

# Media Law

COMM 165, Section 1001

Fall Semester 2005

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Office Hours

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Textbook: Hopkins, Communication and the Law (Recent edition)

**PURPOSE OF THE COURSE:** This course will familiarize you with the law as it applies to those who work with the mass media. Media law rests historically in the News-Editorial area simply because that is where the legal problems first developed. Many basic principles have been adopted for Advertising, Broadcasting, Cable, Internet and Public Relations. In fact, the differences among these professional areas -at least in legal terms- seem to be diminishing. For example, the legal distinction between advertising and news (“commercial speech” vs. “non-commercial speech”) has been greatly narrowed. Many early controls over broadcasting have disappeared.

Although this course focuses on Media Law, the instructor will emphasize freedom of speech and press as values strongly held in our society. Most believe these values are essential to democratic government. Many believe these values have had and continue to have the strongest role in shaping our basic institutions and our entire society.

**GOALS OF THE COURSE:** After completing this Media Law class you should:

>Understand the democratic theory that provides legal protection to free expression by all citizens in our society, especially through the First Amendment to the U.S. Constitution,

>Recognize the important legal principles in all areas of communication and especially in your major area of professional interest,

>Be aware of the legal problems those working in communication fields may encounter -especially problems of libel- and learn how to avoid these problems,

>Be familiar with strong legal protections available to those working in and with mass media, especially through major U.S. Supreme Court. The most important of these decisions is *New York Times v. Sullivan* (1964). Being aware of these protections should make you more confident in your ability to work in a media field.

>Be able to locate law case reports and articles relevant to a communication law topic both on-line and in law case reports and law journals in a law library,

>Be able to report the significance of a communication law case.

## 2 – Media Law Syllabus Fall 2005

**EXAMS AND QUIZZES:** Quizzes may or may not be announced in advance. If a quiz is unannounced, it will always be on the reading assignment for that day. If you take all the quizzes, the lowest grade will be dropped. Or you can miss one quiz.

There will be two exams during the semester and a final exam. All will require some short essays. There will be an optional Term Paper and a required Case Brief and a required Law Journal Report.

### **Grading Basis:**

Case Brief and Law Journal Report - 10 points  
Quizzes, Short papers - 10 points  
First Exam - 20 points  
Second Exam - 20 points  
Optional Project/Paper - 20 points  
Final Exam - 20 points if you do the optional paper

### **Makeup Policy**

Sufficient, documented reason (e.g., illness, death in family) is only grounds for request.  
- 40 points if you do not do the optional paper

**(NOTE:** Late case briefs, reports, papers lose half credit. No makeup quizzes)

**CLASS ATTENDANCE:** This class meets twice a week. An absence is a serious matter. The Instructor regularly records absences. After the third absence you will be sent a **DROP NOTICE**. You must see the Instructor immediately about readmission to the class. Make attending this class a priority.

**COURSE MATERIALS:** Most course material will come from the text and classes. There will be some videos and perhaps a guest speaker. Any material presented in class may show up on an examination or a quiz. You will not be expected to memorize case names. If you are given the names of important cases in an area of communications law, however, you should be able to indicate what the case was about and its significance.

Although the text is conveniently divided into chapters, we will not be spending an equal amount of time on each chapter. Libel and Privacy, for example, are major concerns while Regulating Pornography is of less concern.

**D2L:** The Instructor was getting quite expert at using Blackboard. Marquette dumped Blackboard in June and now has a system called D2L. The Instructor is working on getting reasonably good at using this system. Keep tuned.

**ACADEMIC DISHONESTY:** The University (p. 42) and the College (p. 182) have statements about this in the current (and earlier) Undergraduate Bulletin. (See below). Also see the College statement on professional standards in the Undergraduate Bulletin p.184)

**Academic Dishonesty Policy**  
**College of Communication**

In accordance with the high standards of excellence set forth by, and for, all members of the Marquette University community, the College of Communication finds it imperative that each student understand that the responsibilities associated with high standards of excellence include ensuring that all class work undertaken in this College is performed in an environment that promotes serious scholarship and moral rectitude. Therefore, the College herein delineates a zero-tolerance policy for acts of academic dishonesty. All acts of suspected academic dishonesty will be thoroughly investigated in a manner that is fair, timely, and efficient and done so in a manner that protects the rights of both the faculty member and the student. Any individual that is found to have committed an act of academic dishonesty may receive a penalty up to and including expulsion from Marquette University.