



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

Summer 2021 – Thursdays – 1-4:40 p.m.

Section: 773-21037R

Location: Online

Zoom link:

<https://zoom.us/j/9722539552?pwd=TFhOamQ3ZGIueitlTjBBcy9DU1N3QT09>

Instructor: Susan Seager

Office Hours: Please text me for appointment.

Email: seager@usc.edu or susanseager@dwt.com

Cell: (310) 890-8991 (texts welcomed)

I. Course Description

This course will teach about legal rights, limits, and responsibilities for journalists.

II. Overall Learning Objectives and Assessment

Students will learn their legal rights and limits and how to write and speak clearly about legal issues.

Rights. Students will learn about their rights to inform the public about important issues under the First Amendment to the U.S. Constitution and other laws. The course will teach journalists about their rights to protect confidential sources, photograph police, use photographs, trademarks, film clips and other copyrighted works without payment or permission without being sued for copyright infringement.

Limitations. Students will learn how to publish information without being sued for defamation, invasion of privacy, wiretapping, trespass, violating the right of publicity, trademark, and copyright laws.

Writing/Thinking Critically/Public Speaking. Students will learn how to write and orally present an interesting, concise, clearly written story with a sharp analysis of a current legal issue impacting journalists. Come to class prepared to think, discuss, and participate. This is not a passive lecture class.

III. Description of Assignments

Weekly Quizzes: At the end of each class, students will complete very short multiple-choice quizzes to test comprehension. Quizzes are not graded; they are learning tools.

Exams: Two closed-book, in-class exams (short answer/multiple choice). 100 points each / 25% of grade each.

Text Story or Video Story: Text or video feature story about a current legal issue impacting journalists or First Amendment issue. Topic must be approved by instructor. Length: approximately 1,000 words (list word count on top of first page) or 5-to-10 minute video. Must quote at least one interviewed source. Links strongly encouraged for text Stories. Final Story is due in written form or final video and by email to seager@usc.edu on or before last scheduled class (Thursday, August 12). 100 points / 25% of grade.

Oral Presentation: Oral presentation explaining how you got story, summary of story. Presentations are about 10 minutes each; slides with graphics and links are encouraged. Presentations will take place during last class (August 12).

Class Participation: Students are expected to attend each class and participate in class discussions. Total grade will be reduced by up to 10 points for failure to attend class and participate in class discussions.

Late Assignments. Please note that any assignment turned in late will be subject to a penalty of one grade for each day after the due date and time.

IV. Grading

a. Breakdown of Grade

Points for Assignments	Points	% of Grade
Oral presentation of Story	100	25%
Written Story	100	25%
In-class exam #1	100	25%
In-class exam #2	100	25%
Potential loss of points for little or no class participation	Up to -10	Up to -10
TOTAL	400	100%

b. Grading Scale

95% to 100%: A	80% to 83%: B-	67% to 69%: D+
90% to 94%: A-	77% to 79%: C+	64% to 66%: D
87% to 89%: B+	74% to 76%: C	60% to 63%: D-
84% to 86%: B	70% to 73%: C-	0% to 59%: F

c. Grading Standards

To earn a grade of "A" in this course, you will have to amass between 400 and 380 points (100% to 95% of the total points available); for an "A-," 376-360 points; for a "B+," 356-348 points; for a "B," 344-336 points; for a "B-," 332-320 points; for a "C+," 316-308; for a "C," ; for a "C-," 296-280 points. Anything less than 236 points is a grade of "F" for the course.

Journalism

All assignments will be edited on a professional basis and you will be judged first on the accuracy, fairness and objectivity of your stories. You will then be evaluated for broadcast style, editing, production value, originality and the ability to meet deadlines.

"A" stories are accurate, clear, comprehensive stories that are well written and require only minor copyediting (i.e., they would be aired or published). Video work must also be shot and edited creatively,

be well paced and include good sound bites and natural sound that add flavor, color or emotion to the story.

“B” stories require more than minor editing and have a few style or spelling errors or one significant error of omission. For video, there may be minor flaws in the composition of some shots or in the editing. Good use of available sound bites is required.

