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Court finds Mountain Citizen in contempt

By DANA EHLSCHIDE
News Bureau Director

A Martin circuit court judge found the Mountain Citizen's owner, publisher and editor in contempt of court June 27 for violating a temporary restraining order issued in May.

Owner Lisa Stayton, Publisher Roger Smith and Editor Gary Ball were each fined \$500 for continuing to use

the name Mountain Citizen on their masthead after Judge Daniel Sparks ordered them to "cease and desist" from using the name.

The restraining order was issued after John R. Triplett, chairman of a local water board in Martin County who had received recent criticism from the Inez paper, claimed the rights of the name, Mountain Citizen, after the newspaper failed to file an annual

report renewing its name.

In his memorandum opinion, Sparks states "the court would set a dangerous precedent if the actions of the defendant were not redressed in some manner."

A show cause hearing was ordered in the case June 18 after David Fleenor, a Lexington trademark attorney, filed a motion in federal court to dissolve the restraining order. U.S. District Judge

Jennifer B. Coffman said she lacked jurisdiction in the case and remanded it back to Martin County.

Representatives from the Inez newspaper testified before Sparks during the hearing arguing their weekly newspaper had the right to continue calling itself the Mountain Citizen despite Triplett's claim to the name.

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Taxpayers own stock in numerous 'companies'

On Second Thought

By David T. Thompson
KPA Executive Director



(This column first appeared in June, 2002, as a Guest Column for the Georgetown News-Graphic. It has been edited to be generic for any Kentucky resident. Permission is granted for any newspaper to reproduce this column.)

"How many of you own stock in companies?"

Whenever I do seminars on "open government," I always begin with that question. And typically, very few of the hands in the room are raised.

I then proceed to tell them that by the end of the session, I think I can show that each of them owns stock in perhaps several "corporations," they just don't think of it that way.

"Okay, so how many of you pay taxes?" Now every hand in the room is raised.

"If you pay taxes or even if you

are supposed to and don't, you own stock, you just don't think of it that way."

It may not be in the traditional sense of owning stock, but every Kentuckian, every American are stockholders — and in more than one company, in every single public agency in their town, county, state or the country.

We "stockholders" don't cast a vote on all of the issues a public agency faces, but we give our proxy to those who are elected at the polls.

In a sense, we are trusting our vote in government operation to them. And if we don't like how they use our vote, there's always another way to get the message across — vote them out at the next election.

Any city residents owns a plethora of stock — in city government, in county government, in the school system, in the planning and zoning commission, the parks and recreation board, maybe even the water board, if it, too, is a government agency that's "owned" by city government.

County residents own almost as much stock in local government,

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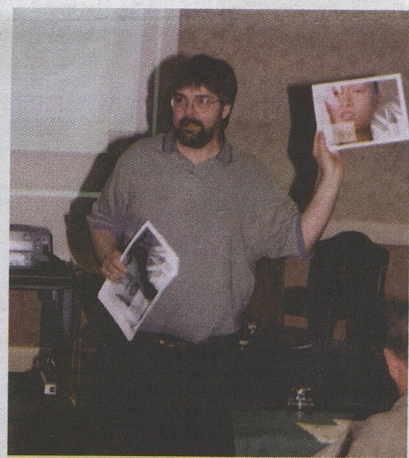
Convention is history

By DAVID GREER
Member Services Director

History was made at last month's KPA Summer Convention in Gatlinburg, Tenn. Not only was it the final summer convention following a KPA board vote last fall to discontinue the events because of declining attendance, but also it was the first time in recent memory that a bear has chased KPA members. Fortunately, all KPA members emerged from the confrontation at a picnic with limbs intact but there was no report on how the bear fared with the press.

About 200 KPA members attended the convention held jointly with the Tennessee Press Association. Just as the last time the two press associations held joint activities in Gatlinburg in 1998, Kentuckians were again headquartered at the Holiday Inn SunSpree Resort while our colleagues from the Volunteer State huddled at the Park Vista Hotel.

The activities began with a KPA board meeting on the afternoon of June 20. That was followed with a joint reception at the nearby Gatlinburg



Kevin Slimp provided two sessions for convention goers to attend. One on new software/hardware and another on tips and tricks of using Adobe Acrobat.

Convention Center. Then, members of both groups rode trolleys to Gatlinburg's Mynatt Park for a picnic featuring barbecue cuisine. It was after dinner that a number of KPA members could be seen running from a nearby creek when a bear — probably looking for food — appeared. Fortunately, the mini-confrontation was without inci-

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Kentucky people, papers in the news

Coleman named publisher at Daily Independent

Illinois native Roger F. Coleman has been named publisher of The Daily Independent.

The announcement was made by Donna Barrett, senior vice president and chief operating officer of the eastern region of Community Newspaper Holdings Inc. CNHI, with headquarters in Birmingham, Ala., purchased The Independent and three other newspapers from the Ottawa group April 1.



Coleman replaces Joe Vanderhoof, who had been publisher of the newspaper since 1998. After CNHI's purchase of The Independent, Vanderhoof opted to stay with Ottawa/Dow Jones where he will be involved in acquisition work until he relocates to another newspaper in the Ottawa group.

The 51-year-old Coleman has been in the publishing business since 1972, starting out as a circulation district manager with the Daily News Tribune in LaSalle, Ill. Two years later he was a display advertising account executive. In 1979 he became a retail ad account executive with the Tampa (Fla.) Tribune & Times. In 1980, he returned to Illinois to be advertising sales manager with the Chronicle Publishing Company of St. Charles and has lived in that community since then. He became general manager/associate publisher of the Chronicle in 1982 and publisher in 1984.

In 1989, he became group publisher of Shaw Newspapers in Geneva, Ill., where he consolidated four twice-weekly newspapers into a single regional publication, the Kane County Chronicle, in 1990. That publication grew into a daily that led the Chicagoland newspapers (six daily and eight weekly) in net paid circulation increases.

Coleman and his wife, Christie, have two daughters, Courtney and Ashley.

Hadden becomes reporter in McLean County

Clint Hadden, 29, who has been a special publications writer for the past four years at the Owensboro Messenger-Inquirer, is now a reporter at the McLean County News. Both are owned by Paxton Media.

An Owensboro native, Hadden and his wife, Jennifer, have four children ranging in age from 9 to 17 months.

Two receive LCNI President's awards

Patty Bottom and Diana Olson received Landmark Communications Newspapers Inc. President's Award for Outstanding Contribution.

Bottom, of the LCNI's Central Office, has worked in human resources for 18 years.

Olson, of Landmark Web Press, wears many hats. Among them are secretarial duties, new hire paperwork, workman's compensation, FMLA, outside billing, billing of outside jobs for Standard Publishing, HR/Payroll, mail room and bindery coordinator, assists press coordinator with scheduling and is a member of the management team.

LCNI acquires New Mexico newspaper

Landmark Community Newspapers Inc. has purchased a 4,100-circulation daily newspaper in New Mexico.

On June 3, LCNI bought the Las Vegas Optic in Las Vegas, N.M. from Robert and Delia Beck and other family members. The Optic also publishes

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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.

Boggs returns to Middlesboro paper

Jerry Boggs has been named sports editor of the Middlesboro Daily News, returning after a two-year absence.

Boggs began as a sports writer at the Daily News in 1998. In 2000, he moved to the Harlan Daily Enterprise where he was sports editor.

Boggs began his newspaper career in 1997 at Harlan as a general assignment reporter.

Deaths

Former M-I photographer dies

Elba G. Farris, 96, of Owensboro, died Saturday, May 25. The Stanley native who grew up in Owensboro, served as a photographer for the Messenger-Inquirer for 15 years beginning in the late 1930s.

