Loretta Rowley  
Office: LNCO 2890 (Door labeled: John R. Park Debate Society)  
Email: loretta.rowley@utah.edu, (Canvas is fine, but U-mail is faster).  
Office Hours: Thurs. 10:30-11:30am, & by appointment.  


OBJECTIVE: This course provides a practical knowledge of the basic laws and regulations governing anyone involved in mass communication. We study historic and current developments in regulatory, statutory, and judicial law to understand the legal, philosophical, and political issues/reasoning that define mass communication law.  

A student’s ability to assimilate and apply this information is determined by: 1) class preparation, 2) class participation, and 3) successful completion of four exams.  

ACCOMMODATIONS POLICY: I make no content accommodations for this class.  

ORGANIZATION/EXPECTATIONS: See the following schedule. This course is discussion-based and pivots upon critical and analytical thinking. A list of landmark cases for each chapter is provided at the end of this syllabus, and you are expected to outline these cases to be used in class discussion. I expect each class member to have read all the designated readings and to have prepared answers on all the assigned cases and problems. Preparation and participation are essential to the class discussion format. We learn through our discussion. To stimulate discussion and assure participation, I will call upon students regularly and at random to describe and interpret assigned material. This class, however, is an open discussion, which means you are also expected to initiate the debate.  

ATTENDANCE and TARDINESS: As per university standards, I expect regular attendance at all class meetings. By registering for this class you have thus contracted to be here, and I expect you to accept and fulfill that responsibility. If you’re not in class, you can’t participate, and participation is a major grade factor. I will take roll at the start of every class.  

To demonstrate how serious I view attendance and how important I believe in-class learning is—and to motivate you—attendance is equivalent to exams and participation. You earn these points: six points for each class attended. However, miss five classes (2.5 weeks) and you fail the course. This is not just providing points for attendance. I respect students who prepare and reward the intellectual engagement necessary to complete this course. If you cannot attend every session well prepared, drop the class.
ATTENDANCE and TARDINESS (cont.): I do not tolerate tardiness. Late arrivals are disruptive and, simply, impolite. I arrive at class 5-10 minutes early to take roll. I will begin class precisely at 8:35am. Be present by then to make the roll and earn your points.

Documented death, family tragedy, and medical conditions can excuse an absence. If you registered for the class, I assume you have made arrangements to be here, and I expect you to be present.

University Attendance Policy (Student Handbook, U of U Home Page):

“The University expects regular attendance at all class meetings. **You are not automatically dropped from your classes if you do not attend.** You must officially drop your classes by the published deadline to avoid a “W” on your record.

“You are responsible for satisfying the entire range of academic objectives, requirements and prerequisites as defined by the instructor. If you miss the first 2 class meetings, or if you have not taken the appropriate requisites, you may be required to withdraw from the course.

“If you are absent from class to participate in officially sanctioned University activities (e.g. band, debate, student government, intercollegiate athletics), religious obligations, or with instructor’s approval, you will be permitted to make up both assignments and examinations.”

**CONTACT ME IMMEDIATELY** if you “participate in officially sanctioned University activities.” You have the responsibility to inform me of your status and provide the proper documentation to “be permitted to make up both assignments and examinations.” This permission does **not** operate after-the-fact.

**Talk to me asap.** This concerns any other anticipated and legitimate absences.

**Attendance is vital to understand the material.** But get here and, believe it or not, we’ll have an enjoyable time in this class.

CLASS PARTICIPATION: I expect you to come to class prepared. When evaluating your in-class participation, I’ll consider such factors as physical presence, evident knowledge of and preparation for the material being discussed, willingness and eagerness to participate, willingness to allow others to participate, quality of contributions (e.g., insight versus summary, irrelevant sarcasm versus constructive critical sarcasm), general promptness and respect for one another. “Participation” involves class discussion, small group problems, and various assignments/activities. Yes, this is a subjective category. But after sixteen weeks together, I understand each of your personalities and assess accordingly. What I look for is **EFFORT.** Regardless of your personality, I can see whether or not you are **making an effort** to prepare for class and to engage in the class. Talk with me at any time during the semester if you are concerned with your participation.
EXAMS: The four exams test student knowledge and understanding of mass communication law and how it relates and applies to the media. The exams cover only their designated chapters. Exams One and Three are fully individual. During the first hour of exams Two and Four students will individually answer multiple-choice, true/false, short-answer essay questions. During the second hour of exams Two and Four randomly assigned student groups of three will answer the case problem as teams.

