

## **JOUR 401: The First Amendment in Society**

Wintermester 2019

### **Number of Credits**

3

### **Instructor**

Benjamin J. Birkinbine

Benjamin J. Birkinbine is an Assistant Professor of Media Studies in the Reynolds School of Journalism. He conducts research on media economics and digital technologies, and he teaches classes on media law, media and society, the future of journalism, and fundamentals of media practice.

### **Catalog Description**

Study of theory, origins, practices, laws, conflicts, resolutions involving US Constitution guarantees of free speech, press, religion, assembly, petition. (General Capstone course.)

Prereq(s): CH 201; ENG 102; junior or senior standing.

### **Required Textbooks/Materials**

The following text is required material in this course:

Messenger, Ashley. *A Practical Guide to Media Law*. Boston, MA: Pearson, 2015.

### **Student Learning Outcomes**

Upon completion of this course, students will be able to

- define and apply basic legal terminology;
- distinguish between different stages of the judicial process;
- identify the elements of case citations and locate case law; and
- demonstrate comprehension of major cases that have shaped our understanding of communication law by analyzing a contemporary or hypothetical legal case and applying relevant legal precedent.

## First Week of Materials/Assignments

The following schedule is subject to change:

- January 2:* Introduction to Class; Distribution of Materials  
Begin: What is Freedom Response Paper
- January 3:* What is Freedom Discussion; Introduction to and Sources of Law  
The Judicial System; Legal Research/Citations and the First Amendment:  
History, Doctrines, Theory and Applications  
Due: What is Freedom Response Paper  
Read: Messenger, chapters 1, 2, and 14 (pages 1–21 and 201–210)
- January 4:* Conduct (Action) versus Speech (Expression)  
Review: Messenger, chapter 14, (pages 201–210)

## Course Details

This course is designed to give an overview of communication and media practices as they relate to (and are shaped by) the law. Students will be introduced to basic legal concepts, judicial processes, and important cases pertaining to communication law. The course will focus on issues related to the First Amendment, free speech, journalistic practices, access to information, commercial speech, privacy, and intellectual property. While the class will primarily focus on laws within the United States, we will periodically compare United States law to other international contexts. Throughout the class, we will focus on how the law is constantly undergoing changes rather than remaining static, and how those changes are subject to interpretation within a particular historical context.

## Grade Breakdown

The point and percentage distribution for the course is:

<b>Assignment</b>	<b>Points</b>	<b>Percentage</b>
What is Freedom Paper	10	5
Case Research/Presentation	15	7.5
Exam 1	50	25
Final Exam	50	25
Quizzes (two)	20	10
Response Paper	40	20
Participation/Attendance	15	7.5
<i>Total</i>	<i>200</i>	<i>100</i>

The percentage distribution for the course is:

<b>Letter</b>	<b>Percentage</b>
A	93-100
A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D+	67-69
D	60-66
F	below 59