Photos in his collection include history-making shots such as those of the 1937 flood, the 1938 Glenmore Distillery fire, the 1940 opening of the Glover H. Cary Bridge, Bob Hope's 1950 appearance in Owensboro and Dwight Eisenhower's 1952 campaign stop.

Farris worked for Texas Gas for 15 years after leaving the newspaper. After leaving Texas Gas he spent time hand-lettering signs for local businesses, churches and schools.

Tearsheet clerk has important job in ad department

Advertising Plus

By Teresa Revlett
KPS Director of Sales



With over 150 Kentucky Press Association member newspapers, 197 Indiana newspapers and another 22 KPA Associate member newspapers, Tami Hensley has a lot of newspapers to sort through each week.

As mail and tearsheet clerk for the Kentucky Press Service and Indiana Newspaper Advertising Network, Tami has one of the most important jobs in the ad department. Each job is equally important in its own right, but if those tearsheets are not in order, then the member newspapers don't get paid. That's why Tami pays close attention to every newspaper that she sorts.

Each day, Tami goes to the post office and delivers the day's mail back to the office. She has between four and 16 bins each day depending on what day of the week it is.

"Monday and Thursday are very heavy days. On average we have about five bins of newspapers each day," said Tami.

After the mail is sorted and delivered to everyone, Tami looks through all of the newspapers matching up her list with tearsheet requests.

After she makes sure all tearsheets are ready, then an invoice can be mailed to the advertiser with all tearsheets enclosed. That final step completes the important process.

"Pulling the tearsheets on time makes sending out the bills so much easier on the bookkeeping staff," said Bonnie Howard, KPA Controller.

David Thompson, KPA/KPS Executive Director, said Tami's job is important to the client as well as the office.

"Tearsheeting is a very difficult job but it's one of the more important ones we have. We have to have the tearsheets to show clients that ads were published as scheduled. And if we're unable to do that, then clients won't pay just because we send them an invoice," said Thompson.

A frustrating part of the job for Tami is trying to remember the names of all the publications she deals with

each week.

"I've been here since October and still have trouble remembering them sometimes," said Tami.

That's understandable since there are over 400 newspapers to look at each week. Sometimes labels cover up the name of the newspaper on the front so she has to dig deeper inside to find the correct name of the newspaper.

"Tami has to read through 150 Kentucky newspapers and perhaps 200 Indiana newspapers on a regular basis, looking for the ads we get. She has to know where newspapers are located, especially those that don't use their city or county name in their mast," said Thompson.

Each newspaper mails more than one copy of their newspaper to the KPA/KPS office for tearsheet collection and clipping service. Tami sorts through the papers, keeping what KPS needs and setting others aside to be picked up by the GeoTel Clipping Service.

"It's interesting looking through the newspapers at all of the different stories that they do each week. I really enjoy reading so this is a fun job," said Tami.



Tami Hensley spends her days at the office scanning through hundreds of newspapers looking for clients' ads.

These days Tami has found looking at baby pictures and baby names in the paper especially interesting since she is pregnant. Tami is expecting her first child Sept. 24. Although she has already decided on a name, she still finds it interesting to look at the names some people come up with

See CLERK on Page 4

Photographer gets glimpse of Afghan life

BY STACY L. NEITZEL
Glasgow Times Staff Writer

"It's like going back in time. Everything is so primitive," said Cathy Clarke, a photographer for The Knoxville

News-Sentinel and former Glasgow Daily Times employee who recently returned from a 10 day trip to Afghanistan.

Clarke and a fellow News-Sentinel reporter traveled to the war ravaged country of Afghanistan last month to cover the

U.S. Army's 489th Civil Affairs Unit based out of Knoxville.

Without modern amenities such as running water or a raw sewage treatment system, phone lines, or even access to mail, the two were astounded by the sheer and widespread poverty.

The photographer/reporter team stayed with a group of about a dozen American soldiers, documenting the lives of the inhabitants of the cities of Kabul and Bagram and retiring to their own "tent cities" at nightfall.

With the aid of a translator, Clarke interacted with the Afghan people and

caught a first hand glimpse of their struggle to rebuild their country without the influence of the oppressive Taliban regime.

"What struck me the most was their unbreakable and indomitable spirit," said Clarke of the Afghan people. "They've been at war now for over 20 years," she said, describing a country in ruins with no roads and buildings left in shambles from recent bombings. And yet, "They are a very proud people who love their country. They are so happy to have their freedom back and are of the Americans," she said, adding that they often followed the American soldiers shouting joyously and signs of approval such as thumbs up.

"They are a very gracious and friendly people," said Clarke, who learned Afghan customs of greeting during her short stay. All formal greetings and introductions include bowing the head and placing a hand across the heart region of the while speaking the Islamic word for hello, salaam. It is also customary for guests visiting an Afghan home to accept a cup of green tea and sit and talk a while before conducting any type of business, Clarke



Cathy Clarke, former Glasgow Daily Times photographer, visited Afghanistan.

explained.

The veteran photographer and Barren County native photographed children gathering for school; many crowded around the teacher and sat crossed-legged in the dirt or perched on a rock. "Those children don't have desks or books,"

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Supreme Court schedule posted on www.accesskpa.com

Court cases granted Discretionary Review by the Kentucky Supreme Court are being posted monthly on the www.accesskpa.com.

Justice James Keller has offered the service to keep newspapers aware of which cases are being considered by the Supreme Court.

The Discretionary Review schedule is being forwarded once a month by Justice Keller to KPA and is being posted on the website. KPA will also e-mail editors each time a new schedule is posted.

Editors interested in accessing the information should send their e-mail address to David Spencer, KPA New Media Administrator at dspencer@kypress.com.

Access to the site is limited to KPA member newspapers and requires a log in name and password to get to the information.

STOCK Continued from page 1

minus the city council and the water board. Every elected official to those agencies comprise the board of directors for the respective agency. And as directors of the companies we own, they should operate it with the understanding that it is not theirs, it is ours. We've but given them our proxy to make decisions. Instead of each taxpayer casting a vote on every government issue, we've said, "I trust you with my vote whenever decisions need to be made."

If you were a stockholder in a major corporation and decisions were made by the board that jeopardized its operation (and your dividend), you'd either sell that stock and salvage your investment, or you'd get more involved in the process and make your voice heard.

It's no different with public agencies. Your dividend isn't financial, but it's in services, laws and ordinances that the agency imposes.

Unfortunately, you can't sell your stock in local government unless you move elsewhere. But you can get involved in the process. By attending the public meetings, by talking with those who represent you with their vote.

Kentucky's Open Meetings Law dates back to the mid-1970s. You can relate the time Open Meetings and Open Records laws were first adopted to Watergate. Between 1990 and 1992, the Kentucky legislature undertook a massive task of rewriting the Open Meetings Law. That rewrite was passed unanimously by both chambers of the Kentucky General Assembly. But preambles to the laws make the

strongest statement about how serious we should take open government:

61.800 LEGISLATIVE STATEMENT OF POLICY

The General Assembly finds and declares that the basic policy of KRS 61.805 to 61.850 is that the formation of public policy is public business and shall not be conducted in secret and the exceptions provided for by KRS 61.810 or otherwise provided for by law shall be strictly construed.

That is a very strong statement. Simply put, it says that whatever business a public agency (city council, fiscal court, school board, parks/recreation board, water board, planning and zoning commission) discusses it is public business and should not be conducted in secret.

Whatever business our city council or other local agency needs to discuss, is our business. Unfortunately, many of them operate behind a veil of secrecy. They think the business they are discussing is only their business. But they're wrong. It's our business. Mine and your's.

Exceptions were put into the law that do allow agencies to discuss some public business behind closed doors. But those exceptions are narrowly drawn. And when action on that issue is made, it does have to be done in public. But unfortunately, when the discussions on even those few exceptions are done in private, we have no way of knowing what our local officials are saying. We could even imagine that "deals" are being made. That, too, is a strong statement, but there are examples around Kentucky where public officials have benefited from discussions behind closed doors.