ADA STATEMENT: The University of Utah seeks to provide equal access to its programs, services, and activities for people with disabilities. If you need such accommodation in this class, please provide reasonable prior notice to the Center for Disability Services, 162 Olpin Union Building, 801-581-5020 (V/TDD), http://disability.utah.edu/.

Academic Integrity: http://www.regulations.utah.edu/academics/6-400.html
Attendance: http://regulations.utah.edu/academics/6-100.php (See Section O)
Withdrawals: http://registrar.utah.edu/handbook/withdrawal.php
Semester calendar: http://registrar.utah.edu/academic-calendars/fall2017.php

GRADING:
- Attendance…………………………... .oh, a bit over 130 pts. (16.6%)
- Participation………………………………right at 130 pts. (16.6%)
- Exam one……………………………..approximately 130 pts. (16.6%)
- Exam two…………………………………….about 130 pts. (16.6%)
- Exam three…………………………………….around 130 pts. (16.6%)
- Exam four………………………………….ah, maybe 130 pts. (16.6%)
  let’s say 780 pts. (100 %)

Other random opportunities for extra points will appear throughout the semester during class sessions, including on-time points. Be here, be prepared, and you’ll reward yourself. I calculate final course grades by a curve based upon the highest student score. I do not record grades on Canvas. BUT you can ask me how you are doing at any time. I am always happy to visit.

TWO STRATEGIES FOR SUCCESS: Your best strategy is to have your chapters/cases prepared for each day’s discussion. Keep up and you’ll do fine.

A second strategy is to start a study group, now. Discussing the issues and challenging each other with application of the material will stimulate your understanding and recall of this detailed information. Experience shows that four-member groups work best.
COMM 5300: SCHEDULE

FALL 2017

**Schedule is flexible to change.**

WEEK ONE:
Aug. 22. Orientation and Acquaintance. We will use the entire session.

WEEK TWO:
Aug. 31. The First Amendment

WEEK THREE:
Sept. 5, The First Amendment
Sept. 7, Diversity, Tolerance, and the First Amendment

WEEK FOUR:
Sept. 12, Diversity, Tolerance, and the First Amendment
Sept. 14. EXAM ONE

WEEK FIVE:
Sept. 19, Libel, Chps. 4, 5, 6. Case lists in syllabus.
Sept. 21, Libel

WEEK SIX:
Sept. 26, Libel
Sept. 28, Privacy, Chps. 7, 8. Case lists in syllabus.

WEEK SEVEN:
Oct. 3, Privacy
Oct. 5. EXAM TWO

FALL BREAK, October 8-15

WEEK EIGHT:
Oct. 17, Gathering Information, Chp. 9. Case list in syllabus.
Oct. 19, Gathering Information

WEEK NINE:
Oct. 24, Protection of Sources, Chp. 10. Case list in syllabus.
Oct. 26, Protection of Sources/Contempt

WEEK TEN:
Oct. 31, 1st v. 6th Chps. 11, 12. Case lists in syllabus.
Nov. 2, 1st v. 6th
WEEK ELEVEN:

Nov. 7, 1st v. 6th
Nov. 9, EXAM THREE

WEEK TWELVE:

Nov. 16, No class. Academic conference.

WEEK THIRTEEN:

Nov. 21, Advertising, an extravaganza worth points.
Attention: Special exam information.
Nov. 23, No class—Thanksgiving

WEEK FOURTEEN:

Nov. 28, Copyright, Chp. 14. Case list in syllabus.
Nov. 30, Copyright

WEEK FIFTEEN:

Dec. 5, Copyright/Telecommunications, Chp. 16. Case list in syllabus.
Dec. 7, Telecommunications

WEEK SIXTEEN:

Dec. 14, EXAM FOUR, Thursday, 8:00-10:00 am., in this room.
FREEDOM OF EXPRESSION CASES

Chapter 1

Chapter 2
Schenck v. U.S. (1919)
Gitlow v. New York (1925)
Whitney v. California (1927)
Dennis v. U.S. (1951)
Brandenburg v. Ohio (1969)


Near v. Minnesota (1931)

Chapter 3

To help with Tinker see: Barber v. Dearborn Public Schools (2003)


To help with Hazelwood see: Dean v. Utica Community Schools (2004)


Bowman v. White (2006)

Nieto v. Flatau (2010)


