

# The Kentucky Press

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## Public and focus at KPA summer convention

### At a glance

Thursday, June 20  
OM/OR Legislative Task Force  
KPA/NNA Board luncheon  
KPA/KPS board meeting  
Picnic at Riverfront Stadium  
Cincinnati Reds vs Montreal Expos  
Friday, June 21  
KPA Past Presidents' Breakfast  
Garrett Ray on *Improving the Editorial Product*  
Ken Blum on *Management Ideas and Advertising Promotions*  
Golf at Boone Links Country Club  
Tour, Museum Center, Union Terminal  
Reception/dinner at Oldenberg  
Saturday, June 22  
Meet the candidates  
Better Newspaper Awards Luncheon

Periodical Room  
Does Not Circulate

A heads not east or west for the 1991 summer convention 20-22. The annual get-together takes place at the Drawbridge resort hotel off I-75 in Ft. Mitchell.

On the purely social side, participants will do some river hopping. Thursday evening features a picnic, and a baseball game at Cincinnati's Riverfront Stadium with the Reds against the Montreal Expos.

Back in the Bluegrass State, Friday's outings include golf at Boone Links Country Club and an evening of entertainment at Oldenberg Brewery.

That afternoon, families can opt for a trip back across the Ohio for a tour of the Museum Center at Union Terminal, which includes, among

other attractions, the Cincinnati Museum of Natural History and Children's Discovery Center.

On the business side, there's also a wealth of opportunity for enrichment. KPA members will get the chance to see the Democratic and Republican winners of the May statewide gubernatorial primary in the brief lull before the campaigns take on the storm pitch of November's general election. That's Saturday at 9 a.m.

Friday's schedule includes sessions on "Improving the Editorial Product," led by Garrett Ray of Colorado State University, and on "Management Ideas and Advertising Promotions" by Ken Blum, manager of the Wooster (Ohio) Daily Record. Both are columnists for Publishers Auxil-

ary.

Members of the Legislative Task Force on Open Meetings and Open Records have been invited to have their June meeting during the convention.

The convention culminates with the 1991 Better Newspaper Contest Awards Luncheon on Saturday.

Members of the National Newspaper Association board of directors will meet with KPA members on Thursday for a luncheon, followed by board meetings of each group.

If you haven't received a convention mailing, you've misplaced yours or you just need a clarification, call KPA at 1-800-866-1431.

Meet you at the Drawbridge on June 20!

## MSW and ONP in KY; KPA study interprets

There's both good news and bad news in the study of municipal solid waste and newsprint recycling in Kentucky, commissioned last fall by KPA.

The best news, according to the Kansas environmental consulting firm, Franklin Associates, is that Kentucky's per capita generation of old newspapers is significantly below the national average.

Old newspapers, referred to as ONP, represent only about three

percent of all wastes disposed of in Kentucky landfills. That's down four to six percentage points from the national average of nine percent and down dramatically from the estimates bantied about by critics of the newspaper industry.

The primary reason, however, has little to do with recycling efforts. Rather, the low figure of dumped ONP derives from the fact that Kentucky papers are generally smaller in circulation and size. The state's smaller

population centers, says the study, do not support the voluminous dailies found in places such as New York, Miami and Los Angeles.

The glum news is that recycling of ONP in Kentucky is at a low

point, the study shows. The reason, simply stated, is that there is little or no market in most parts of the state for discarded newspapers. Accessible and adequate mills for deinking and re-

See Franklin report, page 16

## High court sends Whitley dispute back to circuit court of origin

### Supreme Court calls statute "ambiguous"

If it's not over 'til it's over, then it's not over.

The Kentucky Supreme Court in May refused to mediate the controversy over "circulation" and legal advertising.

In its May 9 ruling, the state's highest court sent the case of the *Whitley County Republican* versus *The Times-Tribune* and the local county government back to circuit court.

At the suit's origin two years ago, the then weekly *Republican* in Williamsburg challenged the Whitley Fiscal Court's awarding of its treasurer's report advertising to the daily *Times-Tribune* in Corbin.