Prior to the new Open Meetings Law passed by the legislature in 1992,

national rankings showed Kentucky's law to be only average. Some ranked it as low as the 23rd best law in the nation. Today, Kentucky's Open Meetings Law is among the best in the U.S. ("Best" meaning the advantages to the public in knowing what local and state agencies are doing.)

If your local cable company television public agency meetings or if you attend these meetings, you know that few "stockholders" attend. And that's unfortunate because you have every right to be there. Unlike the major corporations that hold meetings in inconvenient, even exotic, places, public agencies are required to conduct meetings at a time and location that is convenient for the public in general.

If you don't like how an elected official is handling your business, you can always vote them out of office. But Kentucky's Open Meetings Law allows other recourses.

1. You can write the agency with a written complaint and the agency has three working days to respond. The response could acknowledge the complaint and offer a remedy or it could deny the allegation.
2. If the agency denies the allegation, the complainant (taxpayer) may contact the Attorney General's Office in Frankfort. If the AG's office confirms the agency did not comply with the Open Meetings Law, or its remedy to the violation is not adequate, the Attorney General may make a decision in the case and that decision carries the force of law if it is not appealed by the agency within 30 days.
3. If either is not satisfied with the AG's opinion, it may go to the Circuit Court where the public agency has its principal place of business or to the court where the alleged violation occurred.
4. Any action that the agency took

in not substantially complying with the Open Meetings Law, shall be voidable by the court. That means, an ordinance, resolution, regulation, law, (even land purchase) adopted by the agency as a result of the meetings law violation will be revoked and the agency will have to conduct business on that issue in public session.

5. A taxpayer could even benefit financially from an agency's misdeeds.

The law allows that a person who prevails against an agency shall be awarded reasonable attorney fees incurred for taking the complaint to court and the court may also award that person up to \$100 for each instance where the court finds the agency to be in violation.

And the attorney's fees, costs and any award given by the court shall be paid by the agency responsible for the violation.

Each of you reading this article owns stock in a company, albeit a public agency. City and county government, the school district and other public agencies do not belong to those we have elected to office. It belongs to us and we have every right to know what they're doing, what they're thinking and what they're saying.

Make it your business by participating in the process and attending public meetings. And when candidates for those offices come to your front door, ask them if they've read Kentucky's Open Meetings Law, believe in open government and will abide by the laws established by the Kentucky General Assembly.

If they say "no" to any question, remind them what our forefathers said: "Government of the people, by the people, for the people." Remember their answer when you enter the voting booth in November.

And the next time someone asks if you own stock in any company, proudly raise your hand.

Community Media Group Management Job Opening

If you have a proven track record with community daily, weekly and/or shopper publications and are looking for an opportunity to assume the responsibilities AND earnings potential of a newspaper group publisher, this could be the position you're looking for. Qualifications must include:

- Proven advertising sales record
- Excellent motivational skills
- High energy
- Commitment to ideals and goals

Our solid, professional, family owned publishing group, with newspapers in New York, Pennsylvania, Michigan, Indiana, Illinois and Iowa offers unlimited opportunity for career advancement along with great earning potential and full benefits package.

Please send resume including salary history to rckiw@ourlocalmedia.com, or fax to Joan R. Williams, Community Media Group, (618) 932-2848.

CLERK Continued from page 3

for their baby.

"My baby will be named Nicole Renee or Nicholas Wayne. As long as it's healthy I don't care what it is," said Tami.

An early ultrasound revealed there was a 60 percent chance of having a girl. Since she is measuring a little further along in her pregnancy than expected, she may have another ultrasound later to determine an accurate

due date and possibly the sex of the baby. Proud Grandmother Donna Sue Cammack (Administrative Assistant at KPA) will be shouting from the rooftops when the baby is born.

This spring, Tami graduated from Thornhill Learning Center where she received the Success Award. Out of 199 graduates, Tami was one of five selected to receive a college scholarship. However, Tami decided to wait until after the baby was born to pursue her college education. She hopes to some day be a social service worker.

AG issues telemarketing clarifications

By KIM GREENE
KPA General Counsel
Dinsmore & Shohl



It's almost here . . . that magic moment when the laws passed by the 2002 General Assembly go into effect. July 15 is that date. Among other things, it is the date when the telemarketing bill, with its "No Call" list goes into effect.

Any of you who do telephone solicitations for subscriptions (or who hire telemarketing companies to do the telephone solicitations for you) should have a copy by now of the first No Call list. (We were all used to calling it the "zero call" list, but the Attorney General website instructions refer to it as the "No Call" list.)

If you are going to do telephone solicitations (as that term is defined in the statute) you must obtain a copy of the No Call list. To get a copy of the list you must complete an application form and sign a confidentiality agreement. (The law prohibits using the No Call list for any thing other than its intended purpose.) You can get a copy of the application form by writing the Attorney General:

Office of the Attorney General,
ATTN: No Call, 1024 Capital Center Drive, Frankfort, Kentucky 40601, or from his website: www.kycall0.net. The list is free if you down-load it. There's a small charge for a paper or CD copy. You will have to obtain an updated list every three months, on this schedule: List Available Effective Date June 15 July 15 - October 14 September 15 October 15 - January 14 December 15 January 15 - April 14 March 15 April 15 - July 14

Only those who have applied to the Attorney General may have a copy of the No Call list. That means, you are not free to borrow anyone else's list or share yours with anyone else. The Attorney General wants to make sure that everyone who possesses the list has signed the confidentiality agreement.

What does the No Call list mean? It means you cannot make telephone solicitations to people whose names appear on the list. Remember, though, that "telephone solicitation" is a defined term in the statute.

According to the law, a telephone solicitation is a live or recorded communication sent by telephone or facsimile to a person's telephone number

for the purpose of: (1) soliciting a sale; offering an investment, business or employment opportunity; or offering a consumer loan; (2) obtaining information that may be used for those purposes, or (3) offering the person called a prize or gift if he or she must pay money in order to receive the prize or gift; or (4) offering the person called a prize or gift to attend a sales presentation for consumer goods or services, an investment or business opportunity, or a consumer loan.

It is also a telephone solicitation to call (or teletcopy) persons who respond to letters you sent them if your letter: (1) indicated the recipient had been specially selected for this notification, (2) indicated the recipient would receive a prize or gift if the recipient called you or your telemarketer, or (3) indicated that if the recipient bought one or more items from you, the recipient would receive additional items at no additional cost or for less than the regular cost of the items. The rule in this paragraph applies to your calls to people with whom you have no prior business relationship. That is, they have not previously purchased goods or services from you and they have not previously requested credit from you.

On the other hand, there are some calls which are not "telephone solicitations" under the law. Those are: (1) a telephone call made in response to an express request of the person called, unless the request was made during a prior telephone solicitation, (2) a telephone call made to the debtor or a party to a still pending contract in connection with the payment of an existing debt or performance of that contract, (3) a telephone call to any person with whom you have a prior or existing business relationship, (4) a telephone call made by you or your telemarketer from Kentucky to a location outside of Kentucky, and (5) a telephone call made by one merchant to another.

Lots of you have been wondering exactly what is a "prior or existing business relationship?" The new Attorney General regulations say that the Attorney General will consider the following five factors:

1. Whether the relationship was formed prior to the telephone solicitation, by a voluntary two-way communication between the merchant/telemarketer and the consumer;
2. Whether the relationship involves commercial or mercantile activity, including goods or services;
3. Whether the relationship

involves a mutual exchange of consideration;

4. Whether the relationship has been previously terminated by either party, including the consumer's termination of the relationship by informing the merchant/telemarketer that he or she no longer wishes to receive telephone solicitations from the merchant or telemarketer (this one raises questions for KPA members); and

5. Whether a reasonable consumer would expect the business relationship to extend to related business entities or organizations of the merchant/telemarketer, including parent or subsidiary corporations, partnerships or affiliates.

