



October 31, 2022

ARIZONA STATE UNIVERSITY

FIRST AMENDMENT CLINIC COLLABORATION QUESTIONS

The following questions were sent to Mr. Leslie and Dean Batts prior to our discussion. They requested additional time to review and respond. Responses will be updated here accordingly.



First Amendment Clinic

Q: Does the clinic currently have a direct connection to the journalism school? If so, please explain the connection? If not, do you see the benefit in creating one and how would you envision it working?

First Amendment Clinic News Site

Q: Is there currently a connection between the First Amendment Clinic news site and the journalism school? If not, do you see value in working with the journalism school to create some or all of the articles for the First Amendment Clinic News Site? Could you envision a connection with the HC?

First Amendment Clinic Law Course

Going through the “Media Law” Expertise Area bios, I noticed several faculty members are non-attorneys – they are current or former journalists. Further, it seems the clinic only offers a law school course.

Q: Since having extensive journalism experience on-hand aids in the clinic's legal program success, do you think it would be beneficial to create a complementary clinic course for journalism students? If so, what do you believe the benefits would be and how would you envision it working? Could you envision a way for the HC to be connected to the complimenting course? If so, how?

Faculty Research | Articles – Sources for Multidisciplinary Project Topics

In James Weinstein's bio it states he has written numerous articles for law review symposia on a variety of free speech topics, including: free speech theory (2011), obscenity doctrine (2007), institutional review boards, commercial speech (2007), database protection, campaign finance reform (2002), the relationship between free speech and constitutional rights, First Amendment Challenges to Hate crimes (1992), campus speech codes (1991), Free Speech and Domain Allocation – Suggested Framework for Analyzing the Constitutionality of Prohibitions of Lies in Political Campaigns (2018), Climate Change Disinformation, Citizen Competence, and the First Amendment (2018).

Q: Could updating or expanding upon relevant articles previously written by faculty provide a source for multidisciplinary project ideas (e.g., journalism/law/computer science for updated data, etc.)?

Media Law

Mr. Leslie taught media law in the master of professional studies in journalism program at Georgetown. Media law is offered in the law school, but I did not notice Media Law in journalism (undergrad or master's program).

Q: Does a similar program exist at ASU? If so, which program. If not, do you see value in creating a similar program at ASU?

The journalism school does offer Mass Communication Law (402) -

(Provides a grounding in the laws and regulations that govern various aspects of the media with a focus on First Amendment guarantees and privileges and the extent to which those have been limited by courts and lawmakers. Topics include freedom of expression, libel, privacy and obscenity.)

Q: How is this course similar to/different from the law school's Media Law or the journalism mass media course you previously taught?

Ethical Standards

Many call themselves journalists or report on the news these days, however, they have no formal training and are not required to adhere to ethical journalism standards.

Q: Should there be an ethics requirement in journalism (possibly an ethics in journalism certification with a requirement to display it across all platforms or a public site where certification could be checked?)

Q: Should there be regulations passed that require ethical standards for reporting information across all platforms? And should the regulations include a clear line between news reporting and entertainment reporting?

Q: Should there be better, consistent labeling with simple language across platforms regarding what is journalism and what is entertainment? Similar to clearly stating Opinion in print articles.

Enhancing the Journalism Education Experience (In General)

Q: Because so much of journalism is controlled by the First Amendment and how it is interpreted by courts, for journalism students, do you see a benefit to adding at least one required multidisciplinary project between the law school and journalism school?

For example: Create an annual current events journalism/law - multidisciplinary project for students based on what may impact journalism in the news. *Sample 2022 Topics:* Alex Jones case, Elon Musk/Twitter, Future of US regulations following EU Digital Services Act, etc.

Q: Does a constitutional law course for journalists exist at ASU? If so, what is it? If not, do you see a benefit to adding a required constitutional law course to the journalism program?

Beyond the Classroom

Due to ever increasing worries about big tech's control over market share and social impact, there seems to be mixed expectations regarding an increase in US government regulation, and if regulations are increased whether they will help or hurt journalism.

Q: Do you foresee increased US regulations?

Q: How do you see new EU regulations, such as the Digital Services Act, impacting US laws now and in the future?

Q: What impact do you believe the Alex Jones verdict will have on journalism going forward?

Faculty Background

Greg Leslie - Executive Director

Previously a staff attorney with the Reporters Committee for Freedom of the Press, a Washington, D.C. nonprofit association that provides legal assistance to journalists, and served as the organization's legal defense director for 17 years.

Leslie serves on the governing committee of the Communications Law Forum of the American Bar Association, and was a member of the ABA's Fair Trial and Free Press Task Force in 2011. He also served as chairman of the D.C. Bar's Media Law Committee and Arts, Entertainment, Media & Sports Law Section, and taught **media law in Georgetown University's Master of Professional Studies in Journalism program.**

Faculty Experience

- [Mark Scarp](#)

Mark Scarp is a former newspaper reporter, editor, editorial writer and columnist who in recent years has worked in public relations and community relations in the Phoenix area.

- [Laurence Winer](#)

Laurence Winer's scholarship focuses on the First Amendment and government regulation of the media and includes published articles, amicus briefs and various government filings.

- [James Weinstein](#)

James Weinstein's areas of academic interest are **Constitutional Law, especially Free Speech**, as well as Jurisprudence and Legal History.

Written numerous articles in law review symposia on a variety of free speech topics, including: free speech theory, obscenity doctrine, institutional review boards, commercial speech, database protection, campaign finance reform, the relationship between free speech and constitutional rights, hate crimes, and campus speech codes.

- [Joseph Russomanno](#)

Dr. Russomanno has been at ASU and the Cronkite School since 1994. He teaches and conducts **research in mass communication law**. Before that, he had a decade-long career in broadcast journalism.

- [Morgan Loew](#)

Morgan Loew is a full-time investigative reporter at CBS 5 and 3TV in Phoenix, Arizona. He also serves as a faculty associate at Arizona State University's Walter Cronkite School of Journalism and Mass Communication