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NIE project starts Oct. 14

By DANA EHLSCHEID
News Bureau Director

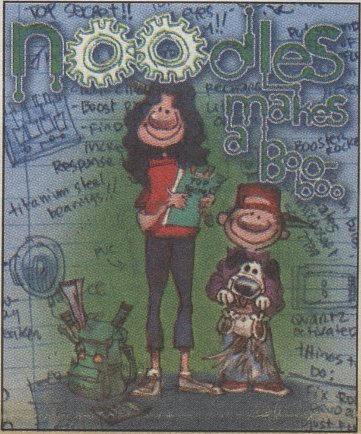
Beginning the week of Oct. 14, 55 Kentucky newspapers will begin publishing the same story for the next seven weeks. This story has nothing to do with governmental policies or the upcoming November election. It doesn't even involve local residents.

The stories are part of KPA's Kentucky Network for Newspapers in Education literary project, "Noodles Makes a Boo Boo." This is the second year for the project that began its inaugural year in 2001 with the award winning "Luke in a Really Big Pickle."

Each week participating newspapers publish a chapter from the series written for second through sixth grade students.

"Noodles" is a chapter story written this year by Debbie Dady and Marcia Thornton with artwork by Chris Ware. It tells the tale of a brother and sister conducting a science fair experiment.

Kriss Johnson, KNNIE chairwoman and educational outreach manager for The Lexington Herald-Leader, said this story is a great segment for teachers and students in studying science.



"Many teachers have said they need more participation in science fairs and this hopefully will help give it a boost," Johnson said.

Last year 43 newspapers participated in the project. Johnson's goal this year was to

See NIE on Page 8

Court hears argument over sealed sexual abuse lawsuits

The Kentucky Supreme Court heard arguments Sept. 17 on whether portions of a lawsuit alleging sexual abuse by priests should be open to the public. The court adjourned without making a ruling or indicating when a decision would be made.

The Roman Catholic Diocese of Lexington is fighting to keep sealed portions of the lawsuit that allege sexual misconduct by priests.

The Diocese has also asked the Kentucky high court to find The Courier-Journal in contempt of court for reporting those portions of the lawsuit on Aug. 24. They have requested the court to order the newspaper not to publish anything further about the sealed material until the dispute over whether it should be unsealed has been

resolved in court. The Lexington Herald-Leader has also filed to have the lawsuit unsealed.

The sealed sections in dispute are part of a lawsuit filed by Lexington lawyer Robert Treadway on behalf of five people who claim they were sexually abused as children by priests in the Lexington diocese and its predecessor, the Covington Diocese.

"The Courier-Journal was well aware that the allegations were sealed but printed them anyway," according to the motion filed by the diocese on Aug. 26.

Chief Justice Joseph Lambert issued a brief order Aug. 27, but did not address the

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October News & Notes

Lewis Owens Community Service Award

Each year, the Lexington Herald-Leader honors a newspaper person, or a newspaper staff, by presenting its Community Service Award. The award was renamed the Lewis Owens Community Service Award in 1997.

Presented annually by the Lexington Herald-Leader, the award recognizes outstanding community service by a Kentucky newspaper person or staff. The award was originally established in memory of Edwards M. Templin, promotion director of the Lexington Herald-Leader and president-elect of the Kentucky Press Association when he died in 1967. It was later renamed to honor and memorialize Lewis Owens for his many years of service to community and service organizations and to Kentucky newspaper's industry.

A list of previous recipients is published in the KPA Yearbook and Directory.

If you have an individual or a newspaper to nominate for the 2002 Lewis Owens Community Service Award, a nomination form is available by contacting Sue Cammack at KPA (800) 264-5721.

The award will be presented in January at our 2003 Kentucky Press Association Winter Convention at the Hurstbourne Hotel and Conference Center in Louisville. The deadline for nominations is Monday, Dec. 2.

If you wish to nominate someone for this award, complete the nomination form and mail before Monday, Dec. 2, to:

Tom Caudill
Lexington Herald-Leader
100 Midland Avenue
Lexington, KY 40508

National Newspaper Week - October 6 through 12

Since 1940, the Newspaper Association Managers have sponsored the annual National Newspaper Week. This year's special week -- "Unfold Your Future" -- is October 6 through 12 and KPA is again glad to be hosting the media kit on our website.

The media kit is available at www.kypress.com/nnwkit.

It is a work in progress and some material, including the logo, is already available. Additional articles and cartoons are being uploaded weekly.

If you need any help with downloading the material, call David Spencer at (800) 264-5721 or e-mail him at dspencer@kypress.com.

Excellence in Kentucky Newspapers - 2002

Just a reminder that Oct. 11 is the deadline for entering the all new Excellence in Kentucky Newspapers - 2002 competition. The awards will be presented Friday, Jan. 24, at the KPA Winter Convention in Louisville. The contest period is Oct. 1, 2001 through Sept. 30, 2002. The competition will be judged by the

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Kentucky people, papers in the news

Bennett Named to Pulitzer Prize Board

In May, Amanda Bennett, editor of the Lexington Herald-Leader, was elected to the Pulitzer Prize Board. Bennett, 50, became editor of the Herald-Leader in September 2001 and prior to that



served as managing editor/projects for The Oregonian in Portland.

Bennett served as a Wall Street Journal reporter for more than 20 years. A cum laude graduate of Harvard College, she held numerous posts at the paper, including auto industry reporter in Detroit in the late 70s and early 80s, Pentagon and State Department reporter, Beijing correspondent, management editor/reporter, national economics

correspondent and, finally, chief of the Atlanta bureau until 1998, when she moved to The Oregonian.

No stranger to the Pulitzers, in 1997 Bennett shared the Prize for national reporting with her Journal colleagues, and in 2001 during her tenure at The Oregonian, that paper won a Pulitzer for public service.

She is the author of five books including In Memoriam (1998), co-authored with Terence B. Foley; The Man Who Stayed Behind, co-authored with Sidney Rittenberg (1993), and Death of the Organization Man (1991).

Columbia University awards the Pulitzer Prizes on the board's recommendation. Members of the board serve a maximum of nine years.

She earned a bachelor's degree in oral communications from Baylor University in 1984 and attended the Simmons Graduate School of Business Executive Course.

The Interior Journal pays \$500 to Commission on Human Rights

The Kentucky Commission on Human Rights has approved an agreement between The Interior Journal in Stanford and Stanford resident Sue Dowdy.

Dowdy alleged she was discriminated against under the Kentucky Civil Rights Act because The Interior Journal, owned by Thomas Moore, published an advertisement for an apartment that stated no children were allowed.

Moore told the commission that the apartment was in a funeral home where silence was required for business reasons and that a funeral home was an inappropriate place for children to live.

Both parties agreed to resolve the matter in consideration for the full and complete resolution of all claims. Under the agreement, The Interior Journal does not admit to any violation of the law. The newspaper agreed to pay the Human Rights Commission \$500, attend fair housing training and provide the commission with the newspaper for the next three years so advertisements can be monitored.

Brown joins the News-Gazette staff

The staff of the Grayson County News-Gazette welcomed their new publisher, Dealton Brown on board in August.

Brown previously worked as state circulation zone manager and district manager for the Rocky Mountain News in Denver, Colo. for 15 years.

He worked with the Milwaukee Journal/Sentinel in Milwaukee, Wis. as state district manager. He was first employed by Community Newspaper Holdings, Inc. in May 1999 with The Norman Transcript in Norman, Okla.

He managed the circulation and mailroom department until moving to Kentucky where he worked for The Glasgow Daily Times, also a CNHI company. He was the sales and marketing manager for the Glasgow paper with responsibilities in circulation, mailroom and Internet departments.

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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. There is no space or punctuation in the e-mail address.

Givens joins editorial staff in Madisonville

Josh Givens has been named the new lead reporter at The Messenger in Madisonville.

Before taking the position in Madisonville in August, Givens was the sports editor of The Kentucky Standard in Bardstown.

Givens will cover economic development, health care and county government.

Givens served in the U.S. Army for four and a half years as a military intelligence photographer. He was also a staff writer at The News-Democrat & Leader in Russellville, where he covered city government, police, courts and sports.

Herald-Leader senior V.P. named publisher in S.C.

Ann Caulkins, senior vice president/sales and marketing of the Lexington Herald-Leader, has been named president and publisher of The State newspaper in Columbia, S.C.

The promotion was effective Sept. 23, but Caulkins will join The State later, after the birth of her second child.

Knight Ridder is the parent company of the Herald-Leader and The State.

