Student notes for Student Press Law Center’s Media Law Presentation: Reporter’s Privilege Law

SPLC’s phone number:

SPLC’s website:

4:

What’s the definition of Reporter’s Privilege?

6:

Why should reporters have a privilege?

One good reason is because of the First \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

7:

Maintaining \_\_\_\_\_\_\_\_\_\_\_\_\_ independence is vital. Often, journalists can go places where the \_\_\_\_\_\_\_\_\_\_ may be unwelcome. If the press if viewed as an extension of the government, then journalists lost status as \_\_\_\_\_\_\_\_\_\_\_\_\_ observers.

8:

Why should reporters have a privilege?

Ensures good sources of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for important stories remain available. Without \_\_\_\_\_\_\_\_\_\_\_\_\_\_ some would be unwilling to share.

9:

Some sources want to stay out of the spotlight because of possible \_\_\_\_\_\_\_\_ or job security.

10:

Students often don’t want to go on the record about matters of illegality or highly sensitive \_\_\_\_\_\_\_\_\_\_\_\_\_ issues.

11:

When journalists make a promise to a source, the journalist has an \_\_\_\_\_\_\_ to keep that \_\_\_\_\_\_\_\_\_\_\_\_\_. You also may be held responsible if you break this \_\_\_\_\_\_\_\_\_\_.

12:

Poynter confidential checklist:

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21-23:

Different types of subpoenas exist:

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24:

TRUE or FALSE

If you are given a subpoena, you should just ignore it.

25:

You should also \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ immediately.

26:

Do \_\_\_\_\_\_ destroy newsgathering material after receiving subpoena. It’s against the law!

27:

True or False:

You have the right to challenge the subpoena in court before you comply with it.

28:

Some protection exists, such as:

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30:

Name three differences between Shield Laws and Qualified Privilege:

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31:

A number of resources may help if you are in need of finding out if you have legal protection including \_\_\_\_\_\_\_\_ Student Media Guide to Protecting Sources and Information and *Reporters Privilege*, published by the Reporters Committee for Freedom of the Press.

32:

True or False

Public school officials may just show up and take or confiscate unpublished work.

33:

Although rare, sometimes \_\_\_\_\_\_\_\_\_\_\_\_\_\_ searches occur. These are often done through search warrants.

34:

More common is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of journalists’ notes, photos.

35:

Sometimes, they might \_\_\_\_\_\_\_\_\_\_\_\_\_ a reporter’s phone, trace phone calls, or hack into the news organization’s computer system.

36:

Journalists can be physically \_\_\_\_\_\_ or questioned.

38:

The Federal Privacy Protection Act of 1980 provides protection from most \_\_\_\_\_\_\_\_\_\_\_\_\_\_ searches.

39:

In addition to a First Amendment claim, journalists could pursue \_\_\_\_\_ if third parties take or destroy a journalist’s property without permission or justification.

41:

What’s the General Rule?

42:

Public school officials do not have the legal authority to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ disclosure of newsgathering material from student journalists absent a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Unofficial demands from other third parties can also be politely ignored or refused.

43:

With that said, if you are in a face-to-face confrontation with officials, it is usually best to \_\_\_\_\_\_\_\_\_\_\_\_\_ -- even if they believe the demands are unlawful. Immediately following the confrontation, the journalist should formally challenge the actions taken against the him or her.

44:

A student media adviser should never be \_\_\_\_\_\_\_\_\_ to confidential information nor should they know a confidential source’s identity.

45:

What does “off the record” mean?

46:

If you promise confidentiality, you must be prepared to keep it. Promises should be \_\_\_\_\_\_\_.