The daily had an undisputed

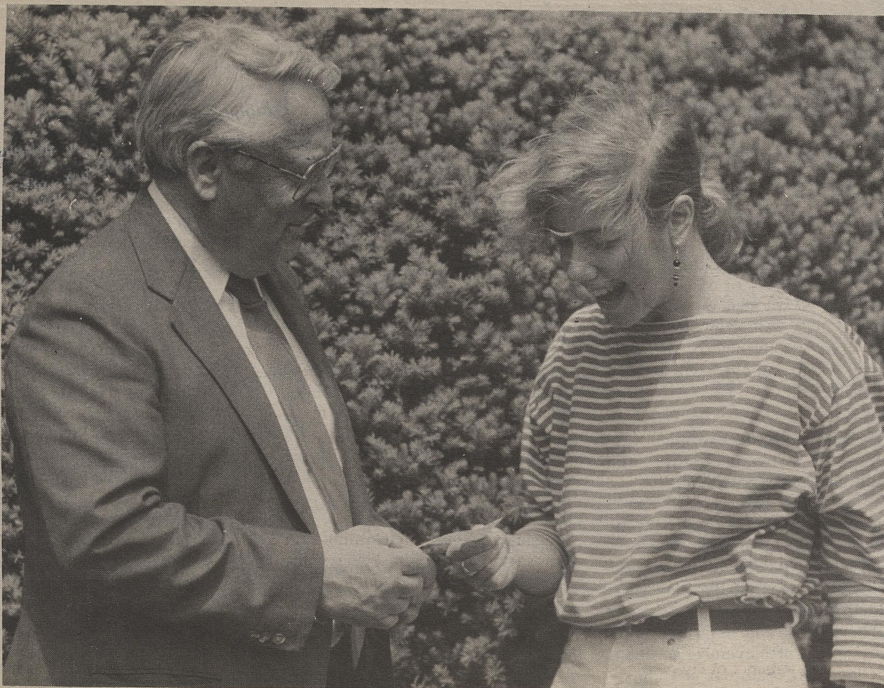
larger total circulation, but geography was a factor. Corbin sits in the northern corner of Whitley County, stretching into both Knox and Laurel counties.

*The Republican's* case hinged on the contention that the daily's circulation, while larger overall, was not larger within Whitley County. The weekly, its attorneys argued, actually had the higher number of subscribers in the county where the public ads originated.

Where the readers are is the crux of the matter, according to the high court. Do more Whitley Countians subscribe to *The Republican* See *Whitley dispute*, page 16

### Tidbits from the Franklin Associates Study

- Kentuckians dispose of 4.6 million tons of solid waste per year. About half of this is municipal solid waste and the other half is industrial wastes, construction debris, sludges, ash, etc.
- Each Kentuckian generates about 3.3 pounds of municipal solid waste each day. (Franklin County's output is higher. Hmmm.)
- In a four-week sampling of Lexington/Fayette County residents, all types of paper represented 24 percent of municipal solid waste; four percent was newspapers.
- The average generation of ONP in metropolitan areas of Kentucky is about 82 pounds per person per year, with about 51 pounds per person per year in rural counties.
- Besides its use in making more paper, ONP is used in animal bedding, hydrosed mulch, cellulose insulation, wallboard, acoustic tile panel, floor sheeting, and roofing felts.



### Sending aid to Washington

Karen Ballard's expression says it all, as University of Kentucky journalism director David Dick presents her a check for \$1,000 from the Kentucky Journalism Education Foundation. Ballard got her scholarship early since she's spending the summer in Washington, DC, on the press staff of Vice President Dan Quayle. One of the first assignments for the photojournalism major was to photograph Britain's Queen Elizabeth II during the royal visit to Washington. Dick describes the student scholarship winner as "an exceptional student of photojournalism," who "will make us all very, very proud." Scholarship winners at the other state schools will be recognized during KPA's summer convention.

### Publisher's killer sentenced to life

A Marion teenager pleaded guilty May 13 to the 1990 murder of Paul E. Mick, former publisher of *The Crittenden Press* and past president of KPA.

Cameron Todd Davenport, 18, admitted to murder and first-degree burglary of the Mick home and was sentenced to life imprisonment. He also pleaded guilty to charges of burglarizing another residence on the same night, Feb. 24, 1990, and to escaping from the Crittenden County jail.

He entered the pleas in Union County Circuit Court.

