

## **Communication Law-FALL 2018**

Professors Tony Chase and Allen Hammond

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.

**Research paper:** The research paper should be 25 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 the 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 final research paper (75%) and the presentation of the 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](http://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](http://www.uh.edu/caps/outreach/lets_talk.html)

DATE	TOPIC	READING ASSIGNMENT
Week of August 21, 2018	Course Overview and Introduction to technology and history behind broadcast, cable, telephone, and the Internet	-
Week of August 28, 2018	Course Overview and Introduction to technology and history behind broadcast, cable, telephone, and the Internet	
September 4 <sup>th</sup> , 2018	Introduction to Technology and History Behind Broadcast, Telephone, Cable and the Internet	Additionally, <u>The Fall of the Bell System</u> by Peter Temin; on reserve for students.
Week of September 11, 2018	The MFJ: Breaking Up is Hard to Do	-Forum and Substance -Losing by Judicial -Winning by losing
Week of September 18, 2018	Net Neutrality	-CRS on Net -CRS on the Net Neutrality Debate -Keeping the Internet Neutral -Network Neutrality
Week of September 25, 2018	No Class	
Week of October 2, 2018	Fairness Doctrine	-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.

<p>Week of October 9, 2018</p>	<p>Public Interest Standard</p>	<p>-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>
<p>Week of October 16, 2018</p>	<p>Mobile Telephony: Spectrum Allocation</p>	<p>-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>Week of October 23, 2018</p>	<p>Digital Divide</p>	<p>-US Department of Commerce, 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>Tuesday October 30, 2018</p>	<p>Indecency: Children's Programming</p>	<p>-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>

<b>Thursday November 1, 2018</b>	<b>Guest Lecture- Leonard M. Baynes Dean and Professor of Law</b>	-
<b>Week of November 6, 2018</b>	<b>Student Presentations</b>	-
<b>Week of November 13, 2018</b>	<b>Student Presentations</b>	-
<b>Week of November 20, 2018</b>	<b>Student Presentations</b>	-
<b>Tuesday, November 27, 2018</b>	<b>Student Presentations</b>	-
<b>Thursday, November 29, 2018</b>	<b>No Class</b>	<b>Final Paper Due</b>