



**JOUR 560: Seminar in Mass
Communication Law
2 Units**

Fall 2017 – Tuesdays – 2-5:40 p.m.

Section: 21575

Location: ANN 210

Instructor: Susan E. Seager

Office Hours by Appointment

Contact Info: Cell: (310) 890-8991 or seager@usc.edu

I. Course Description

This course will teach students about the legal rights and legal constraints for journalists.

II. Overall Learning Objectives and Assessment

Students will learn about their legal rights created by the First Amendment to the U.S. Constitution and other sources of law. The course will teach journalists how to use photographs, trademarks, film clips and other copyrighted works without being sued for copyright infringement; how to publish information without being sued for defamation and invasion of privacy. Students will learn how to write an interesting, clear news article about a current legal issue impacting journalists. Come prepared to think, discuss, and participate. This is not a passive lecture class.

III. Assignments and Assessment

Quizzes: Weekly ungraded quizzes at the start of each class.

Final Exam: Final closed-book exams completed in class (short answers).

Written Article: One written news article between 1,500 and 2,500 words in length quoting at least one interviewed source about a current legal issue impacting journalists or a First Amendment issue

Oral Presentation: Oral presentation of news article about current legal issue impacting journalists.

IV. Grading Breakdown

Assignment	Points	% of Grade
Final Exam	200	50%
Written Article	100	25%
Oral presentation of Article	100	25%
Weekly quizzes	0	0
TOTAL	400	100%

Grading:

The Exam will be graded based on a student's ability to provide correct answers and clear explanations of the law.

The Written Article and Oral Presentation will be graded based on accuracy, clarity, organization, and adequate sourcing.

"A" work clearly describes the relevant facts, parties, and legal rules, the key question or issue, and the correct history of the issue, case, or lawsuit, and contains only minor organizational problems or minor errors in describing the facts and legal rules, and includes quotations from two interviewed sources and essential research materials (such as quotations from the actual lawsuit or statute at issue).

"B" work requires more than minor reorganization or fails to adequately explain one legal rule or fails to include one required source/essential research material.

"C" work requires major reorganization and misstates more than one legal rule or misapplies the legal rule to the facts several times and fails to include more than one of the required sources/essential research materials.

"D" work has excessive organizational problems and numerous errors in describing the legal rules and facts and applying the law to those facts or fails to include several of the required sources/essential research materials.

"F" work has significant organizational problems or errors in describing the legal rules and facts and applying the law to those facts, fails to include any required sources/essential research materials, or all of the above.

V. Assignment Submission Policy

- . All assignments are due on the dates specified. Lacking prior discussion and agreement with the instructor, late assignments will automatically be given a grade of F.
- . The two written exams must be submitted during class.
- . Article must be submitted via e-mail to seager@usc.edu. By 5 p.m. on October 3.

VI. Required Readings and Supplementary Materials

The Law of Journalism and Mass Communication, by Robert Trager, Joseph Russomanno, and Susan Dente Ross (4th ed. or 5th ed. 2013 or 2015 Sage Press) ("The Law Book"). See below for weekly assignments, which must be read before each class.

Grading scale:

95 to 100: A	70 to 74: C+	45 to 49: D-
90 to 94: A-	65 to 69: C	0 to less than 45: F
85 to 89: B+	60 to 64: C-	
80 to 84: B	55 to 59: D+	
75 to 79: B-	50 to 54: D	

VII. Laptop Policy

All undergraduate and graduate Annenberg majors and minors are required to have a PC or Apple laptop that can be used in Annenberg classes. Please refer to the [Annenberg Virtual Commons](#) for more information. To connect to USC's Secure Wireless network, please visit USC's [Information Technology Services](#) website.