Davenport apparently stabbed the publisher to death during a struggle after Mick chased the young man down the stairs in his home. Davenport had broken into the home and entered the bedroom of Mick and his wife, Nancy.

Mick, also a former president of the Western Kentucky Press Association, became publisher of the Marion paper in 1969 upon the death of his father, Evers Mick. He headed KPA during 1979.

### Say what?

Bill Kirby, Editorial Page Editor, *Gwinnett Daily News* (Georgia)

The old saying around the newspaper office is: "Other people hide their mistakes. We print ours."

With that in mind, here is a list of newspaper errors from Richard Lederer's collection in *Anguished English*.

"The attorney general's office said yesterday that an autopsy performed on the headless body of a man found in Mason failed to determine the cause of death."

"*Moby Dick*, the great American classic by Herman Melville, will be seen again next week with veteran actor Victor Jory in the title role."

"A man was arrested on charges of disorderly conduct after he was found nude in a car at a hotel parking lot. A woman staying at the hotel said a man, wearing only a T-shirt, confronted her near her room. The woman told police she chased the man, but he escaped."

"Columbia, Tenn., which calls itself the World's Largest Outdoor Mule Market, held a mule parade yesterday headed by the governor."

"Ronald Reagan was accompanied on his tour by his friend Chuck Conners, television's 'Rifleman', who plugged Reagan every chance he got."

"Since the disclosures about his fiances, the usually ebullient representative has been unavailable to reporters."

"Gene Autry is better after having been kicked by a horse."

"The ladies of the county medical society auxiliary plan to publish a cookbook. Part of the money will go to the Samaritan Hospital to purchase a stomach pump."

"A grand jury has accused three women identified by the IRS as topless go-go dancers of concealing their assets."

"Citizens of Santa Barbara County are faced with a tax rise. Most of the money raised would be used for five foot policemen."

(From *Georgia Press Association Editor's Forum*)

## The Kentucky Press

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At convention, perhaps

## Open records next on task force agenda

Revision of Kentucky's open records law is the task at hand for the legislative Task Force on Open Meetings and Open Records as it nears the August deadline for drafting legislation to be considered by the 1992 General Assembly.

Only two of the legislators on the task force showed up for the May 9 meeting of the group which also includes representatives of the media, attorney general's office, state library and state information systems. But the meeting, chaired by Rep. Clayton Little, did manage to put a cap on present revisions of the open meetings segment of the law.

Much of the work of the May meeting focused on language and text organization changes that do not adversely affect the substance of the bill.

One significant change, however, does indicate the task force's support of the bill's basic thrust. On a motion from assistant attorney general Ann Sheadel, the task force agreed to move the stated purpose of the bill from its burial near the end of the text to the front.

**"... the formation of public policy is public business and may not be conducted in secret . . . even though open meetings may cause inconvenience, embarrassment, or a loss of efficiency to public officials..."** From the statement of purpose, Proposed Revision to Kentucky's Open Meetings Law

That section reads, "... the formation of public policy is public business and may not be conducted in secret and . . . the exceptions provided for by KRS 61:810 or otherwise provided for by law shall be strictly construed, even though open meetings may cause inconvenience, embarrassment, or a loss of efficiency to public officials or others."

The task force members also discussed the assignment of court costs in cases involving alleged open meetings violations. They agreed to let stand the bill's present provisions for the violating agency to pay costs, with court discretion.

"The (violating) agencies are not spending their own money, they're spending public money," said KPA attorney Jon Fleischaker. "This deep pocket game is played regularly and stifles the pursuance of law."

Fleischaker added that "this law is not just for urban media. It's for people across the commonwealth."

Attorney Phil Shepherd, who also represents KPA on this issue, said the payment requirement "may be an incentive to open the process up."

Again, the bill's section on quorums generated concern from the task force members. Debate continues — and will likely grow — on the feasibility of regulating the type of one-to-one consensus building that skirts the open meetings requirement for a quorum of an agency's members.

Scott Varland, the task force's Legislative Research Commission representative, said he believes the courts would regard the bill's present language "reasonably." However, he acknowledged the issue could hurt the bill in the General Assembly as legislators respond to lobbying pres-

ures from affected agencies.