“C” stories need considerable editing or rewriting and/or have many spelling, style or omission errors. Camera work and editing techniques in video stories are mediocre or unimaginative, but passable. Sound bites add little or no color - only information that could be better told in the reporter’s narration.

“D” stories require excessive rewriting, have numerous errors and should not have been submitted. Camera work is unsatisfactory or fails to show important elements.

“F” stories have failed to meet the major criteria of the assignment, are late, have numerous errors or both. Your copy should not contain any errors in spelling, style, grammar and facts. Any misspelled or mispronounced proper noun will result in an automatic “F” on that assignment. Any factual error will also result in an automatic “F” on the assignment. Accuracy is the first law of journalism. The following are some other circumstances that would warrant a grade of “F” and potential USC/Annenberg disciplinary action:

- Fabricating a story or making up quotes or information.
- Plagiarizing a script/article, part of a script/article or information from any source.
- Staging video or telling interview subjects what to say.
- Using video shot by someone else and presenting it as original work.
- Shooting video in one location and presenting it as another location.
- Using the camcorder to intentionally intimidate, provoke or incite a person or a group of people to elicit more “dramatic” video.
- Promising, paying or giving someone something in exchange for doing an interview either on or off camera.
- Missing a deadline.

V. Assignment Submission Policy

All assignments are due on the dates specified via email to seager@usc.edu.

VI. Required Readings and Supplementary Materials

Class slides prepared by instructor, plus news articles, blogs, court opinions posted on Blackboard.

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 Digital Lounge](#) for more information. To connect to USC’s Secure Wireless network, please visit USC’s [Information Technology Services](#) website.

VIII. Add/Drop Dates for Summer Session Code 773 (7 weeks: 6/28/2021 – 8/13/2021)

Wednesday, July 7: Last day to add classes

Wednesday, July 7: Last day to drop a class without a mark of “W” and receive a refund

Monday, July 19: Last day to drop a course without a mark of “W” on the transcript or change pass/no pass to letter grade. **Thursday, August 5:** Last day to drop with a mark of “W.”

IX. Course Schedule: A Weekly Breakdown (subject to change)

	Topics/Daily Activities	Readings and Homework	Deliverable/ Due Dates
Week 1 July 1	Class Topic: <i>First Amendment Rights</i> History of government censorship and licensing, press passes, prior restraint, First Amendment. <i>Pentagon Papers, Near v. Minnesota.</i> Class Activity: <i>Discuss reading, in-class quiz</i>	Read Class #1 posted on Blackboard	Start thinking of your Story topic about legal issue and journalism.
Week 2 July 8	Class Topic: <i>Intellectual Property and Fair Use Rights</i> How to use portions of copyrighted works and trademarks for commentary, news without permission or payment. <i>Acuff-Rose, Walking Mountain.</i> Also, the DMCA and takedown notices. Class Activity: <i>Discuss reading, in-class quiz.</i>	Class Slide #2	Send email to Professor with proposed Story topic before class.
Week 3 July 15	Class Topic: <i>Libel and Defenses</i> How to report opinions, jokes without being sued for defamation. Protections of substantial truth, fair report of government documents. <i>New York Times v. Sullivan, Gertz v. Welch, the Trump Dossier.</i> Also Section 230 of CDA, and statute of limitations. Class Activity: <i>Discuss reading, in-class quiz.</i>	Class Slide #3	Story topics will be approved or assigned by Instructor in class today
Week 4 July 22	Class Activity: Exam # 1 (in-class, closed-book) on Classes #1, #2, #3 during first 30 minutes. Class Topic: <i>Privacy and Newsgathering:</i> The four torts of privacy. <i>De Havilland, Shulman.</i> Limits on hidden cameras and secret taping. FOIA, CPRA, FISA, police body cam tapes, 911 tapes, and state open meeting laws. The constitutional right to attend trials and obtain court documents v. privacy rights and Sixth Amendment right to fair trial. <i>Richmond Newspapers, Press-Enterprise.</i> Right to film police, cover protests.	Class Slide #4 Conduct research for story and draft Story outline	Email Story outline to seager@usc.edu before class. During class, sign up for meetings with instructor to discuss Story outside of class between July 19-26.
Week 5 July 29	Class Topic: <i>Reporter's Shield Law. Branzburg and O'Grady.</i> Class Activity: <i>Discuss reading, in-class quiz</i>	Class Slide #5 Study for exam. Interview sources.	Email to seager@usc.edu (1) Story lede; (2) nut graf; (3) list of sources you have interviewed for story; and (4) catchy headline (5) links to sources