Caulkins, 40, joined the Herald-Leader in 1998 as director of advertising. She was named to her current position in 2000.

She came to Lexington from Texas, where she had been retail advertising director at Fort Worth Star-Telegram from 1992-1998, direct mail/TMC sales manager from 1991-1992, advertising manager of Cable Connection magazine 1989-1991 and advertising account executive 1984-1989.

KPA Legal Defense Fund has helped newspaper fights to the tune of \$126,000

Six years ago, the Kentucky Press Association started a rather unique member service -- the KPA Legal Defense Fund. The brainchild of KPA Past President Steve

Lowery, the service is designed to give financial assistance to newspapers that find themselves in legal situations where the outcome could have an effect on the state's industry as a whole.

Steve found his newspaper in some legal situations and felt that had it not been for Landmark Community Newspaper's support, he would not have been able to continue the battle.

"If you're going against a government agency," I remember Steve explaining, "it doesn't worry about attorney fees and court costs. Taxpayer dollars will continue to flow in and the agency can continue the battle."

Newspapers, especially indepen-

On Second Thought

By David T. Thompson
KPA Executive Director



dently owned newspapers, don't have those kinds of financial resources "and more than likely are going to give up the battle because of the costs."

The fund began in August 1996, so it just celebrated six years of support. In that time, KPA has given Kentucky newspapers \$126,401.89. Since most all of the reimbursements have been at 50 percent of the total legal fees, we've assisted in cases that have amounted to more than a quarter of a million dollars.

Some reimbursements have been small, as low as \$150. Others have reached \$20,000. So far, the committee -- two present board members, three past presidents -- has had some 35 requests and awarded funds to 31 of those.

The money to fund the program comes from the newspapers. When the board discussed Steve's idea in mid-

1996, funding was the stumbling block. We knew we weren't going to get a lot of newspapers to "write a check" to KPA so the board developed an advertising deduction program. Newspapers have committed advertis-

ing space sold by KPS. We asked for a minimum of one-quarter page a year; many have donated a full page and a couple even two full pages of advertis-

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Arkansas Press Association.

If you need the contest rules, entry forms or any other information, go to www.kypress.com and click on the link to Excellence in Kentucky Newspapers - 2002.

Kentucky Journalism Foundation Internship Program

If your newspaper participates in the Kentucky Statewide Classified Program, your newspaper is eligible for a Kentucky Journalism Foundation intern for the summer of 2003. We give 20 internships each year and pay \$3,000 per intern so you are eligible to get a "free" intern next summer simply by filling out a Host Newspaper application. If your newspaper participates in the Statewide Classified Program, your publisher has received the Host Newspaper application. The deadline to apply is Friday, Oct. 18. The 20 Host Newspapers will be selected by the KPA Past Presidents.

If you need an application for the Host Newspaper internship, please call Sue Cammack at (800) 264-5721 or e-mail her at scammack@kypress.com.

Kentucky State Police Press Pass/PRESS Window Stickers

The KSP Press Pass form has been revised and it is available on the KPA website -- www.kypress.com/presspass.

Please use these new forms in requesting a KSP press pass. KSP is now requiring a color photograph and is also requiring newspapers to collect press passes whenever an employee leaves the newspaper.

If you need PRESS window stickers for your newsroom employees, those are available at no cost from the Kentucky Press Association. Please call Sue Cammack at (800) 264-5721 or e-mail her at scammack@kypress.com to request PRESS window stickers.

KPA Directory Front Cover Photograph

The Kentucky Press Association is now accepting photographs from Kentucky newspaper photographers for the 2003 KPA Yearbook and Directory. The photograph must be in four-color and by submitting a photograph for consideration, the photographer/newspaper agrees to supply a four-color separation or electronic file of the photograph.

Invite/encourage your photographers to submit photos for consideration. These can be e-mailed or mailed. If e-mailed, please send the photo file to dthompson@kypress.com.

Job Openings/Resumes

If you have a job opening, we invite you to post that opening on the KPA website. Go to www.kypress.com and click on Help Wanted. Fill out the form and submit it to KPA and we'll post it on the website.

Likewise, if you have a job opening and need some resumes, click on Resumes and there's a list of resumes available on-line.

We also had a very successful 2002 Journalism Boot Camp and David Greer reports several of them are ready to step into a newsroom. If you'd like to know more about any of the Boot Camp participants, call David Greer at (800) 264-5721 or e-mail him at dgreer@kypress.com.

If you have any questions about these items, need further information or have requests of how KPA can be helping your newspaper, please give us a call.

'White paper' warns of risks to public's right to know

A new "White paper" by the Reporters Committee for Freedom of the Press warns of severe risks to the public's right to know in the year since Sept. 11.

The second edition of the 60-page report, called "Homefront Confidential: How the War on Terrorism Affects Access to Information and the Public's Right to Know," outlines actions taken over the last year by state and federal government agencies that limit the ability of journalists to do their jobs.

The report includes an "early warning system" based on the color-coded risk assessment created by the Department of Homeland Security. It concludes that there is a "severe" threat to coverage of the war; access to terrorism and immigration proceedings; and access to public records and meetings.

"It (the White Paper) is a comprehensive review of all actions taken by the government in the last year that have damaged the public's right to know."

The report includes a chronology of all federal actions taken since Sept. 11 that threaten government openness, as

well as a compilation of actions taken by state legislatures and officials to respond to the terrorism threat. It summarizes problems journalists will have collecting information because of the USA Patriot Act, President Bush's order for military tribunals and secret detention hearings in immigration courts. The report, first published in March, also analyzes Attorney General John Ashcroft's Oct. 12 directive on interpretation of the federal Freedom of Information Act.

The Reporters Committee for Freedom of the Press is a voluntary, unincorporated association of reporters and editors that works to defend the First Amendment rights and freedom of information interests of the new media.

The full text of Homefront Confidential may be found on the Reporters Committee web site at <http://www.rcfp.org>.

The Homefront Confidential report was funded by grants from the John S. and James L. Knight Foundation, the Scripps Howard Foundation, The St. Petersburg Times and the Robert R. McCormick Tribune Foundation.

NNA questions USPS's proposals affecting community newspapers

Changes are expected by end of next year

A Postal Service proposal to require periodicals mailers to more quickly capture subscribers who move would produce important savings for USPS, but eliminating hard copy address change notices to publishers would hurt small newspapers, according to National Newspaper Association Postal Committee Chair Max Heath.

Heath responded to the Postal Service's request for comments on a new proposal that would require Periodicals and Standard A mailers to update mailing lists every 90 days for new addresses. The requirement previously applied only to first-class mail.

However, USPS also wants to eliminate hard-copy notices that it now sends to publishers when a subscriber has moved. Rather, it wants newspapers to capture the new addresses before mailing by using USPS computerized database products. The Postal Service complains that handling undeliverable copies is expensive and that the hard copy notification service—now 70 cents per notice—does not pay for itself.

Heath argued that some small newspapers do not have the computer personnel or software to use the postal products.

"While NNA will happily assist its more sophisticated computer system

users in 'taking their game to the next level', we strongly encourage USPS not to eliminate manual hard copy address notification," Heath told the Postal Service. "There are small newspapers and their addressed Standard Mail shoppers run in companion whose publishers will be unable to comply with electronic options.

"As distasteful as the hard copy option may be to the (Postal Service), the Postal Service's universal service mission requires it to consider the capabilities and needs of its smallest customers, and not eliminate relatively unsophisticated users from the mail."

NNA expressed concern that some newspapers would be unable to comply with the new rules, and that revenue deficiencies—the back postage payments assessed upon mailers that do not properly qualify for their mail classes or discounts—would be assessed.

Recent years have shown an increase in the Postal Service's assessments against newspapers. The Postal Service said it carried 5.7 billion undeliverable pieces in 2001 and that the cost of handling far exceeds the revenue. It has suggested that an electronic notification system from their national Address Change Service could be used by publishers without computer matching software for a cost of 20 cents a piece.

The changes are expected to be implemented at the end of 2003.

appealed to the Supreme Court, which now must decide if the sealed portions are to be opened, along with the rest of the file.

The lawsuit was filed in May. It was sealed by Noble under a 1998 law that allows for sealing of some lawsuits filed by adults alleging they were sexually abused as children. Noble ruled in July that that law is unconstitutional and ordered the case opened to the press and public.

When ruling on a separate case in July involving sexual abuse lawsuits filed against the Archdiocese of Louisville, Jefferson Circuit Judge James Shake found the law did not apply to lawsuits filed against institutions such as the church.

