
When is this class? Mondays, 6:45 p.m. to 10:05 p.m.

Where is this class? Annenberg 328

Who is teaching this class? Lincoln D. Bandlow, Esq.

What are the materials? *Mass Media Law* by D. Pember and C. Calvert, *Journalism 462, Law of Mass Communication, Spring 2008 Supplemental Materials* (provided by professor on first day of class). Additional materials may be handed out in class from time to time. You should bring the supplemental materials, in its entirety, to every class.

Why are you in this class? This course has five objectives: (1) to help you understand basic legal terminology and the workings of the civil and criminal justice system; (2) to enable you to understand what your rights are as a journalist (and as an American) under our system of laws, and especially under the First Amendment to the Constitution of the United States; (3) to train you to be able to clearly and accurately articulate your rights and responsibilities as a journalist under the law; (4) to keep you out of trouble, that is, to enable you to recognize the limits of your legal rights; and (5) to alert you as to when it is time to call the lawyers!

Key Semester Dates:

March 27:	Midterm Examination
April 17:	Paper Handed Out
May 1:	Paper Due At Start Of Class
May 8:	Final Examination (in class) – 7:00 p.m. to 9:00 p.m.

EXAMINATIONS

There will be two examinations. The examinations will present you with one or more complex fact patterns and you will be required to discuss the legal issues that arise from those facts. The purpose of the examinations is to evaluate your knowledge and understanding of media law and to test your ability to express that knowledge and understanding clearly, precisely, and succinctly.

The exams will not be cumulative. The scope of each will be the specific reading, the class handouts, and the lecture material covered in the course segment prior to that examination only. I will be available by appointment to discuss the grades received on the paper and the tests.

PAPER

You will be required to write a paper of about 12 pages in length, typed and double-spaced. I will provide you with the paper topic. I will provide you with further information regarding the paper prior to its being assigned.

CLASS SESSIONS

Most class sessions will be lecture with an opportunity for questions and class discussion. The assigned reading will provide the background necessary for class preparation. The lectures, however, may not cover precisely the same material as the text or other readings. For this reason, attendance is very important.

Students are expected to have completed the relevant readings prior to class and to *participate in classroom discussion*. Ten percent of the final grade will be based on classroom participation. If you do not understand any portions of the materials or the lectures, you are expected to seek clarification in class or by contacting me.

I will start class on time and expect you to be in class and prepared to start at 6:00 p.m. If you have to be late, or leave early (either of which I would prefer you to avoid), please let me know ahead of time. Food and drinks are fine, but try not to be noisy and clean up your mess! I do not take attendance, but I will ask that you choose a place to sit for the duration of the course so that I can prepare a seating chart. I expect you to attend every class, but please let me know if you cannot for some (substantial) reason.

OFFICE HOURS

I will be more than happy to talk to you about your work anytime during the semester – however, please keep in mind that I am a practicing attorney and do not have formal office hours. I will make time to meet before class, after class, and during breaks. If you have specific questions about material discussed in class, I highly recommend that you contact me via e-mail – it gives me a better opportunity to provide you with a detailed answer (and it gives you a chance to provide me with a thoughtful question). If necessary, you can meet me at my office in Century City.

GRADING

The two examinations and the paper are all equally weighted. The paper and the exams will be graded 80% on content/analysis and 20% on presentation (coherence, spelling, organization, and grammar). There will be no class curve. Each student's grade will reflect his or her own performance, and not that of anybody else in the class.

ABOUT THE INSTRUCTOR

I am a partner at Spillane Shaeffer Aronoff Bandlow LLP in Century City, where I practice exclusively Media, First Amendment, Copyright, Trademark and Entertainment litigation. Prior to joining my current firm, I was with Leopold, Petrich & Smith for eight years, practicing in the same areas. Prior to that, I was in the Legal Affairs Department for The Carsey-Werner Company, a television production company which has produced such shows as "3rd Rock From The Sun" and many others. Prior to joining Carsey-Werner, I was with Gibson, Dunn & Crutcher in Los Angeles, practicing First Amendment and Entertainment litigation, and was a member of the firm's Intellectual Property and Media Groups.

