edition by Clay Calvert, Dan V. Kozlowski and Derigan Silver. Please check the syllabus for the assigned sections.

You are expected to check the Canvas course site regularly (at least once a week) to engage with the course content: viewing the lectures, contributing to the discussions, and so on. Each week will have its own Page on the Canvas site, and the Page will include:

- Links to online lecture videos hitting the high points of the chapter. I will “release” these for viewing in waves over the course of the semester and once released, they’ll remain viewable over the entire term so you can refer back to them.
- Supplemental readings and links in addition to the textbook.
- Graded assignments, rubrics and instructions regarding the assignments.

Assignments

Your grade will be based on:

1. Three online quizzes (10% each x 3 = 30% of your total grade)
2. Three blog posts to the class discussion forum (5% each x 3 = 15% of your total grade)
3. Three responses to your classmates’ blog posts (5% each x 3 = 15% of your total grade)
4. Two “case briefs” (10% each x 2 = 20% of your total grade)
5. A final paper analyzing a legal issue raised by the course (20% of your total grade)

I will provide grading rubrics and guidelines available on Canvas showing the expectations for each assignment.

1. Quizzes

- I will post a short quiz at three points during the course, and you’ll submit your responses online. The quizzes will be timed. Once you “check out” the quiz, you’ll have a limited time to respond. I will clearly indicate the deadlines for the quizzes in advance. Please see the attached schedule.

2. Discussion Posts

- I’ll post news articles or other prompts on Canvas on which I’ll seek your analysis and reactions. You’ll need to write three blog posts over the course of the semester to get full credit. I expect thoughtful, analytical responses and not simply “yes, I agree.” Each blog post should be approximately 5 paragraphs long. Posts are for class viewing only and not public.

- Please see the attached schedule for the due date of these posts. You may post any time during the semester, but your first, second, and third posts must be completed by the assigned dates in order for you to receive credit.

3. Discussion Post Responses

- You will be required to post three responses to your classmates' blog posts over the course of the semester. These responses should be 1-2 paragraphs long, addressing the post and providing some critical insight (NOT just "I agree/I disagree"). Since we are not in a classroom together, these responses are meant to facilitate some good discussion and exchange of ideas. I will be around in the posts and responses to start some conversations as well.
- Your responses will follow the same due dates as the blog posts. You may respond to any three posts during the course of the semester, but your first, second, and third posts must be completed by the assigned dates in order for you to receive credit.

4. Case Briefs

- You will submit two case briefs during the semester—one during the first half of the course and one during the second half of the course. The briefs will demonstrate that you read and understand a court case pertaining to our subject matter. I will provide a list of cases for you to choose from for each assignment. You'll be given a rubric as to what these briefs should look like.

5. Final Paper

- You will write a research paper on a legal topic raised by the course. I will provide a list of topics for you to choose from. While you may certainly use information from the textbook (it's a great place to start!), the paper needs to reflect research beyond the textbook. You need to cite at least five different sources (either court opinions or published articles). If you choose to use articles as sources, make sure they are from recognized, reliable publications (law review or other reputable articles, etc.)
- The paper should be approximately 2,000 words including footnotes/endnotes, which is about 7 typewritten pages (1-inch margins, 12 point font, double spaced). I will give more detailed instructions about the paper over the course of the class.
- You will have plenty of time for the final paper, so no one should be late. For each 24-hour period you are late turning in the paper, you'll lose a full letter grade. If your paper is not turned in within 48 hours (2 days) of the deadline, it will not be accepted.
- During the week of October 14, I will ask everyone to submit an outline of your selected paper topic and a list of sources you might include in the paper.

I will also be available for calls or video chats to discuss your outline/topic if necessary. I will assign a light reading schedule around that time so you can have time to work on the outline. I will post additional instructions regarding the outline on Canvas.

Grading

I will grade in accordance with University Policy on grade values as follows:

A:	100-93	C:	76-73
A-:	92-90	C-:	72-70
B+:	89-87	D+:	69-67
B:	86-83	D:	66-63
B-:	82-80	D-:	62-60
C+:	79-77	F:	59 and below

Outside Research

The Case Brief assignments will be easily findable on Google Scholar or on the Cornell Legal Information Institute website:

<https://scholar.google.com>

<https://law.cornell.edu>

For the final paper, it may be helpful to use LexisAcademic, which is free for UF students (and a great tool for journalists and lawyers)!

<http://www.lexisnexis.com/hottopics/lnacademic/>

http://www.lexisnexis.com/tutorial/global/globaltutorial_frameset.asp?locale=en_US&lbu=US&adaptation=Academic&sPage=menu

Attendance and Participation

Since this is an online course, there is no “attendance policy.” Your successful completion of the assignments will demonstrate that you’re keeping up with the course. As your instructor, I can see whether you’re regularly logging into and remaining on the site. If I see that you’re not interacting with the course regularly, please expect me to contact you. Do not expect to do well in this course if you fall well behind our course pace. This is a new area for a lot of you, and you cannot expect to learn and retain this information overnight.

Because there are no in-person lectures and class discussions, your careful reading of the textbook is crucial. I will make every effort to highlight the “must know” points in the lectures, but watching the lectures is NOT a substitute for doing the

reading. You won't do well unless you watch the lectures and read the assigned sections of the book.

Disability Accommodations

Students requesting accommodation for disabilities must first register with the Disability Resource Center: <https://disability.ufl.edu/> with appropriate documentation. Once registered, students will receive an accommodation letter to present to me. You must submit your documentation prior to turning in any assignments. Please submit your accommodation letter to me as soon as possible so that we can work together to design accommodations that will assist you in getting the maximum benefit out of the class.