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dispute. The order set Sept. 17 as the date of a hearing to determine what parts of the lawsuit should remain sealed.

Fayette Circuit Judge Mary Noble ruled July 24 that the allegations sealed were not relevant to the case but ordered the entire case unsealed and open to the public. The diocese obtained a temporary court order keeping the portions Noble ruled were irrelevant sealed while it appealed the decision.

The state Court of Appeals upheld Noble's order. The diocese then

AG Opinions

The Daily Independent/ Lawrence County Sheriff's Department

The Kentucky Attorney General's office ruled that the Lawrence County Sheriff's Department's reliance on the cited exceptions was misplaced when it denied The Daily Independent reporter Tom Lewis' request for the number of cellular telephones owned, leased or rented by the Lawrence County Sheriff's Office, a list of the people who carry or use those telephones and copies of each bill received for those telephones since July 1, 1998, as well as a statement of the purpose for the telephones.

In an undated response to Lewis' request, Sheriff Bobby J. Workman said the cellular telephones owned, leased, or rented by his office were for use by the office's staff. He also stated the request for each bill for each phone and the statement and purpose for the telephones is exempt under KRS Chapter 61.

In a response to The Daily Independent's appeal, Assistant Lawrence County Attorney Everett Kenneth Preston II elaborated on the sheriff's position. He stated that it was the sheriff's department's position that the records of the phones are exempt under KRS Chapter 61, in that the Sheriff's Department uses cellular phones on a continuous basis in their duties as law enforcement officers. To be more specific, he wrote, the Sheriff's Department uses cellular phones instead of communicating via radio dispatch when they are in certain remote locations in Lawrence County where radio communication is impossible. "Therefore, the phones are continuously used to coordinate crime-fighting efforts. As a result of the phones being used in this manner the phone numbers of informants, victims of crime, and alleged criminal defendants are logged on the billing of the phones," Preston wrote.

In its written opinion, the attorney general's office did not find the sheriff's arguments persuasive. "This office has

long recognized that records documenting the use of public equipment at public expense are generally subject to public inspection." The opinion further states that the public's interest in disclosure of records documenting use of public equipment therefore generally prevails over any of the exceptions to public inspection codified at KRS 61.878(1)(1) through (1).

The office recognized there are occasions "when there is a legitimate need by a public agency to keep telephone numbers it has called confidential." When those situations arise, the AG's staff wrote, the burden should be on the public agency to justify, under the Open Records Act or some other legislative enactment, why the record with the telephone number should not be released.

"It is the opinion of this office that the Lawrence County Sheriff's Department erred in issuing a blanket denial of Mr. Lewis' request on the basis of KRS 61.878(1)(h). If, in fact, the billing records contain the phone numbers of informants, victims of crime and alleged criminal defendants, these entries may be redacted on this basis. The fact that individual entries on telephone records enjoy protection under the Open Records Act does not mean that the entire category of records may escape scrutiny for purposes of determining if public funds, time and personnel are being properly used."

The Attorney General's office acknowledged that portions of Lewis' open records request were framed as requests for information as opposed to records. The AG's staff recognized that the Open Records Act does not require public agencies to carry out research or compile information to conform to a given request. "Clearly, however, information (such as the number of cellular telephones) may be gleaned from public records, and it is the public records, and it is the public agency's duty to make these records available for inspection or copying to facilitate this process.

DON'T MISS OUT!

Don't miss out on news from the state's capital. Make sure the KPA News Bureau has your updated e-mail address so we can notify you when a story is filed on AccessKPA.com.

Send your name and e-mail address to dehlschide@kypress.com.

State will soon implement Amber Alert plan

By DANA EHLSCHEID
News Bureau Director

You've heard about it. You've seen its success. Now, Kentuckians will see it put into effect right here in the Bluegrass.



The Amber Alert will soon be assisting in locating kidnapped children in Kentucky thanks to the work of the Kentucky Missing Child Project.

Kentucky First Lady Judi Patton chairs the panel of which I am happy to be a part. The second meeting of this panel met in August under the blazing lights of television news cameras and amidst reporters all anxious to report about Kentucky's Missing Child Project.

While the complete implementation

of the program is still a few weeks away, the first phases of the project are underway.

The Amber Plan is a program developed to provide immediate information and assistance in the search for missing or abducted children. Its goal is to instantly alert and involve the entire community to assist in and help locate missing children. This plan provides instant messaging that hopefully will trigger broad searching within entire communities providing for the safe return of those missing while discouraging other such abductions. It is named for Amber Hagerman a child who was abducted and killed in Arlington, Texas in 1996.

The biggest concern for members of the panel was that the alert would be overused and thus lose some of its impact. We wanted to insure that the

criteria was restrictive enough where it would not be used too often, but not so restrictive that it would exclude incidences where it would be beneficial in finding a missing, endangered child.

During the meeting at the Capitol on Aug. 15, Kentucky State Police reviewed the protocol they would use in order to decide if a situation warranted issuing an Amber Alert. First law enforcement must confirm a child has been abducted as well as confirm the circumstances surrounding the abduction. There must be indications that the child is in danger of serious bodily harm or death, and there must be sufficient, descriptive information about the child, the abductor and/or the suspect's vehicle.

If this criteria is met, law enforcement must compile alert information which includes things like name, age,

sex, race, height, weight, eye color, hair color, where and when the child was last seen as well as a description and/or name of the offender and the vehicle he/she was driving.

Under the protocol submitted during August's meeting, the Kentucky State Police will assume the lead role in the Amber Plan Alert activation. A designated member of the Kentucky State Police command will determine if the incident meets the criteria, he/she will then contact the Division of Emergency Management, Emergency Operations Center which, like KSP, is manned 24 hours a day. All pertinent information concerning the missing child, abductor and vehicle will be given to the Emergency Operations Center officer. KSP will also notify the National Center for Missing and

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The campaign of 2002 ... here come the ads

By KIM GREENE
KPA General Counsel
Dinsmore & Shohl

We all made it through the primary elections of 2002. Now we are fast approaching the general election. And if the volume of calls your Hotline attorneys are already receiving about political ads is an indication, this election is going to be a busy and headache-filled one for many of you.

It might be useful, therefore, to review a prior column that deals with screening political ads. What should you look for? When should the red flags go up?

Political speech is the kind of speech most fervently protected by the First Amendment. The notion that the free flow of ideas is crucial, particularly in the context of political speech, led the United States Supreme Court to decide the famous *New York Times v. Sullivan* case. That case involved a political campaign, and was the first time that the Supreme Court articulated different standards of proof in defamation cases depending upon whether the plaintiff is a public official/public figure or private individual.

Incumbent office holders are public officials, of course, and candidates for office are public figures. That means that both the press and the citizenry have a lot of latitude in their commentary on the election process or the rela-



tive merits of candidates. We all know, though, that we can't let down our guard completely. When those political ads start pouring in soon, remember that it is still possible to defame a public official or public figure.

For example, you may recall the case Russell County Judge/Executive Terri Flanagan brought against *The Times Journal*. After an election, Flanagan sued the newspaper over three editorials critical of Flanagan's positions on controversial issues. The \$1 million jury verdict against the newspaper was reversed on appeal to the Supreme Court. Vindication like that is sweet but, at the end of the day, the process and the time it takes to reach that vindication are costly and disruptive. If you can avoid it with some prepublication scrutiny, why not? And you can.

Some of the political ads you have shared with your Hotline attorneys are "slick," obviously prepared by professional ad agencies or PR firms. Others look more homemade, some even handwritten and full of grammatical errors and misspellings. And, of course, there's everything in between. All of these ads, no matter what level of sophistication, require your careful scrutiny before publication.

One of the reasons for this has to do with the nature of elections. Candidates generally feel very strongly about their campaigns and their stands on the issues. In many cases,

when they compose their ads, they express their feelings passionately, sometimes even intemperately. They rarely mince words when referring to the opponents.

So what are some of the things to look for as you preview these ads?

Pay attention to the accusations leveled by a challenger against his incumbent opponent. It's perfectly legitimate for him to criticize the incumbent's policies in office as being ineffective or wrong-headed. It can be over the line, however, for him to accuse the incumbent of embezzling or other types of malfeasance.

Question careless wording of a candidate's accusations against her opponent. For example, consider this sentence: "I have shown the money he has had to run the office you have given him for seven years and I want him to tell you how much of that money he and his family have personally taken out of that office during that time." The sentence is ambiguous, but certainly could suggest to some readers that money has inappropriately found its way into the pockets of the incumbent and his family members. When you ask that question, you may find out that's exactly what the challenger meant. Or you may find out that he is criticizing the fact that the incumbent hired several members of his own family for salaried positions. This kind of nepotism is a perfectly legitimate criticism of an elected official. But the criticism needs to be stat-

ed clearly.

