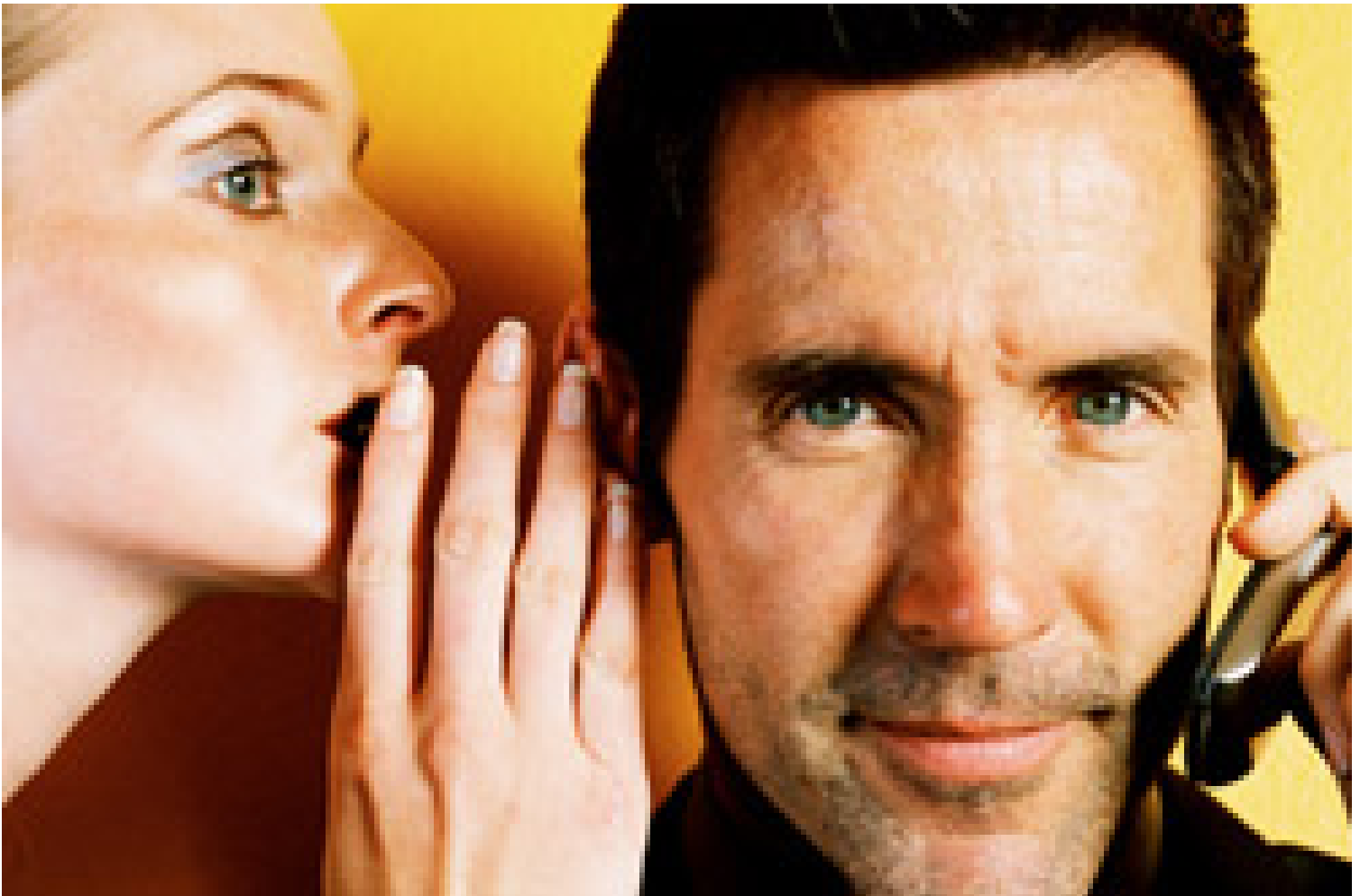




# Slander or Libel: What Is the Difference?

Posted In Libel Slander Defamation (<http://communications-media.lawyers.com/libel-slander-defamation/>) By Lawyers.com<sup>SM</sup>



When someone tells lies – either verbally or in print – about you that aren't true and damage your business, you may wonder if you have a lawsuit against that person for **defamation**. Defamation is a false statement communicated to someone else with the result to damage your reputation or good name. Defamation through writing is called “libel”; spoken defamation is called “slander.”

## Standards to Prove Libel

To win damages against someone who has libeled you, you must prove the written statement was:

- False
- Harmed your reputation, and thereby your business
- Published to at least one other person
- About you specifically
- Made with some degree of fault and intention

For most people, being described as “ugly” may be offensive or insulting, but it doesn’t damage your reputation. However, if you’re a supermodel who makes her living based on her looks, being described as “ugly” by the head of a modeling agency could be defamatory, because it could hurt you financially.

Different standards of fault apply, depending on who you are. If you’re a public official or figure, such as a politician, celebrity or some other well-known person, you have to prove you were defamed with “actual malice.” You have to show that the person defaming you knew the statement was false and would harm your reputation, or they recklessly disregarded these concerns.

If you’re not a public figure, you only have to prove that the person defaming you was negligent. That is, you have to show they were careless considering the circumstances.

## Slander Does Not Need Actual Harm

You don’t have to prove actual harm to your reputation to collect damages for slander if someone says something untrue about you that:

- Affects your business, trade or profession
- Implies you committed a crime
- Leads to the conclusion that you have a loathsome disease
- Suggests that you are sexually impure

Otherwise, you’ll have to prove you’ve actually been damaged in order to collect for slanderous behavior.

## Going to Court

If you've been libeled by a public media such as a newspaper, TV station or magazine, first demand a retraction in order to collect damages in court.

If the defamation is ongoing, you will probably want a "cease and desist" letter written demanding that the defamation stop immediately.

A slander case is more difficult to prove, as a verbal statement isn't lasting. It's a good idea to keep a log of when and where the slanderous comments occur, and exactly what was said. Be sure to write down the names and phone numbers of witnesses to the verbal statements.

The time you have to file a lawsuit- called a "statute of limitations" – can be as little as one year for defamation. So, contact a lawyer right away if you think you may need to sue in order to correct the damage done to your reputation.

## Damages

If you've been defamed, you may receive a money award from a jury to compensate for your damaged reputation or lost business. You might also collect "punitive damages." This is money awarded to punish the person defaming you for particularly reprehensible behavior.

## Contact a Communications Law Attorney

Each slander and libel case is different, and different standards may apply. If you think you've been slandered or libeled, it's best to contact a local attorney with experience in defamation law (<http://www.lawyers.com/Libel%2c-Slander-And-Defamation/browse-by-location.html>).

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