In response to a question from Rep. Little, Sheadel said that even if this part of the bill were declared unconstitutional at some point, the rest of the bill would remain in tact.

Steve Dooley, director of the Department of Information Systems, recommended that the group leave the section as it now is and "see what happens."

The task force is tentatively scheduled to have its June meeting in conjunction with KPA's summer convention at the Drawbridge Motor Inn.

KPA executive director David T. Thompson says this will give "our members the opportunity to talk with the task force about the need to revise the Open Meetings/Open Records law and to give you the opportunity to see a legislative committee in action."

Task force members present at the May meeting, in addition to those already mentioned, were Sen. Walter Baker, James Nelson of the state Archives and Library, Steve Lowery of *The Kentucky Standard* and Stan Macdonald of *The Courier-Journal*.

## Getting the scoop on journalism education

By Jo-Ann Huff Albers  
Western Kentucky University

Lou Boccardi thinks journalism education is slipping.

"Too many come to us without the kind of writing and editing skills that a journalism degree ought to let us presume," said the AP president, keynote speaker for a two-day symposium on journalism education.

Cooperation between schools and newspapers was the theme of the symposium held March 15-16 in New Orleans by the Southern Newspaper Publishers Association Foundation.

Boccardi, the keynote speaker, said AP believes students don't have to write as much as they used to and what they write isn't reviewed with the same copy desk intensity as was the case in the past. While he acknowledges that the old Journalism 101 professor who put an automatic F on a paper for a misspelled word may have been too extreme, "I wish his spirit survived more widely today."

He wants educators to drill students more rigorously on the basics of news coverage and news writing and give them some understanding of what the news business is like in today's fragmented, diverse and electronic age.

The meeting in New Orleans brought together 13 educators and 11 newspaper executives to discuss ways

### Critics, proponents face off at New Orleans meeting

to expand mutual cooperation. In a break from the past, SNPA did not limit attendance to educators from accredited schools. Instead, to ensure diversity, a variety of journalism program heads were invited.

Educators came from the University of Alabama, Florida A&M, Howard, Kansas, Loyola-New Orleans, North Florida, Southwest Texas State, Tennessee-Chattanooga, Texas A&M, Texas Woman's, Western Kentucky, West Virginia and Xavier-New Orleans.

Journalism program needs from newspapers were summarized by Ed Mullins, dean at Alabama: money, understanding what journalism education today is, respect and aggressive recruitment.

He believes both newspaper employees and educators should drop their defensive attitudes and think newspaperers should do more to sell career benefits of newspaper work.

Of understanding, Mullins said, "Journalism education today is far more than writing, editing, shooting, laying out, reporting, spelling, grammar and punctuation, as important as those things are.

"Journalism is also liberal arts and sciences. It is new technology. It is media management. It is advertising

and public relations. . . It is broadcasting and new electronic media and media systems. And yes, without apology, journalism education is communication theory and research."

The theory courses integrated with skills courses are what make a journalism program professional, as opposed to a trade school, he said.

Mullins said today's journalism students emerge as broadly and reasonably deeply educated young professionals. "Except through sheer perversity and by refusal to learn from one's experiences, it is impossible today for a journalism major to avoid a liberal education."

Mullins urged newspapers to offer more internship/employment opportunities to advertising and public relations majors.

Mike Pate, publisher of the Myrtle Beach Sun-News, offered several suggestions of what newspapers can do for journalism programs:

**\*Internships.** He cautioned that many students apply too late for available internships. He suggests applying a year in advance. He encouraged schools to offer credit for internships and newspapers to make internships available for professors.

**\*Field trips,** making newspaper facilities available to students

and professors.

**\*Visits of newspaper professionals to schools.** (He raised eyebrows among the educators when he said visits would provide "a nice day off for the instructors." Educators would argue that such visits create extra work for teachers of classes being visited.)

**\*Tools.** He said newspapers could provide stylebooks, policy manuals, training videos, and marketing knowledge, as well as attempt to explain the necessity of diversity in a newsroom staff, stress management, team building and ability to adapt to changing technology.

