

KPA

Volume 71, Number 6 - June 2000

F (UK) LEX 405
REPROGRAPHICS
UNIVERSITY OF KY.
211 KING LIBRARY SOUTH
LEXINGTON KY 40506-003

Kentucky Press

PUBLISHED AS A MEMBER SERVICE OF THE KENTUCKY PRESS ASSOCIATION AND KENTUCKY PRESS SERVICE

2000 Summer Convention fast approaching

By LISA CARNAHAN
KPA News Bureau Director

If you haven't made plans yet to "Come Early and Stay Late" at the 2000 KPA Summer Convention in Owensboro, it's not too late.

The room reservation deadline at the Executive Inn has passed (May 31) but rooms are still available. Deadline to register for the convention itself is June 8.

The theme of this year's con-

vention "Come Early and Stay Late" fits perfectly with all there is to do in the Owensboro area before, during and after the KPA summer gathering, June 15-16.

One of the things that could make you come early or stay late is the W.C. Handy Blues Festival just a few miles away in Henderson. The festival, now in its 10th year, draws over 50,000 people to the area. It's scheduled for June 14-17

and a complete schedule of bands and their performance times was included in your convention mailing.

The convention gets underway Thursday, June 15 and wraps up with the awards banquet on Friday night and the program alone offers several activities ranging from golf to a picnic with entertainment and an amusement park outing. Naturally, it can't all be fun and

games so this year's convention features some of most needed topics and discussions for today's newspaper professionals.

Two seminars have been planned for Thursday. From 1 p.m. to 5 p.m., there's "Photoshop Special Effects, Neat Tricks and Cool Stuff." Aimed at the graphic designer, photographer, illustrator or web designer with a basic under-

See SUMMER, page 6

Family's printing heritage started 75 years ago

J. Frank Nolan entered printing business as a teen-ager

By KARLA DOOLEY
KPA Contributing Writer

J. Frank Nolan was only a teenager when the president of Oneida Baptist Institute came to him one night and told him his tuition had run out.

He'd been learning the printing business there, and rather than feel indebted to the school, he left without warning and walked throughout the night until he caught a train to Hazard.

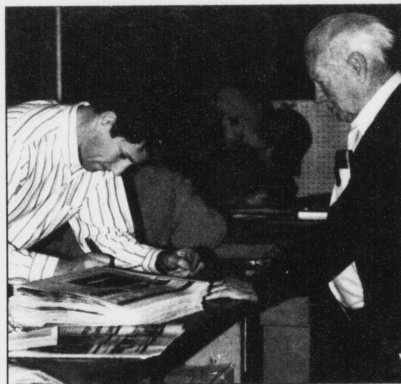
Today, Nolan, is 92 years old and still working in printing. He recounted the story during a recent interview.

"At first I thought of getting a job in the mines," he said. "They said 'we don't hire children.'"

So as he was walking down the street in Hazard, Nolan said he saw a little sign that read "printing" and stepped inside the shop.

"I'm looking for a job," he said he told the men working there. "What can I do?"

See HERITAGE, page 6



Jay Nolan, left, with his grandfather J. Frank Nolan, proofed over one of the family's six newspapers as it came off the press.

Bardstown paper marks 100 years

The Kentucky Standard in Bardstown is honoring 100 years of publishing with a yearlong celebration that includes a look back at what the paper has been, as well as what it has become.

The biggest part of the festivities is a weekly series by a local historian, Dixie Hibbs, who has written a number of books about Bardstown and Nelson County.

Publisher David Greer said that each Monday, the series is examining decade by decade the most important events of the past century and how they affected the community. The repeal of prohibi-

See BARDSTOWN, page 12

Papers offering perks to keep, attract employees

By KARLA DOOLEY
Contributing Writer

WANTED: Quality news staff for dinner train rides, inexpensive weekends at the lake, cash prizes and free meals.

Travel reporters aren't the only ones getting a taste of the good life these days.

As a response to a wide-open market for good staffers from the

pressroom to the newsroom, more newspapers appear to be offering small perks they hope will attract new workers and keep the old ones happy.

"That should take place at all places, even if it's just little," said Libby Proffitt, office manager and human resources coordinator at the Glasgow Daily Times. "You will have that person longer."

According to a recent report in Suburban Publisher, papers are "addressing their staffing problems head-on using a variety of low-cost incentives along with a little creativity."

Employee of the month programs, flexible time schedules, mentoring efforts and even "clip of the week" contests are just a few of the

See PERKS, page 5

Thomas, former publisher, dies

John G. "Jack" Thomas, former mayor of Flemingsburg and retired newspaper publisher, editor and printer, died May 27. He was 71.



See THOMAS, page 7

Kentucky people, papers in the news

Horning named editor at Bardstown; Hinton hired as graphic designer

Lisa Horning has been named editor of The Kentucky Standard in Bardstown.

A native of Louisville, she had previously worked as a photographer, reporter and copy editor for the Junction City (Kansas) Daily Union. She also worked for a daily newspaper in Ohio.

Horning replaces Jan Witherspoon, who is leaving to become a full-time photographer. She hopes to open her own local studio.

The paper has also added a new graphic designer, Dana Hinton. She is a 1999 graduate of

the University of Louisville and has held internships at WAVE 3 television in Louisville and in the marketing and public relations departments of the Louisville Science Center.

Hinton also spent some of her undergraduate career at Western Kentucky University, where she contributed articles to the school's magazine, the Talisman Xposure. Her husband, Richard, is employed by The Courier-Journal.

Moreland promoted to editor's post at Irvine

Jeff Moreland is the new editor of the Citizen Voice & Times in Irvine.

He was named news editor last summer, after spending the previ-

ous year as sports editor and staff writer. He had been a sports writer for the paper since 1996.

"I feel the quality of the paper has improved since Jeff came on board," said Guy Hatfield, publisher. "His enthusiasm for sports and news has stirred new interest in our publication."

Pikeville paper has new look; Lockard named interim sports editor

The Appalachian News-Express recently unveiled a redesign of its front page and other section fronts. A staff writer, Brad Lockard, has also been promoted to interim sports editor.

The design changes are intended to create more space for news, as well as advertising on the front page.

"This will not only serve as an additional revenue source for the newspaper, but will also allow Pikeville-area businesses to make a bigger impact with their advertising message," said Publisher Marty Backus.

The paper also recently installed a new press and new computer equipment throughout the building.

Lockard is a 1999 graduate of Morehead State University. In addition to his sports work, he writes a pop culture column for the paper. Lockard replaces Rob Herbst, who has joined the staff of the Winchester Sun as a sports and news writer.

WKU grad to head Iowa press association

A Western Kentucky University graduate and former Frankfort resident has been

installed as president of the Iowa Newspaper Association.

Tom Yunt, publisher of the Telegraph-Herald in Dubuque, Iowa, also serves on the board of directors for the Inland Press Association and is vice president of newspapers for Woodward Communications, Inc., a privately held multi-media company based in Dubuque.

Kearns named news editor at Maysville

Mary Ann Kearns has become news editor of the Maysville Ledger-Independent.

Kearns, who has been a reporter for the paper for the past 10 years, began her career at The Augusta Times, a weekly paper that was once published by the owners of the Ledger-Independent.

The paper has also experienced several other staffing changes. Betty Coutant has re-joined the staff as a news reporter, Chuck Truesdell has moved from sports editor to general assignment reporter, and J. R. Liston has become sports editor.

Richmond Register adds Dooley, Ide to newsroom staff

The Richmond Register has added two employees to its newsroom, Karla Dooley, a reporter, and Shawn Ide, a page designer.

Dooley, 23, most recently worked as a reporter for KPA during the 2000 session of the General Assembly. She continues to freelance for The Kentucky Press and has also done free-lance work for the Associated Press and the Lexington Herald-Leader. Dooley

See PEOPLE, page 10

The Kentucky Press

The Kentucky Press (ISSN-0023-0324) is published monthly by the Kentucky Press Association/Kentucky Press Service, Inc. Periodical-class postage is paid at Frankfort, KY. 40601. Subscription price is \$8 per year. Postmaster: Send change of address to The Kentucky Press, 101 Consumer Lane, Frankfort, KY. 40601, (502) 223-8821.