These factors are helpful, but they don't answer the question we've heard most often: Can we call someone who used to be a subscriber but isn't anymore? Before the Attorney General's regulations came out, we assumed we had a "prior business relationship" with that person and, therefore, could call that person. The only unknown was what if the subscription stopped ten years ago? Did that lapse of time make it unlawful to place the call? Where will the law draw that line?

Now, with the Attorney General's factor #4 it appears you cannot call a former subscriber who has cancelled his or her subscription, since that probably amounts to terminating the relationship between you and the subscriber. This would not effect calls to people you've given trial subscriptions where they simply haven't contacted

you after the trial period. They haven't actually cancelled a subscription or terminated a relationship; they've merely let it lapse. But it looks like a different ballgame with subscribers who actually cancelled their subscription. We are going to need more clarification from the Attorney General on this one.

Until someone obtains that clarification, be careful about making calls to people who previously cancelled their subscriptions. If their names appear on the No Call list it would be wise not to call them unless and until the Attorney General clarifies factor #4.

On the other hand, if their names do not appear the No Call list then you may make the telephone solicitation call, so long as you follow the dos and don'ts outlined in the Act (and published in this column in April 2002).

Why do you want to be so cautious? The law provides a penalty for any merchant or telemarketer making a telephone solicitation to someone on the No Call list. That penalty can be up to \$5,000 for each offense.

The Attorney General regulations leave unanswered another question several people have had about the penalty provision. Under the law, a merchant or telemarketing company who knowingly and willfully calls a telephone number of the No Call list three times in one calendar year is guilty of a Class D felony. The way

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KPA, TPA golfers tee off against one another

Who says Kentucky can only beat Tennessee in basketball?

Several KPA golfers proved that during the 2002 Kentucky Press Association/Tennessee Press Association golf outing, held Friday, June 21, at Bent Creek Country Club in Gatlinburg.

In fact, Kentucky golfers swept the top prizes. A KPA foursome of Jon Fleischacker, KPA general counsel; Dr. Bob McGaughey, former director of the School of Communications at Murray State University; and, Greg LeNeave and Clint Dennis, both with Kentucky Publishing, finished in first with a team net score of 62.

KPA President David Eldridge won the closet to the pin contest, edg-

ing out KPA Executive Director David T. Thompson, and Crittenden Press publisher Chris Evans won the longest drive competition.

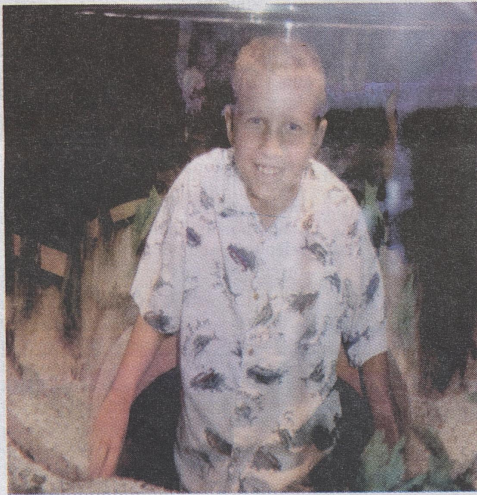
Finishing second in the low net was Princeton Times Leader publisher Chip Hutcheson, with KPA Associate members Rick Bridwell, of Abitibi Consolidated Sales Corp. and American Profile's Stephen Dorris. (Dorris is also co-owner of a weekly newspapers in Tennessee but is a KPA Associate Member with his involvement in American Profile.) The fourth member of the group, David Henderson of Morristown, TN., kept KPA members from sweeping the competition. Bring on football!

2002 Summer convention photos

All tied up in his work? Maybe. A cowboy from the "Country Tonite" show demonstrates a rope trick during a joint KPA-TPA barbecue in Pigeon Forge on the final day of the Summer Convention.



Murray Ledger & Times publisher Alice Rouse loves water. So, it was only natural, her husband Bill said, for Alice to take off her shoes and go wading in a creek. The creek ran through Gatlinburg's Mynatt Park where KPA and TPA members enjoyed a joint picnic.



Above: Amy Tuminski is underwater. Well, not really. She stands inside an aquarium at Ripley's Aquarium of the Smokies. Amy is the daughter of the Winchester Sun's Sharon Tuminski. Sharon is KPA president-elect. Left: Campbell Revlett shows his underwater prowess too by standing inside an aquarium during the KPA tour of Ripley's Aquarium of the Smokies. Campbell is the son of Teresa Revlett, KPS director of sales.

Convention Continued from page 1

dent and it appears the bear left the scene without having found an appropriate snack – either human, hamburger or otherwise.

The evening ended with a visit to Ripley's Aquarium of the Smokies, a facility with 1.4 million gallons of water and featuring more than 8,000 fresh and salt-water species of underwater life.

Friday began with some intrepid convention goers hitting the links for a

round of golf while other brave souls made their way to Dollywood, the amusement park. Jon Fleischaker, KPA general counsel, turned in the best score among golfers.

Friday afternoon featured two rounds of sessions. Techno-guru Kevin Slimp did a new software/hardware review while Ann Laurence, sales director for CNHI Publications, did a session on niche publications.

Concurrently, Jon Fleischaker did a presentation on issues in the newsroom and talked about how privacy concerns are increasingly becoming a factor in covering the news.

Later, Slimp did a session on the tips and tricks of using Adobe Acrobat while KPA general counsel Kim Greene did a session on employee relations. Longtime Louisville Courier-Journal reporter and columnist Al Cross, president this year of the Society of Professional Journalists, talked about the fledgling Institute for Rural Journalism and Community Affairs. (See the separate story about the Institute that appears elsewhere)

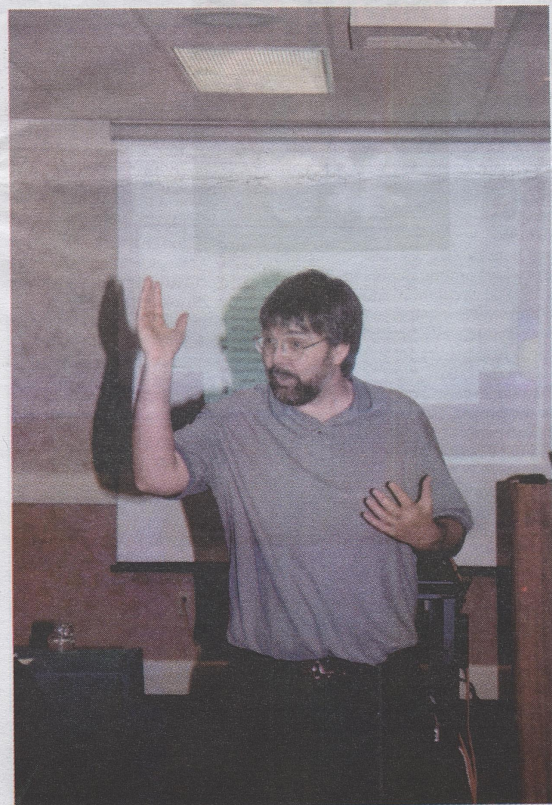
Friday evening featured the Better Newspaper Contest Awards banquet. (Results are in the contest tab included in this month's issue of The Press.)

Saturday morning featured a joint session on the NAA Readership Initiative Program. Mary Nesbitt made the presentation. (See the separate story about the Readership Initiative that appears elsewhere in this issue.)

Lunch was an outdoor barbecue on the grounds of the Country Tonite Theatre in nearby Pigeon Forge. Although there was no repeat confrontation with a bear, a cowboy dressed in black – from the show – performed some nifty rope tricks and managed to lasso one or two "errant" children. The convention ended with a performance of the award-winning show Country Tonite.