Add/Drop Dates for Session 001 (7 weeks: 8/21/17 – 10/13/17)

Tuesday, August 29: Last day to register and add classes for Session 207

Tuesday, August 29: Last day to drop a class without a mark of “W” and receive a refund for Session 207

Friday, September 8: Last day to drop a course without a mark of “W” on the transcript for Session 207

Friday, September 8: Last day to change pass/no pass to letter grade for Session 207. [All major and minor courses must be taken for a letter grade.]

Wednesday, September 27: Last day to drop a class with a mark of “W” for Session 207

VIII. Course Schedule: A Weekly Breakdown

Important note to students: Be advised that this syllabus is subject to change – and probably will change – based on the progress of the class, news events, and/or guest speaker availability.

	Topics/Daily Activities	Readings and Homework	Deliverable/ Due Dates
Week 1 Aug. 22	Class Topic: <i>First Amendment Rights:</i> Protecting free press and democracy; limits on prior restraint. Class Activity: Quiz, discuss reading	Read Law Book: Chapters 1-2 (4 th ed.) Chapters 1-2 (5 th ed.)	Read Law Book.
Week 2 Aug. 29	Class Topic: <i>Intellectual Property and Fair Use Rights:</i> Using portions of copyrighted works and trademarks for commentary, news. Also, the DMCA and takedown notices. Class Activity: Quiz, discuss reading, Article topics assigned.	Read Law Book: pp Chapter 13 (4 th ed.) Chapter 12 (5 th ed.) Chose Article topic.	Read Law Book
Week 3 Sept. 5	Class Topic: <i>Libel and Defenses:</i> Reporting information, opinions, jokes, and citing government records without being sued for defamation. Protections of substantial truth, fair report of government, opinion, Section 230 of CDA, and statute of limitations. Class Activity: Quiz, discuss reading, sign up to meet with Instructor about Article.	Read Law Book: Chapters 4-5 (4 th ed.) Chapters 4-5 (5 th ed.) Work on Article outline, conduct research, contact sources.	Read Law Book. Sign up to meet Instructor about Article.
Week 4 Sept. 12	Class Activity: In-Class Exam		
Week 5 Sept. 19	Privacy and Newsgathering: The four torts of privacy. Limits on hidden cameras and tape recorders. FOIA, CPRA and state open meeting laws. The constitutional right to attend trials and obtain court documents. Fighting subpoenas. Class Activity: Quiz, discuss reading.	Read Law Book: Chapters 6, 8, 10 (4 th ed.) Chapters 6, 7, 9 (5 th ed.) Work on Article, conduct research, contact sources.	Read Law Book. Email instructor Article outline.
Week 6 Sept. 26	<i>Reporter's Shield Law.</i>	Read Law Book: Chapter 9 (4 th ed.) Chapter 8 (5 th ed.)	Read Law Book.

	Class Activity: Discuss reading, meet with Instructor during class to discuss Article. Submit drafts of article for revisions by instructor	Work on Article, conduct research, contact sources	Meet with Instructor during class to discuss Article.
Week 7 Oct. 3	Class Activity: Student Oral Presentations	Prepare oral presentations	Prepare Oral Presentations
Week 8 Oct. 10	Class Activity: In-Class Exam Email final Article to instructor by 5 p.m. seager@usc.edu.		

IX. Policies and Procedures

Additional Policies

Internships

The value of professional internships as part of the overall educational experience of our students has long been recognized by the School of Journalism. Accordingly, while internships are not required for successful completion of this course, any student enrolled in this course that undertakes and completes an approved, non-paid internship during this semester shall earn academic extra credit herein of an amount equal to 1 percent of the total available semester points for this course. To receive instructor approval, a student must request an internship letter from the Annenberg Career Development Office and bring it to the instructor to sign by the end of the third week of classes. The student must submit the signed letter to the media organization, along with the evaluation form provided by the Career Development Office. The form should be filled out by the intern supervisor and returned to the instructor at the end of the semester. No credit will be given if an evaluation form is not turned into the instructor by the last day of class. Note: The internship must be unpaid and can only be applied to one journalism class.