Officers and Directors
Kentucky Press Association

President
Teresa Revlett, McLean County News

President Elect
Marty Backus, Appalachian News Express

Past President
Tom Caudill, Lexington Herald-Leader

Vice President
Dave Eldridge, Jessamine Journal

Treasurer
David Greer, The Kentucky Standard, Bardstown

District 1
Alice Rouse, Murray Ledger & Times

District 2
Jed Dillingham, Dawson Springs Progress

District 3
Ed Riney, Owensboro Messenger Inquirer

District 4
Charlie Portmann, Franklin Favorite

District 5
David Greer, The Kentucky Standard, Bardstown

District 6
Dorothy Abernathy, Oldham Era

District 7
Kelley Warnick, Gallatin County News

District 8-9
Ken Metz, Bath County News Outlook

District 10-11
Jerry Pennington, Ashland Daily Independent

District 12
Stephen Bowling, Jackson Times

District 13
Glenn Gray, Manchester Enterprise

District 14
David Thornberry, Commonwealth-Journal

District 15-A
Don White, Anderson News

District 15-B
John Nelson, Danville Advocate-Messenger

State at Large
Tony Maddox, Henderson Gleaner

Sharon Tuminski, Winchester Sun

Tim Hurst, Benton Tribune-Courier

Taylor Hayes, Kentucky New Era

Associates Division
Armando Arrastia, Kentucky Department of Education

Advertising Division
Elaine Morgan, Owensboro Messenger-Inquirer

News Editorial Division
Chris Poore, Lexington Herald-Leader

Journalism Education
Buck Ryan, University of Kentucky

General Counsels
Jon Fleischaker and Kim Greene, Dinsmore & Shohl

Kentucky Press Association
Kentucky Press Service Staff
David T. Thompson, Executive Director
Bonnie Howard, Controller
Lisa Carnahan, News Bureau Director
Larry Brooks, Advertising Director
Reba Lewis, Research/Marketing Coordinator
David Spencer, New Media Administrator
Sue Cammack, Administrative Assistant
Buffy Sams, Bookkeeping Assistant
Rachel McCarty, Advertising Assistant
Holly Stigers, Tearsheet Coordinator
Karen Martin, INAN Account Executive
Tina Shryock, INAN Bookkeeping Assistant

Deaths

Ronald "Ron" Greenwell

Joseph Ronald "Ron" Greenwell, 55, of Bardstown, died of complications from cancer Wednesday, May 10 at Norton-Suburban Hospital in Louisville.

He was a native of Nelson County, an employee of The Kentucky Standard for nearly 36 years, retiring as associate editor, a U.S. Army veteran of the Vietnam War and a member of St. Joseph Church.

Considered the dean of Nelson County journalists, Greenwell spent his entire journalism career at The Standard.

His death came just months after he semi-retired from The Standard. On his 55th birthday, he traded his full-time job as sports editor for a part-time position of writing sports, his news and sports columns and serving on the paper's editorial board.

A graduate of St. Joseph Preparatory School and a journalism student at St. Catharine College, Greenwell was inducted into the Bardstown-Nelson County Chamber of Commerce Hall of Fame in 1996. A year later, he published a book about Bardstown

See DEATHS, page 3

Marketing power is keen knowledge of the basics

Marketing Insights

By Lisa Dixon



Keeping up with technology is a must in this day and age. But don't underestimate a strong understanding and knowledge of "the basics," which is also key to remaining competitive. No amount of technological wizardry will improve your bottom line if you don't pay attention to understanding and building on a strong foundation.

Pop this quiz on your ad reps in your next weekly meeting. Without warning.

Find out how much they really know about the products and services you offer.

You may want to change the questions a bit to better reflect your market and product offerings. You may want to give the quiz to other employees in various departments.

You may want to take it yourself before giving it to anyone else to see what information you may need to brush up on. The purpose is to get everyone thinking about what they should know versus what they think they know.

Successful selling happens when salespeople have the information and training needed to do their job effectively. As W. Edwards Deming once stated, "There is no substitute for knowledge."

In the broader sense, everyone who works at your newspaper is a "marketer."

Every one of your employees represents your newspaper in your community.

Are they representing you well? Do they know the products and services you offer to both readers and advertisers? Can they articulate the benefits of reading your paper or using your advertising products and services versus your competitors?

Jack Welch, Chairman and CEO of General Electric, once noted that, "the world of the 90's and

beyond will not belong to managers who make the numbers dance, as we used to say, or those who are conversant with all the business jargon we used to sound smart. The world will belong to passionate driven leaders — people who not only have an enormous amount of energy but who can energize those whom they lead."

Make it a point to cultivate your employees knowledge of your products, services and customers. Provide them with the tools and training they need in order to remain vital, involved and informed. Ask for their input. Listen to their suggestions or concerns. Keep them abreast of product changes and improvements. Ask them to be your ears in the community, they may uncover and identify hidden product or service opportunities in your market.

PRODUCT KNOWLEDGE QUIZ

1. What is our daily (or weekly) readership? _____
Sunday readership? _____

2. What is the full-run contract rate? _____

3. What day is our TMC distributed? _____ How many households does it reach? _____

4. What counties do we cover in our circulation area? _____

5. Our paper is delivered by (time of day) _____

6. What is the name of the company who audits our circulation? _____

7. What are the names of the section fronts that appear daily (or weekly)? _____
Sunday? (use back of sheet)

8. What percentage of households do we cover in our primary market area? _____

See KNOWLEDGE, page 11

Deaths

Continued from page 2

and Nelson County. It was a compilation of columns and stories he had published in The Standard.

Greenwell was preceded in death by his father, Francis Elmer Greenwell and a brother, Billy Keith Greenwell.

Survivors include his mother, Hester Rogers Greenwell of Bardstown; a sister, Joanne Johnson of Bardstown; two brothers, Roger Greenwell and Mickey Greenwell, both of Bardstown; and several nieces and nephews.

Funeral services were held at St. Joseph Church and burial followed in St. Joseph Cemetery. Honorary pallbearers were present and past employees of The Kentucky Standard, PLG-TV 13 and Kentucky Homes Magazine.

The family requested that expressions of sympathy take the form of contributions to the American Cancer Society Relay for Life.

Earl Ruby

Former Courier-Journal sports editor and columnist, Earl Ruby, died May 9. He was 96.

Ruby, the co-founder of the Kentucky Derby Festival, served as C-J sports editor from 1939 to 1968 after joining the paper's sports department in 1921 as an office boy while attending the University of Louisville. His association with the newspaper actually began when he was 13 as a carrier.

After retiring in 1968, Ruby continued to write a weekly outdoors column for the C-J until 1989. He had lived in Naples, Fla., for the past six years.

Ruby was one of four Derby Festival co-founders. On April 14 of this year, he received the Distinguished Service Award by the Kentucky Derby Festival, only the seventh such award in the Festival Committee's 45 years.

The first festival event organized by Ruby and his fellow co-founders was the 1956 Pegasus Parade that had a budget of \$640. The festival has since grown to more than 70 events and a budget of nearly \$5 million.

Ruby was a popular writer and tireless worker. He once estimated that he wrote more than 9,000 columns for The Courier-Journal, and he added nearly 1,100 more after his retirement.

He also wrote three books and gained international recognition in 1961 when UPI asked him to write a series of stories on basketball for worldwide distribution.

Ruby received numerous awards for his sports writing, including the National Headliners' Award in 1945 for the best sports column in the nation. He was inducted into the Kentucky Athletic Hall of Fame and the Kentucky Journalism Hall of Fame.

He is survived by three children, Joan R. Perry of Durham, N.C.; Margaret R. Smock of Naples, Fla.; and Paul H. Ruby of Louisville. His wife of 73 years, Evelyn Reiling Ruby, died in 1999.

Meadows to lead KPA's New Media Division

The Kentucky Press Association added another division to its corporation in early May with a New Media Division, designed to help the association and its member newspapers stay abreast of technology changes in the newspaper industry.

Richard Meadows, marketing manager for Landmark Community Newspapers, Inc.'s Online Services, was elected chairman of the division for 2000-01 and Jason Dick, of the Benton Tribune Courier, was elected vice chairman. In his capacity as chairman, Meadows will also be a voting member of the KPA/KPS Board of Directors.

"I look forward to working with all the members of the KPA over the next 18 months. It is my hope that the committee can help the members utilize the new media and that the division is a resource for all the KPA members," said Meadows.

Eighteen newspaper and Associate Division representatives attended the organizational meeting.

"The division got off to a good start with a lot of discussion on KPA's technology efforts as well as what the division can do to help member newspapers," said KPA/KPS Executive Director David T. Thompson.

The division will be holding seminars and convention ses-

sions, operating very similar to KPA's other divisions for News Editorial, Advertising, Circulation and the Associates.

"It's an exciting time for the newspaper industry because of the importance to keep up with all the technological issues," said Thompson.

"This is the first division KPA has added in at least 20 years and it's one that's been sorely needed. We had a lot of experience around that table and feel comfortable that the members will keep both KPA and the newspapers 'on the edge' of technology."

Those attending the meeting also saw a preview of the www.accesskpa.com website that will be used to transfer display ads electronically to newspapers; transmit stories, photographs and other information from the News Bureau; and to post news releases submitted for distribution to newspapers.

The new site, still in construction, is scheduled to be shown to those attending the KPA Summer Convention with a launch date of mid-summer. The site is being designed and hosted by Network WCS in Evansville, Ind.



MEADOWS

Thomas, dean of White House press corps, quits

Kentucky native spent 57 years as UPI correspondent

WASHINGTON (AP) — Veteran White House correspondent Helen Thomas resigned May 16 from United Press International, ending a tenure that spanned six decades — longer than the lives of President Clinton and most of her press corps colleagues.

Thomas is a native of Winchester.

The 79-year-old Thomas announced her resignation a day after UPI was sold to News World Communications Inc., the parent firm of The Washington Times.

News World Communications was founded by the Rev. Sun Myung Moon, leader of the Unification Church.

Thomas did not say why she quit UPI, which hired her as a \$24-a-week radio script writer during World War II.

"I have no plans to join the new UPI," she said in a statement.

"The nearly century-old United Press International is a great news agency and has made a remarkable contribution to the legacy of American journalism," she said.

