

INFORMATION PRIVACY LAW COURSE SERIES Privacy Torts and the Media in the US

DEFAMATION LAW: FIRST AMENDMENT STANDARDS

| | Public Figure (includes Public Officials) | Private Figure |
|---------------------------------|--|--|
| Speech of Public Concern | <i>Curtis</i> Compensatory Damages = Malice Punitive Damages = Malice Presumed Damages = Malice | Gertz Compensatory Damages = Negligence Punitive Damages = Malice Presumed Damages = Malice |
| Speech of Private Concern | <i>Curtis</i> Compensatory Damages = Malice Punitive Damages = Malice Presumed Damages = Malice | Dun Compensatory Damages = Negligence Punitive Damages = Negligence Presumed Damages = Negligence (or possibly strict liability for all forms of damages) |

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