



TEXAS SOUTHERN UNIVERSITY  
THURGOOD MARSHALL SCHOOL *of* LAW

# COMMUNICATIONS LAW

LAW 714 – SECTION 1

FALL 2021

PROFESSOR

**ELSA Y. RANSOM**

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## THE PROFESSOR

**NAME:** Elsa Y. Ransom

J.D. University of Texas  
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**LOCATION:** Room 231

**CONFERENCE HOURS:** MW: 5-7 PM; F: 3-5PM  
(All other times by appointment only)

### NOTE FROM THE PROFESSOR:

Students are advised to check Blackboard regularly for messages regarding this class.



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## Course Books & Material

### Required Texts:

**Bill Loving and Michael T. Martinez, *Law of Mass Communications*, 15<sup>th</sup> ed.  
Foundation Press (2020).**

Additional reading to be assigned by the instructor.

Additional Resources: Videos TBA

## COURSE DESCRIPTION & OBJECTIVE

### DESCRIPTION:

Communications Law cuts a wide path across other areas of law that are familiar to law students including Constitutional Law (Freedom of Speech, Right to Fair Trial) and Torts (Defamation, Privacy Invasion, Intentional Infliction of Emotional Distress). These and other bodies of law account for much of the litigation stemming from communication itself as well as from activity undertaken in the pursuit of information. While the role of the media lawyer may extend to areas not directly related to communication (business associations, contracts, tax law, for example), this course focuses on the legal protections and limitations placed on expression. Course coverage will extend from the pre-Revolution history and theory that shaped the First Amendment to the modern-day revolution of social media. Aside from the doctrinal aspects of communication law, the course will also offer insight into the media law profession. Study materials will include supplemental reading, practice questions and video presentations. Class meetings will entail group discussions demonstrating legal reasoning skills. While some problem-solving exercises will be oral, others will be written.

### OBJECTIVE:

To enhance the student's knowledge of First Amendment jurisprudence

To inspire students to develop critical thinking skills regarding the current state of free speech/expression in the United States

To sharpen the student's analytical skills in general and for purposes of problem solving in areas concerning speech/expression

To familiarize students with some of the challenges confronting media lawyers

## STUDENT LEARNING OUTCOMES

**The following student outcomes should result from successful completion of this course:**

- \*Enhancement of the following skills: critical thinking, legal reasoning, problem solving.
- \*Enhanced knowledge of prevailing First Amendment theory reflected in Supreme Court rulings regarding freedom of speech.
- \*Understanding of how and why regulation of media exists given the First Amendment pronouncement.
- \*Knowledge of the various sources of media regulation at both the federal and state levels including regulation of access to information and court proceedings.
- \*Knowledge of legal risks associated with news gathering and news reporting.
- \*Understanding of the legal issues – both and current and potential – concerning social media.
- \*Insight into demands and responsibilities of the media law profession as a career option.

## GRADING

### **Mid-Semester Examination (October 12, 2021) 20% of final grade.**

Students should review material listed in the course reading schedule as well as additional information addressed in class presentations prior to this date. The format will be a short essay.

Duration: 1 Hour

### **Final Research Paper (Deadline (TBA) 60% of final grade.**

Each student will select a topic different from that of other class members and derived from but not duplicative of material in the casebook. All topic proposals must be in writing and approved in advance. A list of suggested topics will be made available for those who choose not to develop one on their own. Specific requirements regarding format, length, rubric, and final due date will be posted on Blackboard.

### **Oral Presentation 15% of final grade.**

Each student will record her/his oral presentation on video of a subject related to but not duplicative of material in the casebook. (Example: Discussion of Texas Freedom in Information rules). This presentation requires a moderate level of research. It is to be produced, recorded and sent to class members and professor for them to view and critique at least 2 days prior to group discussion and review of the presentation in class. The duration of the video should be 5-8 minutes. Grading will be based primarily on clarity of presentation and extent of research evidenced. Professional level video artistry is not required. A list of possible topics (separate from final research paper topics) will be made available.

### **Class Participation 5% of final grade**

Please note that points awarded for class participation are not for class attendance inasmuch as class attendance is a requirement per the law school's rules of matriculation. Participation points are based on the student's level of engagement in class activity, including problem solving derived from legal reasoning.



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**ACCOMMODATIONS**

If you require special accommodations, please fill out the necessary forms with the Dean's office. Your application and documentation will remain confidential.

Please see:

<http://www.tsulaw.edu/academics/18SuAccommodationsInformationWeb.pdf>



## **PARTICIPATION, ATTENDANCE & PROFESSIONALISM**

### **REQUIREMENTS:**

- a. Attendance pre the law school's Rules of Matriculation. Students are expected to be punctual and to remain in class throughout the class period.
- b. Class preparation including completion of assigned reading prior to class meeting.
- c. Class participation in oral and written exercises.
- d. Maintenance of professional decorum during all class sessions.
- e. Avoidance and Reporting of Academic Misconduct per the law school's Rules of Matriculation Academic Misconduct includes but is not limited to plagiarism and dishonesty in examination.

# ACADEMIC CALENDAR

Please refer to the law school's website for the latest information.



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**POLICIES & PROCEDURES**

Please reference to Blackboard regularly for additional details.

## READING ASSIGNMENTS

<b><u>Week of:</u></b>	<b><u>Topic</u></b>	<b><u>Casebook Chapter(s)</u></b>
8-16 thru 8-23	Course Overview/The Foundations of Media Law/First Amendment Principles	1-2
8-30	Unprotected Speech	3
9-6 thru 9-13	Defamation Via Media (Holiday 9-6)	4-5
9-20	Privacy Invasion Via Media	6
9-27 thru 10-4	Newsgathering Torts Newsgathering Torts: Intrusion, Trespass etc.	7
10-11	Access to Government Information	8
10-18	Mid-Semester Exam 10-20 Assess to Government Information Continued	8
10-25	Access to Judicial Proceedings	9
11-1	Shielding Information	10
11-8	Government Regulations	11
11-15	Advertising Regulations	12
11-22	Review	