



ACADEMIC COURSE SYLLABUS

COURSE TITLE:	SOCIAL MEDIA AND INTERNET LAW
COURSE NUMBER:	LAW E538
PROFESSOR(S) NAME:	Heather Bussing
PROFESSOR CONTACT INFO:	Email: heather.bussing@gmail.com
SCHEDULE:	Term: Summer 2015 Semester Days: Thursdays, Time: 4-6pm , Room # 104
UNITS:	2
COURSE TYPE:	Elective
PREREQUISITES:	Required Completion of First Year. (Preferred completion of Constitutional Law.)
COREQUISITES:	None
TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.)	<p><u>Required Texts:</u> None</p> <p><u>Required Other Stuff:</u></p> <ul style="list-style-type: none"> • Hardware (Computer, Tablet, Laptop) with access to the Internet. (Available in library and at Empire.) • A Google+ account (free but requires signing up with a name and email address). • A Twitter account (free but requires signing up with a name and email address). • At least one other social media account of your choice (e.g. Facebook, Pinterest, Instagram, Reddit, Tumbler).
COURSE DESCRIPTION:	We will explore how the internet works, and how legal principles of privacy, copyright, property, licenses, contracts, and defamation apply to social media and use of the internet. The first few weeks will be lecture and case study to lay the groundwork for the legal principles. The remainder of the class, students will pick topics to research, write and publish blog posts, and create video and in-class presentations on the topics. We will use Google+ to publish the class content, and use social media sites like Twitter, Facebook and Pinterest to explore privacy policies, Terms of Service, Fair Use Doctrine, the Computer Fraud & Abuse Act, the Stored Communications Act, and related legal issues and questions. Students will be graded on their blog posts, presentations, and a position paper analyzing a question of law that has not yet been decided.
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<ul style="list-style-type: none"> • Students will learn to ask really good questions about legal issues that are just arising or don't exist yet, and work with existing legal principles on how they might be solved. • Students will see the interrelations between torts, contracts, intellectual property and constitutional law and learn to work with competing and sometimes conflicting ideas and principles. • Students will start figuring out how to practice law, resolve conflicts, and anticipate issues when legislatures and Courts can no longer keep up with technology. • Students should expect to spend 2 hrs/week preparing for class for the first 6 weeks, then will spend 20-25 hours researching and writing their blog post and creating their presentation and another 15-20 hours preparing the final position paper.

FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)	<ul style="list-style-type: none"> • The first 6 weeks will be lecture/discussion with reading assignments. • The remaining 7 weeks will be student presentations and class discussion, questions and feedback. • Instructor will also give written feedback and will work on writing and editing skills for the blog post and position paper. • This will be a lively class where students will be expected to ask lots of good questions and think hard on their feet.
EXAMS:	There is no final examination in this class. The position paper is the final project.
GRADING / ASSESSMENT CRITERIA:	Empire College uses the following grading system for electives: <u>Pass/Fail:</u> 65 - 100 - P Pass/Credit 64 and Below - F Fail/No Credit (Only numeric grades in Required courses are used to calculate grade point average.) Although your transcript will reflect only pass or fail, I will provide you with a numerical grade on a scale of 65-100 for each assignment and a final grade. 65 and above is a passing score. Your overall grade will be based on: 15% Class participation 25% Class presentation 30% Blog Post 30% Position paper
ATTENDANCE:	Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. A minimum of 80 percent attendance is required. Roll will be taken at each class. Make-up classes will be scheduled if needed.

Week	Assignment	Class Outline
1	Look at topic lists attached & start thinking about what you want to explore.	Salutations, Expectations, and Exclamations Overview of the relationship between technology and law and how law and legal practice are changing.
2	Read: <i>Perfect 10, Inc. v. Amazon.com</i> (2007) 508 F.3d 1146 Sign up for Google+ Find Class page on Google+ Sign up for Twitter Decide what other SM account you want and sign up there too. Pick a topic to prepare a presentation and blog post about and start researching it.	Lecture and discussion of the <i>Perfect 10</i> case and how the internet works. Overview of Social Media sites, what they are, what they do, and what they might be good for. Assign presentation and blog post due dates for each topic/student.
3	Print out or bookmark the End User License Agreement on at least one of your social media accounts, review it carefully and be prepared to discuss it in class.	TOS (Terms of Service) and EULA's (End User License Agreements): what do they say, what do they mean, are they enforceable?

