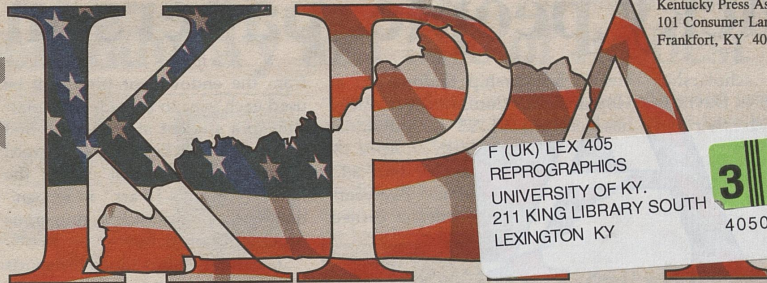


The
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Press



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SNPA Traveling Campus comes to UK

Event is slated for
July 27-29, free to
Kentucky newspapers

The Southern Newspaper Publishers Association's traveling campus will make a stop in Lexington again this year on July 27-29 at the University of Kentucky, with a program of events billed as "new and improved."

The Traveling Campus is a way of bringing no-cost, high-quality training to newspapers in the Southeastern U.S. They are generally marketed to newspapers within 100 miles. Each session lasts just three hours, limiting time out of the office and cutting travel expenses. It offers training session for all major newspaper departments with topics that

are applicable to both daily and non-daily newspapers of all circulation sizes.

All sessions are open to all newspaper departments. Participation in sessions outside your area of responsibility is encouraged to gain a better understanding of the newspaper industry as a whole.

Schedule of Programs:
Wednesday, July 27
9:30 a.m. - 12:30 p.m.

Newspaper circulation - It's more than just delivering papers (all departments)

- Presented by Phil Hanna, Anderson, Randles & Associates, Newnan, GA.

This session will cover home delivery and single copy basics for achieving excellence in those areas of the circulation department. It will also focus on customer service and

how this can contribute to circulation growth and revenue. Included in this session will be time management, the carrier sign up and the importance to the overall success of the district sales manager and how both field personnel and customer service representatives must work together to achieve "over the top" customer service. This is a session for the new manager in home delivery, customer service or single copy. Veteran managers will have the opportunity to share with other circulation professionals in the region. Newspaper employees outside the circulation department will also find this session to be an excellent view into the inner workings of a circulation department.

9:30 a.m. - 12:30 p.m.

See SNPA on Page 5

July News & Notes

Second Mini boot camp
set for July 28

The second of the Kentucky Press Association mini boot camps will be held July 28 in Madisonville at the Country Cupboard Restaurant.

The one-day mini boot camp will feature a three-hour morning session by Courier-Journal reporters Jason Riley and Laura Ungar on how reporters can plan, organize and execute in-depth reporting of important community issues. Topics will include developing sources, researching issues, how to find experts on issues ranging from A to Z and more.

The three-hour afternoon session will be led by Joe Imel, award-winning photojournalist with the Daily News in Bowling Green. During his "Photography for Reporters," Imel will have a variety of cameras, both point-and-shoot as well as digital SLR's, for some hands-on training. He will also have handouts to take back to work.

Imel will cover several topics from basic photography to digital workflow, sports photography, spot news and how to shoot exciting head shots.

The cost of the mini boot camp is \$15 per person. That includes lunch. A registration form can be found at www.kypress.com.

For more information, call David Greer at KPA at (800) 264-5721.

See NEWS on Page 12

We're looking for ways to cut back

Statewide classifieds are our bread and butter. Because of those, we're able to fund some 20 internships each summer with KPA member newspapers.

Display advertising sales are \$5 million a year and nothing to sneeze at. Those sales are important but most of the dollars go to you, our member newspapers. We take part for our "commission," but annually, 92 to 93 percent of the \$5 million is paid to newspapers.

Dues bring in a lot and most of that goes to cover the many KPA services offered to you at no charge.

On Second Thought

By David T. Thompson
KPA Executive Director



Such as the lobbying expenses each legislative session.

Conventions and contests bring in a lot of money but those are costly. We

have to pay for speakers and hotel meals aren't cheap. And while we've saved a little with the new contest plaque version, each one still costs us about \$25.

Take out statewides and display ad sales, conventions and contests, and you're taking away most all of our income, at least the major sources.

And there's another side of the coin -- expenses.

Looking at one recent financial statement, I noticed one expense line item seemed well out of line. Above budget considerably, above last year's same period total. That line item, "Credit card expense," shows how much we have to pay out to four credit card companies when the income areas mentioned are paid for by credit card. More and more, statewides, display ads, conventions, contests and even some dues are paid by credit card.

To be able to accept payment by credit card has become a necessary evil. With them, we get payment a lot faster on those line items. Without them, we'd have to send bills, follow up with phone calls and

See WAYS on Page 8

Kentucky people, papers in the news

Donations to a scholarship endowment in memory of **David L. Riley**, an editor, photographer and reporter for the **Kentucky New Era** for 24 years, will exceed \$5,000 this summer and will eventually grow to at least \$10,000. The "Servant's

Heart" Scholarship Endowment at Hopkinsville Community College has received \$4,725 in individual gifts since Riley's death on April 13. The Kentucky New Era will add \$1,000 a year for the next five years to the endowment. Interest earned

from the endowment fund will be used each year to provide a scholarship to a student at HCC. The first scholarship will be awarded in April 2006. The endowment carries the name "Servant's Heart," in recognition of Riley's devotion to numerous community projects.

Isaiah Super has joined the sports department at the **Commonwealth Journal** in Somerset. He is a student at Lindsey Wilson College where he will graduate in December with a double major in communications and Christian ministry. He also serves as a youth minister at Pleasant Point Baptist Church in Kings Mountain.

A benefit was held June 18 for **David W. Strong**, former editor of **The Jackson Times**, at the Douthitt Park in Jackson. He was diagnosed with a brain tumor and has been taking daily trips to Lexington for chemotherapy treatments.

Marilyn Thompson, editor and vice-president of the **Lexington Herald-Leader**, spoke with students at Alice Lloyd College on April 26.

The Vine Grove Chamber of Commerce recognized **The News-Enterprise** in Elizabethtown as the business of the month in May. **Michelle McGuffin** accepted the award for the newspaper. Editor **Warren Wheat** was also present.

Karen Roepken has been named research director for **Landmark Community Newspapers, Inc.** She began her duties June 13. She most recently worked as a marketing consultant with a variety of businesses from small locally owned restaurants and regional colleges to accounts as large as Brown-Forman. She was also an independent market research consultant and has worked in consumer and business marketing with organizations such as Keebler, Sara Lee, United Dairy Industry Association and Helene Curtis. She is a graduate of the University of Illinois with a degree in communications.

Jessica West Bratcher has accepted a position as the new features editor at the **News-Enterprise** in Elizabethtown. She will begin her new job July 5. She resigned her position as the managing editor of the **McLean County News** on June 4.

The Murray Ledger & Times

recently promoted graphic designer **Thomas Bell** to production manager. Bell has been with the Ledger since August 2004. His job duties now include designing special publication covers and overseeing the newspaper's FTP site which is an integral part of the paper's job printing. Bell holds a M.S. in mass communication from Murray State University and a B.A. in advertising from Western Kentucky University.

Jenny Blandford has joined **The Springfield Sun** as a news reporter. She graduated in May from Eastern Kentucky University with a bachelor's degree in public relations. She has had articles published in the EKVU student newspaper, **The Eastern Progress**. She completed public relations internships with the Foothills Community Action Partnership, assisting the marketing manager in planning and implementing the 2004 Kentucky Duck Derby and the Eastern Kentucky University Cooperative Education Program designing and implementing an awareness campaign to increase program exposure. She also worked as a student television show producer for Live From Studio B at EKVU.