Left: Ann Laurence, sales director for CNHI Publications, talks with participants during a session on niche publications. Below: KPA and Tennessee Press Association members enjoy an elaborate array of appetizers and hors d'oeuvres during a joint reception at the Gatlinburg Convention Center.



Techno-guru Kevin Slimp speaks with a passion about recent software developments during one of two sessions he presented during last month's KPA Summer Convention. The sessions were held jointly with the Tennessee Press Association.



Above: Winchester Sun editor Bill Blakeman and his wife, Gail, study an exhibit at Ripley's Aquarium of the Smokies. Left: Four-year-old Beau Revlett, son of KPS sales director Teresa Revlett, finds himself in the middle of a cowboy's lasso. The cowboy was actually a performer from the "Country Tonite" show in Pigeon Forge.

KPA news bureau gets new director

Dana Ehlschide, former McLean County News managing-editor, is the new face behind the KPA news bureau director's desk.

Ehlschide began her duties in Frankfort June 17. As news bureau director, Ehlschide is responsible for covering the Kentucky General Assembly when in session, handling story assignments in Frankfort for KPA newspapers and serving as editor of The Kentucky Press.

She replaces part-time news bureau staff members Patrick Avery and Mark Vanderhoff who covered the General Assembly this year.

Ehlschide, a 1994 graduate of Murray State University, began her journalism career serving as the sole reporter/photographer for the Leaders News in Muhlenberg County. She then moved to Calhoun where she took over the role as managing-editor until February.

"I'm looking forward to my work at KPA and helping member newspapers across the state cover



news in Frankfort," Ehlschide said. "As the editor of a western Kentucky weekly newspaper, it was always a comfort to know that I could rely on the news bureau to provide me a link to news happening in Frankfort that was important to McLean County readers. I hope I can continue to provide newspapers with that same type of comfort."

David Thompson, KPA executive Director, said he was happy to have someone familiar with KPA as well as someone with good writing and lay-out skills on board.

"The typical, most frequent user of the bureau is a weekly newspaper," Thompson said. "We are fortunate to get someone with a strong weekly background because she can relate to their needs and deadlines."

The news bureau director's position was created 10 years ago. It was designed to give newspapers from across the state someone to contact to cover news for them in the state's capital. When it began the bureau covered stories only as requested, but later began covering the legislative sessions.

Ehlschide and her husband Johnathon have relocated from Central City to Lawrenceburg.

AG Continued from page 5

the regulation is written it is difficult to tell whether that is a total of three knowing and willful calls or whether that means three knowing and willful calls to the same number. Until we have clarification on that, you'd be wise to read it conservatively: A total of three knowing and willful calls in one year could lead to a Class D felony charge.

None of that should be a prob-

lem, of course, for any newspaper which obtains the No Call list each quarter and makes a diligent, good faith effort to comply. That will mean having good procedures in place for your telemarketers, training everyone who will make or supervise telephone solicitations and doing your own periodic audits of your procedures.

If you have questions about the telemarketing law, feel free to call your Hotline attorneys: Jon L. Fleischaker: (502) 540-2319, Kimberly K. Greene: (502) 540-2350, R. Kenyon Meyer: (502) 540-2325.

Cameras in the courtroom

Kentucky law permits journalists to use cameras in courtrooms but the law also gives judges the discretionary power to ban cameras if they so desire.

Have you had trouble with a local judge routinely banning cameras from his or her courtroom? If so, KPA would like to know.

Call Dana Ehlschide at the KPA News Bureau at (800) 264-5721 and give her the details.

'Luke' wins NNA award, 'Noodles' set to begin

KNNIE's next literacy project starts Oct. 14

By DANA EHLSCHIDE
News Bureau Director

With KPA's Kentucky Network for Newspaper in Education second literacy project set to begin in October, last year's series "Luke in a Really Big Pickle" is still receiving honors.

The series received third place honors in special projects last month when the Newspaper Association of America Foundation recognized the country's Newspaper in Education Programs.

"We were really excited about the third place finish," said Kriss Johnson, KNNIE chairwoman and educational outreach manager for The Herald-Leader.

"We decided to enter it in the special projects category because we see it as being an innovative literacy project."

The Lexington Herald-Leader also won first place honors for Best Literacy Idea among papers in the 75,000 to 150,000 circulation category of the Southern Newspaper Publishers Association's NIE and Literacy Awards in February for its leadership role in the Luke series.

"I had had big dreams and hoped big things for the project," Johnson said. "If five newspapers had participated it would have been great, but we had 43 (participate)."

Last year's series was co-sponsored by KPA, Kentucky Educational Television and LG&E Energy Foundation.

The idea, Johnson said, is a take-off of a similar project the Kentucky Educational Television station had done where viewers were asked to read the same book.

"I thought, 'What if all Kentucky newspapers published the same story for everyone to read?'"

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

Coming off the heels of last year's success, a new seven week literacy series will begin in October. Johnson said the goal this year is to have 50

newspapers participate in the program.

"Noodles" is a chapter story written by Kentucky authors Debbie Dadey and Marcia Thornton Jones with artwork done by Kentucky's own Chris Ware. It tells the tale of a brother and sister conducting a science fair experiment.

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

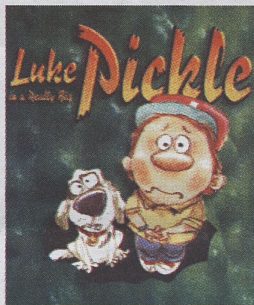
As members of KPA, there is no cost to newspapers publishing the series. KNNIE is picking up the tab. All member newspapers must do is donate the space for the columns to run for seven consecutive weeks. Johnson also encourages newspapers to do as several did last year and find local sponsors for the space. Their name and logo could be placed at the end of the chapter each week.

The project will run Oct. 14 through Nov. 29, 2002. The newspaper must publish the first chapter any time during the week of Oct. 14 and follow with a new chapter each week. The chapters will run about 750 to 800 words.

LG&E will once again provide newspapers that sign 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. Additional scrapbooks can be ordered ahead of time at a rate of \$50 per 1,000 plus shipping.

There will also be on-line activities on the KPA website at www.kypress.com which will feature learning activities to go along with the story.

New to the project this year are NIE workshops in September to introduce the newspapers and show teachers and families how to use newspapers with the stories. To obtain more information about the workshop call Johnson at (800) 264-5721 or send her an e-mail at kjohnson@kypress.com.



State papers reach 97% in recycled newsprint use

Kentucky newspapers used a record 97.706 percent recycled newsprint in Calendar Year 2001, according to a Kentucky Press Association report to be filed with the Kentucky Natural Resources and Environmental Cabinet.

The 97.706 percent surpasses the previous high of 96.54 percent in 2000 and reflects a substantial increase over 1998 and 1999. The report excludes four Kentucky newspapers printed out of state.

The report on newsprint and recycled newsprint consumption by Kentucky newspapers is required to be filed annual with the cabinet, following passage of House Bill 228 in 1994. That law required newspaper publishers to annually file the report with the cabinet but KPA has been collecting the information and filing the report each year.

The report will show that the 41 printing plants in Kentucky used 80,886,002 tons of newsprint in 2001, with 79,030,252 containing some level of recycled fiber.

Although 1999's 92,539 tons of newsprint is the highest in the eight years, only 78,382 tons of recycled newsprint were used by Kentucky

Newsprint / Recycled Newsprint Use - 1993 - 2001			
Cumulative Year Totals	Total Tons	Recycled Tons	Percent Recycled Tons
Totals - 1993	85,816.359	49,220.884	57.356%
Totals - 1994	84,716.039	79,532.240	93.881%
Totals - 1995	83,770.039	80,403.291	95.981%
Totals - 1996	81,285.033	78,203.474	96.209%
Totals - 1997	83,585.892	79,546.962	95.168%
Totals - 1998	88,699.330	67,675.970	76.298%
Totals - 1999	92,539.105	78,382.558	84.702%
Totals - 2000	85,705.390	82,739.060	96.539%
Totals - 2001	80,886.002	79,030.252	97.706%
9-Year Totals	767,003.189	674,734.691	88.204%

newspapers that year.