Statement on Academic Conduct and Support Systems

a. Academic Conduct

Plagiarism

Presenting someone else's ideas as your own, either verbatim or recast in your own words - is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in *SCampus* in Section 11, *Behavior Violating University Standards* <https://scampus.usc.edu/b/11-00-behavior-violating-university-standards-and-appropriate-sanctions/>. Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct/>.

USC School of Journalism Policy on Academic Integrity

The following is the USC Annenberg School of Journalism's policy on academic integrity and repeated in the syllabus for every course in the school:

"Since its founding, the USC School of Journalism has maintained a commitment to the highest standards of ethical conduct and academic excellence. Any student found plagiarizing, fabricating, cheating on examinations, and/or purchasing papers or other assignments faces sanctions ranging from an 'F' on the assignment to dismissal from

the School of Journalism. All academic integrity violations will be reported to the office of Student Judicial Affairs & Community Standards (SJACS), as per university policy, as well as journalism school administrators.”

In addition, it is assumed that the work you submit for this course is work you have produced entirely by yourself, and has not been previously produced by you for submission in another course or Learning Lab, without approval of the instructor.

b. Support Systems

Equity and Diversity

Discrimination, sexual assault, and harassment are not tolerated by the university. You are encouraged to report any incidents to the *Office of Equity and Diversity* <http://equity.usc.edu/> or to the *Department of Public Safety* <http://dps.usc.edu/contact/report/>. This is important for the safety of the whole USC community. Another member of the university community - such as a friend, classmate, advisor, or faculty member - can help initiate the report, or can initiate the report on behalf of another person. *The Center for Women and Men* <http://www.usc.edu/student-affairs/cwm/> provides 24/7 confidential support, and the sexual assault resource center webpage <https://sarc.usc.edu/> describes reporting options and other resources.

Support with Scholarly Writing

A number of USC's schools provide support for students who need help with scholarly writing. Check with your advisor or program staff to find out more. Students whose primary language is not English should check with the *American Language Institute* <http://ali.usc.edu/> which sponsors courses and workshops specifically for international graduate students.

The Office of Disability Services and Programs (<http://dsp.usc.edu/>) provides certification for students with disabilities and helps arrange the relevant accommodations.

Students requesting test-related accommodations will need to share and discuss their DSP recommended accommodation letter/s with their faculty and/or appropriate departmental contact person at least three weeks before the date the accommodations will be needed. Additional time may be needed for final exams. Reasonable exceptions will be considered during the first three weeks of the semester as well as for temporary injuries and for students recently diagnosed. Please note that a reasonable period of time is still required for DSP to review documentation and to make a determination whether a requested accommodation will be appropriate.

Stress Management

Students are under a lot of pressure. If you start to feel overwhelmed, it is important that you reach out for help. A good place to start is the USC Student Counseling Services office at 213-740-7711. The service is confidential, and there is no charge.

Emergency Information

If an officially declared emergency makes travel to campus infeasible, *USC Emergency Information* <http://emergency.usc.edu/> will provide safety and other updates, including ways in which instruction will be continued by means of Blackboard, teleconferencing, and other technology.

X. About Your Instructor

Susan Seager earned her law degree from Yale Law School and has worked as a First Amendment lawyer for nearly 20 years. She currently has her own law practice and is the First Amendment columnist at TheWrap. Between 2007 and 2016, she worked as a vice president at Fox Group Legal, a division of Fox Entertainment Group, where she supervised lawyers defending televisions journalists, writers, directors and producers of movies and TV shows at Twentieth Century Fox Film Corp., Fox Television Studios, and National Geographic Channel, among other Fox companies. Before becoming a lawyer, Susan spent more than 15 years as a journalist, working as a staff writer for *the San Luis Obispo Telegram Tribune*, United Press International (Los Angeles bureau), *Los Angeles Herald Examiner*, *Los Angeles Daily Journal*, and *LA Weekly*.