	Work on presentation and blog post.	
4	Print out or bookmark the Privacy Policy on at least one of your social media accounts, review it carefully, and be prepared to discuss it in class. Work on presentation and blog post.	Discussion of Privacy Policies and privacy issues Discussion of Children Online Privacy Act & Children's Internet Protection Act.
5	How is your topic research and presentation coming?	Overview of statutes governing internet and social media use: Computer Fraud and Abuse Act Stored Communications Act Computer Hacking laws.
6	Work on presentation/ blog post	Discussion of Copyright/Fair Use doctrine Discussion of Creative Commons, Content and who owns what?
7	Work on presentation/blog post	Student presentations
8	Work on presentation/blog post	Student presentations
9	Work on presentation/blog post	Student presentations Tweet up discussion of topic
10	Pick topic for position paper	Student presentations Discussion of final position paper assignment
11	Work on position paper	Student presentations Discussion of final position paper
12	Work on position paper	Student presentations Create Social Media Law Blog Carnival for publication on HR Examiner
13	Work on position paper	Student presentations Guest speaker on building, using and maintaining a professional website
14	Work on position paper	Student presentations Guest speaker discussion on the relationship of technology and law and whether courts will ever be able to stay abreast of legal issues when technology is changing so fast.
15	Position papers due	No Class/No Final

Possible Topics for Blog Post/Class Presentations

Pick one of these or make up your own. Just get it approved first.

1. Trolls--When should a social media site owner step in and control content or ban users? What are the legal concerns regarding liability and defamation?
2. Social Media policies and monitoring--How should employers handle employees' social media use?
3. What rights does the government/law enforcement have to monitor Internet use and content of private citizens?
4. What are the differences between the US and Europe in the way companies can collect, store and use content about users?
5. What is facial recognition technology and should it be used/restricted?

6. How do you prosecute a copyright violation for material published on the Internet?
7. What are the defenses to a copyright/trademark case and analyze some cases where it was applied?
8. Are Internet Terms of Service contracts of adhesion, why or why not?
9. How does traffic on the Internet have value and what are the remedies and damages for interference with the traffic to a site against hosts or hackers or people who violate copyright by republishing content?
10. What is and isn't computer hacking?
11. What are the jurisdiction and venue issues in bringing a suit over disputes arising from the Internet?
12. What treaties/international laws apply to disputes arising over Internet behavior/contracts?
13. Can/should parties in a lawsuit be able to serve summons, subpoenas or injunctions via social media addresses?
14. Is there a right to free speech in social media use? What is and isn't protected?
15. What laws apply to using Google Glass and cell phone recorders?
16. How do you obtain meta data and other digital evidence, preserve it, and get it admitted in court?
17. Is the NSA's collection of data Constitutional, what are the competing legal principles involved and how are the courts handling them?
18. What information and data is currently private under state and federal law and how can someone enforce a privacy violation?

Possible Topics for Position Paper

Pick one or make up your own. Just get it approved first.

1. When should someone become a "public figure" for the purposes of defamation and how does social media affect the analysis?
2. Should we have property rights in our "digital likeness" just as we have rights to our name and image? What would be included in our digital likeness?
3. Should Internet service providers have the right to collect information about us and sell it to other companies?
4. What is the legal difference between opting in and opting out regarding a company's right to collect and use data about its users/customers?
5. What is a "reasonable expectation of privacy" regarding information we put on social media/web sites?
6. What is cyber bullying and/or online harassment and how should the law handle it?
7. Should we have ownership rights in our online connections and network?
8. Should companies be required to give notice or to disclose the information they collect on users?
9. Should courts allow people to report on proceedings and trials via social media as it happens? Why or why not? Describe some cases where the issue came up and how it was handled.
10. Should employers or insurers or the government be permitted to collect and use digital information or use data? When and under what circumstances?
11. How can attorneys help clients manage disputes over data, privacy and ownership of digital property? Do we need new tools? If so, what?