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Boston College Case; Impact of the Boston College Case on Oral History?; Is There an Archival Privilege?; Informing Interviewees That Restrictions Are Not Absolutes; Certificates of Confidentiality Admissibility by Statute; Freedom of Information Requests; Conclusion; 4 Defamation; Republishers Beware; The Elements of Defamation; The Dead Cannot Be Defamed; Statute of Limitations; Organizations Also Have Reputations; Public Figures Bear a Heavier Burden; Negligence versus Actual Malice; Limited-Purpose Public Figures; Once a Public Figure Always a Public Figure; Pure Opinion Is Not Defamatory, But; The Major Categories of Defamation; Professional Competency: A Special Concern; Suggestions for Avoiding Defamation Lawsuits; 5 PRIVACY ISSUES: THE STEALTH TORTS; False Light False Light versus Defamation; Common False Light Claims; Docudramas and Photographs; Possible Links to Oral History; Public Disclosure of Private Facts; Disclosure of Private Facts in Public Records; Passage of Time and Public Figures; Possible Links to Oral History; Right of Publicity; Possible Links to Oral History; Do the Dead Have a Right to Privacy?; Conclusion; 6 Copyright; Copyright in Nonfiction Works; Copyright Protection of Oral History: A Case Study; Using Nonfiction to Create Fiction; Ownership; Joint Works; Works-Made-for-Hire; The Six Exclusive Rights of Copyright Length of Copyright Protection; Licenses and Transfers; Fair Use of Interviews?; Suggestions for Analyzing Potential Infringement; Pre-Lawsuit Responses to Possible Infringement; To Sue or Not to Sue?; A Remedy for Infringement in Cyberspace; Registration Status Is Crucial; Selective Registration; The Orphan Interview Problem; Resources of the U.S. Copyright Office; Copyright and the Federal Government; Copyright Protection Elsewhere in the World; How to Dispense with Copyright; 7 Oral History and the Internet; Legal and Ethical Authority to Upload; Copyright and the Internet Protecting Copyright Online

Sommario/riassunto

According to the Oral History Association, the term oral history refers to "a method of recording and preserving oral testimony" which results in a verbal document that is "made available in different forms to other users, researchers, and the public." Ordinarily such an academic process would seem to be far removed from legal challenges. Unfortunately this is not the case. While the field has not become a legal minefield, given its tremendous growth and increasing focus on contemporary topics, more legal troubles could well lie ahead if sound procedures are not put in place and periodical
