

**13-1001. Defamation: Defined.**

Defamation is a wrongful [and unprivileged] injury to [a person's] reputation.

USE NOTES

This introductory instruction is to be given in all defamation actions. If the defendant raises the defense of privilege, the first bracketed portion of the instruction should be given. Otherwise, it should be omitted.

The term "defamation" is to be used throughout the instructions instead of "libel" or "slander". Where the law varies depending upon whether written or spoken defamation is involved, the judge will select the appropriate instruction from among those contained herein. The jury need not be made aware of the distinction.

If the plaintiff is a person, the bracketed phrase "a person's" should be used. When a corporation is the plaintiff, or other forms of business organization or entities are determined to be proper plaintiffs in a defamation action, the judge should draft appropriate language for insertion here.