"When the legislature talked about recycling issues in 1992 and 1994, the use of recycled newsprint was a hot topic," said KPA Executive Director David T. Thompson. "We told legislators we would do all that we could and would practice what we preach: use recycled products. I think Kentucky newspapers have held up to that promise more than anyone expected."

On an aggregate basis for 2001, the total amount of fiber contained in

the newsprint consumption, Kentucky newspapers had 40,257,291 tons for 50.939 percent. That's the first time aggregate tonnage has achieved the 50 percent level.

"In the mid-1990s, recycled newsprint was the buzz word," said Thompson. "The legislature was looking for all industries to use as much recycled products as possible and newsprint was part of that. We fought off attempts to mandate levels of recycled newsprint, assuring the legislature Kentucky newspapers were com-

mitted to recycled newsprint and we would file annual reports.

"The emphasis has changed in the past couple of legislative sessions," he added. "The emphasis remains on the environment but it's more toward roadside trash and landfill space than on using recycled products. For the last four to five years, the cabinet has not acknowledged receiving the reports and the legislature has not asked KPA to testify before any committees."

Because of an apparent lack of interest by the state, Thompson has requested the Kentucky General Assembly repeal the provisions of House Bill 282 from 1994. "It's obvious recycled newsprint use by Kentucky newspapers is among the highest level in any state. But it's just as obvious the state is no longer interested in the report. A task force required under the same law has not met since 1997 and no members have been appointed to the task force in the past five years."

Thompson has requested a meeting with Cabinet Secretary James Bickford and Rep. Jim Gooch and Sen. Ernie Harris, co-chairmen of the Interim Natural Resources Committee to discuss repealing the law.

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WKPA plans annual fall convention for Sept. 27

The weather may be warm and sunny outside, but that doesn't mean it is too early to start marking your calendar for the West Kentucky Press Association Fall Convention.

The convention set for Sept. 27 at the Ramada Inn near Kentucky Dam Village in Gibertsville.

Organizers have a full day of activities planned beginning with registration at 9 a.m. and ending with a business meeting at 1:15 p.m.

NNA Postal Chair Max Heath, of Landmark Community Newspapers, will present "MAXimize Your Postage Savings" where he will teach the tricks of the trade to cut costs, improve delivery and stay out of trouble.

WKPA President Vyrion Mitchell,

and Dr. Bob McGaughey, WKPA executive director, will lead a panel of membership discussing web pages and what newspapers are currently doing.

After a buffet lunch at the inn's dining room, candidates for the second district senate seat - Bob Leeper, Republican from Paducah, and Larry Sanderson, Democrat from Paducah - will speak during Meet the Candidates hour.

The cost of the convention is \$20 per person and includes the lunch buffet and coffee/donuts during break.

For more information about the convention call Mitchell at (270) 522-6605 or McGaughey at (270) 762-6874.

Institute for Rural Journalism proposed for Appalachia

By DAVID GREER
Member Services Director

It began as one man's concept. Then support came from a second and third. The University of Kentucky endorsed the idea and now the originators are seeking support from rural journalists for the Institute for Rural Journalism and Community Affairs.

The concept is simple. Many metro daily newspapers have seen their circulation areas contract in recent years. As that has occurred, it's left a journalism void that now must be filled by community newspapers. The idea is to help community newspapers in Central Appalachia do a better job covering the big issues that face the region - such as the coal industry, water problems, social conditions, public corruption and non-coal economic development.

Louisville Courier-Journal political reporter and columnist Al Cross shared his thoughts about the institute with those who attended last month's KPA Summer Convention in Gatlinburg, Tenn.

"Like many dailies, The Courier-Journal's circulation area has shrunk in recent years. Our staff won a Pulitzer prize for its coverage of strip mining in Eastern Kentucky in 1967, but you can't buy the paper in Eastern Kentucky anymore, just like you can't buy the Tennessean in much of Tennessee or the Raleigh News and Observer in western North Carolina," Cross said. "These shrinking circulation areas have left a void that smaller newspapers need to fill."

The institute's goal, Cross said, is to serve as a catalyst for better understanding of public issues - such as coal, timber and water quality - so that community newspapers can make the most of their limited resources.

The idea originated with Rudy Abramson, an author/expert on Appalachia and retired senior staffer in the Washington bureau of the Los Angeles Times. Abramson then took the institute concept to Al Smith, former KPA president, Kentucky community newspaper publisher and long-time KET "Comment on Kentucky" moderator.

Together, they recruited Cross, who at the time was about to become national president of the Society of Professional Journalists. Cross, once a community newspaper editor himself and a longtime resident of rural Kentucky, embraced the concept. In the meantime, Smith took the idea to Lee Todd, the new president of the University of Kentucky. Todd immediately adopted it.

"That enabled UK to be the applicant for grants to get the project started, grants that nobody was going to make to an ad hoc group of meddling journalists but they would make to an academic institution," Cross said. So far, UK has received two grants - \$30,000 from the Appalachian Regional Commission and \$25,000 from SPJ's Sigma Delta Chi Foundation.

Abramson, Smith and Cross believe the institute could apply to all of rural America but concluded they

needed at first to concentrate on one well-defined area in terms of obtaining grant money and conducting research.

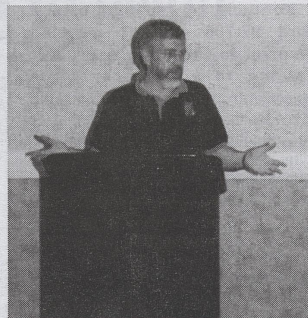
The decision was made to concentrate first on Central Appalachia, defined as all of West Virginia, Eastern Kentucky, western Virginia, East Tennessee and western North Carolina. The need exists in the region and members of the committee have deep roots there, Cross said.

With metro dailies having a smaller presence in rural areas, the need is greater than ever for what Cross calls searching news coverage and pointed commentary.

"That's the kind of reporting and commentary that we want the Institute for Rural Journalism and Community Affairs to foster," he said. "We don't envision the institute as a training program in the fundamentals of journalism but as a catalyst for better understanding of policy problems and cooperative efforts so that community papers can make the most of their limited resources."

Cross sees the institute offering short seminars, for example, geared to giving community editors background on regional problems. There might also be assistance from retired senior journalists, Cross said, who might guide or even edit regional coverage of topics such as education, economics and the environment.

Also, Cross said the group wants to establish visiting professorships or lecture series so that leaders in the media, business, education and civic affairs could share their knowledge on



Al Cross spoke to KPA members during the summer convention about the Institute for Rural Journalism.

issues with journalists who want to cover them.

A series of regional conferences collecting and sharing information on rural issues has already begun. A forum on water quality and the coal industry will be held this month in Charleston, W.Va.

Also on the agenda now is a mailed survey to publishers covering such topics as staffing, management, ownership, news content and other issues, Cross said. Personal follow-up surveys may also be conducted, he said.

To share your ideas on the institute with Cross, e-mail him at across@courier-journal.com.

Obit writer's job teaches teen unexpected lessons

Brooks Reitz
Gleaner Jr. Internet columnist

I was 16 when I was hired at The Gleaner.

It was my first real job and it was a newspaper and I would have done anything they wanted me to do. So I did.

I was hired as a part-time obituary writer, and utilizing the talents I convinced them I had, I began work on a column about the Internet, too. Obituary writer was my main position, sure, but to me, I was in it for the column. I was going to be famous.