Week 6 Aug. 5	Class Activity Exam #2 (in-class, closed-book) on Class #4 (Slides #4-#5) during first 30 minutes Class Activity: Meet with Instructor to discuss story.		Email final version of Story to seager@usc.edu
Week 7 Aug. 12	Class Activity: Oral Presentations of Story (approximately 10 minutes each). Slide presentation, graphics, links are encouraged	Turn in Story and prepare oral presentation	Present Story to class. Email to seager@usc.edu before class. Story must have links to other sources!

X. Policies and Procedures

Additional Policies

Class attendance is expected for every class. If you have a conflict, contact the instructor well before the class session to seek a solution.

Cell Phones: The use of cell phones during class is prohibited (unless for online searches as part of class).

Laptops: Laptops may be used for taking notes. Other uses will result in loss of use of laptop for remainder of class session.

Cameras: Keeping cameras on during Zoom classes is strongly advised. If you have connectivity problems or other reasons to keep your camera off during class, please let me know.

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 or public relations class.

Statement on Academic Conduct and Support Systems

a. Academic Conduct

Plagiarism

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 Part B, Section 11, “Behavior Violating University Standards” policy.usc.edu/scampus-part-b. Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, 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

Counseling and Mental Health - (213) 740-9355 – 24/7 on call
studenthealth.usc.edu/counseling

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call
suicidepreventionlifeline.org

Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention and Services (RSVP) - (213) 740-9355(WELL), press “0” after hours – 24/7 on call

studenthealth.usc.edu/sexual-assault

Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office of Equity and Diversity (OED)- (213) 740-5086 | Title IX – (213) 821-8298
equity.usc.edu, titleix.usc.edu

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants. The university prohibits discrimination or harassment based on the following *protected characteristics*: race, color, national origin, ancestry, religion, sex, gender, gender identity, gender expression, sexual orientation, age, physical disability, medical condition, mental disability, marital status, pregnancy, veteran status, genetic information, and any other characteristic which may be specified in applicable laws and governmental regulations. The university also prohibits sexual assault,

non-consensual sexual contact, sexual misconduct, intimate partner violence, stalking, malicious dissuasion, retaliation, and violation of interim measures.

Reporting Incidents of Bias or Harassment - (213) 740-5086 or (213) 821-8298

usc-advocate.symplicity.com/care_report

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office of Equity and Diversity | Title IX for appropriate investigation, supportive measures, and response.

The Office of Disability Services and Programs - (213) 740-0776

dsp.usc.edu

Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.

USC Campus Support and Intervention - (213) 821-4710

campussupport.usc.edu

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity at USC - (213) 740-2101

diversity.usc.edu

Information on events, programs and training, the Provost's Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call

dps.usc.edu, emergency.usc.edu

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call

dps.usc.edu

Non-emergency assistance or information.

Annenberg Student Success Fund

<https://annenberg.usc.edu/current-students/resources/additional-funding-resources>

The Annenberg Student Success Fund is a donor-funded financial aid account available to USC Annenberg undergraduate and graduate students for non-tuition expenses related to extra- and co-curricular programs and opportunities.

XI. About Your Instructor

Susan Seager is a journalist and First Amendment lawyer who has been defending journalists for more than 20 years. She currently works part-time at the media law firm Davis Wright Tremaine. In addition to teaching this course at Annenberg, she is a clinical professor of law at the UC Irvine School of Law, where she supervises students providing free legal representation to journalists and government watchdog groups through the Intellectual Property, Arts, and Technology Law Clinic.