Front Matter
# Table of Contents

## Articles

**Sharing Stupid $h*t With Friends and Followers: The First Amendment Rights of College Athletes to Use Social Media**  
*Professor Meg Penrose*  ...................................................... 449

**Cyberspace: A Constitutionally Protected Forum for Free Speech**  
*Donald H. Flanary, III*  ...................................................... 489  
*Jessica J. Pritchett*

**"Liking" the Social Media Revolution**  
*Thaddeus Hoffmeister*  .......................................................... 507

**Judges and Social Media: Disclosure as Disinfectant**  
*Benjamin P. Cooper*  ............................................................. 521

**Lawyers Beware: You Are What You Post—The Case for Integrating Cultural Competence, Legal Ethics, and Social Media**  
*Jan L. Jacobowitz*  ............................................................... 541

**Avoiding Misrepresentation in Informal Social Media Discovery**  
*Agnieszka McPeak*  .............................................................. 581

**Should Voir Dire Become Voir Google? Ethical Implications of Researching Jurors on Social Media**  
*John G. Browning*  ............................................................... 603
SMU Science and Technology Law Review
An Official Publication of Southern Methodist University School of Law

2014-2015

Editor-in-Chief
Jeff Leslie

Managing Editor
James Richards

Associate Managing Editor
Katherine Gnadinger

Executive Editors
Haleigh Jones
Mary Jo Betzen

Senior Notes Editor
Ashley Leonard

Senior Articles Editors
Julie Blackmon
Ryan Durham
Pamela Welch

Articles Editors
Jose Espinosa
Steven Fawcett

Executive Editors
Jeff Lieslie

Associate Managing Editor
Katherine Gnadinger

Senior Notes Editor
Ashley Leonard

Notes Editors
Tyler McGuire
Jonathan Slotter
Sunny Tripp

Technology Director
Eric Carr

Symposium Director
Carrie Thomas

Events Coordinator
Nicole Welling

Staff Editors
James Ames
Ma Jana Ananda
Kevin Anders
Dorin Armijo
Will Beasley
Mallik Boda
Grayson Cassada
Sam Cole
Aaron Dilbeck
Paul Dollahite
Miranda Ebersole

Kinsey Freemem
Robert Frey
Rachel Hatten
Franklin Hill
Travis Jones
Mia Kim
Vu Le
Audrey Leeder
Katya Long
Mathieu MacKay
James McBride

Megan McKennon
Andrew Nelson
Alexa Nichols
Robert Nichols
Andrew Polchinski
Camille Powell
Andrew Reed
Aaron Rolen
Alex Sallade
Gwendolyn Seale
Joseph Skaint

Victoria Spickler
Kenneth Stone
Stephanie Sweet
Sean Swords
Aubry Talkington
David Tubb
Pooja Vasudev
Matthew Vinson
Victoria Vish
Kristen Zahnnow

Faculty Advisors
Meghan Ryan
David O. Taylor

Administrative Assistant
Lisa Browning
The *SMU Science and Technology Law Review* is published four times per year (Spring, Summer, Fall, and Winter) and is an official publication of the Southern Methodist University Dedman School of Law. The primary goal of the STLR is to provide timely articles on emerging developments in fields of science, intellectual property, and technology-related law that are of interest to attorneys, policymakers, judges, and the academic community. The articles published in the STLR are selected from submissions received from professors, students, and attorneys nationwide.

**Subscriptions**

You may obtain a subscription to the journal by filling out the form below and mailing it to the indicated address. Subscriptions are $40.00 per year. All payments must be made in U.S. dollars and all checks must be drawn on U.S. banks. Subscribers outside the U.S. please add an additional $10.00 per year for added shipping expenses. For questions please call (214) 768-2570.

**Change of Address**

Subscribers to the journal may change their address by sending change of address to: SMU Science and Technology Law Review, Southern Methodist University Dedman School of Law, P.O. Box 750116, Dallas, Texas 75275-0116.