In the beginning, since I didn't have a driver's license yet, my grandmother would often take me to work or pick me up when my parents couldn't.

She had a penchant for coming to my house to give me a ride, but instead of walking up to the door and knocking, she would sit outside, a cute little lady in a Cadillac, and lay on the horn. It was OK at home. We were all used to it.

But during one of my first days at work as I sat in the employee break-room awaiting her arrival, I was

shocked when she pulled up to the employee entrance of The Gleaner, high beams shining through the glass door, and lay on the horn as if it were normal.

I would be fired for sure.

Then there was the time when I was typing the obituaries and attempting to chat with a friend through instant messaging. We were discussing something. I don't know what, and a fragment of our conversation made its way into the obituary I was writing. A silly mistake, if only I had caught the error and fixed it myself, but as a newly hired employee, that would have been way too easy.

Of course, it slipped past me and right to the editing desk. Imagine my surprise when I heard a yell: "Brooks! Come here a minute," from across the newsroom, and when I went to see what all the noise was about, there were my obits, along with my conversation shoved right in the middle, highlighted on Brad Schneider's 21-inch Macintosh screen.

I would be fired for sure.

Then came the complications of the 2001 election. One of two times I

was called at home to come in to work early, election night was exciting. I felt overwhelmed with the small-town newsroom bustling with action. It was like a scene from "The Paper," and I thought: *This is it. This is what the newspaper business is like.*

I was asked to not only do obits, but also to assist other departments in completing their tasks in the newsroom rush. I remember fondly keying in information for David Dixon and sitting with Chuck Stinnett as we reviewed figures. I don't even remember what the figures were for; but I didn't care. I was a journalist.

And how could I forget the laughs that ensued when I would tell people, "I write the obituaries." Most people thought it was a joke, but it wasn't. I had to start somewhere in the newspaper business, and as obituary writer, there is nowhere to go but up.

By the end of my time I was scanning editorial cartoons, answering phones and fact checking for other reporters. With some more time I believe I may have been ready to start a newspaper of my own.

However, things fall apart. As a

newly graduated high-schooler, I'll be utilizing the summer in a trip to Europe and I've gleaned all I can from being an obit writer. As I approach the end of my time at The Gleaner, I realize how lucky I was to catch such a wonderful job. I know why I must have liked it so much:

I feel comfortable here. I know where my desk is, and I know the sound of the fax machine buzzing in the distance. I know what snacks are in the snack machine, I know the extension number of the Sports Department, and I know how long I can last surfing the Internet before David Dixon rounds the corner to ask me a question about my real work.

I know who likes what movies, who feels which way about what particular subject, and I know what the pressroom smells like. I know who takes dinner breaks where and I know what they usually order. These are the things that I will miss about my job.

I was 16 when I was hired at The Gleaner. And what a job it was.

(Reprinted with permission)

Content, culture among driving forces in increasing readership

By DAVID GREER
Member Services Director

"Newspapers don't entirely have to reinvent the wheel." That was the assessment of Mary Nesbitt of Northwestern University's Media Management Center. Newspapers can continue doing what they already do now but do it better in order to build circulation, Nesbitt added.

Nesbitt, a former editor, spoke at last month's KPA Summer Convention in Gatlinburg. She spoke at a joint session with members of the Tennessee Press Association. The topic: the Readership Institute, a joint project of the Newspaper Association of America and the American Society of Newspaper Editors. The institute is dedicated to understanding and promoting ways to grow newspaper readership.

The institute says, based on its research, that newspapers should forget the old excuses about media competition, demographic changes and the "no time to read" excuse. Instead, content, service, brand and culture drive newspaper readership.

The institute surveyed 100 daily newspapers and 37,000 of their readers. Among the 100 papers were two from Kentucky - The Courier-Journal and The Gleaner from Henderson.

The study found eight imperatives for growing readership, each one centered on the four cornerstones of the survey - content, brand, service

and culture.

"There were many surprises in the research for me," Nesbitt said. One involved the amount of free time people had - 24 hours each week.

"People have more free time than I expected," she said. "They're just choosing to use it in ways not conducive to us."

The research, Nesbitt said, applies to newspapers of all sizes. The average person spends 28 minutes reading their newspaper. Readers like the variety of content ranging from serious reporting to the word puzzles.

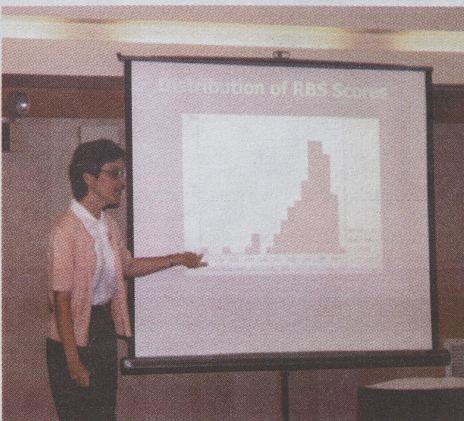
Some content, research shows, actually drives reader satisfaction higher than other content. Obituaries, community announcements and stories about ordinary people make readers happiest, Nesbitt said. Promoting content regularly also grows readership, she said.

Next, the research showed that readers want lifestyle news. Then, they want coverage of government, politics

around eight-or nine-years-old," said Clarke, who said they try to sell various trinkets and services for money. "They start to work early," she said, hoping to bring in a meager income to help their families. "They are hard-working people who want to be productive," she said, but added, "women still have a long way to go."

In a society of arranged marriages and where women can't show their faces in public, change is slow to come. Little girls can run and play freely, said Clarke. But when they hit puberty or turn about 15 their lives change forever. "Once you put on that burka, it's like you vanish," said Clarke, explaining that after the onset of puberty all Afghan girls are required to wear one.

Clarke and The News-Sentinel reporter visited a hospital in Kabul where diseases such as Typhoid, that have long since been eliminated in the U.S. through vaccinations, remain a deadly force in the primitive region. The hospital was clean tidy, acknowl-



Mary Nesbitt told newspaper representatives at the summer convention ways to help their readership grow. Nesbitt works at Northwestern University's Media Management Center.

and international news. News about things to do also ranks highly on the list of reader satisfaction, she said.

The best news, she said, is that decline of newspaper readership is not inevitable. The things that newspapers can control are greater than those things they cannot control, Nesbitt said.

For a complete rundown on the Readership Institute's survey, see their web site at www.readership.org.

edges Clark, but it was small and ill-equipped and severely understaffed to handle the mass of ailing and dying patients who often shared a single room.

"Their spirit really affected me," said Clarke, who said she was profoundly moved by her trip to Afghanistan. "I talked to refugees who were so grateful for a second chance at freedom. And you see the Afghan children and you think about your life back home. You think about all the excess here," said Clarke, but these people struggle and long for the simple things in life like food, water and shelter and a chance to receive an education.

"I would go back tomorrow if I could," Clarke lamented. "There is so much to be done and you want to help. I hoped that my pictures could help in some small way," she said, adding, "I feel so blessed to be able to have that experience."

(Reprinted with permission.)

AG Opinions

Susan Allen/City of Prestonsburg

The attorney general's office determined there was not enough evidence to resolve the City of Prestonsburg alleged violation of the Open Meetings Law filed by Susan Allen of The Big Sandy News.

Allen claims the City of Prestonsburg violated the Open Meetings Law when it failed to notify her newspaper of the city council's May 15, 2002 special meeting. Allen submitted a written complaint to the city's mayor requesting the special meeting be held again and legal notice given to those who have letters on file with the city requesting to be notified of special meetings as required by KRS 61.823(4)(A).

Mayor Jerry Fannin responded to Allen advising her that no such request from her or The Big Sandy News was on file at the City Clerk's office despite Allen's claims she filed one.

Allen filed her complaint against the city of Prestonsburg with the state attorney general's office on May 20.