Watch for stray, negative references to third parties. Even though this is political speech concerning a campaign, statements in the ad that defame a non-candidate can make big trouble for you. For example, sometimes mention of a candidate's family members creeps into an ad. In an ad discussing spending county money on a drug rehabilitation center, there was a sentence something like this: "I know at least one of your incumbent's family members would benefit personally from a rehabilitation program." That reference needs a lot of exploring. If that incumbent has a small family, the statement might defame all of them. Even if there have been rumors that the council member's teenage daughter has a prescription drug problem, she is not the candidate. She is a private individual and she has privacy rights. That statement may not subject you to defamation if she truly has the drug problem, but it could very well give her a claim for invasion of privacy.

"Cartoon" ads can create problems. They can also be perfectly legitimate - and right on target - political commentary. Look at the message created by the graphic and the wording combined. What is it saying about the advertiser's opponent? If it's accusing him of something that is criminal or otherwise unlawful, beware. If it is

See CAMPAIGN on Page 8

Keeping ad rates, information current at KPS is vital for advertisement placement

Rates, data, which paper is SAU and which paper has converted to WEB? Who can keep up with it all?

Well, it is hard but with the help of our member newspapers we are able to provide all this information and more to the clients who want to place ads in Kentucky and Indiana newspapers.

We often don't find out a newspaper has had a rate increase until an ad is scheduled. Then a newspaper staff member signs the insertion order to confirm that the ad is scheduled to run and notices that the rate used is not current. Our staff is good, but the one thing that we can't do is read minds!

Advertising Plus

By Teresa Revlett
KPS Director of Sales



Please help us keep that information current by sending us rate cards any time there is a change in rates. Most of the time, newspapers

know in advance when a rate increase will be made. Let us know via fax or email and we'll update our records to make sure that we are quoting the most recent information.

We've just mailed to the publisher at each newspaper the 2003 KPA Rate and Data form. The information we request is vital — it's used in our directory so that

clients have current information about each newspaper and it helps KPS's advertising sales efforts in having ad rate information.

Starting in January, we will be sending out quarterly updates for newspapers to fill out.

When I was a publisher I thought the quarterly updates were annoying since our rates didn't change that much at my weekly. I know some of you probably feel the same way. Usually January was the only time that we had a rate increase.

Little did I know back then that KPS deals with hundreds of newspapers and some have rate increases three times a year. If you aren't going to experience a rate increase, then simply give me a call or e-mail me saying that the rates will stay the same and we won't alter your rates.

But if you are going to have a rate increase, let me know and we'll make the necessary changes.

We also want to know about any special sections or promotions you have planned. We do have some clients who are interested in advertising in special sections, depending on the topics, and if we have a current list of upcoming special sections, we might be able to get more advertising for that publication. We can include those items with the marketing kits that we mail out to potential clients.

Anything that you have would make our kits look that much better and would show how reader sensitive our member newspapers are in Kentucky. Send that information to me at trevlett@kypress.com or drop it in the mail to 101 Consumer Lane, Frankfort, KY 40601.

Gishes awarded SPJ's Helen Thomas Award

FORT WORTH, Tex. — Tom and Pat Gish, owners of a crusading weekly newspaper in southeastern Kentucky, received the Helen Thomas Award for lifetime achievement at the Society of Professional Journalists convention in Fort Worth last month.

"The phrase 'lifetime achievement' can connote many things. For tonight's award winners, it means a life consumed — and sometimes put at risk — by the journalism they have practiced for 45 years in Letcher County, Kentucky," outgoing SPJ President Al Cross said as he presented the award. "Their careers could make a great book or even a motion picture."

The award is named after longtime White House correspondent Helen Thomas, a living icon of journalism for her dogged pursuit of the truth in a career that has spanned almost 60 years. Thomas received the first award two years ago.

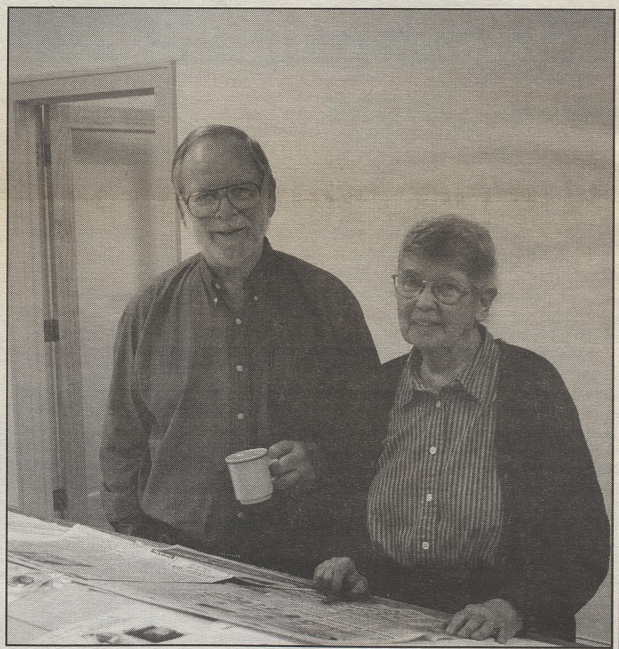
Since 1957, Tom and Pat Gish have published *The Mountain Eagle*, a weekly newspaper in Whitesburg, Ky. "They have taken on corrupt politicians, lousy schools and rapacious coal companies, and suffered for it," said Cross, political writer and columnist for *The (Louisville) Courier-*

Journal.

In 1974, the newspaper office was firebombed, and a Whitesburg police officer was found guilty of hiring some young men to torch the paper. For some years after that, the Gishes struggled hard to even put out a paper and make ends meet, as advertisers stayed away, their fellow citizens shunned them and their children were harassed at school. But through it all, Tom Gish told the convention crowd, the people of Letcher County stuck with them, and finally the advertisers returned.

The Gishes were presented a glass sculpture and a plaque saying that the award was given "in honor of your lifelong dedication to the journalistic missions of informing and respecting your readers, setting the public agenda, and holding accountable not only public officials but business interests that affect your readers' lives. Against daunting odds and many tribulations, you have been an inspiration to generations of American journalists and an example for community journalists worldwide."

The Society of Professional Journalists works to improve and protect journalism. SPJ is dedicated to encouraging the free practice of jour-



Tom and Pat Gish, owners of *The Mountain Eagle* in Whitesburg, were awarded the Helen Thomas Award at the SPJ convention in Texas last month.

nalism and stimulating high standards of ethical behavior. Founded in 1909 as Sigma Delta Chi, and based in Indianapolis, SPJ promotes the free flow of information vital to a well-

informed citizenry; works to inspire and educate the next generation of journalists; and protects First Amendment guarantees of freedom of speech and press.

AMBER Continued from page 5

Exploited Children by telephone that the Amber Plan Alert is being activated.

The Emergency Alert System will then be activated and the Emergency Operations Center will notify the broadcast media of the information to be broadcasted with the alert on local television stations.

The Amber Alert will air continuously until the missing person has been located or it is determined by the investigating law enforcement agency that the alert is no longer needed.

While the main principles in activating the Amber Alert are KSP, the Division of Emergency Management and the broadcast media, I assured members of the panel the Kentucky Press Association and the print media would also participate in implementing the plan and getting the word of an abduction out to readers.

While we cannot offer the immediacy the electronic media can, I still believe we can be of assistance and in turn make a difference.

While in some instances, an Amber Alert could have been activated for over 24 hours before we could possibly

get it into print, it is possible to help out within hours. If an Amber Alert is issued around 10 or 11 p.m., dailies could possibly have time to get the late breaking news into its pages. The morning newspaper could possibly be the first way many Kentuckians hear about the alert issued after they had already gone to bed.

Of course, if an alert is issued in the early morning hours, newspapers would not be able to get it in print until the next day. Those are still crucial moments in finding an abducted child.

With many of our state's newspapers on-line, both weeklies and dailies can post the Amber Alert information on-line within minutes of it being issued. I told the panel that KPA would assist member newspapers with obtaining this information for its websites by providing the photo and information through AccessKPA.

Long-term goals for the Amber Plan include the help of state workers and the Kentucky Transportation Cabinet.

We hope to use the state employee e-mail list to disseminate the Amber Alert information. If an abduction were to happen during working hours, hundreds of state workers would know about it as soon as the alert was issued. They in turn could help spread the word.

