

Mass Communications Law 7390

Summer Semester 2009, Tuesday, Thursday 5:30 –8:15 p.m.

Adjunct Professor Katie Wood

(404) 372-3306

ktwood55@aol.com

CASEBOOK:

Siegel, Cases in Communications Law, 2nd edition (2008) Rowman & Littlefield. Additional required reading materials include various Georgia cases and statutes as indicated in the syllabus, as well as a handful of landmark federal decisions and several cases from other states that for whatever reason have not been included in the casebook. (Some Georgia cases may be substituted for casebook cases as the semester progresses. You will be given plenty of advance notice if there is such a substitution.) Other required readings will be posted to the course website as the semester progresses.

In addition, the casebook editor Paul Siegel has an undergraduate-level textbook called Communication Law in America that is a good, easy-to-understand overview of the subject. (Although it contains cartoons that I think are a little sophomoric, it has wonderful original source material to illustrate allegedly offensive publications that are the subject of many of the cases we are studying.) I recommend that you get this textbook and use it like a Nutshell. Or, there is a less-illustrated alternative undergraduate textbook by John Zelezny called Communications Law, Liberties, Restraints, and the Modern Media, (5th edition) Thomson-Wadsworth that is also good. (It is the textbook that I use when I teach this course at the undergraduate level at Clark Atlanta University.) In addition, Mass Communication Law In a Nutshell, (6th edition) Thomson-West, by T. Barton Carter, Juliet Lushbough Dee and Harvey L. Zuckman is also a helpful book.

There also are several books about the First Amendment and related issues to which I will refer throughout the semester. I will have as many of these as are available in our GSU Law Library put on reserve so that you may refer to them if you wish to do so.

OVERVIEW:

This course examines statutory, judicial and administrative regulation of mass media. Among the topics covered are the First Amendment and government regulation, legal issues arising from publication and legal issues arising from newsgathering.

PROCEDURE:

Students are expected to attend class and to take an active part in discussion of assigned materials. Class participation — written and

oral —may count for bonus points added to the final grade for the semester. An e-mail discussion list will serve as a forum for written conversation about course materials and communications issues. Participation in this forum may earn you up to two additional points on your final grade.

Roll will be taken at the beginning of each class. One additional point will be added to your final grade for perfect attendance. You are permitted no more than two unexcused absences. You must give me advance notice (e-mail suffices) if you need me to excuse an absence. You may be denied permission to take the final exam if absent more than three times.

EXAM: The examination will be a take-home essay exam that will give students the maximum amount of scheduling flexibility to fit the test into their exam schedules. The examination will account for up to 100% of your grade (to which the aforementioned additional points may be added for perfect attendance and written discussion).

OFFICE HOURS: I do not have an office on campus and usually am only at the law school during class hours. However, I am generally available to discuss course issues with students by phone (404) 372-3306 and e-mail (ktwood55@aol.com). If you would like to meet in person, we can schedule a mutually convenient time and place.

Syllabus

Please read cases in the casebook in the following chapters, with additional cases as indicated.

Chapter 2. The First Amendment/ Risks to Public Safety

May 12

May 14

May 19

Additional cases not included in casebook:

Near v. Minnesota, 283 U.S. 697 (1931)

New York Times Co. v. United States, 403 U.S. 713 (1971)

Miami Herald Publishing Co v. Tornillo, 418 U.S. 241 (1974)

Chapter 3. Libel: Common Law Principles

May 21

May 26

Additional cases not included in casebook:

Harkins, Mills—Ga. Cases

Atlanta Humane Society v. Harkins, 278 Ga. 451 (2004)

Atlanta Humane Society v. Mills, 274 Ga. App. 159 (June 3, 2005)

O.C.G.A. 9-11-11.1

Chapter 4. Libel: Constitutional Considerations

May 28

Additional cases not included in casebook:

Jewell-Ga. Case

AJC v. Jewell, 251 Ga. App. 808, 555 SE2d 175 (2001)

Chapter 5. Invasion of Privacy (and related causes of action)

June 2

June 4

Additional cases not included in casebook:

Pavesich—Ga. Case, 122 Ga. 190, 50 SE 68 (1905)

Food Lion-(we will view video), 194 F.3d 505 (4th Cir. 1999)

Hustler v. Falwell, 485 U.S. 46 (1988)

Chapter 7. Access to Government Information

June 9

Additional cases not included in casebook:

Fathers are Parents, Too—Ga. Case, 202 Ga. App. 716 (1992)

Chapter 8. Reporting on the Judiciary

June 11

June 16

Additional cases not included in casebook:

Richmond Newspapers v. Virginia, 427 U.S. 539 (1976)

R.W. Page v. Lumpkin—Ga. Case 249 Ga. 576, 292 SE2d 818 (1982)

Georgia Superior Court Rules 21-22

Chapter 9. Protecting News Sources

June 18

Additional cases not included in casebook:

O.C.G.A. 24-9-30

Stripling, Jewell-Ga. Cases

Stripling, 261 Ga. 1, 401 SE2d 500 (1991)

Jewell, 251 Ga. App. 808, 555 SE2d 175 (2001)

Chapter 11. Sexually Oriented Speech/

Chapter 12. Broadcast Regulation

June 23

June 25

Additional cases not included in casebook:

United States v. Stevens, 533 F.3d 218 (3rd Cir. 2008)

FCC v. Fox Television Stations, Inc., (U.S. Supreme Court Case No. 07-582, decided April 28, 2009)