"I have loved working for this organization for 57 years in Washington, and especially loved covering the White House. I wish the new management well and hope they will continue the tradition in the future that this wire service has represented."

"She has outrun the best of them — because she is the best of them," said UPI Chief Executive Officer Arnaud de Borchgrave.

The news made its way into the Oval Office.

"Presidents come and go, but Helen's been here," Clinton told reporters. "I'll feel a little better about my country if I know she'll still be spending some time around here at the White House. After all, without her saying, 'Thank you, Mr. President,' at least some of us might never have ended our news conferences."

Good design takes planning, time and personnel with proper training

Design is Everything

By Edward F. Henninger



Shame on us. For the past 25 years or so, we've pretended that design is important — that it really matters in our newspapers and in our newsrooms.

Yet any commitment we have to design — if there's a commitment at all — is weak at best.

This was driven home at a recent workshop. During the introductory session of my presentation, I asked for a show of hands.

"How many of you," I asked, "have had any formal design training — a previous all-day workshop, a college course, something along those lines?"

Of the 25-or-so people in the room, one hand went up. One.

I was flabbergasted. Perhaps, I thought, they didn't understand the question. I asked again, making sure I had made myself clear. Again, only one hand.

One in 25. Four percent. OK, there may be some extenuation in the fact that most of those in the room were from smaller newspapers — weeklies and small dailies. But, really: four percent?

That's ridiculous. Ludicrous. Laughable. Embarrassing.

It is shameful. How can we expect to communicate with our readers if only one in 25 people in our newsroom has

had any design training? How much longer will it take for us to understand that design is the first factor that readers see with every page of every issue?

How much longer will it take before publishers and editors demand the same level of expertise from those who lay out pages as they demand from those who write or edit?

How much longer will it take before we understand that there are levels of design and that some people can do design and others can't?

How much longer will it take before we realize that a good editor is not necessarily a good designer?

How much longer will it take before publishers and editors do more than pay lip service to design by committing to long-term design improvements for their newspaper?

If you think it's time for you, then do something about it. Plan for design training. Budget for it. Create time for it.

Call your state press association and ask them to plan a design workshop — and don't take no for an answer. Check out the web site for the Society for News Design (www.snd.org) and see if there's someone nearby who can help.

Call me if you need further guidance on design training. Call someone! Do something!

Commit to design! Don't let the one-in-25 who has had design training be in someone else's newsroom.

(Edward F. Henninger is an independent newspaper consultant and the director of OMNIA Consulting in Rock Hill, S.C. You can reach him at 803-327-3322, fax: 803-327-3323, e-mail: go2omnia@aol.com)

Registry: Endorsements protected as free speech

(Editor's Note: The following story was written in May by Associated Press reporter Mark R. Chellgren.)

FRANKFORT — Editorial endorsements by newspapers are political free speech protected by the First Amendment and not akin to cash contributions that must be reported, the Registry of Election Finance has ruled.

The case in question brought up the seeming contradiction between the state Constitution's prohibition against any corporate support for political candidates and the traditional role of newspaper political coverage, even if practiced these days by large corporate owners.

The 1891 Kentucky Constitution prohibits corporations from political activity and orders that a corporate charter be revoked if a company is found to have violated that restriction.

John Riley, a conservative activist from Louisville, said endorsements by The Courier-Journal and the Lexington Herald-Leader of Gov. Paul Patton's 1999 re-election campaign were of incalculable value.

"What we're talking about here, political speech, is the very core of the First Amendment."

David Fleenor
Attorney, Lexington Herald-Leader

The "huge political value dwarfs the monetary value" if the space devoted to an editorial were available for sale as advertising, Riley said.

"Who does this agency serve and protect?" Riley said during the registry hearing.

Riley called the report by the registry's staff attorney that recommended dismissal of the case "total and utter nonsense" that attempted to provide political cover for the newspapers and Patton.

Riley and Richard Lewis, who has failed in several attempts to win political office in Jefferson County, said the newspapers are owned by large companies and violate the Constitution when they offer editorial support for candidates.

But attorneys for the newspa-

pers said the Kentucky restrictions fail when compared to the U.S. Constitution's guarantees of a free press.

"What we're talking about here, political speech, is the very core of the First Amendment," said David Fleenor, an attorney for the Lexington newspaper.

The registry dismissed the complaints, but registry member Robert Sanders said the question is an interesting one for future consideration.

If a company not in the news business used its own facilities to produce materials endorsing a candidate, would that also be protected speech? "I believe it would," Sanders said.

Lewis said he has been in contact with attorneys about whether to appeal the registry ruling.

Perks

Continued from page 1

incentives being tried across the nation.

In Kentucky, the kudos vary from birthday cards to trips to a movie for an entire staff.

However, the question "what does your company do to keep employees happy?" all too often provoked a laugh from the one answering the phone.

And at several newspapers throughout the state, no one was willing to tackle the query.

But at smaller daily or weekly newspapers that did dare to tell what they offer, managers said human resources workers said even little rewards can mean a lot.

At the News-Democrat & Leader in Russellville, the paper pays for a monthly luncheon for all employees to celebrate holidays and birthdays. Although Editor Jim Turner said the lunches may not be fancy, he said they do make a difference.

"It promotes togetherness," he said. "We're all on the same team."

A simple and inexpensive way the Bowling Green Daily News says "thank you" to its employees is a yearly birthday card mailed to each employee's home, signed by the president, publisher and general manager.

"That just seems to be a little thing that everybody can do," said General Manager Mark Van Patten, adding that even though it might sound a little "cheesy," employees appreciate it.

As at a number of newspapers, the Daily News also distributes t-shirts and hats with the company logo to employees who go "above and beyond the call of duty," Van Patten said.

He said the paper also recently held a contest in which the paper agreed to sponsor one employee's child in a soapbox derby.

At a few papers, the bonuses were a bit more unique.

For years, the Paducah Sun has owned three cabins at Kentucky Lake, which employees

can rent for \$15 per night. Staffers who volunteer for extra duty get first dibs when the summer schedule for the cabins is set.

"They stay pretty booked up," said Beth Diefenback, human resource assistant for the paper. "It keeps morale up."

The paper also holds a golf scramble in the summer, a family picnic in the fall and in winter, a Christmas party complete with prizes and a band.

At the Kentucky Standard, Publisher David Greer said that in the past year, he's taken employees to a movie matinee at lunchtime, on train rides with a catered lunch and to a local pizza restaurant that offers arcade games and rides. He said the events are offered as treats for meeting financial goals or simply working hard during an especially busy period.

"I've never seen adults get so excited about pinball games," Greer said.

The company that owns the paper, Landmark Community Newspapers, "is a big believer in rewarding people when they do a good job," he said.

Although the Lexington Herald-Leader offers numerous material perks including an on-site workout room, gift certificates for extraordinary efforts and an in-house Weight Watchers program, Jim Green, vice president of Human Resources and Community Relations, said a company's attitude toward its employees can go the furthest in making them want to stay there.

That's why he said the Herald-Leader rewards good workers by naming them to committees that will work to create change at the paper or by giving them opportunities to represent the newspaper in the community.

Retention is not just a matter of money, he said. "It's also ... feeling involved."

He said responding to employees' ideas on how to make their jobs easier is also important. For example, the paper got lots of positive feedback just by putting in ice machines.

"Little things make a big, big difference," he said.

'Show and Tell' theme effective in advertising

Ad-libs®

By John Foust
Raleigh, N.C.



Some selling points lend themselves to dramatic visuals. Years ago, I put together a full page ad for a heavy equipment distributor which had been in business for 52 years. In trying to come up with an idea, I wondered how we could graphically depict the equipment they had sold since they opened their business.

I dropped by to see their ad manager. "I'm curious," I said, "about the number of machines you've sold in 52 years. Is there any way to make an educated guess?"

He smiled at the challenge. "Let's figure it out," I said. "about the number of machines you've sold in 52 years. Is there any way to make an educated guess?"

"Great," I said. "Now, is it possible to figure out the average length of those machines?"

"I don't see why not." A couple of minutes later, he had that answer, as well. Then all we had to do was multiply the number of machines by the average length of each machine and — presto! — we knew how far all those machines would stretch, if they were placed

end to end (over 50 miles).

To make sure we weren't inadvertently exaggerating, we lowered the distance to an even 50 miles. Once we nailed that down, the headline was easy: "We've sold enough equipment to stretch 50 miles."

It was a strong statement. But how could we depict that in an ad?

In elementary school, children have "show and tell." They "show" something to their classmates and "tell" them about it. At an early age, they learn to communicate on two levels. (It's a shame that so many kids forget this when they grow up.)

Likewise, advertising is at its best, when it shows AND tells.

Of course, there was no way to take a picture of a 50-mile lineup of equipment. So we used a photograph of four machines, parked end-to-end, with the image "bleeding" into the left and right borders of the ad. This created the illusion that the machines stretched far beyond the boundaries of the ad. To add perspective, a man stood in the middle of the picture, leaning against one of the machines.

