

COMMUNICATION LAW & REGULATION
Syllabus

Available online at: <http://www.oxfordediting.com/students>

Last modified: August 10, 2009

JOURNALISM/SPEECH 3060

[Georgia State University](#) /Fall Semester 2009 (08/17-12/11, 2009)

Jour 3060 §10, TR 9:30 a.m.- 10:45 a.m., 403-General Classroom Building
Spch 3060 §05, TR 9:30 a.m.- 10:45 a.m., 403-General Classroom Building

Matt J. Duffy, Professor
Office: 1035 One Park Place South
Hours: Tues – 10:45 – noon; Thursday – 1:30 - 2:30
Other hours by appointment
E-mail: mattjduffy@gmail.com

CATALOG DESCRIPTION: Legal rights and limitations, and the social and professional responsibilities of the communications media in a democratic society. Prerequisite: Jour 1000.

PURPOSE OF THE COURSE: This course deals with the development of freedom of expression and the rights of individuals, in addition to the rights of the mass media in the United States. It will touch on the history and development of mass communication law with emphasis on the current state of the laws that govern the mass media. Attention will also be given to the local, state and federal judicial systems in general and to how they relate to mass communication in particular.

STATEMENT OF PHILOSOPHY: “Ultimately teachers can lead only where students are willing to go. Like the answer to the riddle about how many psychiatrists it takes to change a light bulb -- the bulb has to want to change -- students have to want to be thoughtful. Classroom leadership depends on evoking willing participation from [students]....”

-- Kobrin, *In There with the Kids: Teaching in Today's Classroom*

TEXTS:

Hopkins (ed.), *Communication and the Law* (11th or later, 2008) {ISBN:1-885219-33-6}
Lisby, *Mass Communication Law in Georgia* (5th, 2008) {ISBN:1-58107-137-X}

--supplemental materials available **ONLY** from Bestway Copy Center, 18 Decatur St., Atlanta

OPTIONAL READING: Carter, *et al.*, *Mass Communication Law in a Nutshell*

ATTENDANCE: Regular, punctual attendance is necessary to achieve a passing grade in this course. However, attendance will not be taken nor is an attendance grade part of this course. Classroom participation is a component, so absences will hurt your grade in that respect.

ABSENCES: Unexcused late work will **not** be accepted, nor will ANY absence be considered excused unless (1) the instructor was notified **in advance** of the absence, (2) the instructor acknowledges that the absence qualifies as “excused” prior to the absence, and (3) the proper

substantiation is subsequently provided. These requirements are strictly enforced. Make-up exams are not given. If a student misses an exam as the result of an excused absence, the grades on the other tests will be averaged together equally to determine the overall grade on the 65% “exam” portion of the course. Because it is assumed that each student will not wait until a writing assignment is due to begin working on it and, therefore, will be able to turn it in on time, even if something unforeseen occurs, late papers will be penalized one letter grade for each school day -- or portion thereof -- they are late, past the due date and time. See also, “Policy on Class Attendance” in the [2008-2009 GSU Undergraduate Catalog](#).

GRADES: Grades are based on a 10-point scale (93-100 = A; 90-92 = A-; 87-89 = B+; 83-86 = B; 80-82 = B-; etc.). Final grades in the course will be based on four exams, a term paper, and in-class participation. Tests will be weighted (#1--11%, #2--14%, #3--18%, #4--17%) as a percentage of the student’s final grade. The fourth test may cover material from previous tests. (A fifth, comprehensive, online final exam will also be offered as an option.) The [term paper](#) will count 35%. ([Details regarding the paper assignments are also available on the professor’s GSU website](#) , as well as on the uLearn course website.) The remaining 5% of the grade will be based on in-class and take home assignments. Incomplete grades are available only as provided in the [2008-2009 GSU Undergraduate Catalog](#).

The University and the professor strongly encourage unbiased student participation in and response to the end-of-term online course evaluations. Because of this policy and to guarantee the fairness of the process, student grades will not be available nor will the professor be able to discuss student academic performance during the period the evaluation process is ongoing. Grades and other materials will be available at the end of the evaluation period.

This course will meet every day (TR), according to the [Fall 2009 Schedule of Classes](#) , available at: http://www.gsu.edu/es/calendars_and_schedules.html. (The Fall 2009 Exam Schedule is available at: <http://www.gsu.edu/es/exam-schedules.html> .)