Allen presented the attorney general's office a letter dated Jan. 28, 2002 in which she requests the city to notified her of special meetings. The City provided the office with an affidavit from the city clerk stating that she "never received a written request made pursuant to KRS 61.823(4)(A).

Due to the conflicting facts presented to the attorney general's office from the parties involved, the AG's staff could not rule on the open meetings violation appeal.

"This difficulty is exacerbated by the fact that our review is limited to the written record presented by the parties. The divergent factual accounts presented by the parties with regard to this issue compel us to conclude that the record is insufficient to support the claimed violation. Simply stated, we are not equipped to resolve this factual dispute in either party's favor," the attorney general's conclusion stated.

Allen also request the attorney general's office rule as to whether or not the city should hold the special meeting again. Prior to the AG's office issuing an opinion, the city agreed to hold the meeting again even though they deny violating the open meetings law. Because the city agreed to another meeting, the attorney general's office determined the issue to be moot.

Afghan Continued from page 3

said Clarke, "but they are so eager to learn."

Some of the photographs focused on the girls who, only after U.S. intervention and the overthrow of the Taliban, have been allowed to return to school after five years. She spoke with young girls and teachers who admitted to meeting secretly in homes while under Taliban rule and studying their lessons, knowing that they were risking public execution if caught.

"The little girls just choke you up. They are very shy, but they are such an inspiration," said Clarke.

Another teacher she interviewed said she had not been paid for her services in months. When asked why she continued she simply replied, "If I don't teach them then who will?"

"Many of the children are very business savvy and begin hustling

PEOPLE

Continued from page 1

the weekly Tri-County News, a shopping guide delivered to homes on Tuesdays.

The Optic is a Monday through Friday afternoon daily located 64 miles east of Santa Fe. LCNI has owned the Los Alamos Monitor also located in New Mexico for over 20 years and hopes to buy more papers in the area as the opportunity presents itself. They now publish 48 paid newspapers in 12 states.

Hodgenville paper wins literacy award

The LaRue County Herald News, in Hodgenville was recently honored at the Literacy Adult Community Education (LACE) council meeting.

LACE gives awards annually to those who give their time and service to the community.

The newspaper received the 2002 Community Education Service Award at the council's May meeting.

Avery named education reporter in E-town

Patrick Avery was named the new education reporter for The News-Enterprise in Elizabethtown.

He received a Bachelor's of Arts degree in Journalism from the University of Kentucky and is a former KPA legislative reporter.

Litchkowski named to Spencer Magnet staff

Mike Litchkowski, of Taylorsville, was recently named to The Spencer Magnet staff as advertising sales manager.

Litchkowski has over 12 years sales experience, and will oversee all advertising accounts for the paper as well as work with all of the county's businesses.

He is originally from Lorain, Ohio, and moved with his wife Wirtie and two children, Kylar and Kristain to Taylorsville two years ago. He holds a Bachelor's degree in journalism from Cleveland State University.

Casey County News moves to new location

The Casey County News moved last month from their 720 Campbellsville Street office to a building two doors west.

The move was required to pro-

vide much-needed space for the staff and more privacy, according to Publisher Randall Vaught.

The newspaper had been located at the 720 Campbellsville location since 1974.

Hale named associate editor of Lake News

Neeta Keeling Hale, 50, of Calvert City, has been named associate editor of The Lake News.

Hale took over her new role on June 1. Her position will include management and other duties at the paper. According to Loyd W. Ford, editor and publisher of the publication, the associate editor role is more in line with the actual duties she was already in charge of.

Hale is a lifelong resident of Calvert City.

SPJ inducts Murphy into hall of fame

Former Kentucky Post political writer John Murphy was one of three people inducted into the Cincinnati Journalism Hall of Fame during the Cincinnati chapter of the Society of Professional Journalists' annual awards dinner last month.

Murphy began his career in 1931 at the Post in Covington just after graduating from the University of Kentucky.

Murphy stayed at The Post until his 1976 retirement excepted for a short stint as news director at WCKY and his service as a lieutenant in World War II.

He was a political reporter, but also gained notoriety for his longtime hunting and fishing column. He was also named Kentucky State Conservationalist of the Year in 1975.

The induction to the hall of fame came posthumously. Murphy died in 1982.

UK student wins \$10,000 scholarship

Tracy Kershaw, a University of Kentucky senior from Hazard, Ky., has been awarded \$10,000 from the Scripps Howard Foundation's Top Ten Scholarship program.

Nine other college students from around the country won the award. Kershaw was the only one from Kentucky.

"The foundation's Top Ten Scholarship program was created to identify and reward the brightest college journalism students in the country," said Judith G. Clabes, president and CEO of the foundation. "This year's scholarship winners have outstanding academic and professional credentials and represent a very bright future for journalism in America."

Kershaw, a journalism major, is editor of UK's independent daily student newspaper, the Kentucky Kernel. She is currently interning at the Tampa Tribune. She has also interned at the Lexington Herald-Leader and the Scripps Howard News Service in Washington, D.C.

The Top Ten winners were selected based on academic achievement and a demonstrated interest in a career in journalism. They also were required to submit a personal essay emphasizing their long-term goals. A special scholarship committee of industry professionals selected the winners.

The "Top Ten" scholarships are offered annually to full-time students entering their junior or senior year. To qualify, students must be enrolled for the full academic year in any journalism discipline. Students are nominated by the colleges and universities they attend.

EKU named best all-around campus paper

The Eastern Progress, the student-produced paper at Eastern Kentucky University, has been named Best All-Around Campus Newspaper among student weeklies in Kentucky, Indiana and Illinois. The Society of

Professional Journalists sponsored the Mark of Excellence competition.

The Progress will now compete with 11 other regional winners for the national award to be announced in September.

The contest was based on three issues in March, October and December 2001.

Greene returns to work at Ohio newspaper

Rick Greene, formerly of The Daily Independent in Ashland, returned to Ohio to work for The Portsmouth Daily Times.

Greene was sports editor at The Ledger Independence paper in Portsmouth, Ohio from 1995-97.

Herald-Leader reporter wins Loeb Award

Janet Patton, a business writer for the Lexington Herald-Leader, was named the winner of a 2002 Gerald Loeb Award for Distinguished Business and Financial Journalism June 24 in New York.

Patton received the honor for her series of seven articles about the deaths of thoroughbred foals at Lexington-area farms.

The Anderson School at the University of California-Los Angeles administers the Loeb Award. It was established in 1957 by Gerald Loeb, vice chairman of E.F. Hutton and best-selling author. The awards are considered the nation's top awards for business and financial journalism.

Mountain

Continued from Page 1

"It was our contention that we haven't violated any laws," said Gary Ball, Mountain Citizen editor. "We published under the name Mountain Citizen as we have for over 10 years. We did not publish under the name Mountain Citizen, Inc. which the restraining order prohibited us from doing."

Sparks indicated in his written opinion on the case that "the defendants had sufficient knowledge of the surrounding circumstances to lead the Court to conclude that the defendants knew, or with due diligence or by reasonable interpretation should have discovered, that the restraining order intended to prohibit the use of the name 'Mountain Citizen.'"

Triplett withdrew the restraining order against the paper's use of the

name during the June 18 hearing until he could obtain more information on trademark laws.

According to Fleenor, the name is the property of the newspaper under federal common trademark law, even though it has never been officially registered. "You build trademark rights simply by using the name," he said.

Smith said the paper will continue to publish each week using the name Mountain Citizen. "We now have a lot of money invested in that name," Smith said following the contempt ruling.

The newspaper has continued to publish each week under its name, but now runs a disclaimer which states they are not "owned by, affiliated with, endorsed by or in any way connected to the following corporations: Mountain Citizen, Inc., Martin County-Tug Valley Mountain Citizen, Inc., Martin County, Inc., Martin County Mercury, Inc. or The Citizen.