"We've sold enough _____ to _____." This is not an earthshaking concept. Comparisons like this are done all the time. I once heard that Elvis Presley has sold enough records, tapes and cd's to stretch an x-amount of distance from here to the moon. And McDonald's has sold enough hamburgers to circle

See SHOW, page 9

KPA The Kentucky Press

Revlett leads KPA into 21st Century

Pett wins Pulitzer

KHSIA State Convention draws more than 700

KPA Summer Convention slated for June 15-16

Need extra copies of The Kentucky Press for your staff? Call KPA: 800-264-5721

Video workshop can help your staff create better ads



At last... a program that is tailor-made for newspapers! *Basics of Layout and Copy* is getting rave reviews from publishers and ad managers coast-to-coast.

It's a workshop, not a lecture. Your staff will be involved from the start—working on layouts, getting ad ideas and writing more effective headlines.

Find out how to train your staff the quick and easy way. Write today for free brochure.

John Foust Advertising Seminars
PO Box 10861, Raleigh, NC 27605, ☎ (919) 834-2056

© Copyright 1987 by John Foust. All rights reserved.

Heritage

Continued from page 1

He could set hot type, it turned out, and in 1925, it was there as a typesetter at the Hazard Leader that his career in newspapers began, Nolan said. He made \$15 per week.

Now he is the patriarch of a family that owns and operates a company that bears his name, the Nolan Group. Among its holdings are six newspapers and a printing company, J. Frank Publishing.

Nolan works two to three days each week, usually running the insert machine or collating pages by hand at JFP. A worn green armchair at the back of the pressroom provides him a place to rest — and a place to read all 11 newspapers that are printed there, which his grandson, Jay Nolan, says he does faithfully.

"I just want to know what's happening," the elder Nolan said.

The younger employees in the pressroom said they're impressed by Nolan's speed and surprised at his dedication.

"He works us to death at times," said Betty Claywell, mailroom supervisor. "We don't have time to sit down, he says."

"Everybody here just thinks there's nothing like Frank," she said.

During his 75 years of work, he's owned a number of newspapers and printing houses. Nolan once held a job printing Lipton tea boxes in a Cincinnati printing business. Later, he started the Pery County News. Nolan said he sold that paper in the late 1940s, when the coal unions came to town and attempted to take over the paper's union.

He bought the Manchester Enterprise in 1952, which is still owned by the chain.

Nolan said he saw the switch from hot type to linotype. Then he watched as computers took over the way the paper was produced.

Jay Nolan, who's president of J. Frank Publishing and vice-president of the Nolan Group, said his grandfather never shied from technology. Most of the time, he stayed away from the editorial side of his publications.



Above: J. Frank Nolan still works two to three days per week in the family business. Right: Nolan takes time out to pose in front of one of his beloved printing presses. The family business, the Nolan Group, now includes six newspapers and a printing company, J. Frank Publishing.

"Frank was always the businessman and the press production guy," he said.

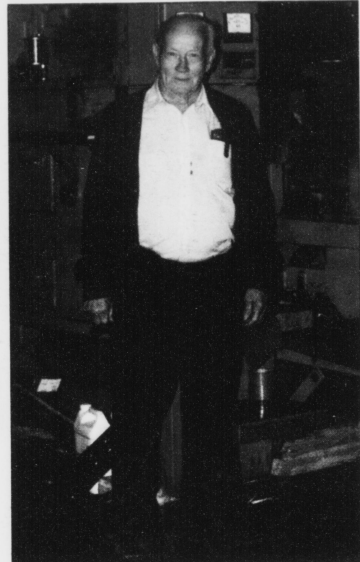
Somewhere amid all that experience, Nolan married Mousie (pronounced "Mossy") Campbell and settled down. They had three children, each of whom now has a stake in the businesses that will become his legacy.

"I never expected them to fight the battle on," he said.

Nolan still lives with his daughter, Flora Mae Smith, in the house he built in the 1950s next door to The Manchester Enterprise. He said he'll continue to work as long as he can.

"I don't want to quit," he said.

Nolan said he made his businesses successful by working to keep the newspapers' numbers up, often holding special contests to get



readers interested. "You can't run a newspaper if you don't have circulation," he said.

And Jay Nolan, who said his grandmother used to make the glue that the Enterprise used to attach mailing labels, said he was successful because he was frugal.

But it is those very early days before he walked off the campus of Oneida Baptist Institute that Nolan said provided the groundwork for his success.

At the campus newspaper, the Oneida Mountaineer, he had learned to set hot type, which he said got him his first job at the Hazard Leader 75 years ago.

"If it hadn't been for the Oneida Mountaineer this wouldn't be here," he said.

Summer

Continued from page 1

standing of Adobe Photoshop, Shea Stanley leads this workshop that will focus on helping designers create eye-catching visual effects. Topics will include ideas on how to get the most out of Photoshop's filters, creating great background textures, special text-effects and digital illustration.

Stanley's worked in the newspaper industry for several years in traditional/digital pre-press and graphic design, with six years of experience with Photoshop as a production and creative tool.

The recipient of several KPA awards in advertising design and news feature illustration, Stanley has for the past two years taught courses in Adobe Photoshop, Adobe Illustrator, Macromedia Freehand and QuarkXpress.

On the editorial side of the house, from 2 p.m. to 5 p.m., there's a session on computer-assisted reporting.

Jennifer LaFluer, computer-assisted reporting editor at the St. Louis Post-Dispatch, and one of the leading authorities in this field, leads this session on how to find information electronically. How do you go about searching databases to find records that are both interesting and important to your readers? Numerous story ideas can be developed by using computer-assisted reporting and this session will help train reporters/editors in the latest techniques.

After the seminars, there's a tour of The Hines Group/Premium Allied Tools in nearby Philpot. And despite the fact it won't even be dark yet, they'll be plenty of "moonlite" — Moonlite Barbecue, that is. The opening reception will be held on the company's grounds followed by a picnic catered by the world famous Owensboro restaurant.

The evening's fun doesn't stop there, either. KPA President Teresa Revlett has arranged for one of the area's top bands, The Velvet Bombers, to provide our entertainment during the reception and picnic.

Friday's agenda includes roundtable discussions in the morning and free time in the afternoon to play golf at one of Kentucky's top courses, "The Summit," swim in the one of the hotel's two pools or head down to Henderson for your first taste of the W.C. Handy Blues Festival.

The News Editorial roundtables will focus on two topics: column writing and analyzing data for great story topics.

From 9-10:15 a.m., it's "9E's Nine Tips on How to Write the Perfect Column." Ninie O'Hara will talk about how to draw pictures in your readers' minds, how to make music with your words, and how to create fresh imagery.

O'Hara is a veteran of 21 years in Kentucky journalism and now serves as managing editor of the 20,000-circulation weekly newspaper she started in 1995 for the state's largest Christian church, Southeast Christian in Louisville. She also writes a monthly column for the Lexington Herald-Leader.

From 10:15-11:30 a.m., it's "New Rules for a New

Demographic Ballgame." Ron Crouch, director of the Kentucky State Data Center in Louisville, will talk about Kentucky's aging population and the fact we are having fewer children.

According to Crouch, these trends need to be understood and analyzed as we enter a new century. A veteran speaker, Crouch averages 150-200 presentations per year around Kentucky and the U.S.

For advertising folks, there's a session on generating new revenue with prizes for the best ideas. On the circulation side, the session will focus on newspaper promotion and include a postal issues update. The Associates Division will have a session on public relations.

Last, but not least, we'll unveil and have training on KPA's new website "www.accesskpa.com" which replaces our former bulletin board system, CommonNet.

Remember, you've just got a few days left to register so don't delay. The 2000 Summer Convention promises to be one to remember.

Keeping up with changing technology a challenge

By KEVIN SLIMP
Director, Institute
of Newspaper
Technology



If you think it's hard to keep up with the ever-growing assortment of hardware and software products, let alone learning how to use them well enough to incorporate worthy developments into your workflow, you are right.

I'm constantly confronted with questions concerning cameras, pagination systems, image-setters, printers, computers, software and other emerging technologies. Any effort to keep up with all the products coming to the market seems almost futile.

To make matters more confusing, I generally receives several magazines and journals every day related to computer and publishing technology. I do the best I can to get my name off as many subscription lists as possible, but a few publications have proven themselves worthwhile over the years and help me to gather information that is helpful to my work in newspaper publishing.

My favorite magazines related to publishing/design professional are:

•Publish — For the past 10 or 12 years I've relied on Publish for honest information concerning the latest in desktop publishing technology. I have always appreciated their approach, looking at both the Mac and PC platforms, in a straightforward manner.

The reviews in Publish are top-notch, regularly looking for and comparing the best scanners, digital cameras, printers, and software. Over the past year or so Publish has seemed to be moving more toward the Internet communications market, but is still a valuable source of information for the desktop publishing world. Design and publishing professionals are eligible for free subscriptions: <http://www.publish.com/subscribe.html>.

•MacWorld — For many of the same reasons I've appreciated Publish, MacWorld has developed into one of my favorite publications. I generally turn to the software reviews first, weeding past the game reviews, until I reach the section with desktop publishing software and utilities.

There are usually valuable "how to" articles covering the gamut of "speech recognition" software to setting up ethernet networks. Of course it didn't hurt when Joe Schorr, co-author of the popular "Secrets" section of MacWorld, joined the faculty of our Institute. In his articles, Joe explains how to get your Mac to do things most users wouldn't know were possible. Subscription information can be found at: www.macworld.com. Annual subscription rate is \$34.97 (12 issues).

