

Communication Law-FALL 2017

Professors Allen Hammond and Tony Chase

Dean Leonard Baynes

Commissioner Cathy Sandoval

This course is a unique venture between Santa Clara Law School in the heart of Silicon Valley and the University of Houston Law Center located in the energy capital of the world. Fittingly, this course will use advanced technology to bring together students and faculty into the same classroom through the world-wide web to learn about Communications Law.

This course will be co-taught by Professors Allen Hammond (Santa Clara Law School) and Tony Chase (University of Houston Law Center). Dean Leonard M. Baynes (University of Houston Law Center) and California Public Utilities Commissioner Catherine Sandoval (Santa Clara Law School) will guest lecture.

Expectations: The course faculty expects the students to be prepared, to participate in classroom discussion, and to attend class. More than two unexcused absences will lead to an automatic grade of F in the class.

Paper on Exposure Diversity (UC Santa Clara students only): The paper on exposure diversity is worth 20% of your final grade. As part of this project, the student will consume media that she usually does not view, read, or listen to. Students sometimes consume media of a different political ideology, of a different ethnic, racial or religious group, or of a different kind of media e.g. talk or sports radio as compared to newspaper. This exercise teaches students to analyze the differences in the media that the student ordinarily does not consume.

Research paper: The research paper should be __ pages in length. It should highlight a legal issue that deals with the media. Analysis as well as clarity and organization will be factors in the grading of the research paper. Those papers that involve original thought and analysis will earn a higher grade than papers that summarize others work.

Presentation:

The presentation should be no more than 15 minutes in length with question and answer for no more than 10 minutes. In order to ensure that your classmates are able to give you the feedback to enhance the quality of the paper, please prepare a one paragraph summary of your thesis and conclusion that will be ready for distribution to the rest of the class at least one week prior to your scheduled presentation.

Grading: For the Santa Clara students, the final grade for this course will be based on a grade for a paper on exposure diversity (20%) and either a grade based on a final research paper (60%) and the presentation of the paper (20%) or on the final research paper (30%), presentation of the research paper (20%) and a final exam based on the course materials (30%).

For UHLC students, the final grade is based on the presentation of the research paper (75%) and the presentation of the research paper (25%).

UH CAPS Statement:

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus.

http://www.uh.edu/caps/outreach/lets_talk.html

DATE	TOPIC	DESCRIPTION AND READING ASSIGNMENT
Monday, August 21, 2017	Course Overview and Introduction to technology and history behind broadcast, cable, telephone, and the Internet	Class introductions, review of syllabus and class policies, class structure, paper requirements, and in the case of Santa Clara students exam requirements. Read Hammond, Sandoval and Baynes (HSB) PP.____
Wednesday, August 23, 2017	Introduction to technology and history behind broadcast, telephone, cable and the Internet (Con't) - Professor Hammond	Read HSB PP.____
Monday, August 28, 2017	The MFJ: Breaking Up Ma Bell is hard to do - Professor Hammond	Read HSB PP.____
Wednesday, August 30, 2017	Competition in the Telephone Long Distance Market - Professor Hammond	Read HSB PP.____

Monday, September 4, 2017	NO CLASS-LABOR DAY	
Wednesday, September 6, 2017	Convergence and Competition (telephone & computers) - Professor Hammond	Read HSB PP. __
Monday, September 11, 2017	Competition in the local loop (telephone versus computers) - Professor Hammond	Read HSB PP. __
Wednesday, September 13, 2017	Convergence and Intermodal Competition (Broadband) - Professor Hammond	Read HSB PP. __
Monday, September 18, 2017	Net Neutrality - Professor Hammond	Read: HSB Chapter 9
Wednesday, September 20, 2017	Fairness Doctrine - Professor Chase	Read: Red Lion Broadcasting v FCC 395 US 67 (1969), Miami Herald Publishing v FCC 418 US 241 (1974), 1987 Presidential Veto Message, FCC Votes Down Fairness Doctrine in a 4- 0 Decision, Abrams Schwartzman THE FAIRNESS DOCTRINE FCC Order DA-11-1432A1, Sunstein THE FIRST AMENDMENT IN CYBERSPACE
Monday, September 25, 2017	Public Interest Standard - Professor Chase	Read: Krasnow and Goodman THE PUBLIC INTEREST STANDARD, Varona TOWARDS A BROADBAND PUBLIC INTEREST STANDARD, Hundt THE PUBLIC'S AIRWAVES, Hamilton PRIVATE INTERESTS IN PUBLIC INTEREST PROGRAMMING, Skorup and Koopman THE FCC'S TRANSACTION REVIEWS AND FIRST AMENDMENT RISKS, Fortunato and Martin THE COURTS V THE FCC, Harrington A-B-C SEE YOU REAL SOON

<p>Wednesday, September 27, 2017</p>	<p>Mobile Telephony: Spectrum Allocation</p> <p>- Professor Chase</p>	<p>Read: Coase THE FEDERAL COMMUNICATIONS COMMISSION, Hazlett THE RATIONALITY OF U S REGULATION OF THE BROADCAST SPECTRUM, Weiser Hatfield SPECTRUM POLICY REFORM AND THE NEXT FRONTIER OF PROPERTY RIGHTS, Hazlett A RESPONSE TO WEISER AND HATFIELD, Weiser Hatfield A REPLY TO HAZLETT, Hazlett A REJOINDER TO WEISER AND HATFIELD, CRS on Net Neutrality</p>
<p>Monday, October 2, 2017</p>	<p>Digital Divide</p> <p>- Professor Chase</p>	<p>Read: Falling Through the Net, Hilbert The Bad News, Griffin Universal Service in an All-IP World, Allard Digital Divide, CRS Report - Digital Divide, Teters Municipal Broadband in Kansas</p>
<p>Wednesday, October 4, 2017</p>	<p>Indecency: Children's Programming</p> <p>- Professor Chase</p>	<p>Read: Jacobellis v Ohio, Sunstein Pornography and the First Amendment, Eichner Seven Dirty Words You Should Be Allowed to Say on Television, Atkin Lin Children's Programming Reconsidered, Lazar Under the Influence, Pecora Children and Television Advertising from a Social Science Perspective</p>
<p>Monday, October 9, 2017</p>	<p>No Class - Midterm</p>	
<p>Wednesday, October 11, 2017</p>	<p>Administrative Day</p>	<p>Discuss student presentations and papers (substance & process)</p>
<p>Monday, October 16, 2017</p>	<p>Student Presentations</p>	

Wednesday, October 18, 2017	Feedback provided on first drafts of student research papers Meredith Attwell Baker (guest speaker)	
Monday, October 23, 2017	Student Presentations of exposure diversity research	
Wednesday, October 25, 2017	Student Presentations	
Monday, October 30, 2017	Student Presentations	
Wednesday, November 1, 2017	Student Presentations	
Monday, November 6, 2017	Cable Regulation - Dean Baynes	
Wednesday November 8, 2017	Student Presentations	
Monday, November 13, 2017	Student Presentations	
Wednesday November 15, 2017	FCC Commissioner Mignon Clyburn – Guest Speaker	
Monday, November 20, 2017	Student Presentations	
Wednesday, November 29, 2017	Student Presentations	PAPER DUE 5 p.m.