

USC SCHOOL OF JOURNALISM

Jour 462: Law of Mass Communication (PR Emphasis) – Spring, 2008 Thursdays, 6:30 p.m. to 9:50 p.m. (ASC 231)

Instructor:
Coby King

Course Description

J462 provides students with a practical, working understanding of how laws govern and affect communications, particularly with regard to public relations practices.

Course Outcomes

The outcomes expected of this course include a working knowledge of:

1. The legal system and its role in mass communications regulation.
2. The general freedoms and limitations of public speech in the United States.
3. Specific limitations and requirements imposed on certain forms of speech and various “speakers.”
4. The relationship between communications, litigation, and crisis management.

Course Subject Schedule (in brief)

Thu	Subject	Thu	Subject
1/17	Introduction	3/13	Laws governing publicly-traded companies
1/24	Legal research	3/20	SPRING BREAK
1/31	Free Speech - the First Amendment	3/27	Industry-specific regulation of speech
2/7	Free Speech - limitations on expression	4/3	When speech is required or demanded
2/14	Defamation*	4/10	Intellectual property *
2/21	Commercial speech regulation	4/17	Litigation Public Relations
2/28	Social restrictions on speech	4/24	Ethics of PR
3/6	MIDTERM	5/1	FINAL

*paper due

Tests and Papers

- **Paper 1 (due Thursday, February 14):** Research, write and be prepared to discuss a 5-6 page paper explaining why and in what way certain forms of speech can be treated differently under the law.
- **Midterm (online - Thursday, March 6):** Be prepared to demonstrate working knowledge of the concepts covered to date in several short answer and two essay questions.
- **Paper 2 (due Thursday, April 10):** Write and be prepared to discuss a 5-6 page paper detailing how a publicly-traded, heavily regulated company of your choice has been recently or is currently affected by specific communications regulations and laws.
- **Final (individual) project (due Thursday, May 1):** Present, defend, and argue the public policy and ethics behind either restricting or liberating a specific form of speech. Each student will be assigned a a position to take and an opposing student against whom they will engage in a 10 minute debate.

Assignments and Grading

➤ Written assignments	30%
➤ Participation in brainstorming, class discussions, etc.	10%
➤ Mid-term project	30%
➤ Final project	30%

Readings and Other Requirements

1. *The Law of Public Communication* (2007 ed.) by Kent R. Middleton, William E. Lee and Bill F. Chamberlain. (Hereafter referred to as "LPC")
2. Additional reading materials will be assigned throughout the semester and available online.

Course Expectations

Participation Mandatory: Students are expected to attend all classes. Absences, tardiness, and failure to meet deadlines will have a negative impact on the student's final grade. Students who unavoidably miss a class are still responsible for getting the assignments for that class in on time, obtaining any new assignments from other students, and completing the work by the date due.

Open Communications Channels Required: Students must have an active Internet account and check e-mail and the course Blackboard (<https://totale.usc.edu>) regularly as they will be used to stay in touch and update assignments. The instructors will respond within 24 hours to email messages and will be available for consultation before or after class.

Professional Conduct Expected During Class: You will be expected to treat this class as you would a business meeting. You must arrive early, be prepared, provide value to the class discussion, conduct yourself professionally and remain courteous and sensitive to the interests of others in the meeting. All cell phones MUST be turned off or to silent mode so as to not disturb the session.

Students and instructors must work collaboratively to maintain the feel of a true seminar experience. To that end, the instructors intend to manage the class as they would an agency brainstorming or professional development session, with similar ground rules applied:

1. There are no bad ideas. All ideas are to be treated with respect for their creators and acknowledgement that ideas of all stripes and types can contribute to ultimate success. Nonetheless, it is always wise to mentally review the strategic appropriateness of any idea before vocalizing it.
2. Constant student/instructors interaction and feedback are extremely important. Everyone is expected to contribute.
3. Only one meeting/discussion can take place at a time, and it must be the one in which the instructors are participating. Avoid side conversations.
4. Always pay attention.