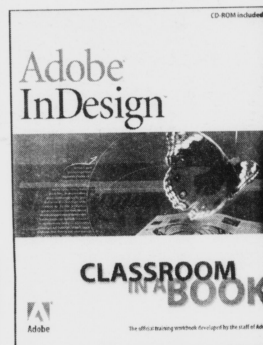
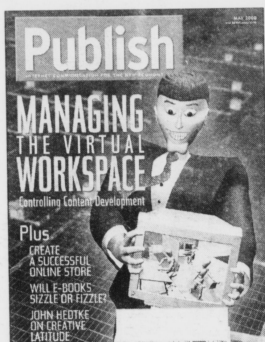
•MacAddict — This has become my favorite magazine of late. It has a little harder edge than Publish or MacWorld, obviously derived from its younger editorial staff.

The current (June) issue includes articles titled How to Speed Up Start Up; How to Manage Fonts; How to Prepare Your System for OS X; How to Add USB to an Older Mac; How to Reset Your Mother Board; How to Sharpen an Image; How to Color Calibrate a Monitor; and several other topics of interest to our industry.

MacAddict also contains a great "Ask Us" section with valuable answers to questions submitted by Mac users. The best thing about MacAddict . . . the CD full of software that comes with each issue. Annual subscription rate is \$39.90 (12 issues). Subscription information can be found at: www.macaddict.com.

Books

I receive hundreds of books from publishing companies hoping I'll have something nice to say about their selections. I have found a few books invaluable,



looking through them over and over to find that grain of information needed to help a newspaper in an emergency situation. Four of my favorite titles are:

•The Little Mac Book, Fifth Edition (Robin Williams, Peachpit Press). I've turned to this book countless times to solve mysteries of the Mac. It includes short (usually one or two paragraph) descriptions of how to accomplish tasks on the Mac. Every newspaper should have at least one copy. Information available at www.peachpit.com. Found in many bookstores. \$19.99.

•Sad Macs, Bombs, and Other

Disasters (Ted Landau, Peachpit Press). You don't need to be an expert to fix your Mac. Most problems don't require hardware repair skills or advanced technical knowledge. That's the philosophy behind the bestselling Sad Macs, Bombs, and Other Disasters, now in its fourth edition.

Newly updated to cover Mac OS 9 and the G4s, it's the premier troubleshooting guide for anyone who owns a Mac and wants to keep frustrating downtime to a minimum. It's my number one recommendation.

See TECHNOLOGY, page 11

Thomas

Continued from page 1

Thomas worked as a printer for many newspapers, including the Fleming Gazette, The Cincinnati Post, The Lexington Herald, and the University of Kentucky Press.

He was a former publisher of the Flemingsburg Times, The Clay City Times, the Cynthiana Democrat and the Olive Hill Times, which he founded.

Thomas lived in Hazard from 1981 to 1998, where he worked as editor and publisher of the Hazard Herald-Voice.

He served on the board of many other newspapers

and the Kentucky Press Association. He was also a former president of the Kentucky Weekly Newspapers Association.

"Jack had a long history of great service to the newspaper industry. He was very personable, very well liked. He knew the ins and outs of the newspaper industry and the people in it for decades," said Guy Hatfield, former KPA president and owner of Hatfield Newspapers, Inc.

"Although he had all those years in the newspaper business, he didn't get to serve on the board very long," said KPA/KPS Executive Director David T. Thompson.

"Soon after being elected to the board as publisher at Hazard, he decided to move back to Flemingsburg to take care of some family mat-

ters, which forced him to resign from the board," he said.

Thomas served as a member of the Flemingsburg City Council from 1966-69, and was mayor of Flemingsburg from 1970-74. He also served as the first chairman of the Fleming-Mason Airport Board, and as a board member of the Fleming Chamber of Commerce for many years.

He was an Army veteran of World War II, and a life member of the American Legion and the Veterans of Foreign Wars.

He is survived by his wife, Wilma Gardner Thomas; a daughter, Jan Crawford of Carlisle; a son, David Thomas of Virginia Beach, Va.; a brother, Robert Thomas of Scranton, Pa.; and four grandchildren.

LEGAL NEWS & VIEWS

Court awards legal fees to paper in open records' battle

By **KIM GREENE**
KPA General Counsel
Dinsmore & Shohl



It finally happened. A Kentucky circuit court has awarded legal fees to a newspaper forced to sue for access to public records.

The Kentucky Open Records Act permits — but does not require — courts to award attorney's fees to prevailing parties in open records litigation where the court finds that the records were willfully withheld. That part of the Act provides:

Any person who prevails against any agency in any action in the courts regarding a violation of [the Act] may, upon a finding that the records were willfully withheld in violation of [the Act], be awarded costs, including reasonable attorney's fees, incurred in connection with the legal action.

Although that provision has been part of the law since its inception decades ago, your Hotline attorneys are unaware of any case in which the courts have used it to award a newspaper legal

fees. Until now!

In the case of Department of Corrections v. The Courier-Journal, Franklin Circuit Court No. 98-CI-01362, the Court has ordered the Department of Corrections to pay The Courier-Journal legal fees in the amount of \$18,446.

What does this conclusion mean to all of the other newspapers in Kentucky which have fought a public agency's denial of an open records request? Does this decision signal a turnabout by the Franklin Circuit Court to begin, after all these years, awarding legal fees to prevailing newspaper plaintiffs? Is this just an isolated case with no relevance to other newspapers' litigation?

The case began with the request of Courier-Journal reporter Mark Schaver for copies of disciplinary records contained in the Department of Corrections' files concerning four employees of the Louisville Office of Probation and Parole. These individuals had been involved in a public controversy concerning a drug testing company which provided services for the Jefferson Circuit Court and which was run by a former Louisville probation officer. At the instigation of a Jefferson Circuit Court judge, the Department

of Corrections had investigated allegations of ethical concerns. There was also a related defamation suit between two of the individuals whose records Schaver sought.

The case followed the usual course. After the Department of Corrections denied Schaver's request, the Attorney General issued an opinion, 98-ORD-160, concluding that the Department had violated the Open Records Act. The Department then appealed to the Franklin Circuit Court.

The Department argued that written reprimands may be withheld from the public under Open Records Act exemptions (i) and (j) as "preliminary documents," because disclosure would have a "chilling effect" on supervisors' candid discipline of employees and because closure would be an "aggravating distraction" hindering efficient government. The Courier-Journal responded that there is nothing "preliminary" about a written reprimand. Instead, it is the final, official documentation of a particular incident of a public employee's misconduct or inadequate performance.

See **COURT**, page 9

AG Opinions

The State Journal/Finance and Administration Cabinet

The Kentucky Attorney General found that the Finance and Administration Cabinet was not justified in its denial of a March 9 open records request from State Journal Staff Writer Dave Baker.

Baker had requested "correspondence with Scan Optics concerning performance of contract, both received by the Cabinet and sent by the Cabinet."

In a response dated March 14, Karen A. Powell, an attorney for the Finance and Administration Cabinet, responded that the correspondence consisted of letters sent between the Finance and Administration Cabinets and Scan Optics. Another letter was sent to the company from the Revenue Cabinet. She argued that the documents were not being released because the cabinet considered them "preliminary correspondence with a private company," which is protected under KRS 61.878(1)(i). She also noted that the letters did not reflect final action by the cabinet.

When Baker appealed to the AG, Powell explained further. She cited OAG 85-148, in which the AG ruled that a letter to the Finance Cabinet's attorney from the president of a company constituted correspondence with a private individual and was not to be construed as final action of a public agency. She also cited OAG 83-385.

In forming an opinion, the AG

relied upon OAG 90-7, a later case reviewed by the office. In that instance, the AG found that correspondence concerning a contract between a contractor and a public agency was not exempt from disclosure under KRS 61.878(1)(i). When a company enters into a contract with the government, it "loses any character as a 'private individual,'" and therefore is not protected under KRS 61.878(1)(i), the AG reasoned.

Assistant AG Amye Bensenhaver also cited another opinion, 99-ORD-220, in which it was found that "if a disputed record cannot be characterized as correspondence with a private individual, the question of whether final action has been taken by the agency becomes irrelevant."

"The Cabinet having advanced no other argument in support of Mr. Baker's request, we find that the Open Records Act mandates immediate disclosure," Bensenhaver wrote.

In addressing the issue of the open records cases cited by Powell, the AG stated: "To the extent that OAG 83-385 and OAG 85-148 are inconsistent with the position taken here, they are modified accordingly."

Meade County Messenger/ Meade County Fiscal Court

The Attorney General found that the Meade County Fiscal Court had violated the Open Meetings Act at its Feb. 23 special meeting.

See **AG**, page 9

Virginia warden sues papers, officials for defamation

BIG STONE GAP, Va. (AP) -- The warden of a Virginia prison where nearly 500 Connecticut inmates have been transferred is suing two state lawmakers, the head of an NAACP chapter and three newspapers, charging defamation.

Stanley Young, warden of Wallens Ridge State Prison in Big Stone Gap, Va., says in his federal lawsuit that the officials' comments and newspaper articles have depicted him as a racist who "not only tolerates but encourages abuse by his guards."

