**Major Media Court Cases**

|  |  |  |
| --- | --- | --- |
| **Case** | **Major Issue** | **Decision** |
| Near v. Minnesota (1931) |  |  |
| NYT v. Sullivan (1964) |  |  |
| Sheppard v. Maxwell (1966) |  |  |
| Curtiss Publishing v. Butts (1967) |  |  |
| NYT v. U.S. (1971) |  |  |

|  |  |  |
| --- | --- | --- |
| **Case** | **Major Issue** | **Decision** |
| Near v. Minnesota (1931) | Whether a government agency can stop a media outlet from printing something in advance | **Prior restraint** is completely against the first amendment |
| NYT v. Sullivan (1964) | To what degree the media/press can report negative things about public officials (elected), even if they are potentially libelous | * Burden of proof is on the plaintiff to prove **“actual malice”**
* Major victory for the media!
 |
| Sheppard v. Maxwell (1966) | Whether freedom of the press is restricted by a right to a fair trial | Yes. Freedom of press is very important, but cannot interfere with basic rights of defendants |
| Curtiss Publishing v. Butts (1967) | Does the NYT v. Sullivan case apply to public “figures” (who are otherwise private except for their job or status in the community) | Not in the same way. Public figures are more protected from the press and have a much lower burden of proof for libel than public officials |
| NYT v. U.S. (1971) | Whether a government agency can stop a media outlet from printing something potentially negative about the government or threatening to national security in advance | * Almost always freedom of speech wins out
* 4 separate concurring opinions w/ different reasons
 |