

C&I 653 SCHEDULE OF CLASS MEETINGS, Spring, 2013

CALENDAR for C&I 653, “Contemporary Issues in Law, Policy and Ethics in Communication and Information.”

TEACHER: Professor Dwight L. Teeter, Jr.

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OFFICE HOURS, 2-4 p.m. M & W, or by appointment in Teeter’s office, 430 Communications.

SUGGESTED TEXTBOOK: Dwight L. Teeter, Jr. and Bill Loving, *Law of Mass Communications*, 13th ed. (New York: Thomson-Reuters-Foundation Press, 2011). (Used copies of the 12th ed. may be available, and you can fill in gaps by googling case names. In any case, I want you to have access to a standard media law text of reasonably recent copyright date. This is especially important for those of you who have not had a communication law course recently—or ever.

REQUIRED TEXTBOOK: Anthony Lewis, *Freedom for the Thought That We Hate: A Biography of the First Amendment* (New York: Basic Books, 2008), 221 pages. [I suggest students order this book from Amazon.com. It should be available for around \$12.]

SCHEDULED MEETINGS: The class meets Mondays, 11:15 a.m. to 2 p.m., in 420 Communications Building. This is a full-semester, 3- credit class, beginning Monday, January 14, and concluding Friday, April 22. There will be no class Monday, January 21, for the Martin Luther King remembrance.

FORMAT: This class will be something of a hybrid—part lecture, part seminar. The nature of this course will evolve as your teacher gets acquainted with each one of you and your backgrounds and interests. Each student will get individual attention in developing a research project. Beyond that, if you recently have completed a senior-level or graduate-level course in communication law, fine. Here at the University of Tennessee, however, your professor often has taught a similar seminar course to students who have never had a U.S. communication law course. So, we will no doubt use the “hybrid” approach – lectures based on reading and assigned subjects and working as a class to help each student develop a workable—and publishable—research topic.

PURPOSE OF COURSE: To prepare students to develop workable research ideas and to prepare a publishable scholarly paper on a communication law topic. This topic is to be chosen (and justified) by the student, with guidance as needed from your professor. To assist students in getting both an overview of issues and sources in mass communication law and in developing areas of concentration to prepare them for research and teaching, discussions of some key areas of communication law will be undertaken

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RATIONALE: Scarcely a week passes in the United States without major federal or state court decisions (or legislation, executive orders, or administrative rule-makings) affecting communication law. It is hoped that this course will provide students with a current appreciation of some important developments and problems in areas affecting mediated communications, involving social [anti-social?] media (e.g. FaceBook or Twitter) or traditional mass media, individual privacy concerns, and—above all—freedom of expression.

PREPARATION FOR COURSE: If you do not have a current knowledge of communication law of the United States—and especially if you have never had a course in the subject—I ask that you read the suggested textbook (or an equivalent) to prepare for discussion topics scheduled week-by-week during this summer term. (I once heard a student complain to my mentor, the Professor Harold L. Nelson of the University of Wisconsin, that his communication law course had too many details to learn. I have never forgotten his reply: “You can’t think without facts.”)

GRADING: Two-thirds of your grade in this course will be based on your completion of a scholarly paper. This paper process includes preparation of a written proposal, distribution of that proposal to your colleagues, and an in-class defense of your proposal. Grading of your paper will be based on my judgment of the paper’s writing quality, solidity, appropriateness and completeness of research, and reasoning. [N.B.: Every paper should have, near its outset, a clearly articulated statement to tell readers what it is about and to delineate its scope and focus and to explain research method(s) used.] One-third of your final grade will be based on your contributions to class discussions. (One starting point is in Appendix D, “Bibliography,” in *Law of Mass Communications*).

ATTENDANCE: Crucial and *expected*, since we are to help each other on research topics. Also we are likely to have at least one outside speaker and one or more class sessions will meet at the Joel Katz Law Library of the University of Tennessee College of Law. Professor Sibyl D. Marshall, J.D., a research professor in the Law Library, will work with you there. **Thus**, regular attendance is part of the effort required for successful completion of this course.

TENTATIVE SCHEDULE OF CLASS ASSIGNMENTS

(1) **Monday, January 14** -- Introductions of seminar members, preliminary thoughts on individual research topics, survey of “the field,” examples of workable research ideas, tailoring this course to individual students’ interests and needs as much as practicable. **Assigned for next class:** Read “legal process” sections in a recognized media law textbook.

Monday, January 21 – No class: Martin Luther King observance.

(2) **Monday, January 28** – Be prepared to discuss the legal process in the United States. General discussion of the legal process in the United States. The past is not dead (consideration of some Anglo-American struggles for freedom of expression, “ancient enemies of freedom.”) Initial discussions: your non-lawyer professor’s thoughts on legal research. **Teeter will try to provide a handout on legal process to assist discussion. Read Anthony Lewis book.**

(3) **Monday, February 4**–First Amendment pre-history and history, the Alien and Sedition Acts of 1798. [Irony: We learn about freedom from attacks on freedom.]

(4) **Monday, February 11**– Fredrick S. Siebert’s Proposition II. The United States has been on a war footing since the 1950s. war tensions and freedom of expression co-exist badly. Historical background, continued: the First Amendment in its forgotten years. A hero of Teeter’s: Cassius Marcellus Clay (And perhaps, there may be some discussion of President Lincoln and military censorship of newspapers and suspension of the writ of habeas corpus during the Civil War, 1861-1865.) The First Amendment, the Fourteenth Amendment, and nationalizing the First Amendment.

(5) **Monday, February 18**–An introduction to the law of reputation (defamation law). Context: Old law in new contexts, or defamation law in the era of the Internet and social media. Legal theory and the need for a research question.

(6) **Monday, February 25**– Meet for class at the Reference Desk in the Joel Katz Law Library. **Professor Sibyl D. Marshall** of the Law Library will provide helpful information to enable you to find and to use legal materials.

(7) Monday, March 4—Further discussion of legal materials and research approaches. Today, students are assigned to present, in writing and verbally, their research proposals for the required major paper. *Please bring enough copies for everyone in the class.* Additionally, Teeter may lead a discussion on limitations on free expression/access to information in times of declared or undeclared war. The World War I and World War II experiences, and 9/11 and the USA PATRIOT Act.

(8) Monday, March 11— Outside speaker and/or Teeter on use of history-as-evidence by Justices of the Supreme Court of the United States.

(9) Monday, March 18 – Outside speaker and/or reporting on government and shielding information from disclosure (reporter’s shield). Discussion on access and shield laws.

Monday, March 25: No Class (Spring Break)

(10) Monday, April 1 – Possible outside speaker and/or Reporting on Government and Shielding Information from Disclosure. Discussion on access and shield laws. Oral progress reports on research projects.

(11) Monday, April 8—First round of student paper presentations. Aspects of Copyright law: copyright law in the digital age. Copyright, copyright infringement, fair use. (If class is large student presentations begin today. If not, student presentations begin on April 15.)

(11) Monday, April 15 – Student research presentations.

(12) Monday, April 22—Student research presentations.