Mary Gilliland has joined the **Central Kentucky News Journal** in Campbellsville as an advertising sales associate. She is a student at Campbellsville University, majoring in communications with a public relations emphasis and marketing minor. She will complete her studies in December. She was advertising manager for the **Campus Times**, the university's student newspaper, during the 2004-2005 school year. She also completed public relations and mass communications internships at WVLC in Campbellsville.

Stacy Ross has joined **Landmark's** Kentucky Regional Sales group as a sales executive. She previously worked for **The Courier-Journal** where she was salesperson of the month in October 2004. She is originally from Shelbyville but now lives in Bardstow.

Angela Medley recently joined **The Lebanon Enterprise** staff as an advertising representative. She was a sales rep for Val-Pak in Louisville

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The Kentucky Press

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Staff members, Officers and Directors may be reached by e-mail using the individual's first initial, full last name@kypress.com.

The newspaper industry lost one of its best friends

Kentucky historian Dr. Thomas Clark died at age 102

Kentucky newspapers lost a true friend and admirer with the recent passing of Dr. Thomas Clark, Kentucky author and historian laureate-for-life. Clark, 102, wrote more than 30 books - three of them about Kentucky's newspapers.

"I've always had a fascination for newspapers and their development," Clark told me during an interview at his Lexington home in late 2003.

"I could have easily been a newspaperman," he said that day. "The newspaper had and still has an impact on the Kentucky mind.

"No one knows just how much influence newspapers have," Clark said. "Everyone says they do, but no one, including the newspapers, can measure it."

I first met Clark at a Shakertown Roundtable session in the early 1990s. Clark, former Owensboro

Oh, By The Way

By David Greer
KPA Member Services Director



Mayor David Adkisson and I had lunch together that day. Between Clark's vast knowledge of Kentucky and Adkisson's impressive accomplishments as a young man serving as mayor of one of Kentucky's largest cities, it was a most interesting 60 minutes. As a lowly newspaper editor, I didn't have much to add to the accomplishments of the trio.

A few years later, I invited Clark to speak to the January 2003 KPA convention in Louisville. His topic, "Kentucky: Where we've been and where we're headed," lent itself easily to talking about newspapers - a major statewide force and influence since the earliest days of statehood.

Clark's room was packed with journalists wanting to hear his convention talk. He spoke without

notes for well over an hour. Not bad considering he was 100 years old at the time. Afterwards, someone in attendance remarked that she wished Clark's talk had been recorded because it contained so much about the history of Kentucky newspapers. That inspired me months later to call Dr. Clark and ask if I could interview him about the influence of Kentucky papers for a story to be published in the Kentucky Press. That story ran in January 2004.

He, of course, agreed to be interviewed without hesitation. I spent a delightful two hours with him at his Lexington home one sunny morning. I think he confused me for KPA Executive Director David Thompson but that happens frequently anyway and by people less than half of Dr. Clark's age. So I certainly couldn't fault him for getting the two Davids a little confused.

Just as he had in Louisville at our convention, Clark talked to me about the history of Kentucky newspapers without referring to a single note. He listed names, dates, and dozens and

dozens of facts just as easily as he might have listed what he had for breakfast that day. He spelled each and every name without hesitation. Only if all interviews were that easy, that informative, that inspiring and that much fun. It was one of those occasions where you think to yourself "they actually pay me to have this much fun?" OK, not every day is that way but you know what I mean.

My two hours spent one-on-one with Dr. Clark is a time I will always treasure as a journalist and as a Kentuckian.

Fellow KPA co-worker and KPS sales director Teresa Revlett had volunteered to drive Clark back to his Lexington home after his January 2003 convention appearance. She wrote about her delightful time with him in the February 2003 issue of the Kentucky Press.

He told Revlett: "There is nothing more immortal than the printed word. No matter what you do for a newspaper remember that."

Those are words for us all to remember.

New KPS policy will make checking your e-mail even more important

In an effort to better serve our newspapers and cut back on expenses, we have decided to start e-mailing insertion orders to newspapers. Instead of you getting a faxed copy and a copy of the insertion order in the mail, very soon all insertion orders will come to you via e-mail.

Already, the ARK network has put into place an e-mail system for the 2X2 network. Statewide classifieds have been e-mailed for some time. This has proven to be an efficient system and we would like to move in that direction for the display service as well.

Recently, a note was sent to all newspapers asking for email addresses. If you have not replied to

Advertising Plus

By Teresa Revlett
KPS Director of Sales



that emailed note, please send me a note letting me know where you would like your insertion orders sent. You can email me at trevlett@kypress.com

On some of the returned requests a note was attached saying "please carbon copy" another address for all insertion orders. This is a great idea but not possible with our software. When we generate an insertion order, we are only allowed to choose one representative at each paper. We cannot carbon copy another person for insertion orders. The system that we email insertion orders from is not like a normal email system where multiple recipients can be chosen.

That means if you have plans to be on vacation and you regularly receive insertion orders from KPS, someone will either have to check

your email while you are gone or if possible, or you can notify us ahead of time and tell us when to use an alternative email address. Then we will choose another representative at your newspaper when you are out.

We have already cut out mailing insertion orders to newspapers. That means in the end we will save a lot of money in postage. The one thing that we do not want to do with the new system is increase the number of "did not run" ads in our newspapers. We have worked hard to make sure that every ad is scheduled and run as the client has ordered it. Please do not let this new system increase our number of DNRs. Savings in postage will not be worth loss revenue at our newspapers.

If you have any questions about the emailing of insertion orders please give me a call. We are waiting for a few addresses to come and then the plan is to be fully emailing all insertion orders by Aug. 1.

LOOKING FOR AN EMPLOYEE?
Check out kypress.com for the latest resumes or to post available jobs at your newspaper.

Students win scholarships at WKU workshops

Taking two to four days out of their summer to attend a media workshop paid off last week for four Kentucky high school seniors who received \$500 scholarships from Western Kentucky University.

Bethany Truax of Louisville, Tanner Johnson of Fort Thomas, Chasidy Warner of Louisville and Kayla Dowdy of Glasgow won the scholarships during the Summer High School Media Workshops at WKU.

Workshop instructors made the awards based on a combination of actual workshop performance and a written essay exam on June 9, the last day of the workshops.

Students were enrolled in their choice of two-day workshops in broadcasting, journalistic writing and InDesign software instruction or a four-day workshop in photojournalism.

Truax attends duPont Manual High and will be co-editor of the yearbook and a member of the school news team this fall. Johnson attends Highlands High, and Warner attends Fern Creek Traditional High.

Dowdy, who attended this workshop twice before, is enrolled at Barren County High and will be editor of the school's newspaper.

The scholarships are sponsored by Western's Division of Academic Affairs. Paul Casebolt of Western's admissions office made the presentations.

More than 100 students and advisers registered to attend the third annual High School Media Workshops.

Instructors included journalism faculty members Robert Adams, James Kenney, Terry Likes and Mark Simpson. Dr. Pam Johnson is the director of the School of Journalism and Broadcasting. Jackie Bretz was the workshop director.

When requesting electronic records: Don't take 'no' for an answer

By ASHLEY C. PACK
KPA General Counsel
Dinsmore & Shohl



As public agencies increasingly conduct their business electronically, access to electronic records becomes important. Despite this, public agencies often resist opening their computerized records or databases to the public. Don't take "NO" for an answer. Challenge the public agency for what you are entitled to.