In the future, the Transportation Cabinet will also play a key role.

The Dynamic message signs, which played a crucial role in helping locate two abducted teens in California, are also being looked at in helping with the Amber Alert in Kentucky. There are currently dynamic message signs in Louisville, Northern Kentucky and the Cumberland Gap Tunnel and the state hopes to try to secure federal money to purchase more of these signs, which would have multiple uses. These signs would be placed along major roadways throughout the state.

There are 28 welcome centers and rest areas along interstates and parkways with Travelers Information located in its lobbies. These television screens provide travelers with weather conditions and could easily be programmed to display Amber Alert information.

The 511 telephone service could also provide assistance. On the 511 telephone service, those on the roadways can call to obtain traffic information. This message can also be immediately changed if an Amber Alert is issued.

In order to facilitate implementation of the Amber protocol, Gov. Paul Patton and the First Lady will host three trainings during the month of

October. These trainings will target law enforcement, local broadcasters and emergency services personnel. The system will be tested in the days following the trainings and should be fully implemented by November.

Everyone is invited to join the Governor and First Lady for these trainings - the dates and locations are listed:

8:30 a.m. - 10:30 a.m.
Oct. 8, 2002
Kentucky International Convention Center
Louisville

3 p.m. - 5 p.m.
Oct. 10, 2002
Byrnes Auditorium
Hatley Building
750 N. Lafoon Street
Madisonville Community College
Madisonville

10 a.m. - 12 p.m.
Oct. 28, 2002
Carol Perkins Community Center
Crayton-Kackson Lane
Morehead

Following implementation of phase 1, we will reconvene our group to review the implementation and to proceed with implementing phase 2 (the Code Adam electronic alerts).

Murray State offers workshops with funds from foundation grant

Murray State University's Department of Journalism and Mass Communications was awarded a Newspapers-in-Residence Program Grant from John S. and James L. Knight Foundation for the 2002-2003 school year.

The purpose of the NIR Program is to enhance journalism education by bringing professional journalists in contact with journalism students. MSU's NIR Program partner is The (Nashville) Tennessean. Four journalists from that paper will each spend a week with students and help them produce a special publication that will be inserted in the Murray State News.

The department invites fellow media colleagues to participate in the grant project with them. With the Tennessean's help, MSU is offering professional development workshops at Murray State's regional campus in

Paducah, which is located at 3000 Irvin Cobb Drive. The first workshop will be on Wednesday, Oct. 23 from 10 a.m. to 1:30 p.m. Jennifer Goode, Tennessean copy editor, will present a program on copy editing. The second workshop will be on Wednesday, Nov. 13, from 10 a.m. to 1:30 p.m. David Dwiggs, Tennessean systems editor, will discuss computer-assisted reporting.

MSU also plans two additional workshops in the spring. One will focus on public affairs reporting, and the other will focus on diversity issues. Details for these workshops are still being worked on.

For more information or to register to attend, contact Dr. Jeanne Scafella, Chair of the Department of Journalism and Mass Communications, 114 Wilson Hall, Murray, KY 42071-3311, call (270) 762-2387 or e-mail journal-ism@murraystate.edu.



Star Search

Do you have a Star Employee at your newspaper?

Do you believe that person is worthy of a feature article in The Kentucky Press?

If so, contact Dana Ehlschide,
KPA News Bureau Director, at
(502) 223-8821

or at
dehlschide@kypress.com
with the details.



CAMPAIGN Continued from page 7

criticizing his record, you're in much safer waters.

Don't forget letters to the editor submitted by candidates or on behalf of candidates. Statements made about opponents or others in those letters need to be scrutinized in the same way.

Don't forget ads which criticize a group of elected officials, such as the entire city council or the mayor and chief of police. A disgruntled former employee may write in advocating the ouster of one or more such incumbents. How would you handle a statement like this? "I was let go because I was willing to stand up, question, and challenge 'the good old boy ways' and the illegal, immoral, and unethical practices around me." Even though the ad doesn't name the city council members individually, chances are the city council is a small enough group that the law would consider this a defamatory reference to each of the members. That means any of them could file a libel suit about it.

There doesn't have to be a candidate involved. Issue ads, such as local option wet/dry referenda, can give rise to some pretty wild ads. Look for negative references to identifiable individuals or small groups of people. Check them out carefully. On the other hand, here's an ad that

doesn't create legal heartburn: "Support your local bootlegger. Vote no March 14." Consider the ad as a whole. One ad's headline in an issue referendum was "Help Fight Judicial Corruption." No one can argue with the premise there. But a few paragraphs into the ad was a specific reference, although not by name, to the judges in three particular counties. Read carefully to see if any reasonable reader of your paper could interpret this ad to be accusing the judges in those three counties (a pretty small group) of being corrupt.

If you follow the general rule of thumb of treating political ads with the same level of scrutiny you would give your investigative journalism, you are on the right track. Ask lots of questions.

In most cases, your questions will lead to language changes which will take care of potential legal problems. Only rarely have your Hotline attorney recommended completely rejecting a political ad.

Following these guidelines should help you ferret out legal concerns. Of course, your Hotline attorneys are here to help, too. Call us and/or fax us copies of questionable political ads. We'll be happy to talk to you.

Jon L. Fleischaker: (502) 540-2319
Kimberly K. Greene: (502) 540-2350
R. Kenyon Meyer: (502) 540-2325
Cheryl R. Winn: 502/540-2334
DINSMORE & SHOHL, LLP
Switchboard: (502) 540-2300
Facsimile: (502) 585-2207.

NIE Continued from page 1

get at least 50 involved. With 55 newspapers participating this year, Johnson said, that means over a third of Kentucky's newspapers would be publishing the chapters. Both weeklies and dailies are involved in the project.

"I'm thrilled papers are seeing the value of this and helping out literacy in their areas," Johnson said. "It really is a win-win situation."

Johnson said the project was not just created as an educational tool inside of the classroom, but could be used as a circulation vehicle to get newspapers in more homes and encourage literacy.

"It is a great way to get children involved with reading the newspaper," Johnson said. "They will have to get the paper each week to find out what happens in the story."

Last year, Johnson said, many newspapers took the project a step further, and held contests to coincide with the project.

"This was a great way to get both students and businesses involved," Johnson said. "I would love to see even more newspapers do this."

There is no cost for KPA member newspapers to publish the series. Newspapers

must only commit to running the chapters and house ads promoting the project. These house ads have already been made and are provided to participating newspapers, Johnson said.

LG&E will once again provide newspapers that signed up before Sept. 15 with 1,000 free scrapbooks to send to the schools or give to their subscribers. These scrapbooks provide readers a space to cut and save each chapter into one book. There will also be on-line learning activities on the KPA website at www.kypress.com.

The project will run Oct. 14 through Nov. 29. Participating newspapers must publish the first chapter any time during the first week and follow with a new chapter each week. The chapters run about 750 to 800 words and include artwork.

A new aspect to the project this year was the NIE workshops, which were designed to introduce the newspapers to the project and show teachers and families how to use newspapers with the stories. The first of these workshops was held in Western Kentucky at the Kentucky Utilities Office in Earlinton. The next two will be held in Lexington at KET on Oct. 4 and 7. To obtain more information about the workshop or the NIE project call Johnson at (800) 264-5721 or e-mail her at kjohnson@kypress.com.

