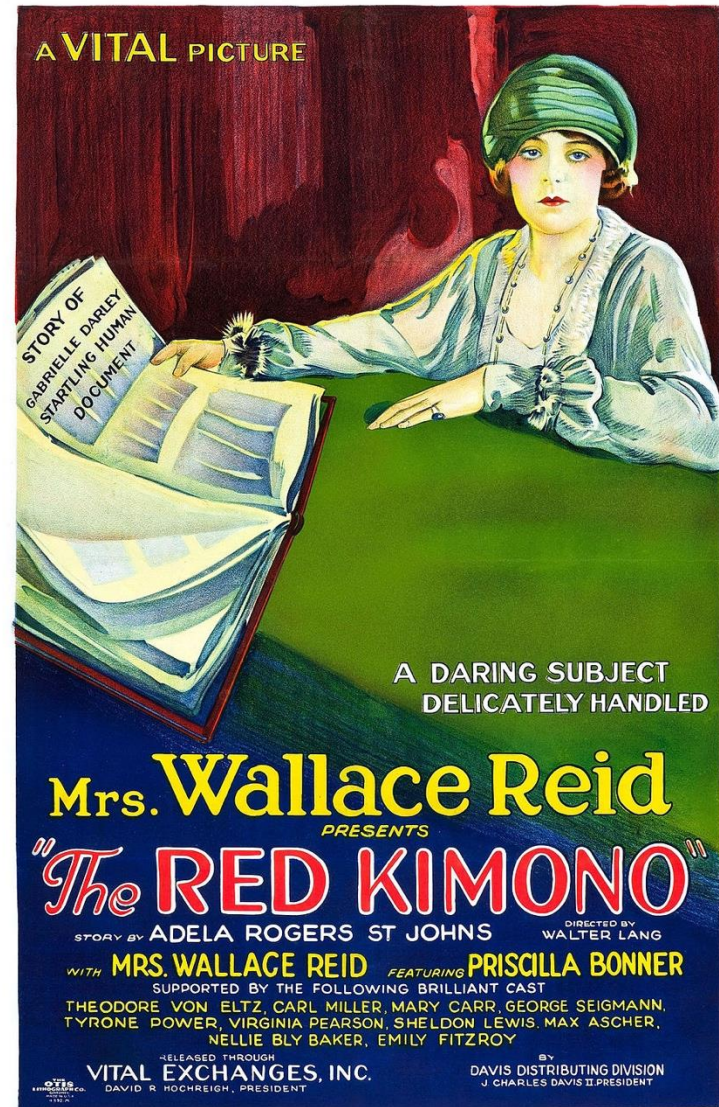


Mid Term exam review





Mid Term exam review

Take quizzes 1 – 6 first

Mid term is open book, no time limit

Mid term CLOSES at midnight Oct 14

Mid term worth 150 points

Mid Term has 2 parts:

- **I: An essay section** with libel and/ or privacy questions and other key points you should know from basic constitutional law and libel law, for example the six elements of the First Amendment, the five elements of libel, the three major defenses against libel, etc.
- **II: A general section** with 40 to 50 matching questions about the structure of the courts, jurisprudence, constitutional law, legal terms, prior restraint, libel, privacy and ethics.

<https://revolutionsincommunication.com/law/exam-review/>



Mid Term written questions

What are the six major points of the First Amendment?

What standards of international law exist to protect free speech and press? In other words, what is supposed to work for other countries the way the First Amendment works in the US?

What are the five elements of libel?

What are the three main defenses against libel?

What are the three main defenses against invasion of privacy?

Mid Term legal basics

- Concepts & Terms — Equal justice, due process, constitutionality, *stare decisis*, federal supremacy and incorporation of Bill of Rights, hierarchy of protected speech; Also certiorari, diversity jurisdiction, demurrer, dissent, motion for summary judgement, opinion, overturn, remand, tort, venue, voir dire,
- Constitutional tests — strict scrutiny, intermediate scrutiny, rational basis review, over breadth, forum analysis, Miller test (obscenity), Sullivan actual malice standard. (For final also include: Central Hudson (intermedia scrutiny) test, Lehman rule (ads in public media),
- Legal institutions — Common law systems versus civil law systems, structure of courts, five sources of law, civil versus criminal law, elements of media law, content issues versus structural issues,
- Cases and Laws — You should be able to match [all cases on this list](#) with descriptions, and [all laws and treaties on this list](#) with their descriptions as well.

Mid Term Ethics

- Be prepared to apply civil traditions and professional codes to an ethical problem.
- Civil traditions of ethics – Virtue ethics, Utilitarianism, Duty ethics, Justice ethics, Bio-ethics
- Religious traditions — Eightfold path, golden rule, surrender to will of God, Ahimsa, Ten Commandments
- Ethical orientation – communitarian versus libertarian
- Professional ethics — Social responsibility (Nuremberg, Hutchins, MacBride); Professional codes such as AAF, PRSA and SPJ

Mid Term prior restraint / obscenity

- **Prior restraint** — Schenck v US, Near v Minnesota, Whitney v California, Brandenburg v Ohio, New York Times v US, Holder v Humanitarian Law Project,
- Also: Understand the shift in tests for prior restraint from “bad tendency” to “clear & present danger” to “imminent action”
Also dissent, flag burning, terrorism, hate speech and compelled speech cases
- **Obscenity & Indecency** — Hicklin rule, Comstock Laws, Ulysses case, Roth v US, Ginzburg case, Miller v California, Pope v Illinois.
- Also changing tests for obscenity from Hicklin to Roth to Miller.

Mid Term libel

- **Libel** — Cherry v Des Moines Leader
New York Times v Sullivan
AP v Walker, Curtis v Butts, Texas Beef Group v Oprah Winfree
- Burden of proof on plaintiff; Fault for public figure is actual malice as defined in cases after NYT v Sullivan
- 5 elements of libel and three main defenses
Definition of actual malice
Veggie libel and SLAPP suits
Be able to comment on a libel hypothetical

Mid Term privacy

- **Privacy** — Legal and ethical issues concerning crime victims and witnesses; Cox v Cohen, Smith v Daily Mail, Sherrod v Brietbart, Sipple v Chronicle Publishing, Bolea v Gawker
- 5 privacy torts (Prosser's four torts, Virginia's Intentional Infliction tort)
Also three defenses in privacy lawsuits
Why "intentional infliction of emotional distress" is not a form of libel;
Also: what ethical issues are involved with the identification of crime victims and other sorts of private facts.
Also be able to comment on a privacy hypothetical