**Back Issues**


---

**SMU SCIENCE AND TECHNOLOGY LAW REVIEW**

**Subscription Form**

Name ____________________________

Address ____________________________

City ___________ State ___________ Zip Code ___________

Please make checks payable to: *SMU Science and Technology Law Review*

SMU Science and Technology Law Review
SMU Dedman School of Law
P.O. Box 750116
Dallas, Texas 75275-0116
SOUTHERN METHODIST UNIVERSITY DEDMAN SCHOOL OF LAW

OFFICERS OF THE UNIVERSITY

R. Gerald Turner, President
Paul W. Ludden, Provost and Vice President for Academic Affairs
Thomas E. Barry, Vice President for Executive Affairs
Brad E. Cheves, Vice President for Development and External Affairs
Chris Regis, Vice President for Business and Finance
Paul J. Ward, Vice President for Legal Affairs and Government Relations, General Counsel, and Secretary
Lori S. White, Vice President for Student Affairs
Michael A. Condon, University Treasurer

DEDMAN SCHOOL OF LAW
FACULTY AND ADMINISTRATIVE STAFF

Jennifer Collins, Judge James Noel Dean, and Professor of Law
John S. Lowe, B.A., LL.B., Senior Associate Dean for Academic Affairs and George W. Hutchison Chair in Energy Law
Nathan Cortez, B.A., J.D., Associate Dean for Research and Associate Professor of Law
Greg Ivy, B.B.A., M.A., J.D., Interim Director of Library & Technology Underwood Law Library
Ruth A. Cross, B.A., J.D., Associate Dean for Administration, Director of Legal Research, Writing and Advocacy Program and Senior Lecturer in Law
Lynn Switzer Bozalis, B.A., J.D., Associate Dean for Development and Alumni Affairs
Martin L. Camp, B.A., J.D., Assistant Dean for Student Affairs
Karen C. Sargent, B.B.A., J.D., Assistant Dean and Executive Director for Career Services
Jill Nikirk, B.A., J.D., Assistant Dean for Admissions
Rebecca Garza Greenan, B.B.A., B.A., M.Ed., J.D., Director of Public Service Program and Director of Academic Skills Assistance Program
Roland C. Webb, B.S., M.B.A., Director of Financial Services
Lynn McVicker Dempsey, B.B.A., Director of External Relations
Kristy Offenburger, Director, Communications and Marketing
Linda A. Hale, B.A., J.D., Director of Career Services
Stephen B. Yeager, B.B.A., J.D., Director of Career Services
J. Mark McWatters, B.B.A., M.B.A., J.D., LL.M., LL.M., Director of Graduate Programs
Laura Amberson, B.S., Registrar

FACULTY

John B. Attanasio, B.A., J.D., LL.M., Dipl. in Law, Judge William Hawley Atwell Chair of Constitutional Law, Professor of Law and Former Dean
Roy R. Anderson, B.A., J.D., LL.M., Vinson & Elkins Distinguished Teaching Fellow and Professor of Law
Maureen N. Armour, B.A., M.S.W., J.D., Co-Director of Civil Clinic and Associate Professor of Law
Lackland H. Bloom, Jr., B.A., J.D., Professor of Law
William J. Bridge, B.S.F.S., J.D., Associate Professor of Law
Cheryl Nelson Butler, B.A., J.D., Assistant Professor of Law
Regis W. Campfield, B.B.A., LL.B., Professor Emeritus of Law and Marilyn Jeanne Johnson Distinguished Law Faculty Fellow Emeritus
Beverly M. Carl, B.S.L., J.D., LL.M., Professor Emerita of Law
Michaela E. Cashen, B.A., J.D., Senior Lecturer in Law
Eric Cedillo, B.S., J.D., Coordinator, Consumer Advocacy Project
Anthony J. Colangelo, B.A., J.D., LL.M., J.S.D., Associate Professor of Law
Nathan Cortez, B.A., J.D., Associate Dean for Research and Associate Professor of Law
Gregory S. Crespi, B.S., M.S., Ph.D., J.D., Professor of Law
Ruth A. Cross, B.A., J.D., Associate Dean for Administration; Director of Legal Research, Writing, and Advocacy Program; and Senior Lecturer in Law
Greg Ivy, B.B.A., M.A., J.D., Interim Director of Library & Technology Underwood Law Library
David E. DePianto, B.A., J.D., Ph.D., Assistant Professor of Law
William V. Dorsaneo III, B.A., J.D., Chief Justice John and Lena Hickman Distinguished Faculty Fellow and Professor of Law
Beverly C. Duréus, B.A., J.D., Th.M., Senior Lecturer in Law
Linda S. Eads, B.A., J.D., Associate Provost and Associate Professor of Law
Articles