United States Postal Service			
Statement of Ownership, Management, and Circulation			
1. Publication Title	2. Publication Number	3. Filing Date	
The Kentucky Press	0 0 2 3 - 0 3 2 4	09-12-02	
4. Issue Frequency	5. Number of Issues Published Annually	6. Annual Subscription Price	
Monthly	12	\$8	
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4)			
101 Consumer Lane, Frankfort, KY 40601			
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer)			
Kentucky Press Service, 101 Consumer Lane, Frankfort, KY 40601			
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)			
Publisher (Name and complete mailing address)			
Kentucky Press Service, same as above			
Editor (Name and complete mailing address)			
Dana Ehlischide, same as above			
Managing Editor (Name and complete mailing address)			
N/A			
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)			
Full Name		Complete Mailing Address	
Kentucky Press Service		101 Consumer Lane, Frankfort, KY40601	
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box			
Full Name		Complete Mailing Address	
N/A			
12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)			
<input type="checkbox"/> Has Not Changed During Preceding 12 Months			
<input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)			
PS Form 3526, October 1999 (See Instructions on Reverse)			
13. Publication Title	14. Issue Date for Circulation Data Below		
The Kentucky Press	September 2002		
15. Extent and Nature of Circulation			
a. Total Number of Copies (Net press run)		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
(1) Paid/Requested Outside-County Mail Subscriptions (State on Form 3541 (Include advertiser's proof and exchange copies))		600	550
(2) Paid In-County Subscriptions (State on Form 3541 (Include advertiser's proof and exchange copies))		495	442
(3) Sales Through Dealers and Carriers, Counter Sales, and Other Non-USPS Paid Distribution		21	21
(4) Other Classes Mailed Through the USPS		0	0
c. Total Paid and/or Requested Circulation (Sum of 15b.(1), (2), (3), and (4))		516	463
d. Free Distribution by Mail (Carriers or other means)		25	28
e. Total Free Distribution (Sum of 15d. and 15e.)		25	28
f. Total Distribution (Sum of 15c. and 15f.)		541	491
g. Copies not Distributed		59	59
h. Total (Sum of 15g. and h.)		600	550
i. Percent Paid and/or Requested Circulation (15c. divided by 15g. times 100)		95.38	94.30
16. Publication of Statement of Ownership			
<input checked="" type="checkbox"/> Publication required. Will be printed in the <u>October</u> issue of this publication. <input type="checkbox"/> Publication not required.			
17. Signature and Title of Editor, Publisher, Business Manager, or Owner			
Dana Ehlischide, Editor		Date	
		09-12-02	
I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).			
Instructions to Publishers			
1. Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.			
2. In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use blank sheets if more space is required.			
3. Be sure to furnish all circulation information called for in item 15. Free circulation must be shown in items 15d, e, and f.			
4. Item 15h, Copies not Distributed, must include (1) newspaper copies originally stated on Form 3541, and returned to the publisher; (2) estimated returns from news agents; and (3) copies for office use, leftovers, spoiled, and all other copies not distributed.			
5. If the publication had Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or, if the publication is not published during October, the first issue printed after October.			
6. In item 16, indicate the date of the issue in which this Statement of Ownership will be published.			
7. Item 17 must be signed.			
Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.			
PS Form 3526, October 1999 (Reverse)			

Kentucky high school journalism is alive and well

Friday, Sept. 20, should have been declared High School Journalism Day in Kentucky. More than 800 high school print and broadcast journalism students attended regional

workshops at Eastern Kentucky University and Western Kentucky University that day. Both were co-sponsored by the Kentucky High School Journalism Association. If turnout means anything – and it does – the state of high school journalism in Kentucky is good and getting better.

For a time, several Kentucky colleges and universities saw a decline in the number of journalism majors. But that trend has reversed itself. EKU's Dr. Liz Hansen, for example, said her school's Department of Communication enrollment has never been higher. Students have told EKU's staff that their interest in high school journalism was boosted, among other activities, by attending the annual KHSJA statewide convention and competing in KHSJA's annual contest. (One of my duties at KPA is serving as KHSJA administrator.)

I attended EKU's workshop and saw students' enthusiasm about journalism and its various facets. Sure, students were glad to be out of school for part of the day too. There's no denying that. But they enjoyed the sessions too. There's no denying that either.

The morning began with the keynote presentation by Lexington Herald-Leader editor Amanda Bennett. She gave an insightful, informative and thought-provoking talk about the life students could expect to have as a journalist.

At the end, there was a Q&A session. One of the first questions came from a gentleman. He wanted to know why his daughter should consider journalism as a career.

Because it's interesting, fun and gives people the opportunity to make the world a better place, Bennett replied. Besides, how else can one live with a family in rural China and help slop the hogs, she asked? She experienced that "adventure" while serving as a Wall Street Journal reporter in China.

After the Q&A, the man came up front and he and I talked for awhile. I

Oh, By The Way

By David Greer
KPA Member
Services Director



assumed he was a high school journalism teacher/adviser. He wasn't – he was a bus driver. But he had been so

impressed with Bennett's presentation and how she answered his question that he said he was going to encourage his daughter to consider a journalism career.

That said it all.

KHSJA is in the midst of its annual membership renewal drive. For the past several years, the organization has had about 100 member schools. So far, we are on track for that number or more again this year. Several schools that have never been members before have joined KHSJA this year. But we can never have too many members. It would appear that the more students we have participating in journalism on the high school level means the more students who major in journalism in college. Out of college, those students will need journalism jobs. And KPA member papers have jobs to be filled.

At just \$50 per school per year, KHSJA membership is very affordable. And schools must be KHSJA members before they can compete in the annual contest.

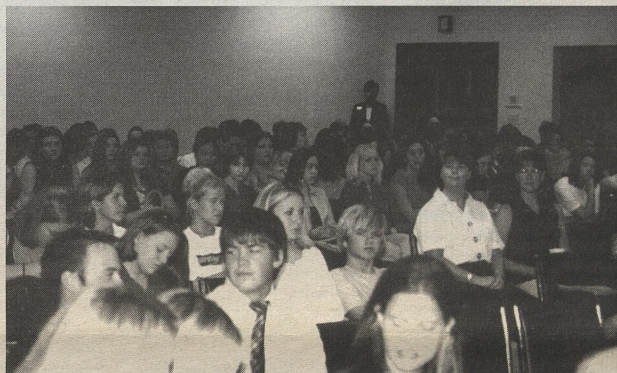
Despite membership being so affordable, some teachers still encounter excessive red tape in getting their schools to cut a check. If your local high school journalism teachers/advisers have that experience, please consider sponsoring their schools for them.

In fact, more than two dozen Kentucky papers already have helped nearly 50 high schools this school year by paying the KHSJA membership fee for them. It's a good investment for the papers and easy to do. Publishers and editors don't even have to write a check. They can have the amount deducted from their KPS advertising checks. It doesn't get any easier or more painless than that.

If you would like to do your part to boost high school journalism in our state, just give me a call at (800) 264-5721 or send me an e-mail at dgreer@kypress.com and we will get your paper set up as a sponsor for your local high schools.



Amanda Bennett, editor of The Lexington Herald Leader, was among the speakers at the regional KHSJA workshop at EKU.



More than 800 high schools students attended the journalism regional workshops offered at Western Kentucky University and Eastern Kentucky University on Sept. 20. These students were among those in attendance in Richmond.

First time position offered in 40 years!

Editor Search beginning for candidates to succeed highly regarded 40-year veteran editor (moving to 12 month emeritus assignment scheduled for 1/03) at award winning southern Kentucky daily.

We are a respected community newspaper serving a progressive market within 90 miles of Nashville and Louisville. Our penetration in the core market approaches 70%; our brand is strong and respected in our community and we are committed to applying principles of the Readership Initiative to our newspaper.

We seek another leader who shares not only our vision of the role and responsibility of serving our readers but also can match the work ethic and energy level of our organization. We require significant, relevant experience demonstrated by growth into leadership roles within daily newspapers.

Ideal candidate will have at least three years experience as the top news executive of a daily newspaper. A B.A. or a B.S. degree is required. Our company offers competitive salary, bonus package and great benefits—including outstanding professional development opportunities and relocation package for the successful candidate. Most of all we offer the opportunity to work and live in a remarkable community that appreciates it's newspaper.

Send your resume and a copy of the paper you currently edit to:

Keith W. Ponder, Publisher
Glasgow Daily Times
P.O. Box 1179
Glasgow KY 42141

Or send your resume electronically to kwponder@cnhi.com and follow up with your current edition by mail.

WKPA members hold meeting in Gilbertsville

By DANA EHLSCHIDE
News Bureau Director

Newspaper employees from Western Kentucky newspapers gathered at the Ramada Inn in Gilbertsville on Sept. 27 for the 2002 Western Kentucky Press Association convention.

Max Heath, National Newspaper Association postal chairman, opened the meeting by offering tricks of the trade to help cut the cost of newspapers' postage and improve delivery.

"I encourage people to think about ways to save money and help their business grow," Heath told the approximately 20 people in attendance. "I want you to be armed and dangerous if the postmaster tries to misinterpret the rules."

One of the ways Heath suggested to help newspapers save money is having newspapers sorted in walk sequence or line of travel. Walk sequence is the exact order in which a postal worker delivers the mail. Line of travel is an approximate route grouping newspapers in a zip-plus-four cluster. Walk sequencing your mailing helps keep rates down about a half-cent and using line of travel can save about a penny per piece, which can add savings quickly, Heath said.

"Community newspapers are in the walk sequence business," Heath said. He said newspapers that are not using walk sequencing are just giving the government money.