Named as defendants are Connecticut state Sen. Alvin Penn, state Rep. Michael Lawlor and Carolyn Nah of the National Association for the Advancement of Colored People office in Bridgeport.

Young also sued the Connecticut Post, the New Haven Advocate and The Hartford Courant.

Young, who has served as warden of the maximum security prison

since April 1999, is seeking \$13.5 million in damages. His lawsuit was filed May 12 in U.S. District Court.

Penn, co-chairman of the Legislature's Public Safety Committee, said May 17 the lawsuit was an attempt to divert attention from allegations of unsafe conditions at the Virginia prison.

Since October, about 480 Connecticut inmates have been housed at Wallens Ridge. Gov. John G. Rowland and correction officials say the transfers ease overcrowding in Connecticut prisons and break up gangs.

But lawmakers and inmate advocates say they fear for the safety of the prisoners, most of whom are minorities.

In April, David Tracy, a 20-year-old inmate from Bridgeport, hanged himself in his cell. In March, three Connecticut inmates were shot with rubber bullets by guards trying to break up a scuffle.

Got legal questions about
a story or ad?

Call the KPA FOI Hotline
(502) 540-2300

AG

Continued from page 8

Meade County Messenger Editor Pat Bowen complained that the court had improperly gone into closed session to discuss personnel issues not covered under KRS 61.810(1)(f).

When the court came back into open session, they approved a new job description for a code enforcement officer, then immediately hired an applicant for the position, Bowen stated. She argued that the job description would qualify as "a general personnel matter," and not one that could be discussed in closed session. She also said the court's actions in hiring the officer had violated the county's administrative code.

Bowen stated the allegations in a written complaint to Meade County Judge-Executive Mark Brown.

In a Feb. 29 response, Meade County Attorney Darren A. Sipes wrote that the closed session was proper because Brown had stated prior to the closed session that the purpose of the closed meeting was to discuss the appointment, discipline or dismissal of two jail employees and a planning and zoning employee. He said a new administrative code was being drafted and that the court did not have to abide by the old one.

...in a previous case, 94-OMD-103, the office had determined that discussions of a new position could not fall under the exceptions of the Open Meetings Act. To rule otherwise would have expanded the scope of the exception to include other topics, such as advertising for the position, salary, job duties, etc.

Assistant AG Amye Bensenhaver

During the closed session, Brown later wrote, "there was no discussion other than me relating to members of the Fiscal Court that I was recommending to them that we approve the job description and hire a part-time employee for the position of code enforcement officer."

Bowen appealed, asking that the AG review the circumstances under which the court went into closed session, as well as the administrative code issue and the procedures used in hiring the new code enforcement officer.

The AG responded that only the first request could be honored, since the office does not have authority over the other two in considering an open meetings appeal.

In forming an opinion, the AG cited a number of previous opinions, including 97-OMD-110, in which it was stated that "general personnel matters cannot be discussed in a closed session. The only personnel matters which can be discussed in a closed session by a public agency are those which might lead to the appointment, discipline, or dismissal of personnel."

"Applying these principles to the appeal before us," Assistant AG Amye Bensenhaver wrote, "we find that the weight of the admittedly conflicting evidence supports Ms. Bowen's argument." It became clear from a transcript of the meeting, as well as Brown's statement, that some form of discussion on the new job description had taken place during the closed session.

The AG noted that in a previous case, 94-OMD-103, the office had determined that discussions of a new position could not fall under the exceptions of the Open Meetings Act. To rule otherwise would have expanded the scope of the exception to include other topics, such as advertising for the position, salary, job duties, etc.

"Because the fiscal court's discussion apparently consisted of recommendations relating to a new job description and the hiring of a part-time employee, rather than the qualifications of an individual applicant, and the pros and cons of hiring him or her, we conclude that the closed session discussion was improper," Bensenhaver wrote.

Tennessee court rejects appeal in serial killing case

KNOXVILLE, Tenn. (AP) — The Tennessee Supreme Court won't consider an attempt to prevent the public from knowing how court-appointed lawyers spent more than \$300,000 defending accused serial killer Thomas "Zoo Man" Huskey.

The state's high court issued a one-sentence statement May 15 dismissing an application to appeal from Huskey's lawyers, Gregory Isaacs and Herbert Moncier.

"I think it's a vindication of the News-Sentinel's position," said attorney Richard Hollow, who represented The Knoxville News-Sentinel in the nearly three-year battle over the records.

By mid-1999, Huskey's attorneys filed bills totaling \$376,737, making his representation one of the most expensive in state history.

The newspaper sought the fee records after Huskey, 38, was sentenced to 66 years in prison for a series of attacks on women. Huskey was later tried on charges of murdering four women in Knox County in 1992, but the 1998 trial ended with a hung jury. A retrial date is pending.

Criminal Court Judge Richard Baumgartner ruled the total cost of a court-appointed defense should be public information at all times. But he said lawyers' detailed fee records shouldn't be public until the trial is over so their defense strategy would not be compromised.

State lawmakers passed a law with those same provisions in 1998. No other state allows so much access to these records.

Show

Continued from page 5

the globe x-times.

This graphic technique can be used effectively in newspaper ads. The only requirement is that the advertiser must have been in business for enough years to have an impressive overall sales volume.

In reality, this kind of ad sends two messages. It says, "We've sold a lot of stuff." And it says, "We've been in business a long time."

Consumer demand and merchant stability. That's not a bad combination.

© Copyright 2000 by John Foust. All rights reserved.

John Foust conducts advertising training for newspapers. His ad workshop video "Basics of Layout and Copy" is being used by newspapers from coast to coast. For information, call or write: John Foust, P.O. Box 10861, Raleigh, NC 27605, Phone 919-834-2056.

Court

Continued from page 8

The Court rejected the Department's argument:

We do not share the Department's view that because a written reprimand has a technical meaning in the context of state personnel law, it is somehow excluded from the mandatory disclosure provisions of the Open Records Act.

The Court was particularly unimpressed by the Department's failure to provide any legal authority to support its denial of Schaver's request for the written reprimands.

The burden of proof in this matter, by statute, rests with the Department. Aside from largely conclusory statements, however, the Department has not cited any controlling or persuasive authority which would begin to justify its position. This void of authority stands in rather stark contrast to the overwhelmingly clear statutes, cases, and OAG opinions which establish that the proffered exemptions do not apply.

Based upon this stinging rebuff, the Court turned to The Courier-Journal's request for an award of legal fees. Noting that legal fees can be awarded only upon a finding that the records were willfully withheld in violation of the Act, the Court awarded legal fees to The

Courier-Journal.

Given the precedent on this question, and the Department's inability to marshal any convincing legal authority to support its denial of Schaver's request, the Court finds that the Department willfully withheld the requested records in clear contravention of [the Act]. . . . The Courier-Journal is . . . entitled to recover the costs of this action, as well as reasonable attorney's fees, . . .

The Court asked the parties to discuss the appropriate amount to be awarded. When the parties were unable to agree, the Court awarded \$18,446. Nearly the entire amount requested by the newspaper.

The Court declined to award the statutory penalty allowed by the same statute, KRS 61.882(5). Under that section, a court has the discretion to award up to \$25 for each day the requester was denied the right to inspect the public record.

So what are we to conclude from this case? It does not appear to be a signal that the courts have begun awarding attorney's fees in all cases where newspapers are successful. Instead, the Court found that the Department's position in this case was particularly egregious. It was the Department's failure to support its denial in the face of what the Court viewed as significant authority to the contrary.

At the very least, all of us

Hotline Attorneys

Jon L. Fleischaker
(502) 540-2319
Kimberly K. Greene
(502) 540-2350
R. Kenyon Meyer
(502) 540-2325
Cheryl R. Winn
(502) 540-2334
Lora S. Morris
(502) 540-2373

Dinsmore & Shohol, LLP
Switchboard: (502) 540-2300
Fax: (502) 585-2207

should view the Franklin Circuit Court's decision as encouragement to pursue those cases in which a public agency denies records in clear violation of the law. The Court's decision is a vindication of the purpose of the Open Records Act — to ensure that government is open to the people.

In addition, this decision should also encourage other public agencies to comply with the Open Records Act. At the very least, the decision puts public agencies on notice that courts will use KRS 61.882(5) to force agencies which cause newspapers to run up high legal expenses in cases like this to pay.

Anytime you wish to discuss a public agency's denial of your open records request, call your Hotline attorneys. We're standing by.

Elian raid leaves editors with some tough decisions

(Editor's Note: The following column by Freedom Forum fellow Wendell Cochran appeared in the May issue of the Freedom Forum and Newseum News. Cochran is a professor of journalism at American University and is conducting a study on the content of front pages that come to the Newseum from around the country.)

When editors arrived at their desks on April 22 — the day Elian Gonzalez was returned to his father — they found themselves dealing with a bewildering set of practical and ethical issues that tested their ability to tell a dramatic story while maintaining some allegiance to the critical professional guidelines of accuracy, fairness and balance.

By far, the most intriguing question for editors was which images to use to illustrate the story. The most provocative pictures were taken by Alan Diaz, a Miami free-lancer, who has covered the Elian saga on contract for the Associated Press. Diaz fired off a powerful sequence of images of an armed agent confronting Elian, in the arms of one of the men who had plucked the boy from the Straits of Florida five months earlier.