Access to electronic records is clearly within the scope of the Open Records Act. A "public record" is defined as "all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency." (emphasis added). Software is defined as the "program code" but not "specific addresses of files, passwords, access codes, user identifications, or any other mechanism for controlling the security or restricting access to public records." KRS 61.870(3)(a).

To help you in your quest for electronic records, we have compiled the following information and tips.

COST

Be aware of what the public agency will charge you for the electronic record. As you know, the Open Records Act provides that a

public agency "may prescribe a reasonable fee for making copies of public records which shall not exceed the actual cost of reproduction, including the costs of the media and any mechanical processing cost incurred by the public agency, but not including the cost of staff required." KRS 61.874(3).

In your open records request, we advise that you ask the public agency for an itemized estimate of the charges for the data before it produces the electronic record. Insist that you will pay for reproduction costs only.

FORMAT

You must ask the public agency to produce the records in an electronic format. If the agency refuses, alert them to a Kentucky Attorney General opinion which holds that,

"We do note that generally speaking, if nonexempt records exist in both standard electronic and standard hard copy formats, the public agency must permit inspection of and copying in the format requested by the requester." 99-ORD-12.

If you need the records in an electronic format other than ASCII, you must make this part of your request. While the agency may comply with this request, it can charge you for its time and expenses. "If a public agency is asked to produce a record in a nonstandardized format, or to tailor the format to meet the request of an individual or a group, the public agency may at its discretion provide the requested format and recover staff costs as well as any actual costs incurred." § 61.874(2)(b).

Remember, however, that a public agency is only required to make the material available in the format that it was collected.

SIZE OF DATABASE CONTAINING ELECTRONIC RECORDS

Often, the database that contains the public records you are seeking is much larger than what you need. To pare down the amount of extra work it would take to review and manage the entire database, we recommend that you do not ask the public agency to provide you everything it has. Instead, tailor your request so that it is narrow and specific. It may be helpful to first request a list of the agency's databases and/or record layouts for specific databases. You will then be able to more accurately pinpoint the records you want.

If you request a database contained electronic records, you should know how many records or pieces of information are in the database to ensure you have the right number of records.

UPDATE OF RECORDS.

As public agencies are becoming more computer-savvy, information should be updated on a regular basis. You should still, however, ask how often the records are updated or synched into the public agency's database or system to ensure that you are getting the most up-to-date records.

As always, if you have any questions, call your hotline attorneys:

Jon L. Fleischaker: 502-540-2319
R. Kenyon Meyer: 502-540-2325
Ashley C. Pack: 502-540-2385
Jeremy S. Rogers: 502-540-2384

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IN THE PEOPLE AND PAPERS SECTION?**

Send it to Dana Lear, News Bureau Director, at
dlear@kypress.com.

Deadline is the 20th of each month.

Policing compliance

Public records ombudsmen mediate disputes between government officials, public

By RYAN LOZAR
The News Media & The Law
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By the time callers reach Patricia Gleason's office, they are often at wit's end after being forwarded from bureaucrat to bureaucrat trying to get what the law says they are entitled to: government records.

In a world of open government disputes between Florida bureaucrats and citizens, Gleason is the chief mediator, helping about 120 Floridians a year challenge alleged illegal closures of government records or meetings.

Providing an alternative to litigation is important because for many citizens, filing and fighting lawsuits is too costly and time-consuming, said Gleason, general counsel for Florida Attorney General Charlie Crist. A scarcity of lawyers specializing in public records law also complicates citizens' ability to resort to courts to solve access battles, she said.

Florida is one of about 15 states that have some form of public-access ombudsman working out of the state attorney general's office or a state-organized freedom of information council or commission. Some ombudsman offices write legal opinions responding to public questions, while others - like Florida's - offer mediation. Some do both.

The idea is spreading. Arizona and Maine, for instance, have bills pending that would create public access ombudsmen in those states. A federal ombudsman's office tackling federal Freedom of Information Act issues is called for in a FOI Act reform bill introduced by Sen. John Cornyn (R-Texas). Cornyn envisions that the office would take questions from the public as well as government officials, said his spokesman Don Stewart.

CONFLICT OF INTEREST

Historically, many state attorneys general, as the lawyers for their states, have counseled government

officials on access disputes but not the public. Asking the attorney general if a government body is wrong to close a meeting or record, is like asking a "lawyer to tell you that his client violated the law," said Bob Cooper, spokesman for Idaho Attorney General Lawrence Wasden.

In states like Maine where there is no ombudsman and the attorney general does not answer the public's questions directly, citizens can go to a government official and say, "This is the issue, can you send a letter to the attorney general requesting an opinion?" and 99 times out of 100 they will do it," said Malcolm Leary, a print and broadcast journalist with Capital News Service in Augusta.

In Kentucky, citizens do not have to find a third party to ask questions on their behalf because Attorney General Greg Stumbo is legally obligated to answer open government questions from the public. Stumbo avoids potential conflicts of interest by keeping lawyers working on open government issues autonomous, separated from government lawyers in other divisions who have to defend a government entity's decision to close records or meetings, said Jon Fleischaker, general counsel for the Kentucky Press Association.

Florida's Gleason complimented Kentucky's system for defusing the conflict of interest that other states use as an excuse for not offering similar programs. "Kentucky's system just shows that there's a commitment there to providing this kind of service," she said. "If there's a will, there's a way."

Florida's attorney general's office avoids potential conflicts of interest by not representing state agencies in public access disputes, leaving the task instead to agency attorneys.

But some state attorneys general are not able to use Florida's method because they are constitutionally or statutorily obligated to offer legal representation to state agencies in all

circumstances, Cooper said.

An audit indicating poor government compliance with access laws motivated the Virginia General Assembly in 2000 to create the Virginia Freedom of Information Advisory Council to answer citizens' questions about access disputes. It is patterned after one of the first such offices in the country, New York's Committee on Open Government.

Forrest "Frosty" Landon, director of the Virginia Coalition for Open Government, said that early on, Virginia struggled with conflict-of-interest concerns. A previous proposal to place the ombudsman office within Virginia's attorney general's office "never came out of committee" in the General Assembly, he said. "In fact, I'm not even sure it got a hearing." The problem was eventually solved by creating the council as a legislative advisory board.

AG'S OFFICE COUNCIL OR COMMISSION?

Fleischaker prefers Kentucky's system over a council or commission because having an elected official like Stumbo as ombudsman forces political accountability that ensures that open government laws will be interpreted in the public's best interest, he said. Stumbo's predecessors began mediating open records disputes in 1975 and open meetings skirmishes in 1992.

Clifton Leonhardt, director of litigation for the Connecticut Freedom of Information Commission, however, disagrees that Election Day pressure is the only way to ensure ombudsmen work in the public's favor, noting that Connecticut governors from all parties tend to appoint journalists and other open government advocates as commissioners. As a result, the commission, created in 1975 by the Connecticut General Assembly as an independent state agency, is "a force, financed by the state, that continually tries to keep the rest of the state more on the

open side," he said.

And Landon pointed out that even though Virginia has a council, the state attorney general - who is elected - still has a hand in its work as one of its 12 members. The librarian of Virginia, journalists, citizens and state agency representatives round out the membership, overseeing the work of full-time attorneys but not collaborating on individual written opinions.

QUICK AND EASY, BUT IS IT EFFECTIVE?

Creating a division of the attorney general's office to answer the public's questions in Kentucky has made fighting for access rights incredibly easy and fast, Fleischaker said. He has heard of citizens making such simple complaints as putting their written request for a government record in an envelope with the government agency's written rejection, and mailing it to Stumbo with a note saying, "I think it's wrong. Please take a look." Fleischaker, however, advocates writing a more substantial complaint.