According to Heath, any post office can put your addresses in order of line of travel for you at no charge. The Domestic Mail Manual states "USPS employees arrange unsequenced address cards in sequence of carrier route delivery without charge. Cards with incorrect or undeliverable addresses are removed from the list, bundled separately, and returned to the customer." It also states this service should be completed and returned within 15 workdays.

A tip to saving money on newspapers mailed outside the county, Heath said, is to bar-code all copies that are not sorted to carrier routes. Automation rates, extended to newspapers in October 1998, will lower out-of-county piece rates by an average of 3.4 cents per piece from much higher non-automation rates effective in 2001.

Heath offers several other tips to saving money and improving delivery of newspapers. He conducts seminars on "MAXimizing Postal Savings and Delivery" for newspaper associations and groups as part of NNA's outreach to the industry.

After Heath's presentation, Vyron Mitchell, WKPA president, and Dr. Bob McGaughey, WKPA executive director, led a panel of membership discussion on what newspapers are currently doing with web pages.

One of the questions raised during the discussion was

should an entire story be posted on the web or just a portion of the story.

"If you want anyone under the age of 25 to look at your paper you better have the paper in its entirety on your website," said Ann Landini, of Murray State University. "By posting partial stories you are losing a whole generation of readers."

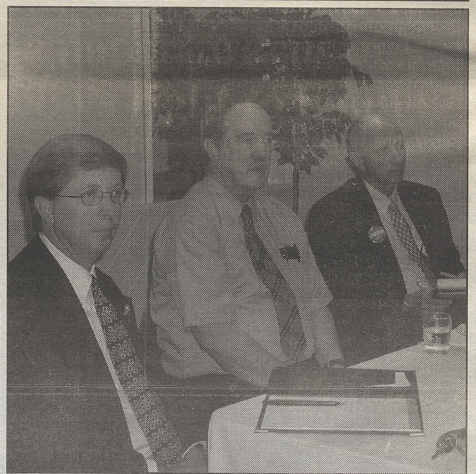
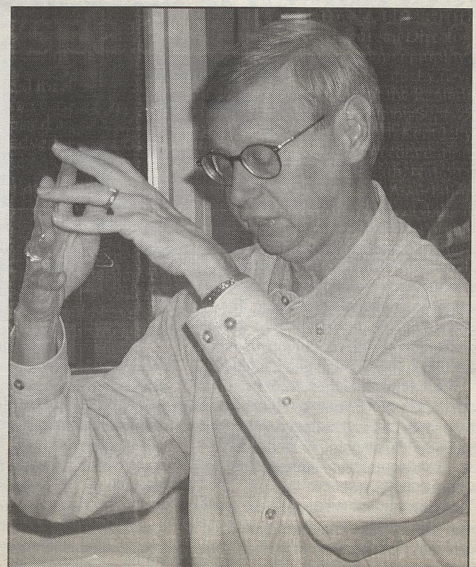
Chip Hutcheson, publisher of the Times-Leader in Princeton, said they don't put wedding or anniversary announcements on the website because that would hurt hard copy sales, and in turn, hurt revenue.

Selling print advertisements and Internet ads as a package deal was a suggestion offered to help finance the newspaper's website.

Some of the benefits the panel cited for having a website were providing an archiving system, helping people out-of-town read the news in a more timely manner and providing a way to have a daily presence by a weekly newspapers.

After lunch, second district candidates, Republican Bob Leeper and challenger Democrat Larry Sanderson, spoke to the group and answered questions about what they hoped to do for the area if elected.

The group set their spring meeting for March 28.



Top: Max Heath, NNA postal chair, gives those attending the WKPA convention on Sept. 27 some tips on how to cut postal costs

Above: Republican candidate Bob Leeper (left) and Democratic candidate Larry Sanderson (right) listen to some of the questions being asked of them during a portion of the WKPA convention. WKPA President Vyron Mitchell (center) was the moderator of the session.

Left: Those attending the WKPA convention at the Ramada Inn in Gilbertsville took part in a panel discussion on websites and how the newspaper industry is utilizing them.



Survey says: Improvements needed between attorneys, media

By DAVID GREER
Member Services Director

Remember the "Family Feud" game show from 20 years ago? Host Richard Dawson gave every female participant a peck on the cheek and then bellowed out "survey says..." Occasionally those answers from the studio audience were surprising - even shocking. But there were no real surprises or shocks at the answers given by a group of attorneys attending a recent Kentucky Bar Association program on the media.

The instant survey given about 100 attorneys suggested there's vast room for improvement in the ongoing quest for attorneys and journalists to better understand one another, understand what it is they do and why they do it.

The one-hour session was just one segment of an overall program, Kentucky Law Update 2002, sponsored by KBA and held Sept. 26 at Louisville's downtown Kentucky International Convention Center. Several hundred attorneys attended the media session and about 100 of them had wireless devices that recorded their answers to various questions posed by moderator Robert Schulman and instantly displayed the survey results.

After Schulman, a former journalist and University of Louisville instructor, posed the questions and attorneys in the audience recorded their votes, a panel comprised of two journalists and two legal experts then discussed the results of each question.

Panel members were Deborah

Yetter, public issues reporter for The Courier-Journal; Chris Jadick, WAVE-TV 3 news director; Professor Linda Ewald of the University of Louisville's Brandeis School of Law and Jefferson Circuit Judge Thomas Wine.

The first quest was: "Do lawyers use the media to gain an advantage in pending litigation?" Of the 100 responses, 90 percent said yes and 10 percent said no.

Wine said although attorneys should refrain from using the media, there is a large difference between what is proper and what often really happens.

The second question was: "In Kentucky, the broadcast media have a right to bring cameras into the courtroom and televise proceedings conducted in open court?"

Twenty-seven percent said the statement was true while 73 percent said it was false.

Wine used the opportunity to explain to attorneys present that Kentucky courtrooms are open to cameras and that the law makes no distinction between TV and still cameras. But, Wine said, judges have discretion to ban cameras if they think they would be disruptive to the proceedings. Wine added that he has seldom banned cameras from his courtroom.

Ewald said, in her opinion, cameras had not been as disruptive as some had feared. And she added that it's to the benefit of attorneys and the public that the public understand the judicial process. Openness furthers the goal of understanding, she said.

Yetter said that while judges in rural Kentucky might routinely permit cameras in their courtrooms, The Courier-Journal's experience was that some judges in Jefferson County routinely banned cameras without explanation.

The next question asked, "Are elected judges unduly influenced by news coverage and editorial opinion while presiding over high-profile cases, especially in election years?"

Fifty-two percent said the statement was true while 48 percent said it was false.

Even the legal experts had different views with Wine saying that some judges give in to undue influence while Ewald said it was not a serious problem in Jefferson County.

The fourth question brought a few moans from the audience. It said, "Journalists abide by the same high standards to which they hold others."

Ten percent agreed that the statement was true while 90 percent disagreed.

Yetter explained that there are codes of ethics for journalists. Jadick agreed.

In the same vein, the next question asked, "In practicing law, attorneys are subject to the Kentucky Rules of Professional Conduct. In journalism, there are several standards, including the Ethics Code of the Society of Professional Journalists. Are such standards binding upon journalists to the same extent that attorneys are bound by the Rules of Professional Conduct?"

Eight percent said yes while 87 per-

cent said no.

Jadick agreed with the survey results saying that journalists are not licensed as attorneys are and as such they cannot be held to the same standards. Wine said that while lawyers who are disciplined often receive news coverage, journalists who are disciplined do not receive similar coverage.

Another question asked if the media should refrain from "eve of the trial" coverage so as not to affect jury selection, cause continuances or influence the outcome?

Forty-two percent of those attorneys voting said yes but 58 percent disagreed.

Yetter and Ewald said they were surprised at the results. Wine added that such coverage does affect jury selection but that during his years on the bench "it's surprising how often potential jurors say they are not familiar with a particular case."

"Maybe we overrate the coverage," Wine said.

The final question asked, "How often is news reporting 'slanted' through choice of headlines or broadcast teasers, use of language and code words, selection of quotes, and where and when the story runs or is aired."

Eighty-two percent said frequently and 17 percent said occasionally. One percent answered never.

Jadick said that condensing the truth could sometimes distort it. Wine suggested that copy editors get input from reporters when writing headlines to ensure greater accuracy.

Covering the news after HIPAA's enactment

In 1999, the U.S. Department of Health and Human Services created the Health Information Portability and Accountability Act, which are privacy regulations that affect news reporting of accidents, disasters, health of public officials and other stories involving medical information.

The HIPAA Privacy Rule goes into effect on April 14, 2003. It will restrict what health and medical professionals may disclose about a patient to the press.

