

ch16

Student: _____

1. In prior restraint cases, the courts tend to support the rights of:
 - A. the federal government
 - B. state governments
 - C. the press
 - D. consumers
 - E. no clear pattern of court support can be detected
2. Shield laws, designed to uphold reporters' rights:
 - A. vary from state to state
 - B. have been enacted in all 50 states
 - C. provide consistent protection against contempt of court charges
 - D. extend the courts' strong protection of reporters' notes and records
 - E. none of these
3. Judges can issue _____ to restrict media coverage of courtroom events.
 - A. prior restraints
 - B. gag rules
 - C. anti-contempt orders
 - D. limitation rules
 - E. pretrial protective orders
4. As of 2010, cameras remained banned in all _____ courts.
 - A. municipal
 - B. state
 - C. state (*unless* the prosecution and defense both agreed to allow cameras)
 - D. federal district
 - E. none of these; cameras are allowed in ALL courts
5. The law giving citizens the right to learn more about the activities of the Federal government is:
 - A. Freedom of Information Act
 - B. Executive Branch Information Act
 - C. Patriot Act
 - D. Press Freedom Act
 - E. PSIA
6. In 1996, the EFOIA was passed to:
 - A. make more information available on the Internet
 - B. simplify making a FOIA request
 - C. replace FOIA
 - D. apply FOIA to city government
 - E. reduce the range of agencies covered by FOIA
7. The _____ allows public (and reporter) access to many regular governmental meetings.
 - A. Public Presence Act
 - B. Good Neighbor Act
 - C. Sunshine Act
 - D. Clarity Policy
 - E. none of these

8. To win a libel suit against the media, any person must prove (among other things):
- unfair comment
 - the occurrence of defamation and harm
 - libel per quod
 - actual malice
 - truth
9. No critic would be found guilty of defamation for writing something like "*Gigli* is the worst film ever made" because
- Gigli* is a work of fiction and not presented as fact
 - reporter privilege provides a defense
 - the statement was made without actual malice
 - fair comment and criticism provides a defense
 - all of these
10. When defamatory statements are published online:
- the Internet Service Provider is liable
 - liability cannot be determined
 - the Internet Service Provider is NOT liable, unless the Internet Service Provider authored the content
 - the defamation lawsuit must be filed in the World Court of Jurisdiction
 - nothing can be done because defamation cannot occur online
11. If the media reveal that someone has AIDS (and it's true), that person can sue for:
- unauthorized release of private information
 - intrusion upon the person's solitude
 - creating a false impression
 - libel
 - nothing, because the information is true
12. Reporters who lie on job applications so they can gain access to a company to conduct an investigative report run the risk of being charged with:
- libel and slander
 - fraud and trespass
 - creating a false impression
 - all of these
 - none of these
13. The work of authors and others producing creative works after January 1, 1978 is protected by:
- the Artists' Rights Act, for 25 years after the work is produced
 - copyright laws, for the life of the author plus 70 years
 - copyright laws, for an unlimited time span
 - either the Digital Copyright Act or the Analog Copyright Act, whichever is appropriate
 - the revocation of the Fair Use concept
14. When the courts investigate whether a use is "Fair Use" they typically consider:
- the purpose of use
 - the nature of the copyrighted work
 - the proportion of the work used
 - all of these
 - none of these
15. What is the status of copyright on the Internet?
- copyright laws DO NOT apply to the Internet
 - copyright laws DO apply to the Internet
 - the fair use concept does NOT apply to the Internet
 - copyright laws exist online but do NOT apply to video content
 - none of these