TENTATIVE CLASS SCHEDULE

T=Tuesday; R=Thursday

- 01: T08-18 Introduction
- 02: R08-20 American Legal System/First Amendment Interpretation (HOPKINS 1, 2; LISBY 1)
- 03: T08-25 Development of Press Freedoms (HOPKINS 4)
- 04: R08-27 Electronic Media Regulation/Deregulation (HOPKINS 10, 11, 12)
- 05: T009-01 Access to the Media/Prior Restraint
- 06: R09-03 Access to the Media/Prior Restraint

T09-08 Test #1

- 07: R09-10 Symbolic Expression (HOPKINS 3)
- 08: T09-15 First Amendment Rights of Minors (HOPKINS 13)

- Supplemental Reading: “Are High School & College Students Really Different? A Legal Analysis of Their First Amendment Rights in the Wake of *Kincaid v. Gibson* (6th Cir. 2001),” available at: <http://www2.gsu.edu/~jougcl/projects/yearbook/kincaid.htm>

09: R09-17 Defamation/Libel (HOPKINS 6; LISBY 2)

- Supplemental Reading: “Criminal Libel,” available at: http://www.firstamendmentcenter.org/press/topic.aspx?topic=criminal_libel

10: T09-22 Defamation/Libel

11: R09-24 Defamation/Libel

12: T09-29 Defamation/Libel

Nearing LAST DAY To Drop with a “W”

13: R10-1 Defamation/Libel

T10-06 Test #2

14: R10-08 Privacy (HOPKINS 14; LISBY 3)

T10-13 Term Paper DUE at start of class

15: T10-13 Commercial Expression (HOPKINS 8; LISBY 4)

16: R10-15 Commercial Expression

17: T10-20 Public Relations (HOPKINS 9)

18: R10-22 Free Press/Fair Trial (HOPKINS 16; LISBY 5)

19: T10-27 The Media and the Criminal Justice System

R10-29 Test #3

20: T11-03 The Limits of Free Expression: Reporter’s Privilege (HOPKINS 15; LISBY 6)

21: R11-05 No-class – Frontline documentary exercise – “News War”

22: T11-10 The Limits of Free Expression: Copyright/Intellectual Property (HOPKINS 7)

23: R11-12 Indecency; Obscenity (HOPKINS 5; LISBY 7)

24: T11-17 The Problem of “Openness in Government” (HOPKINS 17, LISBY 8)

25: R11-19 The Problem of “Openness in Government”

T11-23 through F11-27 HOLIDAY/NO CLASS

R12-01 Test #4

26 T12-03 Review for optional final exam; et cetera

T12-10, 8:00 a.m.-10 a.m.: Optional Online Final for Jour 3060 §10

T12-10, 8:00 a.m.-10 a.m.: Optional Online Final for Spch 3060 §05

(The Fall 2009 Final Exam Schedule is available online at:
http://www.gsu.edu/es/exam_schedule.html.)

NOTE: 1) This syllabus has been written as a web page with “hot links.” Underlined words, phrases or sentences generally indicate a link to another web site and may be accessed through the syllabus on the professor’s GSU web site: <http://www2.gsu.edu/~jougcl/index.htm> . 2) Some of these files are Adobe Acrobat public document files (*.pdf). Adobe Reader is necessary to view these files and is available free at: <http://www.adobe.com/products/acrobat/readstep2.htm> .

NOTE: The Journalism/Mass Communication faculty at [Georgia State University](http://www.gsu.edu) has stipulated that JOUR 3060 is a core course required of all Journalism/Broadcasting/Public Relations majors in the [Department of Communication](http://www.gsu.edu/~comm). As an officially enrolled student in the University and in this course, you have a nontransferable license to receive the benefits of your enrollment. These include (but are not necessarily limited to) the right to attend class, the right to take notes, the right to take the tests, and the right to receive credit for the course toward your graduation from Georgia State University upon your demonstration of your mastery of the course material. Because you have no ownership interest in this course or in the material covered, you do not have the right to have someone else attend class for you, to receive credit for someone else answering in your place when called on by the professor, to tape-record the class, to receive credit for turning in an assignment completed by someone else, to engage in taking notes to sell to someone else, to buy someone else’s notes, or to have someone else take the tests for you.