

# GEORGIA SHIELD LAW

Georgia's 1990 shield law provides "a qualified privilege against disclosure of any information... obtained in the gathering... of news."

According to author Gregory C. Lisby, the shield law was co-sponsored by State Senators C. Donald Johnson Jr. of Royston, Don M. Peevy of Lawrenceville and Pierre Howard of Decatur. It was signed by Gov. Joe Frank Harris on March 13, 1990.

In the first successful test of the law, Douglas County Superior Court Judge Robert Nolan denied attempts to force Trisha Renaud, a staff writer for the Fulton Daily Report, to disclose her confidential sources. Renaud declined to answer more than 50 questions, citing the recently enacted statute. The issue was alleged taping of client-attorney conversations in the county jail.

Here is the text of the law:

## **24-9-30. Persons, companies, or other entities engaged in gathering or dissemination of news**

Any person, company, or other entity engaged in the gathering and dissemination of news for the public through a newspaper, book, magazine, or radio or television broadcast shall have a qualified privilege against disclosure of any information, document, or item obtained or prepared in the gathering or dissemination of news in any proceeding where the one asserting the privilege is not a party, unless it is shown that this privilege has been waived or that what is sought:

- (1) Is material and relevant;
- (2) Cannot be reasonably obtained by alternative means; and
- (3) Is necessary to the proper preparation or presentation of the case of a party seeking the information, document, or item.

Source: Georgia Net

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Additional source: "Mass Communication Law in Georgia," by Gregory C. Lisby, 1972, New Forums Press, Inc