The privacy rule does not directly govern the press. Reporters and editors have no obligations under HIPAA unless they work for a publication such as a hospital newsletter. However, customary news sources used by reporters to gather informa-

tion for stories may be affected. Media relations officers, nurses, doctors, ambulance crews, EMTs, social workers and insurance companies are among the people who will be affected when HIPAA takes affect next year.

All HIPAA regulated entities will face criminal and civil penalties if they violate the Privacy Rule. They must refuse to respond to requests from unauthorized sources for any detailed medical information.

Under HIPAA, states are permitted to make more stringent privacy rules if they wish.

Reporters, of course, can still ask these sources whatever they want, but these sources may not be free to answer.

Sources can verify a patient's presence in a particular hospital unless that patient opted out of the hospital's directory.

They may also provide a one-word statement of condition. Under HIPAA, the posting of lists of injured people in a public place during an emergency would not be permitted.

The National Newspaper Association offers these tips for dealing with HIPAA:

- Police and fire departments are not covered by HIPAA. Work with their spokespersons on getting timely reports. These may be a reporter's only source during emergencies.

- Work with hospital and ambulance spokesperson to understand

their procedures. Review their privacy policies and know how they are used.

- You may always seek the patient's permission for an interview individually, or through the family. So long as a covered hospital or other entity is not involved in releasing information, HIPAA should not be a problem for the reporter, the patient or the covered entity.

- Remember that these HIPAA barriers were apparently unintended by Congress.

The U.S. Department of Health and Human Services is still evaluating its impact. If you encounter an unusual reporting problem because of HIPAA, let NNA know.

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He also worked as advertising manager of the *News-Democrat and Leader* in Russellville.

Brown replaces Carol Bond-Theiss, who moved to Texas. He is from LaPorte, Ind. and lived most of his life in Colorado.

Bartley promoted to office manager at Herald News

Former office assistant Ramona "Mona" Bartley has been promoted to office manager at LaRue County Herald News. She began her new duties Aug. 5.

Her responsibilities will include circulation, bookkeeping, classified ads and general office duties.

She has been with the newspaper since March 2001.

Nancy Taggart wins CNHI photography award

Nancy Taggart, Richmond Register photographer, recently won a first place award for best photo or graphic

in a contest between Community Newspaper Holdings, Inc. newspapers.

Taggart's photo was taken at the dedication of the state's police memorial for fallen officers. CNHI is the parent company of the Register.

Melville returns home to write for Henry County

The Henry County Local welcomed Brooke Melville to its editorial staff as a news reporter.

Melville, a native of Henry County, is a graduate of the University of Louisville with a Bachelor's in English.

She worked at an advertising firm in Simi Valley, Calif. and has experience writing and editing for Welcome to Greater Louisville, producing pieces on some of Louisville's best restaurants, shops and festivals.

KPA boot camp student promoted to staff writer

Susan Tucker, of Columbia, has joined the editorial staff of The Farmer's Pride, as a news reporter.

Tucker has been employed with The Pride for two years and will con-

tinue her duties as graphic designer. She is responsible for page lay-out and advertising design.

She recently returned from the Kentucky Press Association's Journalism Boot Camp held in Georgetown. The intensive three-week session taught students the fundamentals of accurate, fair and comprehensive news coverage.

Kentucky Standard raises \$3,600 for cancer research

The Kentucky Standard in Bardstown teamed up with PLG-TV to raise \$3,636 for the 2002 Relay for Life in Nelson County.

The Standard Communications team, led by team captain Mary Hagan, earned the blue ribbon for Outstanding Camp Site. Their theme was "Trash Cancer," and many of the team members were clad in trash bags.

Their annual classified page raised \$1,560 this year. The remaining \$2,100 was raised by team members.

Paxton Media Group buys Indiana daily newspaper

Paxton Media Group agreed in

November election.

This was a result of some built-up frustration I had as a Georgetown resident and from an earlier idea by News-Graphic publisher Mike Scogin. And it was a test of an idea we have for statewide seminars for public officials.

Since 1994, I've seen numerous city council meetings take issue with the Open Meetings law. This past spring, it reached a point where council members were inventing ways to get around the law.

One particular situation involved the need for council members to visit a local site. "We can go in two vans, have half in one van and half in the other and that won't be a public meeting," a council member opined.

Wrong. The 1992 rewrite of the Open Meetings Law addressed that scenario.

In early May, I gave each member of the council a copy of the Open Meetings Law and asked them to call me if they had questions. Interestingly, two council members talked to me soon after and said they had never seen the Open Meetings Law.

Wrong again. I found out that seven of the eight had attended a Kentucky League of Cities seminar for city officials on Open Meetings. The sign-in sheet required proved their statement wrong.

And it got worse. In mid-May, I was watching the proceedings on local cable. A discussion ensued about

August to purchase the Vincennes, Ind. Sun-Commercial, a 12,100-circulation daily newspaper serving the Indiana Counties of Knox, Lawrence and portions of five other counties.

The Sun-Commercial is published six days a week, with Monday-Friday afternoon circulation of 12,100 and Sunday circulation of 14,100.

The Sun-Commercial is the organization's 27th daily newspaper and will be among their larger newspapers in Indiana in terms of circulation.

Francingues-Shepperd named managing editor

April Francingues-Shepperd was named the new managing editor at The Edmonton Herald-News in August.

She is a 1993 journalism graduate of Western Kentucky University. She has served as assistant editor of The Adair Progress in Columbia and the managing editor of The Times Journal in Russell Springs.

Francingues-Shepperd replaces long-time editor Clay Scott. Scott resigned after being named an assistant professor of communication at Volunteer State Community College

Open Meetings and they seemed to joke about the law. I was in my easy chair and within minutes of going to bed. I jumped up, dressed and drove like a mad man to city hall. The discussion was still going on about Open Meetings so I gave them some tips.

And I opened my big mouth, that since they didn't seem to know anything about the law and didn't care if they abided by it or not, we'd do an Open Meetings seminar for them.

Four months later, they finally held the seminar and Jon Fleischaker walked them through the law for nearly two hours.

That led to the idea that KPA should think of doing similar seminars across the state. With newspapers helping to get local elected officials to attend, and with the help of the Kentucky League of Cities, Kentucky Association of Counties and Kentucky School Board Association, this would be a useful endeavor.

A couple of those agencies have indicated support for this seminar but have suggested we wait until January when the new councils, commissions, boards and other local agency officials will be in office. That's a good point -- no use in wasting the effort now on lame duck agency members.

It would be too much to do one in each county but we're thinking of doing five seminars around the state.

You'll hear more about this as the New Year approaches.

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ing funds each year.

It's the largest participatory network we have for any program -- 95 newspapers are donating space and only those 95 are eligible to receive any funds from the program. In all, the 95 newspapers donate more than 5,200 inches of advertising dollars.

Beginning each September, KPS deducts the dollar amount equivalent of the advertising space committed by each individual newspaper. Those dollars go straight into the KPA Legal Defense Fund and in no way financially benefits KPA. We established a separate investment account so that all the money goes into that fund and stays there until the committee meets to consider any applications for financial help.

The cases so far run the gamut of what newspapers face -- denial of public records, being closed out of a court proceeding, unemployment insurance claims, news rack ordinances, libel lawsuits and refusal to publish an ad.

And it's not just at the local level that KPA has been able to help. Consider the case of the Kentucky Standard against the Kentucky Unemployment Insurance Commission.

Two newspaper carriers challenged their firing by the Standard, appealing it to the commission on the basis that

they should be considered newspaper employees. The commission ruled in favor of the two carriers as did the Franklin Circuit Court. The Kentucky Standard appealed that decision to the State Court of Appeals where the judges agreed with the newspaper.

The state then appealed the Appeals Court decision to the Supreme Court. We're awaiting word still today, for a case that began five years ago. But the point is, the KPA Legal Defense Fund hasn't just given some money to the Standard then gone on to other cases. It's stayed by the newspaper and LCNI throughout, right up through the Supreme Court's anticipated decision.

Not every legal situation is eligible for financial assistance. The outcome of the case must potentially have a widespread effect on the newspaper industry in the state. But so far, the committee has an excellent track record of awarding financial assistance "to keep the fires burning in newspapers so they'll fight to the end," as Steve Lowery would say, "and not give up because the pocketbook isn't as deep as a public agency's."

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In mid-August, Jon Fleischaker and I did an Open Meetings Workshop for members of the Georgetown City Council. Several other public agency board and staff members attended, as did some of the candidates in the