The opinions issued by the Virginia Freedom of Information Council, done quickly and at zero cost to complainant, don't have the force of law, but are "generally respected by all parties as being impartial and authoritative," Landon said. The state attorney general has told the government that the council's opinions should be presumed to be correct unless there's clear evidence that the council absolutely got it wrong, Landon said. "We hope that eventually, courts will also defer to the findings of this council."

Courts already defer to Stumbo's rulings in Kentucky, where state law says that if the government doesn't comply with - or appeal - an attorney general's ruling within 30 days, it waives its right to challenge it. On the 31st day after issuance, a

See RECORDS on Page 10



Clockwise: Alanna Ritchie - Advertising Director at South Carolina Press Association, Barry Jarrell - Advertising Director at Tennessee Press Service and Teresa Revlett - Director of Sales for Kentucky Press Service and Indiana Newspaper Advertising Network, coordinated the booth for the American Advertising Federation annual meeting in Nashville. The AAF meeting was held June 5 and 6 at the Opryland Hotel in Nashville. Jane Roth won the grand prize at the Southeast Region Newspaper Ad Manager's (SERNAM) booth during the AAF meeting in Nashville. The KPS/ American Profile bag was filled with goodies from Kentucky, Tennessee and South Carolina. Jane is the office manager at Cornett Integrated Marketing Solutions in Lexington. Tony the Tiger stopped by the AAF booth in Nashville. His Frosted Flakes were served at breakfast because it was a sponsor of the national convention. Of course, Tony agreed with KPS Director of Sales Teresa Revlett when she said newspapers were also "grrrrreat."

SNPA

Continued from page 1

Journalism ethics (editorial)
- Presented by Carolyn Bower, Tallahassee FL

The consolidation of media, the evolution of the Internet and the growing demand for immediacy underscore the need for practical journalistic ethics. This program focuses on the changing journalism environment and recent events -- revelations of plagiarism and fabrication among journalists, conflicts of interest, accusations of bias, and misrepresentations about circulation and advertising -- to emphasize the need for shared values and professional practices that foster accountability, credibility and public trust in the newspapers.

1:30 p.m. - 4:30 p.m.
Promotion, acquisition and retention in the circulation department (circulation)

- Presented by Phil Hanna, Anderson, Randles & Associates, Newnan, GA

This session will focus on order acquisition, retention of the order and basic circulation promotion. There will be examples from both single copy and home delivery of successful programs at various size newspapers. It is recommended that each participant bring one example of a sales/promotion program from his newspaper to share with the group. There will also be a sharing of the metrics from NAA that focus on cost per order, churn and order sources with the highest retention. Emphasis in this session will be on sharing success stories from a number of newspapers in the US and Canada. This session should include your circulation management personnel and your sales supervisors.

1:30 p.m. - 4:30 p.m.
Copy editing & headline writing (editorial)

- Presented by Carolyn Bower, Tallahassee FL

Studies prove that a lack of accuracy and consistency undermine the credibility of newspapers. Copy editors are the guardians. This session emphasizes the importance of precision and will offer tips and examples to improve the job skills of copy editors at all levels. In addition, we'll offer a few tips about how to write

headlines that intrigue the reader and, possibly, win the monthly headline contest in your newsroom. We'll also dissect some real-life headlines written by working journalists. If you have examples -- good or bad -- that you'd like to discuss, bring along 20 copies so we'll have enough to distribute.

Thursday, July 28
9:30 a.m. - 12:30 p.m.

The road to better writing (editorial)

- Presented by Carolyn Bower, Tallahassee FL

Every day newspapers print thousands of "adequate" stories. This class will teach you how to upgrade your stories to "excellent" or "compelling." The best thing is that it doesn't take any more time than doing the "get by" story. For those new to the field we'll also include a few pointers on how to find stories and how to get information from reluctant sources. Bring your own examples of good or bad writing or stories that fall flat and you can't figure out why. Bring 20 copies of each and we'll have the group take a look.

9:30 a.m. - 12:30 p.m.
Starting a youth section (editorial)

- Presented by the NAA Foundation and presented by Marina Hendricks

To attract young readers, newspapers must develop content and products that appeal to their interests. This program will jumpstart your work with brainstorming sessions on content, a review of the best youth products produced by newspapers, and tips on writing, design and photography. This program is produced by the Newspaper Association of America (NAA) Foundation, which is dedicated to encouraging young people to use and appreciate the power of newspapers, and by the Youth Editorial Alliance, which focuses on the creation of youth-oriented materials.

6-hrs.
9:30 a.m. - 4:30 p.m.

Developing tomorrow's leaders - Skills training for emerging managers (all departments)

- Presented by Jules Ciotta, Motivation Communications, Atlanta, GA

Skills Training for Emerging Managers - A full-day (9:30 a.m. to 4:30 p.m. with a one-hour break for

lunch) that covers the principles, tools and skills leaders need to build teams, improve interpersonal communication, inspire confidence, and create a constructive working environment. Suitable for new managers, those with managerial aspirations, and leaders who want to refine their talents.

1:30 p.m. - 4:30 p.m.
Editorial leadership in small markets (editorial)

- Presented by the Institute of Rural Journalism at the University of Kentucky and led by Al Cross

Setting the public agenda in small towns and rural areas takes people skills and, sometimes, guts. You must be ready to face the subjects of news and editorials and defend your role as part of the community's civic infrastructure. This session will give examples of editorial leadership on the big issues facing small towns and rural areas, such as jobs, education, health care and the environment, and how they are often related. We will explore ways to broaden and enrich your reporting and commentary and make the most of a limited staff. Primarily for any news-editorial staffer or publisher at a weekly or a small daily, but discussion of rural issues may also benefit those from larger papers that cover rural areas.

1:30 p.m. - 4:30 p.m.
Using the telephone as your most powerful business tool (classified & circulation)

- Presented by Carol Richer Gammell, Sales Training Plus, Tulsa, OK

Selling and servicing the customer by telephone can be much more challenging than face-to-face interaction. This session will help employees be more effective at creating relationships with customers -- so they will come back and do business with the newspaper again and again. We will discuss basic telephone etiquette, customer service issues and selling strategies. This session is targeted to classified and retail reps, circulation customer service and sales reps and other employees that spend time interacting with the public by telephone.

Friday, July 29
9:30 a.m. - 12:30 p.m.

Selling Skills (advertising)

- Presented by Carol Richer Gammell, Sales Training Plus,

Tulsa, OK

This session will concentrate on effective communication techniques and sales practices that will help the newspaper sales representative form more trusting relationships with current as well as prospective customers. You can expect to learn how to sell more effectively by understanding your customers and showing them how your products will serve their needs. This session is for advertising sales representatives in both retail and classified

6-hrs.
9:30 a.m. - 4:30 p.m.

Creating a compelling news experience for a new generation of readers (all departments)

- Presented by Mary Peskin, Fluent Media, Reston, VA

A full-day (9:30 a.m. to 4:30 p.m. with a one-hour break for lunch on your own) program that uses readership research and a process developed by The Media Center at the American Press Institutes to examine the emerging habits and behaviors of readers, the strategies newspapers must develop to reach a new generation of news consumers, and the skills newspaper professionals need to succeed in the future. This program is targeted at senior executives, publishers, editors, department heads, and managers from all newspaper departments.