I am a frequent speaker on media and intellectual property issues. I have written numerous articles for legal publications such as the L.A. Daily Journal, and Media Law Resource Center Newsletter regarding media law and intellectual property and was the co-author of the chapter dealing with California law in MLRC's Survey of Libel Law and co-author of a chapter dealing with First Amendment protections in the legal treatise "Securities in the Electronic Age. I am also a former President of the Los Angeles Copyright Society and have three times been named a "Rising Star Attorney" by Los Angeles Magazine.

I have been a Visiting Professor at the University of Southern California since the Spring of 1995. I received a Bachelor of Arts degree in Political Science at the University of California, Los Angeles and a Juris Doctor degree, *magna cum laude*, from Boston University School of Law, where I was an editor on the *American Journal of Law & Medicine*.

Week-By-Week Schedule

“Chapter” references are to the Pember/Calver text. “Supplement” references the Supplemental Materials provided to you. You will be expected to have read the applicable chapters and materials *prior* to class and to be able to *participate in classroom discussion*. **You may (and probably will) be called on in class, so be ready.**

- January 14:** Introductions and background regarding procedures, policies and expectations for the course; The American Legal System.
(All of Chapter 1)
- January 21:** No class scheduled – Martin Luther King, Jr. Day holiday
- January 28:** Continuation of discussion of American Legal System.
- February 4:** The First Amendment; Sedition, Censorship, Prior Restraint, and Incitement & Imitation Actions
(All of Chapter 2) (Supp. 1 – 124)
- February 11:** Finish prior week’s material and watch film “Absence of Malice”
- February 18:** No class scheduled – Presidents’ Day holiday
- February 25:** Defamation
(All of Chapter 4)
(Supp. 125 - 130)
- March 3:** Defamation continued
(All of Chapters 5 and 6) (Supp. 131 - 182)
- March 10:** Invasion of Privacy: Intrusion (and other newsgathering torts)
(Pages 266 – 277 of Chapter 7)
(Supp. 183 - 212)
- March 17:** No class scheduled – Spring Break
- March 24:** Invasion of Privacy: Private Facts, False Light and Right of Publicity; Review for Midterm
(All of Chapters 7 & 8) (Supp. 235 - 300)

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- March 31:** **Midterm Examination**
Examination will cover the assigned portions of chapters 1-8 of the text, materials assigned from supplemental materials, and classroom lecture
- April 7:** Free Press / Fair Trial, Access to Information – Open Records and Open Meetings Laws
(Paper handed out)
(All of Chapters 9 and 11)
(Supp. 301 – 328, including the Favish decision)
- April 14:** The Journalist’s Privilege; Video *Mary Richards Goes to Jail*
(All of Chapter 10)
(Supp. 329 - 394)
- April 21:** Regulation of Obscene and Indecent Material; Regulation of Advertising
(Paper due at start of class)
(All of Chapters 13 and 15)
- April 28:** Copyright and Trademark
(All of Chapter 14)
(Supp. 395 - 409)
- May 5:** **No Class Scheduled (Study Week)**
- May 12:** **Final Examination (in class) (7:00 to 9:00 p.m.)**
The Final Examination will cover the Chapters, Materials and classroom lectures from after the midterm.

Important Note:

The above schedule and procedures in this course are subject to change in the event of extenuating circumstances.

More Important Notes:

PLAGIARISM/ACADEMIC INTEGRITY

Plagiarism is defined as taking ideas or writings from another and passing them off as one's own; in journalism, this includes appropriating the reporting of another without clear attribution. The following is the Annenberg School of Journalism's policy on academic integrity as published in the university catalogue: "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 guilty of plagiarism, fabrication, cheating on examinations, or purchasing papers or other assignments will receive a failing grade in the course and will be dismissed as a major from the School of Journalism. There are no exceptions to the school's policy."

ACADEMIC ACCOMMODATIONS

Any students requesting academic accommodations based on a disability are required to register with Disability Services and Programs (DSP) each semester. A letter of verification for approved accommodations can be obtained from DSP when adequate documentation is filed. Please be sure the letter is delivered to the professor as early in the semester as possible. DSP is open Monday through Friday, 8:30 a.m.-5 p.m. The office is located in the Student Union room 301 and their phone number is (213) 740-0776.

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 who undertakes and completes an approved, non-paid internship during this semester shall earn academic extra credit herein of an amount equal to one percent of the total available semester points for this course.