The pictures clearly show a keyed-up agent, trigger finger ready — but not on the trigger — on his automatic weapon, his other

hand reaching out for the boy, who was clearly in distress.

Another AP photographer, Wilfredo Lee, captured a compelling sequence showing a female federal agent dashing out of the house, carrying the terrified child.

And Juan Miguel Gonzalez, the boy's father, released a series of pictures showing a happily reunited family.

Deciding to run the "gun" picture apparently was not difficult. "It's a great frame," said Stephen Brown, who teaches photography at American University in Washington. "You've got to run it." And 35 of the 42 editors of the Sunday editions on display at the Newseum agreed with Brown.

John Rice, Sunday editor of the Houston Chronicle, said, "There was no question that was going to be our dominant photo."

The challenge editors faced was finding a way to balance that strong image with the rest of the story — the reunion between father and son.

At 32 of the newspapers that the Newseum received for its front-pages display, the decision was made to run both the gun picture and the father-son reunion portrait. But at most papers, such as The State, of Columbia, S.C., the picture of the gun-brandishing agent got by far the most space.

See RAID, page 12

People

Continued from page 2

has held internships at the Herald-Leader and her hometown newspaper, the News-Democrat & Leader in Russellville. While studying at the University of Kentucky, Dooley was a reporter and assistant news editor at the Kentucky Kernel. She graduated in December with a degree in journalism and English.

Ide, also 23, is a recent graduate of Berea College. While there, he served as web technician in the school's public relations department, managing the Berea College web site. He was also responsible for placing the school's alumni magazine online. Ide has also worked as a software analyst for Square D Co. in Nashville, his hometown. He graduated in January with a degree in industrial arts of technology.

Recorder group adds Fort Thomas edition

The Community Recorder Newspapers last month added a new Fort Thomas edition.

The Fort Thomas Recorder replaces The Campbell County Recorder in Fort Thomas, where it is circulated to 4,500 homes. The county edition continues to be available, as well, and both are edited by Dave Niinemets.

"We hope the introduction of The Fort Thomas Recorder will in some small way bolster that strong sense of community that exists in Fort Thomas," said Bill Cusack, publisher of the Recorder newspapers.

The new paper is the eighth publication in the Northern Kentucky group.

Cook named news editor at Clay City Times

James Cook has taken the reins as news editor of the Clay City Times.

Cook had served as interim news editor after the departure of Ken Simon after spending 11 years in the sports department. For the past two years, he had also written news stories.

Cook began working for the newspaper in 1988 as a part time sportswriter.

When you stop caring about word choice, writing suffers

Coach's corner

By Jim Stasiowski



The big fat question staring me in the face was: Is the problem commonplace?

Specifically, the adjective "commonplace."

The reporter had written, "Teachers say mistakes in grammar are commonplace."

Something about the sentence seemed wrong. (Certainly, to anyone teaching, editing or coaching writing, the substance of the sentence seemed sadly correct.)

I looked up "commonplace" in the dictionary: "neither new nor interesting; obvious or ordinary."

Of course. "Commonplace" does not mean the same as "common." To be "commonplace," something is familiar in a trite way: "His arguments against capitalism were commonplace, and the crowd soon drifted away."

When I found the definition, when I realized the reporter was thinking of "common," not "commonplace," I smiled and eagerly wrote him an explanation of where he'd gone wrong.

I love looking at words. I love prying them apart and peering inside them. I loved lifting them in my hands to determine if they have the right weight, I love running my fingers along their edges to tell if they're sharp or rounded, I love squinting at them to see if they can look me squarely in the eye.

If you don't love words, you're no longer reading this column. That's both good and bad. It's good in that I feel a kinship with people who stayed with me, who love the difference between "common" and "commonplace." I like to think of my audience as zealots

who, like priests hearing confession, must decide whether to each loose usage is a mortal or venial sin.

But it's bad because too few reporters and editors are even remotely interested in the difference. To them, "commonplace" is OK, it gets across the point, even if it's not precisely right. They stopped reading this column four or five paragraphs ago, and I'm angry about that.

I'm sure some excellent writers think my mania for precision is folly, a time-wasting obsession, an anachronism in an era that worships speed and productivity. To them I say: The writer who suffers over a word will also take pains to explain a complicated thought.

Yes, you may get by without looking up words, but getting by is an infection that spreads beyond a single adjective. Unchecked, it will ruin a sentence, then a paragraph, then more.

Another reporter was writing about an organization's frequent failed attempts to start branches elsewhere. The branches would start, linger awhile, then die of apathy.

A woman named Enid O'Rourke, who headed the organization, was making yet another attempt to expand outside her home city, and she had hired a consultant to help her. The reporter wrote: "O'Rourke is hoping the consultant will show her how to start and maintain branches of the organization in other cities."

"Maintain" sounded wrong to me. The dictionary lists as the No. 2 definition, "to keep in a certain condition or position, especially of efficiency, good repair." OK, that sounds close, but the example the dictionary gives is "to maintain roads," and I think "branches of (an) organization are people, not roads. I think of "maintaining" as

See WRITING, page 11

THE MONEY MAKING SOURCE FOR ADVERTISING IMAGES & IDEAS™

METRO

CREATIVE GRAPHICS, INC.

LouAnn Sornson

REGIONAL MANAGER
lsornson@metrocreativegraphics.com

Metro Newspaper Service
Sales Spectaculars
Classified Dynamics
Holiday Advertising Service
Plus Business
Metro Publicity Services

33 West 34th Street • New York, NY 10001 • toll-free 800.223.1600

Technology

Continued from page 7

ber one source of troubleshooting information. Information available at www.peachpit.com. \$34.99.

•Adobe Classroom in a Book Series (Adobe Press). Other than receiving personal instruction, there's no better way to learn to use an Adobe product. These books each include a CD which users can use to guide them through the learning process. My favorites are Adobe InDesign Classroom in a Book, Adobe Acrobat 4.0 Classroom in a Book, and Adobe Photoshop 5.5 Classroom in a Book. Available at many bookstores, from Adobe: www.adobe.com/adobepress/main.html, or through Peachpit Press at www.peachpit.com. \$45.

•Acrobat PDF Bible (Ted Padova, IDG Books). Packed with insider tips and innovative ideas, Acrobat PDF Bible delivers much of the information you need to create files that can be viewed, annotated, edited, and printed from both the Mac and PC platforms. Found in bookstores or through the IDG website at www.idg.com. \$39.99.

Digital Camera Leads the Pack
My favorite digital camera

these days in the Nikon CoolPix 990. I mention this because I'm asked almost daily for a digital camera recommendation.

The newest digital entrant from Nikon allows users to create breathtaking images while achieving clarity and detail. Its 3.34 megapixel CCD with true [non-interpolated] image resolution of 2048 x 1536 offers easy cropping and unsurpassed print quality. An incredible file size of almost 10MB lets users crop and print images that rival film in size. If only the batteries lasted longer.

Adobe InDesign Catching On?

Folks are always asking about InDesign, Adobe's new page layout software.

Is it catching on? Is it really any good? Will it knock Quark out of the market?

I wouldn't worry too much yet if I were using a competing product, which most newspapers are. It is interesting to note, however, that I taught an InDesign class for newspaper designers in Arizona a few weeks ago and over 90 layout professionals attended the training.

Most indicated they were either in the process or beginning the process of switching to InDesign. No, I don't own any stock in Adobe — but maybe I should.

Writing

Continued from page 10

mechanical work, structural work rather than the kind of encouraging and persuading required to keep people active. I thought: How about "sustain?" I flipped through the dictionary pages.

I know it sounds silly, but I was looking forward to what I'd find, just as the reader of a mystery looks forward to the resolution on the second-to-the-last page.

Yessssssssss! "To sustain" means "to provide for the support of, specifically, to provide sustenance or nourishment for." A later definition is, "to strengthen the spirits, courage, etc. of, comfort; buoy up; encourage."

Then I found a special reward: The dictionary's cryptic, unique language read: "SYN: support." For the true word lover, that's like an invitation to Mardi Gras. It means that after the definitions of the word "support," the dictionary was going to sort through the nuances of the words that have similar meanings, including "sustain." As I flipped pages, I was dying: God, please, let both "sustain" and "maintain" be included in the synonyms.

Double yessssssssss! "Maintain suggests a supporting so as to keep intact or unimpaired; sustain implies full active support,

so as to strengthen or keep from failing."

In my critique, I wrote a 10-sentence note to the reporter explaining the distinctions. I closed my note this way: "In a close call, I think 'sustain' is the better choice, but even if you stick with 'maintain,' don't you think it's fun to discuss such things? Or am I just a lunatic?"

If I'm lucky, she opened her dictionary to see if she could find a difference between "lunatic" and "fanatic."

THE FINAL WORD: Is "dramatic" really dramatic, or just big? The reporter wrote: "Such a dramatic increase in state spending on education will allow the local school districts to both build new schools and hire new teachers, Robinson said."

"Dramatic?" Really? To be "dramatic," a thing must have action, emotion, excitement, etc., qualities we associate with drama. If the actions leading up to the "increase in state spending on education" were, in fact, "dramatic," I might accept "dramatic increase." But in this story, the increase was merely big. "Dramatic" is not an improvement on "big," it just sounds more dramatic.