1:30 p.m. - 4:30 p.m.
Extraordinary customer service (all departments)

- Presented by Carol Richer Gammell, Sales Training Plus, Tulsa, OK

This session will look at customer service from both the inside (internal customer service) and outside (external customer service) perspectives, defining the terms and evaluating what constitutes exception customer service at both levels. Through group interaction, participants will learn what other newspapers are doing to improve customer service and will leave with many ideas that can be implemented at their own newspapers. Any newspaper professional in any area of the operation will benefit from this session. Participants should bring ideas and the willingness to share.

For more information on the speakers or to register to attend, log onto www.kypress.com/snpa2005.

Senate approves new Gatekeeper rule for FOIA

The U.S. Senate recently approved legislation designed to allow for greater scrutiny of attempts to exempt information from the Freedom of Information Act (FOIA). S.1181, sponsored by Senators John Cornyn (R-Texas-TX) and Patrick Leahy (D-VT.), requires any future exemptions contained in legislation to be explicitly set forth in the text of the bill.

The bill addresses the increasing use of what are called "(b)(3)" exemp-

tions, referring to a subsection in FOIA which allows Congress to create further exemptions by statute. However, often these new exemptions take the form of one or two paragraphs inserted into a much larger bill, effectively masking their impact upon public disclosure. As a result, Congressional debate about the wisdom of the exemption rarely occurs.

NNA President Mike Buffington, publisher of The Jackson Herald,

Jefferson, GA, lauded the passage of the bill.

"While we in the news media guard the front door, legions of exemptions are pouring in through the back door, the windows, and down the chimney. An orderly process for dealing with these exemptions must be in place to decide whether information should be legitimately exempted from FOIA. Without such a process, the law itself could

become virtually useless," Buffington said.

The provisions of S.1181 were originally part of the OPEN Government Act of 2005, a larger, more comprehensive bill which was introduced in February in both Houses of Congress. That legislation is aimed at strengthening FOIA and closing loopholes which undermine the effectiveness of the law. NNA supports the OPEN Government Act, as well as S. 1181.

WAYS

Continued from page 1

begs and pleas to pay the invoice and maybe wait a few weeks for payment to come in.

That got me looking and thinking. I needed to learn more about the credit card process and how it came to cost so much. And I wanted to see if other press associations were realizing similar expenditures with credit card companies.

In short, I found out that credit card companies had recently increased the percent charged for the privilege of getting payment made that way; that company/business credit cards are stolen more than personal credit cards so the companies charge more when we get payment by a business card; that since we usually get the credit card number in writing and don't actually hold the credit card in hand and swipe it through a machine, we're paying more; and those "reward programs" are nice for the individual but someone has to pay for all the rewards. You got it, the business taking the credit card for payment pays for the rewards programs.

All this led to two things: (1) I was asked to chair a session at the NAM (Newspaper Association Managers) convention in August on "The Little Things." We all rely on major income sources but often forget some of the other line items that over time, add up to reasonable income. We also forget to look at some of the items on the expense side to see where changes might be made; and (2) taking a closer look at all sides of the KPS income and expense items.

Recently we have made some changes, and heard the groans

from the staff. Or I could have gotten the staff involved, let them see where the income levels and where the expenses are going. And in the end, letting them have a say would result in the staff "buying in" to any changes.

I asked David Greer to chair the committee but left membership up to him. I suggested he get a couple of staff members and perhaps some executive committee members on his "Expense Committee." I wanted them to primarily focus on expense items, to find ways we could cut expenses, and to look at some of the small dollar revenue items to see if we're charging enough or if those services can be restructured to produce more dollars.

David hit the ground running, asked Bonnie Howard and Teresa Revlett to serve on the committee and tried to get a couple of the executive committee members involved. But their time is limited and some have great distances to travel to get to a meeting. So we settled for the three-person committee with regular reports due to let us know what the discussions were and what changes they thought we should make.

First, let me point out that KPS expenses are not out of line by any means. We do our best to hold to the budget line. And after four months, the expense total was only \$2,000 over budget and well under last year for the same period. Income had fallen, however, and that was prompting the concern.

Through a handful of meetings so far, the committee has identified some areas that needed change and others that we'll watch as the year goes on. Suggestions have included: selling the KPS building (we've owned two buildings for the past two years) and when sold, put all the

staff back under one roof. Substantial savings in interest costs, pest control, utilities, maintenance.

* disconnect some of the phone lines. Because of days of yore when we had the CommonNet bulletin board system, we needed, or had, 13 telephone lines. Two of those were for faxing, three were incoming, one was a private line, and the rest used for CommonNet. When we shut down that service, the private lines were assigned to individuals. We heard from several of you about busy signals when trying to call someone here at the office, so assigning private lines didn't cost us anything additional and almost ensured at least one incoming line was available at all times. (We had four of the private lines disconnected in June and that will result in about \$140 per month in savings.)

* cell phones. Necessary evils, some would say. We have two staff with assigned cell phones and to make sure a cell phone was available anytime a staff member was out of the office, we got two more. Good deals, we thought, but over time the two extra cell phones were used very little. (We canceled contracts on those two, resulting in about \$58 per month in savings and purchased one phone with prepaid minutes. We don't want any staff member starting on a trip without having a cell phone.)

* discontinue faxing insertion orders. Your ad staff is aware that this has been put into practice. For years, we've faxed insertion orders to newspapers and followed up with a mail copy. The faxed copy was to make sure space was reserved, the mailed copy to verify the order. Not only did faxing cost a lot, since all but one newspaper is a required long distance call, it took a lot of staff

time. Imagine the time to fax an insertion order to 50 or 100 or even all 150 newspapers. The ad software was designed to allow insertion orders to be sent as a pdf to newspapers. It costs nothing to send a pdf over the system, and takes very little time to prepare it and get it sent. We expected the cost of getting all staff able to produce and send pdfs would take two years to recover. But through our ad software company, we were able to get "drivers" installed on the PCs and the driver generates the pdf. So instead of buying the pdf software and not breaking even on it for maybe two years, we got the "drivers" system for \$45 per computer and that cost will be recouped in the first month of use.

As the year goes on, there will be other considerations, and perhaps recommendations from the committee. Some expense line items are under contract until later in the year. But when those come due, I expect the committee will review any proposal and work to get the best that's the cheapest or most reasonable.

Again, our expenses were not out of line and we hold pretty tight on how we use your money. After all, this is your press association and your press service, and you're a stockholder in the sense that you pay dues and elect the Board.

So the point is this: Drastic cuts aren't always needed. The little things add up over time. And it's good to have other sets of eyes looking on, assessing and giving their two cents worth. Looking at major ticket items and cutting them back are sometimes a knee-jerk reaction. And sometimes, a temporary fix.

What we've accomplished, what the "Expense Committee" has looked at, will have a long-range effect on KPS.

AG Opinions

The Kentucky Post/Personnel Cabinet

The Kentucky Attorney General's office was asked to rule whether the Personnel Cabinet subverted the intent of the Open Records Act, short of denial of inspection, by requiring Kentucky Post Bureau Chief Amanda York to pay programming costs of \$210 for production of payroll for the Office of Security Coordination under Gov. Paul Patton including names, job titles and salaries for individuals employed for the years 2001-2003.

In her letter of appeal, York advised that on May 5 a representative from the Personnel Cabinet phoned her to say a special program costing around \$250 would have to be created for retrieving the information. Because she said she learned that the Office of Security Coordination employed only three people, and because she believes that disclosure of the information in these records is in the public interest and would primarily benefit the general public, York asserts that it is simply not reasonable to charge money to create a program for information more than four years old.

In correspondence directed to the AG's office following commencement of York's appeal, Personnel Cabinet Executive Director Mark D. Honeycutt responded to her claim that the proposed charge was unreasonable, explaining that the cabinet estimated that the request would require three and a half hours of programming at \$60 an hour for a total of \$210.