No Late Assignments: You must turn in all assignments when they are due even if you know you will miss class. Unless otherwise specified, all assignment must be submitted to the electronic drop box (ebox) on Blackboard before the beginning of the class in which they are due. **All late or incomplete assignments will receive a failing grade.**

Strong Writing Skills Required: Grammar, spelling and writing ability are of critical importance. Students who are not confident of their abilities in this area are urged to purchase and utilize a standard grammar reference work and an Associated Press Stylebook and/or seek remedial coaching (available in this school).

USC Policy on Academic Integrity: Any student found guilty of plagiarism, fabrication, cheating on examinations, or purchasing papers or other assignments will be dismissed from the Annenberg School. There are no exceptions to this policy.

Academic Accommodations: Any student requesting academic accommodations based on a disability is required to register with Disability Services and Programs (DSP) each semester. A letter of verification for approved accommodations can be obtained from DSP (STU 301, 213-740-0776). Please be sure the letter is delivered to the instructors as early in the semester as possible.

COURSE SCHEDULE AND OUTLINE

This syllabus will be subject to change throughout the semester in order to accommodate timely topics and events, the unique needs of this group of students, etc. Students having any questions regarding assignments, schedules, etc. should immediately check the course Blackboard (<https://totale.usc.edu>), and/or with the instructors.

January 17: Introduction

- a) Overview of course
- b) Overview of legal system
- c) The passage, implementation and interpretation of laws

January 24: Legal research

- a) Finding applicable laws and regulations
- b) Reading and understanding court cases
- c) Access to government records – the Freedom of Information Act (FOIA) and other “Sunshine Laws”

ASSIGNMENT: Read *LPC* Chapters 1 & 12, Appendix A (pp. 574-580)

January 31: Free Speech – the First Amendment

- a) Constitutionality
- b) Application
- c) Limitations

ASSIGNMENT: Read *LPC*, Chapter 2

February 7: Free Speech – limitations on expression

- a) Forms of regulation
- b) How speakers are treated differently

ASSIGNMENT: Read *LPC*, Chapter 3

February 14: Defamation

ASSIGNMENT: Read *LPC*, Chapter 4; Paper 1 Due

February 21: Commercial speech regulation

- a) Commercial Speech
- b) False or misleading advertising
- c) Federal Trade Commission
- d) Misleading communications in California (*Nike v. Kasky*)

ASSIGNMENT: Read *LPC*, pp. 318-357, materials on *Nike v. Kasky*, found at: <http://www.reclaimdemocracy.org/nike/> including Amicus briefs.

February 28: Social restrictions on speech

- a) Privacy
- b) Social restrictions on free speech

ASSIGNMENT: *TBD*

March 6: MIDTERM EXAM**March 13: Laws governing communications of publicly-traded companies**

- a) Securities & Exchange Commission
- b) Sarbanes Oxley
- c) Reg. FD and G

ASSIGNMENT: Standards of Practice for I.R., pp. 1-34, [Reg FD](#)

March 20: SPRING BREAK**March 27: Industry-specific regulation of speech**

- a) Food and Drugs
- b) Environment
- c) Employment

ASSIGNMENT: TBD

April 3: When speech is required or demanded

- a) Laws and regulations requiring speech
- b) Social prescriptions of speech

ASSIGNMENT: TBD

April 10: Intellectual property

- a) Copyrights
- b) Trademarks
- c) Patents
- d) Other property rights: one's own image

ASSIGNMENT: Read *LPC*, Chapter 6, Paper 2 Due

April 17: Litigation Public Relations

- a) Rules governing public communications and litigation
- b) Strategies and techniques for communicating during litigation
- c) Legal considerations in crisis communications

ASSIGNMENT: TBD

April 24: Legal ethics in PR

- a) Society codes of conduct governing communications
- b) Unwritten rules governing the behavior of PR professionals

ASSIGNMENT: Paper 2 (see description at beginning of syllabus)

May 1: FINAL EXAM