16. A _____ has been established to prohibit indecent material from airing when children are likely to hear it.
- A. total ban on indecency
 - B. clean-time policy
 - C. safe harbor
 - D. window of cleanliness
 - E. youth window
17. Which law is no longer in effect?
- A. The Equal Opportunities Rule
 - B. The Fairness Doctrine
 - C. The Telecommunications Act of 1996
 - D. all of these are in effect
 - E. none of these are in effect
18. The Telecommunications Act of 1996:
- A. removed limits on the number of radio stations that can be owned by one person or group
 - B. deregulated rates of many cable systems
 - C. allowed telephone companies to enter the cable TV business
 - D. mandated that all new TV sets include a V-chip
 - E. all of these
19. Network or Internet neutrality refers to:
- A. the FCC's inability to regulate the Internet
 - B. objectivity of Internet news sources
 - C. the FCC's recommendation that ISPs not favor one Web company over another
 - D. proposed regulation of blogs
 - E. the impact of wireless devices on the Internet
20. What is the relationship between the First Amendment and advertising?
- A. Advertising has never received First Amendment protection.
 - B. Advertising used to receive First Amendment protection but not any more.
 - C. Advertising has always been fully protected under the First Amendment.
 - D. Advertising wasn't protected until the 1920s, when it received full protection.
 - E. Advertising receives limited First Amendment protection.
21. Two pivotal court cases attacking prior restraint are the Near Case and the Pentagon Papers Case.
True False
22. Web sites are protected against prior restraint, just as newspapers and magazines are.
True False
23. Shield laws uphold reporters' rights to protect their sources.
True False
24. The Sixth Amendment guarantees defendants the right to a trial before an impartial jury, but because of the First Amendment the courts cannot restrict what the media publish.
True False
25. Reporters have the right of access to all court proceedings, because they are representatives of the public.
True False
26. In general, defamation taking written form is libel, while spoken defamation is slander.
True False
27. One difference between public figures and private citizens in defamation cases is that public figures must prove actual malice, while private citizens do not.
True False

28. Invasion of privacy takes just one of two forms: intruding on a person's solitude or seclusion, or appropriating a person's name or likeness for commercial purposes.
True False
29. If you record a TV program for later personal viewing, you are guilty of violating copyright law.
True False
30. Obscenity is not protected under the First Amendment, but defining obscenity proved difficult until the Roth test finally resolved the issue once and for all.
True False
31. The FCC interprets rather than makes law.
True False
32. Although the Fairness Doctrine was repealed more than a decade ago, several attempts have been made to revive it.
True False
33. The Telecommunications Act of 1996 introduced sweeping changes affecting cable companies and phone companies, but not broadcasters.
True False
34. The Supreme Court uses a four-part test when determining whether an advertisement is protected under the First Amendment.
True False
35. In general, commercial speech receives the same amount of First Amendment protection as do other forms of speech.
True False
36. Do you think that a blogger is a reporter who qualifies for protection under his or her state's shield law?
37. What is the shield law in your state? Do you agree or disagree with its limitations?

ch16 Key

1. In prior restraint cases, the courts tend to support the rights of:
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 - B. state governments
 - C.** the press
 - D. consumers
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Dominick - Chapter 16 #1

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Dominick - Chapter 16 #2

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Dominick - Chapter 16 #3

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Dominick - Chapter 16 #4

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Dominick - Chapter 16 #5

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Dominick - Chapter 16 #6

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Dominick - Chapter 16 #7

8. To win a libel suit against the media, any person must prove (among other things):
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Dominick - Chapter 16 #8

Dominick - Chapter 16 #9

Dominick - Chapter 16 #10

Dominick - Chapter 16 #11

Dominick - Chapter 16 #12

Dominick - Chapter 16 #13

Dominick - Chapter 16 #14

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Dominick - Chapter 16 #15

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Dominick - Chapter 16 #16

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Dominick - Chapter 16 #17

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Dominick - Chapter 16 #18

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Dominick - Chapter 16 #19

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 - E.** Advertising receives limited First Amendment protection.

Dominick - Chapter 16 #20

21. Two pivotal court cases attacking prior restraint are the Near Case and the Pentagon Papers Case.
TRUE

Dominick - Chapter 16 #21

22. Web sites are protected against prior restraint, just as newspapers and magazines are.
TRUE

Dominick - Chapter 16 #22

23. Shield laws uphold reporters' rights to protect their sources.
TRUE

Dominick - Chapter 16 #23

24. The Sixth Amendment guarantees defendants the right to a trial before an impartial jury, but because of the First Amendment the courts cannot restrict what the media publish.
FALSE
25. Reporters have the right of access to all court proceedings, because they are representatives of the public.
FALSE
26. In general, defamation taking written form is libel, while spoken defamation is slander.
TRUE
27. One difference between public figures and private citizens in defamation cases is that public figures must prove actual malice, while private citizens do not.
TRUE
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FALSE
29. If you record a TV program for later personal viewing, you are guilty of violating copyright law.
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TRUE
33. The Telecommunications Act of 1996 introduced sweeping changes affecting cable companies and phone companies, but not broadcasters.
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TRUE
35. In general, commercial speech receives the same amount of First Amendment protection as do other forms of speech.
FALSE
36. Do you think that a blogger is a reporter who qualifies for protection under his or her state's shield law?

Answer will vary

37. What is the shield law in your state? Do you agree or disagree with its limitations?

Answer will vary

Dominick - Chapter 16 #37

ch16 Summary

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