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**Intake Form: Defamation or Slander**

If someone is painting you in a bad light in print or otherwise, you may have been defamed or slandered. These legal claims depend on specific facts to establish liability. This intake form can help you and your attorney determine whether the offending party has intruded on your legal rights. Keep in mind, though, that everyone has a free speech right, and that can extend to saying or publishing certain things, even if they are negative.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number    Work: \_\_\_\_\_

Home: \_\_\_\_\_

Employer's Name:  
\_\_\_\_\_

Employer's Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

May we contact you at work?    Yes    \_\_\_\_\_    No    \_\_\_\_\_

Why do you need legal advice about defamation?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section I:**    If You Think You Have Been Defamed, please answer the following questions.

Did the defamatory statement consist of specific words that were spoken or written?

Yes \_\_\_\_\_ No \_\_\_\_\_

Please provide a brief description of circumstances of the defamatory or slanderous statement and what was said or published.

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Did the defamatory or slanderous statement consist of some unspoken expression or act that implied something untrue or unsavory about you?

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain the circumstances and describe the defamatory or slanderous act.

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How long ago did the defamation or slander occur?

In the last year \_\_\_\_\_

More than one year ago \_\_\_\_\_

More than two years ago \_\_\_\_\_

More than three years ago \_\_\_\_\_

If you know the precise date, please write it here: \_\_\_\_\_

Did the statement suggest any of the following? *Check all that apply.*

That you are

a criminal \_\_\_\_\_

a person of lax morals \_\_\_\_\_

a drunk or a drug abuser \_\_\_\_\_

an adulterer \_\_\_\_\_

an abuser of your spouse or children \_\_\_\_\_

an unfit parent \_\_\_\_\_

a liar \_\_\_\_\_

a thief \_\_\_\_\_

a cheat \_\_\_\_\_

Did the statement suggest that you

cheat on your taxes \_\_\_\_\_

run a shady business,  
or engage in sharp practices \_\_\_\_\_

sell adulterated food \_\_\_\_\_

sell pirated goods \_\_\_\_\_

cheat your customers \_\_\_\_\_

swindle elderly people \_\_\_\_\_

Where was the defamatory statement made?

At work in an open area \_\_\_\_\_

In a private meeting at work \_\_\_\_\_

In a performance review \_\_\_\_\_

- At a meeting of your employer's executives \_\_\_\_\_
- In a public place \_\_\_\_\_
- At church \_\_\_\_\_
- In your community \_\_\_\_\_
- At a community meeting \_\_\_\_\_
- Before the city council \_\_\_\_\_
- Before legislators \_\_\_\_\_
- In a communication to a governmental agency \_\_\_\_\_
- In court \_\_\_\_\_
- In a newspaper or magazine \_\_\_\_\_
- In a book \_\_\_\_\_
- Over the radio \_\_\_\_\_
- On TV \_\_\_\_\_
- On the Internet \_\_\_\_\_

How did you find out about the statement?

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Who heard or read or saw the defamatory statement? Please be specific.

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Was the defamatory statement directed toward your business?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you think that the defamatory statement could have had a negative impact on your business?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Section II:** If you are being sued, please answer the following questions.

What was going on when the alleged defamatory statement was made? What were the circumstances?

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How long ago did the defamation occur?

- In the last year \_\_\_\_\_
- More than one year ago \_\_\_\_\_
- More than two years ago \_\_\_\_\_
- More than three years ago \_\_\_\_\_

If you know the precise date, please write it here: \_\_\_\_\_

Who is the plaintiff and what does he or she do?

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Is the plaintiff a public official?

Yes \_\_\_\_\_ No \_\_\_\_\_

Is the plaintiff somebody well-known?

Yes \_\_\_\_\_ No \_\_\_\_\_

Where did the alleged defamatory statement take place? (Consult the list in Section I.)

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Who else heard you make the alleged statement? Who read it? Who saw it?

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Was the statement true? If it was, please explain why you think it was true.

Yes \_\_\_\_\_ No \_\_\_\_\_

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Where did you get the information that formed the basis for the alleged defamatory statement?

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Did you confirm the information with third person?

Yes \_\_\_\_\_ No \_\_\_\_\_

Did you try to keep the information confidential if it was, in fact, given to you in confidence?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does your liability insurance cover defamation?

Yes \_\_\_\_\_ No/Not Sure \_\_\_\_\_

No matter how you answer this question, have the policy, along with any amendments or riders to it, with you to the first meeting with your attorney.