Excuses from Assignments

Because you have at least a week to complete each graded assignment, I will not excuse anyone from completing an assignment with the exception of the most extreme, documented reason (your own hospitalization, a death or dire medical emergency involving a close family member). A trip for career, extracurricular or other purposes is not an "emergency," because you have the assignments/deadlines in advance and because all of our work is portable and can be done remotely. Professionals (media, legal, or otherwise) must manage deadlines on a daily basis. I expect you to do the same.

If you are having technical difficulties that prevent you from submitting an assignment on time, please see the "Assistance" section of this syllabus. I will not excuse a late assignment due to technical difficulties without documentation that you've reached out the UF Help Desk.

Office Hours and Availability

Because this is a virtual course and because I am not based in Gainesville, please consider the course to have a virtual open-door policy. Reach out as necessary and you will receive a timely response. Please keep in mind that I am a practicing attorney, so I will likely be responding to you later in the evenings and/or on weekends. If there is an issue that requires immediate attention, please text, call, or email and I will get back to you as soon as possible. I prefer email and check it frequently. If your issue is less urgent, please use the Canvas messaging system.

Netiquette

I expect common courtesy in discussion posts and emails. An inability to maintain respect and decorum in all class-related communication will affect your discussion post grades. I am fine with critical analysis, questioning, and respectful disagreement. I am not fine with ad hominem attacks or disrespect to other students.

Academic Misconduct

I will have a zero-tolerance policy for academic misconduct. Please do your own work. You are all about to graduate and become professionals and I expect you to conduct yourselves accordingly. If you plagiarize, you'll get a zero on that assignment and may be referred to the Student Conduct office. Please don't make me do that. It's fine to cite to a reliable online source in your assignments if you give proper credit and you synthesize the material in your own words.

Read the UF Honor Code:

<https://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/>

Assistance

For issues with technical difficulties, please contact the UF Computing Help Desk at:

- helpdesk@ufl.edu
- (352) 392-HELP
- <https://request.it.ufl.edu>

Late assignments due to technical issues MUST be accompanied by the ticket number received when the problem was reported. The ticket number will document the time and date of the problem. I will not accept an excuse for a late assignment based on technical difficulties if you have not contacted the Help Desk.

Should you have any complaints with your experience in this course please visit

<https://distance.ufl.edu/student-complaint-process/>

Last but not least, your health, wellness, and safety are important to me and to UF. If there is anything interfering with your ability to get the most out of your learning experience, I want to help you access the resources and assistance you need. Please reach out to me or to the U Matter, We Care program. You can ask for confidential help by emailing umatter@ufl.edu, by calling 352-294-2273 or by visiting the Care Area on the third floor of Peabody Hall. There are crisis counselors available 24/7 at 352-392-1575.

I am also available to discuss life post-graduation or any other issue you might have beyond what I have listed above. I recently graduated from UF, and I know how stressful and intimidating transitioning to post-graduate life can be. If you are

interested in going to law school or graduate school, I'd love to chat about that with you. If you need job search help, application advice, or anything else, please do not hesitate to reach out. I am here to help in any way I can.

Content Warning

Due to the nature of our course content (the First Amendment, broadcast indecency, libel, etc.) we will be encountering some profanity and sensitive subjects. Please be advised that the readings will include some words that might be considered offensive.

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WEEK ONE (Aug. 20)

Introduction to the Legal System

Readings: Textbook Chapter 1

WEEK TWO (Aug. 26)

First Amendment History/Principles

Readings: Textbook Chapter 2

WEEK THREE (Sept. 2)

First Amendment in Action

Readings: Textbook Chapter 3, stop at p. 136 (skip pp. 137-144)

WEEK FOUR (Sept. 9)

Defamation Principles

Readings: Textbook Chapter 4 and Chapter 5, stop at p. 208 (skip pp. 209-212)

QUIZ ONE

WEEK FIVE (Sept. 16)

Defamation Defenses and Damages

Readings: Textbook Chapter 6

BLOG POST 1 and RESPONSE 1 DUE

WEEK SIX (Sept. 23)

Privacy: Appropriation and Intrusion

Readings: Textbook Chapter 7

CASE BRIEF ONE DUE

WEEK SEVEN (Sept. 30)

Privacy: False Light and Private Facts

Readings: Textbook Chapter 8

WEEK EIGHT (Oct. 7)

Freedom of Information and Access

Readings: Textbook Chapter 9 (pp. 325-368 only), Chapter 12 (pp. 455-464 only)

QUIZ TWO

WEEK NINE (Oct. 14)

Freedom of Information and Access continued

Readings: Textbook Chapter 9 (pp. 368-375)

PAPER OUTLINE DUE

WEEK TEN (Oct. 21)

Protecting Sources

Readings: Textbook Chapter 10

BLOG POST 2 and RESPONSE 2 DUE

WEEK ELEVEN (Oct. 28)

Intellectual Property

Readings: Textbook Chapter 14

WEEK TWELVE (Nov. 4)

Commercial Speech

Readings: Textbook Chapter 15

CASE BRIEF ONE DUE

WEEK THIRTEEN (Nov. 11)

Obscenity and Indecency

Readings: Textbook Chapter 13

WEEK FOURTEEN (Nov. 18)

Broadcasting and Online

Readings: Textbook Chapter 16

QUIZ THREE

WEEK FIFTEEN (Nov. 25)

Wrap Up/Review

BLOG POST 3 and RESPONSE 3 DUE

WEEK SIXTEEN (Dec. 2)

Wrap Up/Review

Final Paper Due: December 11, 5 P.M. Eastern