LIBEL CASES

Chapter 4
Hornby v. Hunter (1964)
Geisler v. Petrocelli (1980)
Fleckstein v. Friedman (1934)

[LIBEL chapters/cases continued next page.]
LIBEL – Chapter 5
Gertz v. Welch (1974)
Rosenblatt v. Baer (1966)
Time, Inc. v. Firestone (1976)
Wolston v. Reader’s Digest (1979)
Hutchinson v. Proxmire (1979)
Compare: Zupnick v. Associated Press (’98) and Krauss v. Globe International Inc. (’98)
Metts v. Mims (2009)

LIBEL – Chapter 6
Anderson v. Liberty Lobby 1986)

PRIVACY CASES
Chapter 7
Roberson v. Rochester Folding Box Co. (1902)
White v. Samsung Electronics America, Inc. (1992)
U.S. v. Charbonneau (1997) [page 278]
Deteresa v. American Broadcasting Co., Inc. (1997) [It is Note 67. Text switched names]
Sanders v. ABC, Inc. (1999)
Bartnicki v. Vopper (2001)

Chapter 8
Barber v. Time (1942)
Virgil v. Time, Inc. (1976)
Jones v. Herald-Post Co. (1929)
Duncan v. WJLA-TV (1984)
Time, Inc. v. Hill (1967)
NEWS GATHERING CASES

Chapter 9
*Branzburg v. Hayes (1972)*
*Saxbe v. Washington Post (1974)*
Houchins v. KQED (1978)
*Richmond Newspapers v. Virginia (1980)*
*Rice v. Kempker (2004)*
*Youngstown Pub. Co. v. McKelvey (2005)*
*Desnick v. ABC, Inc. (1995)* [on pages 330-331]
*Rhea v. District Board of Trustees of Santa Fe College (2012) [re FERPA]*

SOURCES/CONTEMPT CASES

Chapter 10
*Cohen v. Cowles Media Co. (1992)*
*Ventura v. Cincinnati Enquirer (2005)*
*Branzburg v. Hayes (1972)*
*Haffill v. Gonzales (2007)*
*Shoen v. Shoen (1993)*
*U.S. v. Burke (1983)*
*In re Special Proceedings (2004)*
*Doe v. 2TheMart.com Inc. (2001)/Enterline v. Pocono Medical Center (2008)*
*In re Grand Jury Subpoena: Joshua Wolf (2006)*
*In re Madden (1998)*
*O’Grady v. Superior Court (2006)*
*Too Much Media, LLC v. Hale (2010)*
*U.S. v. Dickinson (1972)*

FREE PRESS/FAIR TRIAL CASES

Chapter 11
*Irvin v. Dowd (1961)*
*Sheppard v. Maxwell (1966)*
*Nebraska Press Association v. Stuart (1976)*
*U.S. v. Corbin (2009)*
*Colorado v. Bryant (2004)*
*U.S. v. Scrushy (2004)*

[Chapter 12 next page]
Chapter 12
Press Enterprise v. Riverside Superior Court (1986)
Globe Newspaper Co. v. Superior Court (1982)

ADVERTISING CASES
Chapter 15. Yes, Chapter 15, before 14.
Bigelow v. Virginia (1975)
Alexander v. Cahill (2010)
Lorillard Tobacco Co. v. Reilly (2001)
Mainstream Marketing Services, Inc. v. FTC (2004)
FTC v. Colgate-Palmolive Co. (1965)
5tCompare: Chicago Lawyers’ Committee v. Craigslist, Inc. (2008)
Fair Housing Council of San Fernando Valley v. Roommates.com (2008)

COPYRIGHT CASES
Chapter 14
Feist Publications v. Rural Telephone Service (1991)
Miller v. Universal City Studios (1981)
Associated Press v. International News Service (1918)
Kane v. Comedy Partners (2003)
Rosemont v. Random House (1966)
Morgenstein v. ABC, Inc.(1998)
Cariou v. Prince (2011 & 2013)
Rogers v. Koons (1992)

TELECOMMUNICATION CASES
Chapter 16
FCC v. Pacifica Foundation (1978)

[TELECOM cases continued next page.]
[Chp. 16 cases continued.]

*In re Complaints Against Various Broadcast Licensees Regarding Their Airing of the “Golden Globe Award” Program* (2004)


*FCC v. Fox Television Stations, Inc.* (2012)

*FCC v. CBS, Corp.* (2012)