**\*Print lab papers for schools.**

**\*Talk to high school and junior high school students to recruit journalism majors.**

**\*Get press associations involved in helping schools.**

**\*Provide critiques of recent grad hires to schools to identify shortcomings in their education.**

Other symposium presentations included a graphics update, explanation of newsroom action teams and the Knight-Ridder 25/43 project, and reflections on their journalism education by recent graduates.

**KPA FOI Hotline  
502/581-5235**

# Naming names

KPA President CELIA MCDONALD was appointed publisher/editor of *The Harlan Daily Enterprise* on May 6. She had most recently served as special projects editor for *The Advocate-Messenger* in Danville. ROBERT MCDONALD is the paper's new general manager. The couple previously published *The Larue County Herald News* in Hodgenville. Former Harlan editor JEFF PHILLIPS has assumed the title of executive editor. The paper has also added a new staff writer, DANNY VANOVER, a Union College graduate and former teacher and coal company office manager.

WALT APPERSON, publisher of *The Murray Ledger & Times*, was honored recently as Citizen of the Year by the Murray-Calloway County Chamber of Commerce. A member of 10 local boards, Apperson was characterized at the chamber banquet as a "tireless promoter" of the area.

Recognized recently by his employer for 35 years of service was former KPA president DONALD TOWLES, public affairs director at *The Courier-Journal* in Louisville.

Three staff members at *The Messenger* in Madisonville received awards recently from the Kentucky Association of Extension 4-H Agents. Reporter GARTH GAMBLIN took first place honors for feature and news stories. Photographer LOWELL MENDYK won the top prize in photography, and SALLY SNYDER earned a first place for personal column and second place for a feature story. (Snyder is the local county extension agent for youth development.)

LUCY VANHOOK's rather unusual hobby of fox hunting was included in an article on hobbies of newspaper executives in the May issue of *presstime* magazine. VanHook is advertising manager for the *Cynthiana Democrat*. The article points out that she is frequently asked to organize horse shows for the Kentucky State Fox Hunters Association and Central Kentucky Fox Hunters Association and to assist with the National Fox Hunters Association Field Trials.

TODD RAINWATER has been named general manager at *The Appalachian News-Express* in Pikeville. He was formerly with The McDuffie Progress in Thomson, Ga., Bastrop (La.) Daily Enterprise and The Hopewell (Va.) News.

ZACHARY HARMON is the new editor of *The Mountain Citizen* in Inez. He is a 1989 journalism graduate of the University of Kentucky.

New advertising sales representative at *The Kentucky Standard* in Bardstown is WILLIE THOMASSEE, who holds a degree in advertising from Murray State University. He formerly worked with *The Murray State News* and *Murray Ledger & Times*.

W. JAMES HOST, chairman and chief executive officer at KPA Associate Host Communications, has been selected to head the Winner's Circle campaign for United Way of the Bluegrass. His role is to promote large personal gifts to this year's campaign.

KPA Associate FAITH MILLER COLE is the new communications director for the Prichard Committee for Academic Excellence. She is a former vice president of The Wenz-Neely Co.

At Kentucky Educational Television, also a KPA Associate, KIMBERLY SISK CROWE has been promoted to special projects manager and MARY KAY ROARK to membership manager. SALLY LOBOUGH-JACKSON and NANCY WELL LOVETT have been named major gifts coordinators.

NANCY BARNETT is the new business administrator for Landmark Web Press in Shelbyville. She has worked for Landmark Target Media in Norfolk, Va., LCNI in Shelbyville and *The News-Enterprise* in Elizabethtown.

Three former *Clay City Times* staff members were recognized at the *Lexington Herald-Leader's* annual Service Awards Banquet in April. NORMAN WATSON, who started in advertising at the Clay City paper in 1964 and is now an applications specialist at the *Herald-Leader*, received the Publisher's Award for outstanding performance. Also recognized were former *Times'* staffers SHIRLEY NEAL BOHRNSTEDT and CATHERINE KANE.

CREED C. BLACK, former publisher of the *Lexington Herald-Leader*, has been awarded an honorary doctor of laws degree by Davidson (N.C.) College. He left Kentucky in 1988 to become president of the Knight Foundation.

*Springfield Sun* feature writer, PEG TEACHEY, has won two journalism scholarships at the University of Kentucky for academic year 1991-92. She was presented the Dickerson and Phillips awards at the annual Joe Creason Lecture in March.