"Due to the current payroll system utilized by the Personnel Cabinet, the records requested do not exist and must be created. A public agency is not obligated to create records to satisfy a particular open records request," Honeycutt said. "The Personnel Cabinet has the right to deny Ms. York's appeal because the requested records did not exist, however, the Personnel Cabinet attempted to satisfy Ms. York's request by offering to hire a programmer to query the system to obtain the names, job titles and salaries of the employees of the Office of Security Coordination. The Cabinet is merely requesting that Ms. York pay for the programming

costs in order to obtain the information."

The AG's office ruled in favor of the newspaper saying, "Because of the public's right of access to nonexempt records is premised, in part on the right to obtain those records at a nonprohibitive charge, and because public agencies have a corollary duty to manage and maintain their records so as to facilitate efficient and cost-effective retrieval, we find that the Cabinet's imposition of a \$210 programming charge for payroll records constitutes a subversion of the intent of the Act, the Cabinet having acknowledged that each time it queries the system to obtain payroll records," the AG's office wrote in its Open Records decision.

Associated Press/Kentucky State Police and the Office of the Governor

The Kentucky Attorney General's office was asked to decide whether the Kentucky State Police, responding through the Office of the Governor, properly relied on KRS 61.878(1)(m)1.c., d. and e. in denying Associated Press reporter Mark Chellgren's March 28 request for records documenting: the number of sworn Kentucky State Police personnel assigned for security and related duties on March 28 for the landing and departure of Vice President Dick Cheney at Louisville International Airport and the salaries, overtime and related expenses associated with Cheney's visit.

By letter dated April 1, John Roach, General Counsel for the Office of the Governor, denied Chellgren's request for records disclosing the number of troopers assigned to the detail based on the language of KRS 61.878(1)(m)1.c., d. and e. because releasing the total number of troopers creates a "reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating or responding to a terrorist act and ... antiterrorism protective measures and plans; counterterrorism measures and plans and security and response needs assessments."

In response to Chellgren's request for records documenting "salaries, overtime and related expenses," Roach advised that no responsive

records currently existed but such records might be available the following week. He noted that it was likely that even if a document were to exist in the future related request, it would also be exempt from disclosure for the same reason.

On appeal, Chellgren challenged the agency's reliance on KRS questions whether disclosure of the number of KSP personnel assigned for security and related duties on March 28 really creates a "reasonable likelihood" of a threat to public safety.

In supplemental correspondence with the AG's office Roach elaborated on the agencies' position stating that the record contained names, titles, post assignments and hours of the special security detail. "This is precisely the type of record for which the General Assembly amended the Kentucky Open Records Act in House Bill 59," Roach stated.

The AG's office wrote it was of the opinion that a security detail for a high official of the United States Government is an antiterrorism protective measure and part of a plan aimed at protecting the official by preventing or deterring an attack. For those reasons, the AG's found that the agency properly relied on KRS 61.878(1)(m) 1.c. and d. With respect to the request for salaries, overtime and expenses, the AG's office affirmed the agencies' denial of the request on the basis of the nonexistence of the records at the time the request was made.

The Courier-Journal/Louisville Regional Airport Authority

The Kentucky Attorney General's office was asked to decide whether the Louisville Regional Airport Authority violated the Open Records Act in partially denying Courier-Journal reporter Chris Poynter's March 18 request for financial data regarding the airport expansion program, announced in June 1988, and the subsequent voluntary relocation program operated by the airport on the basis of KRS 61.878(1)(k), incorporating 49 C.F.R. Part 24.9(b) into the Act.

In his March 18 records application, Poynter requested access to data for how much money has been spent relocating homes and businesses, the source of that money and how it was spent and the names of

each property owner compensated when his/her house, land or businesses were purchased including but not limited to, the total relocation payment, money paid for the house or business, moving costs and other related payments.

Louisville International Airport Authority Public Relations Director Rande Swann partially denied the request. She advised that the Authority would not make available any records maintained by it in accordance with 49 C.F.R. Part 24 or which identify individuals and/or benefits.

She explained that pursuant to KRS 61.878(1)(k), the public records which the disclosure is prohibited by federal law or regulation, are excepted from the Authority's general disclosure obligation under the Act. Part 24.9(b) of Title 49 of the Code of Federal Regulations provides that "records maintained by an Agency in accordance with this part are confidential regarding their use as public information, unless applicable law provides otherwise." Additionally, KRS 61.878(1)(a), excluded from the general disclosure obligation of the Act, public records containing information of a personal nature where the public disclosure would constitute a clearly unwarranted invasion of personal privacy.

Swann also indicated that the Authority had located one nonexempt public record responsive to Poynter's request and that it would continue its search for other nonexempt public records.

Upon receipt of the Authority's partial denial, The Courier-Journal initiated this appeal through its attorney, Jon L. Fleischaker. The newspaper disputed the Authority's reliance on 49 C.F.R. Part 24.9(b), focusing on the "unless applicable law provides otherwise" language appearing in the regulation and asserting that the Kentucky Open Records Act is an applicable law that clearly provides for disclosure of the records. In addition, The Courier-Journal noted, KRS 382.135 and KRS 382.110, relating to deeds to real property acquired by the Authority, require those deeds to contain the names and addresses of the grantors,

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OPINIONS

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as well as the full consideration paid for the real property, and that they be filed in the county clerk's publicly accessible files.

The newspaper also disputed the Authority's reliance on KRS 61.878(1)(a), asserting that the requested records do not contain information of a personal nature and that the information is a matter of public record under KRS.

In supplemental correspondence direct to the AG's office following commencement of the appeal, the Louisville Regional Airport Authority amplified on its position through its attorney, W. Thomas Halbleib, Jr. Noting that the Authority had agreed to produce records documenting annual relocation program sources and uses of

funds, but excluding information specific to relocated individuals, Halbleib observed that under the Relocation Act, the United States Department of Transportation has promulgated the regulations found at 49 C.F.R. Part 24. Those regulations provide that "records maintained by an Agency in accordance with this part are confidential regarding their use as public information, unless applicable law provides otherwise." According to Halbleib, the Authority maintains, in accordance with the regulations under the Relocation Act, records of, for example, the names of the more than 3,000 families whose properties it has acquired, the dates of purchase of their homes or business properties, total relocation payments, amounts paid for land and improvements, moving costs and other special needs such as disabilities, marital status, living arrangements and

other similar information. To the extent Poynter requests records maintained in accordance with 49 C.F.R. Part 24, such records are confidential regarding their use as public information, unless applicable law provides otherwise.

Halbleib asserted that specific mandate of the federal regulation prohibiting use of the records as public information controls over the general obligations set forth in the Open Records Act. He said the Open Records Act expressly accommodates the more specific provisions in Part 24.9(b) by providing the public records, the disclosure of which is prohibited by federal law, are exempt from the general disclosure obligation.

It was the decision of the AG's office that 49 C.F.R. Part 24.(b) constitutes a federal law prohibiting disclosure of the requested public records, and the information it con-

tained therein, within the meaning of KRS 61.878(1)(k), and that the Louisville Regional Airport Authority properly relied on these provisions in partially denying Poynter's request. The AG's office also concurred with the Authority in its view that any other conclusion renders the federal confidentiality provision found at 49 C.F.R. Part 24.9(b) meaningless and the state exception incorporating same, and found at KRS 61.878(1)(k), a nullity. A construction of the phrase "unless applicable law provides otherwise" that includes this state's Open Records Act, as well as the corresponding public records acts of each state and the federal Freedom of Information Act, would, as the Authority properly observes, always require disclosure of records to which the federal regulation clearly extends protection, the AG's office wrote in its opinion.