(Writing coach Jim Stasiowski welcomes your questions or comments. Call him at (410) 247-4600, or write to 5812 Heron Drive, Baltimore, Md.)

KSU violated rights by holding onto yearbook, judges are told

By JOHN NOLAN

Associated Press

CINCINNATI — Kentucky State University violated the First Amendment rights of students when its administration blocked distribution of the school's 1993-94 yearbook, a lawyer for the students told an appeals court yesterday.

That amounted to an unconstitutional censorship action because the administration's policy established the yearbook as a student-controlled publication, lawyer Winter Huff told the 6th U.S. Circuit Court of Appeals.

J. Guthrie True, lawyer for the Frankfort school, urged the appeals court to uphold a lower court's ruling in favor of the university. U.S. District Judge Joseph Hood ruled in 1997 that the yearbook was a non-public forum not protected by the First Amendment because its content did not amount to public speech.

There was no "public access" to the yearbook because only a small group of students who were its editorial staff determined its content, the school's lawyers said.

The 12 judges who heard yesterday's arguments took the case under review. They did not say when they will rule.

In September, a three-judge panel of the court ruled 2-1 against the students. But after their lawyers asked the judges to reconsider, the full court accepted the

case and set aside the panel's ruling.

Universities around the country are watching the case to see whether it affects their campus publications.

The students who initially brought the lawsuit accused the administration of trying to keep "negative" news out of The Thorobred News campus newspaper and of illegally forbidding distribution of the yearbook, The Thorobred.

Laura Cullen, a former KSU employee who was an adviser to the newspaper, attended yesterday's court arguments. Cullen said the administration transferred her out of the adviser's job against her will, and eventually gave her the job back but placed her on probation. Cullen, who left the school in 1995, said she thinks the administration overstepped its authority.

"Confiscation is the ultimate form of censorship," said Cullen, who is now editor of The Kentucky Gazette, a political journal in Frankfort.

The administration said it confiscated the yearbook because of quality problems. Its complaints were that some photographs lacked captions, and that the yearbook dedicated too much space to then-current events and not enough to what occurred during the year at KSU, lawyers said.

Knowledge

Continued from page 3

9. To get an advertising space discount, an advertiser has to re-run a 2nd ad within a _____ period?

10. Does discount lineage apply to contract fulfillment? _____

11. Stand-by advertising is available at _____ off contract or non-contract rate.

12. What is our open rate? _____ What is the non-profit rate? _____

13. Besides ROP advertising, list all other marketing/advertising options we offer advertisers? (use back of sheet)

14. What is our spot color rate? _____

15. Explain co-op advertising and what an advertiser needs to do in order to use it (use back of sheet).

16. On a separate sheet, list the day(s) of the week and, beside each, list the standing features that

appear that day in our paper .
17. Name the department heads for: accounting, production, editorial, circulation (use back of sheet)

18. What is our daily (or weekly) circulation? _____ Sunday circulation? _____

19. Who are our top three ROP advertisers? Our top three classified advertisers? (use back of sheet)

20. What is our web-site address? _____

21. What marketing information or materials do you need to that would make you more effective?

(Lisa Dixon, AdWorks, is a speaker and conducts seminars nationally on behalf of newspapers for their small business advertisers and has spoken nationally and internationally at press association conferences, API and NNA. Newspapers nationwide customize and use her Basic Business Builders small business advertiser newsletters. Call today for your FREE newsletter copy and for information on her small business advertiser seminars. She can be reached at 972-818-5472 or by e-mail at LADixon@aol.com.)

Raid

Continued from page 10

Only a few papers, notably The Washington Post and the Newark (N.J.) Star-Ledger, ran the two images nearly the same size.

Six of the Newseum front pages featured the father-with-Elián picture but not the gun photo.

Three of the newspapers ran the gun picture alone, without the father-son picture, on Page One. One, the Arkansas Democrat-Gazette of Little Rock, chose to use neither, letting the picture of the agent running from the house with Elián in her arms carry the story.

The New York Times ran the gun photo on Page One in its early edition, but moved it inside for later runs, putting the father-son picture at the top of the page and also running the photo of the agent carrying Elián out of the house.

El Nuevo Herald, the Miami Herald's Spanish-language daily, published an "extra" on Saturday, covering most of its front page with the gun-wielding agent and the headline, "Que Verguenza" — "How shameful."

But by the Sunday edition, the El Nuevo headlines were much more muted. "Day of mixed emotions," read the banner. The gun picture was gone, and the father-son photo made the front, along with the photo of the agent carrying the boy out of the house.

Even though they didn't know under what circumstances the father-son picture was taken, editors trying to achieve some balance felt they had no choice.

"It's the only thing we could have used ... even though it was a handout," Rice said.

Bardstown

Continued from page 1

tion, school integration, and World War II are among the topics Hibbs is exploring through a local lens.

At the end of the year, the material will be repackaged and published in book form, Greer said.

And another publication, "A Pictorial History of Bardstown and Nelson County," a coffee table book filled with material from the Standard's archives, is due out this fall.

On Dec. 15, the exact date of the Standard's 100-year anniversary, a special commemorative issue will be published, which Greer said will also be a large undertaking.

Later this year, the paper will "show off our business to the community" with an open house, he said.

But the business won't be the only thing the newspaper shows off at that time. Exhibits of Kentucky Standard memorabilia will also be

Brooks, Spencer join KPA/KPS staff

Larry Brooks and David Spencer joined the staff of the Kentucky Press Association and Kentucky Press Service in May.

Brooks, who had been in the advertising department of the Lexington Herald-Leader for the past 22 years, has been named Director of Sales and will be in charge of advertising placement for the Kentucky Press Service.

Spencer, who graduated from Murray State University in May, is KPA's first New Media Administrator.

"We're fortunate to have someone with Larry's background and experience to head up our advertising department," said KPA/KPS Executive Director David T. Thompson. "We searched about six months to fill that position and I don't think any of us envisioned finding someone who had such an extensive background as Larry's."

Brooks began his career in the mid-1970s with the Nashville Tennessean and graduated from Western Kentucky University in 1973 with a BS degree in Business Administration/Marketing.

"Larry knows Kentucky newspapers quite well," Thompson added, "and already has a good grasp on our operation." He had served twice as chairman of the KPA Advertising Division and was on the KPA/KPS Board of Directors in 1998-99.

Brooks was national development manager for the Lexington Herald-Leader in 1998-99 and from 1994 to 1998, was display advertising manager.

His wife, Susan, works in WDKY-TV's sales department in Lexington.

In addition to serving on the

KPA/KPS Board of Directors and KPA Ad Division, he has also been on the Board of Directors of the Children's Miracle Network and Salvation Army, has as well as serving on the United Way Campaign Cabinet.

Spencer received his Associates of Science degree from Murray with a major in graphic arts technology/graphic design.

He's a graduate of Graves County High School, where he served as graphic design editor of the yearbook from 1994 to 1996 and was nominated as a U.S. National Journalism award winner for the yearbook design. He was on the Dean's List at Murray State all four years of college and was selected as an All-American Scholar.

"This is a new area for us," Thompson said. "We've had a web presence for about two years but as a staff we've not been able to give the attention to it that it needs. David brings that ability to keep the website current, help the staff with technology issues and eventually will have time to advise newspapers who want to have a web presence."

Spencer's first duties will be to update KPA's main website — www.kypress.com — and help develop www.accesskpa.com, designed primarily for the Kentucky Press Service to send display ads electronically to newspapers. He will also begin work on redesigning KPA's main website and upgrading www.khsja.org, the website for the Kentucky High School Journalism Association.

"Our new New Media Division had its organizational meeting in early May and David attended,"



BROOKS



SPENCER

said Thompson.

"I'm sure my idea of what he'd be doing sounded like an easy job. Then he met with people who had a much better knowledge and broader vision of all the opportunities a New Media staff person brings to KPA that by the meeting's end, they wanted to make sure he would report to work on the first day (May 30)," said Thompson. "He'll be juggling a lot of different responsibilities just to get all three websites under control."

Job Shop



Take advantage of KPA's "Job Shop." List your newspaper's job opening for just \$10. Or, if you are a newspaper professional seeking new opportunities, send us that information. Call 800-264-5721 or e-mail: carlahan@kypress.com.

Advertising Director

We are seeking an experienced professional to direct our newspaper's Advertising Department. You will be responsible for planning and implementing sales and service strategies to maximize our advertising revenue potential and will participate as an integral member of our newspaper's operational and management team. Candidates should be self-starters, who have the ability to develop, motivate and direct our advertising sales executives, as well as manage effective market plans and programs, and to help define and achieve volume and revenue goals. We are part

of Community Newspaper Holdings Inc., one of the largest newspaper companies in the nation, thus providing the potential for managerial advancement to include a publisher's position. This is an ideal opportunity for an ad manager or strong sales leader to break away from the pack, and write his or her own ticket to success. Excellent salary, commensurate with experience, bonus plan, complete health and benefit package, including 401K and vacation, while working in an exciting and progressive work environment. Contact Publisher James Kerby, The Richmond Register, P.O. Box 99, Richmond, Ky. 40476 or e-mail: publisher@richmondregister.com.