Jail time for Judith Miller stresses the need for Federal Shield Law

With New York Times reporter Judith Miller sentenced July 6 to four months in jail for not revealing confidential sources on a story that she never wrote, lawmakers and media groups are calling for Congress to act on legislation that would protect journalists against the release of confidential source information.

The proposed "Free Flow of Information Act" follows closely the U.S. Department of Justice guidelines that allow testimony to be compelled from a journalist only after non-media sources have been exhausted and such testimony is essential to the investigation of a criminal case or to the resolution of a civil case. The legislation also expands upon the guidelines by protecting the identities of confidential sources. Sponsors of the legislation, H.R.581 and S.340, are Representatives Mike Pence (R-IN) and Rick Boucher (D-VA) and Senators Richard Lugar (R-IN) and Christopher Dodd (D-CT).

"Confidential sources have played a vital role in the reporting process, contributing important information on issues ranging from major safety violations at nuclear

plants to corporate fraud. Without the promise of confidentiality, sources, including whistleblowers, will not come forward," said John F. Sturm, President and CEO of the Newspaper Association of America.

"Granting confidentiality to sources by reporters is often the only way the public finds out about waste, fraud and abuse in government and the private sector," said Lucy A. Dalglish, Executive Director of the Reporters Committee for Freedom of the Press. "It's simple: without the ability to protect confidential sources, citizens will not get the information they need to participate in a democracy."

Thirty-one states and the District of Columbia have such "shield" laws in force in state courts, and 17 other states have recognized a reporter's privilege as a result of judicial decisions. However, there is no uniform set of standards that applies in the Federal courts. Thirty-five state attorneys general, including the District of Columbia, recently pointed out to the Supreme Court that the lack of a clear standard of federal protection has undermined state laws.

"Letting journalists keep their sources confidential isn't to protect the journalists - it's to protect the public's right to know important facts that otherwise would never come to light. Forty-eight states and the District of Columbia have recognized this in their laws. The courts in the case of Judith Miller and Matt Cooper have made it plain that it's up to Congress to make sure the federal government finally catches up with the states and ensures that the press can serve the public by reporting the truth," said David Westin, President, ABC News.

"It is now up to Congress to recognize that an informed citizenry and the preservation of news sources are of vital importance to a free society," said Barbara Cochran, President, Radio-Television News Directors Association.

Over the last year and a half, nearly two dozen broadcast and print reporters have been subpoenaed or questioned about their confidential sources.

More than 80 media and journalistic organizations and companies have called on Congress to pass the Free Flow of Information Act.

Got a legal question?
Contact your hotline attorneys:
Jon L. Fleischaker:
502-540-2319
R. Kenyon Meyer:
502-540-2325
Ashley C. Pack:
502-540-2385
Jeremy S. Rogers:
502-540-2384

Records

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requester can simply ask a court to execute the order.

Legal enforcement power is critical, Leonhardt said. In Connecticut, staff attorneys first try to help the parties settle their disputes before a full commission hearing complete with briefs and witnesses held. "The ombudsing, in my opinion, is worthless unless it's backed up by some compulsion," he said. "As an ombudsman, a lot of times I can't get the parties to talk to me very seriously until they know there's going to be a hearing before the commission."

Indiana's Public Access Counselor Karen Davis, on the other hand, said even ombudsmen without enforcement power, such as herself, are effective. Davis is a four-year gubernatorial appointee working in an independent two-person office first created by then-Gov. Frank O'Bannon with an executive order in 1998. She issues advisory legal opinions and tries to spark settlement

between parties in access disputes.

State and local governmental bodies are amendable to negotiations even without legal compulsion, she said, explaining that "frequently a dispute is just a misapprehension of the law, and generally the government does try to comply." If the government body has legal counsel, she said "I'm almost always going to want to talk to them, so it's lawyer to lawyer."

Voluntary mediation works in Florida, too, Gleason said, also stressing her preference to speak to agency lawyers. Lawyers understand that their client "government agencies don't want to risk litigation," she said, and so by going to them she can "perhaps bypass bureaucrats who may be involved in some personality dispute with a citizen" more than anything else.

There are times that Davis wishes she had enforcement powers, but only occasionally when she squares off with a government official who doesn't understand "it's the legislature that sets the policy of the state" and not an individual record keeper,

she said. "But by and large, government bodies really do respond to your pointing out what the law requires for them."

LOBBYING AND EDUCATION

In addition to resolving access disputes, some state ombudsman offices, like the Virginia Freedom of Information Advisory Council, are legally required to report regularly to the state legislature. This can be a boon to the state's access laws, said Landon, who noted that the council's regular dialogue with open government stake-holders makes it well equipped to advise the Virginia General Assembly on access law issues. Legislators will send bills to council for study and comment, and legislation is also suggested by the council when government bring it ideas.

Ombudsman's offices also frequently offer educational programming on access laws for public bodies, the media and the general public. This is a particularly important service for government bodies where "people are frequently cycling on and

off," said Sam Thompson, spokesman for New Mexico Attorney General Patricia Madrid. The public body "doesn't always have the institutional memory" needed to maximize compliance with open records law, Thompson noted. Madrid's office, which only answers access questions from elected officials, has attorneys who give seminars throughout the state.

Considering the variety of forms, locations, powers and functions that define ombudsman programs, "no two of these offices are exactly alike," Landon said. Although these offices can be as diverse as the jurisdictions that they serve, there is one important commonality, David said: "the tremendous amount of good they do for a state," whether by facilitating the public's defense of their access rights, or by improving a state's openness culture through education and lobbying.

"A big part of this" agreed Maine's Leary, "is just giving people one place to go that's clear," however a state chooses to conduct the program. "You got a question? This is the

Fax consent forms come to halt with bill

A frenzied collecting of signed consent forms by businesses to be in compliance with a July 1 Federal Communications Commission imposed deadline came to a halt June 28 when a one-two blow by the FCC and the House of Representatives restored the ability to fax to established customers.

The House recently passed S. 714, the Junk Fax Prevention Act of 2005, which recognizes common sense fax rules between businesses and their customers. Preceding by minutes was an FCC order delaying its July 1 deadline to Jan. 9, 2006.

The Junk Fax bill now awaits President George W. Bush's signature. The FCC is expected to then engage in a new rulemaking proceeding to bring its rules into compliance with the new law.

National Newspaper Association President Mike Buffington, publisher of The Jackson Herald, Jefferson, GA, hailed the work of his NNA colleagues' Congressional Action Team (CAT) for diligent work to establish the new rules.

"No one ever dreamed it would

take two years to get Congress and the FCC to simply recognize that businesses need to be able to reach customers by fax sometimes, and that neither sender nor recipient has the time or money to create a prolix system of consents to make sure the fax is OK with everybody," Buffington said. "The established business relationship was recognized by the FCC for more than a decade, and it was an unwise move to eliminate it. It apparently was just a temporary, but extremely unfortunate misstep that led it to decide that creating this elaborate paperwork scheme would somehow help to eliminate junk fax.

"The truth is that junk faxes were illegal before and they remain illegal. As a price for proving that we are using our own and our customers' machines in good faith, we have agreed to take on some new rules ourselves to make sure those who do not want faxes can opt out. In the best of all possible worlds, Congress would realize that businesses do not intentionally irritate their customers if the customers

don't want faxes. But in today's world, it was necessary to take on some new obligations to get this law through a contentious Congress."

Buffington thanked Sens. Gordon Smith, R-OR, Ted Stevens, R-AK, Daniel Inouye, D-HI, and the other co-sponsors of the first fax bill in the 108th Congress, Reps. Fred Upton, R-MI, Joe Barton, R-TX, John Dingell, D-MI and Edward Markey, D-MA for their steadfast leadership in arriving at the final legislation.

He also noted the important contributions of NNA Regional Directors, Cheryl Kaechele, publisher of The Allegan County News, Allegan, MI, and Jon E. Bladine, publisher of The News-Register, McMinnville, OR, as well as his government relations committee chairmen, Jerry Reppert, publisher of the Anna (IL) Gazette Democrat, and Matt Paxton, publisher of The News-Gazette, Lexington, VA, for successfully making the new fax law a top priority for NNA.

"We're not home free until President Bush signs the law, and

the FCC establishes the new regulations," Buffington said. "But NNA members may now return to their holiday fireworks plans and unplug the last-minute fax consent collections. Their investment in their organization today has paid off in a very real way."

NNA Public Policy Director Tonda Rush said publishers should be reminded that when the law goes into effect, they will need to include opt-out information, including a cost-free mechanism (such as an email address) for their customers. They also will need to make sure in the future that fax numbers are voluntarily provided by fax machine owners. Fax numbers in a newspaper's possession as of the effective date of the bill will be grandfathered. She advised that publishers use the time reclaimed from the frenetic collecting of fax forms to review fax number files and make sure publishers have the numbers they need.

More guidance will be issued from NNA to its members as the FCC proceeds, she said.

NEWS

Continued from page 1

2005 Fall Chapter series will feature Kentucky author

The Kentucky Press Association's 2005 Fall Chapter Series project will be a 10-week serial story written by Kentucky author Leigh Anne Florence of Shepherdsville.

The chapter series will be available to all Kentucky newspapers for publication beginning the week of Sept. 10 and continuing through the week of Nov. 18.

KPA is paying for the copyright privileges for "Tails of the Bluegrass," the journeys of Leigh Anne's dachshund, Woody, as he travels across the Bluegrass. Woody is accompanied on his travels by his sister, Chloe.

The project is a partnership between KPA, LG&E Foundation, Knight Ridder Productions and the Kentucky Network for Newspapers in Education. This is the fourth year that KPA has made the chapter series available to Kentucky newspapers.

At approximately 850 words per column, each story will include a full color illustration by James Asher, the illustrator of the Woody book series. One of the many goals of the serial story is to introduce children to the daily routine of reading their local newspaper.

To inquire about the serial story or to ensure your paper is included, please contact Kriss Johnson at kjohnson1@herald-leader.com. You can sign up for the chapter series by completing the registration form at www.kypress.com and faxing the form to Kriss Johnson. Newspapers signing up no later than August 15 will receive 1,000 copies of the scrapbooks for the chapter series to give to local elementary students as they read the 10-week series.

For more information about The Woody Series or to schedule an interview, e-mail leighanne@thewoodybooks.com or call (502) 376-5966.

PEOPLE

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before going to work in Lebanon. She is currently studying English at the University of Kentucky. She will perform several duties at the Enterprise, including ad sales and ad and page composition, among others.

Lora Cable has joined the staff of The Oldham Era in LaGrange as a graphic artist.

The News-Enterprise in Elizabethtown participated in The March of Dimes WalkAmerica on April 30. The newspaper designed the winning t-shirt as part of the t-shirt contest for the walk.

Rebecca Mattingly has joined Landmark's Regional Sales Team in Shelbyville as an inside sales representative. She will be selling classified and display advertising for the regional sales team and also selling for special advertising sections in coordination with Louisville Sales and other Kentucky publications. Rebecca is a 2003 graduate of Transylvania University where she received a bachelor's degree in Business Administration with a marketing emphasis.

Todd Stephenson has been promoted to lead ad graphics designer at The Sentinel-News in Shelbyville. He has worked for the newspaper for three and a half years.

Roya McKinney has joined The Sentinel-News in Shelbyville as a part-time graphic designer for Hoy en las Americas. McKinney previ-

ously worked for Fastline Publications in Buckner.

Leah Aubrey has been named office manager and assistant editor of Hoy en las Americas, which is based in Shelbyville. She has been with The Sentinel-News for almost two years.

Jonna Spelbring Priester was named managing editor of the McLean County News replacing Jessica Bratcher who resigned from the position. Priester joined the newspaper in August 2002 as a reporter and photographer. She has taught several photography classes at Owensboro Community and Technical College System and is a member of the Kentucky News Photographers Association and the National Press Photographers Association.

The Appalachian News-Express was given the Anthony Lewis Media Award by the Kentucky Department of Advocacy. The award was presented at the awards dinner at the Galt House in Louisville as part of the 33rd Annual Public Defenders Conference. The award was created to recognize papers who covered indigent defense. In June 2004, the article "Attorney: Public Defenders are stretched too thin," was published in the Appalachian News-Express.

The Union County Advocate has a new editor. Leigh Ann Tipton is a former Union County resident, who, for the past six years, has been a sports writer with the Evansville Courier.

E.W. Scripps Co. announced last month that it will spend \$525 million

in cash to acquire privately held Shopzilla.com, the latest deal on Wall Street to capitalize on the growing specialized Internet search businesses. Scripps said it will buy 100 percent of the comparison shopping search engine. Shopzilla, formerly known as BizRate.com, will become a stand-alone operating unit for Scripps.

The Kentucky Standard staff picked up 13 writing, photography and design awards evening at the 25th annual Metro Louisville Journalism competition. The Louisville Chapter of the Society of Professional Journalists sponsored the awards. There were more than 250 entries from 2004 representing newspaper, radio and television outlets from 26 Kentucky and Indiana counties. Editor Lisa Tolliver won first place in the feature-writing category for three features on local people. News Editor Stacy S. Manning, reporter David Mann and publisher Ron Filkins won a joint second place in continuing coverage for coverage of a murder trial. Manning and Mann shared a first-place win in deadline reporting for coverage of the December ice storm. Manning and former reporter Holly Cecil earned third place in the same category for coverage of the November election. Manning won second place in enterprise reporting, first place for a story in the Business Line, first place in column writing, second place for photography, first place for service reporting, first place in Healthcare reporting and second place for page design. Sports editor Jason Nelson won first place in sports writing.

Papers don't use unnamed news sources

(AP) - Editors at about one in four newspapers who responded to a survey say they never allow reporters to quote anonymous sources, and most others have policies designed to limit the practice. One editor said his paper's rules are so strict they would have disqualified Deep Throat as a source.

The use of anonymous sources - people who give reporters information only on condition that their identities not be divulged - has been much in the news recently, notably in a case that prompted a Newsweek magazine retraction. The issue came up again recently with the disclosure

that Deep Throat, The Washington Post's legendary Watergate source, had been an FBI official.

The Associated Press and the Associated Press Managing Editor association decided to jointly survey American newspapers to find out what their practices are. The project, believed to be the most comprehensive of its kind conducted in recent years, drew replies from 419 publications - about 28 percent of the nation's 1,450 daily newspapers.

Editors at 103 papers, nearly all of them in small and mid-size markets, said they do not ever permit reporters to cite anonymous sources

in their articles.

"Our policy is to get people on the record. Period," said Eileen Lehnert, editor of the Jackson (Mich.) Citizen Patriot. "Once you operate from that standpoint, you rarely have to reconsider your position."

Newspapers that do allow use of unnamed source include those based in large cities operating bureaus overseas or in Washington, where requests by sources for anonymity occur often. Most of these papers say they have formal policies intended to minimize the reliance on anonymity.