## Kentucky papers rate

Kentucky newspapers made a fine showing in recent editorial and advertising competition among properties of Landmark Community Newspapers.

Winners from Kentucky (semiweekly/weekly listed first, triweekly/daily, second):

—News Writing: (1) Ninie Glasscock, *The Springfield Sun*, second place; John Roberts, *Pioneer News*, honorable mention; (2) Terry Boyd, *The Kentucky Standard*, third.

—Feature Writing: (1) Ninie Glasscock, first; Kit Millay, *Oldham Era*, third; (2) Laurie Ogle, *The News-Enterprise*, first; Terry Boyd, *News-Enterprise*, third.

—Sports Writing: (1) Chris Hamilton, *Lebanon Enterprise*, first; (2) Darrell Bird, *News-Enterprise*, first; Jeff D'Alessio, *News-Enterprise*, second.

—Editorial Writing: (1) Stan McKinney, *Central Kentucky News-Journal*, second; (2) Mike Anders, *News-Enterprise*, first.

—Column Writing (all newspapers): Kit Millay, *Oldham Era*, first; Ninie Glasscock, *Springfield Sun*, third.

—News Photography: (1) Stan McKinney, *Central Kentucky News-Journal*, first; (2) Terry Boyd, *Kentucky Standard*, first.

—Feature Photography: (1) Stan McKinney, third; (2) Terry Boyd, *News-Enterprise*, second.

—Community Service (all newspapers): *News-Enterprise*, first; *Carrollton News-Democrat*, third.

—Most Creative Ad, Single Idea: (2) Joan Hardin, *Kentucky Standard*, first; Marcia Burris/Kathy Helm, *News-Enterprise*, second.

—Most Creative Ad Series: (1) Troy McCracken, *Shelbyville Sentinel-News*, second.

—Ad Writing: (1) Ken Stone, *Grant County News*, second; Cecile Ferrell, *Oldham Era*, third; Roberta Chesser, *Sentinel-News*, honorable mention; (2) Bill Anderson, *News-Enterprise*, first; Carmen Avila, *News-Enterprise*, second.

—Best Classified Section: (1) *Lebanon Enterprise*, third; (2) *News-Enterprise*, first; *Kentucky Standard*, third.

—Best Special Section: (2) *Kentucky Standard*, first; *News Enterprise*, third and honorable mention.

—Sweepstakes: (weekly and special) *Oldham Era*, first; *Lebanon Enterprise*, second; (triweekly and semiweekly) *Central Kentucky News-Journal*, first; *Kentucky Standard*, second; (daily) *News-Enterprise*, first.



### Elected

KPA President-elect Mary Schurz was recently elected to the board of directors of Associated Press. Schurz, publisher of *The Advocate-Messenger* in Danville, is believed to be the first Kentucky woman elected to the board. The voting for directors was based on membership bonds held by the newspapers that make up the AP. Schurz picked up 17,966 bond votes.

### Animal House?

The KPA News Bureau apologizes to the Kentucky House of Representatives in light of the following item under "News of the Weird" in the May 10 edition of the *Lexington Herald-Leader*:

"In January, the speaker of the Tennessee House of Representatives banned liquor on the floor, cutting off the tradition of drinking vodka poured into cans of Donald Duck orange juice. Also prohibited were popcorn fights, fights with paper wads, pizza parties and naps."

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Before



After

## Ashland paper sports new look

The Daily Independent in Ashland has gotten a face lift designed to make it brighter and easier to read.

The redesigned newspaper features bolder headlines and larger text type, with more emphasis on the use of graphics and color photos to convey information to readers quickly.

"Our goal was to give the newspaper a more contemporary, 1990s look," said editor Wickliffe R. Powell.

"We think the new look provides a better newspaper for our readers and an improved vehicle for our advertisers to use to reach consumers," said publisher John W. Del Santo.

The Daily Independent has a daily circulation of 24,000 and a Sunday circulation of 26,000. It serves a multi-county area in northeastern Kentucky and is part of the group of community newspapers owned by Ottaway Newspapers Inc., a division of Dow Jones and Company Inc.

Although the look of the newspaper changed, its emphasis has remained on in-depth reporting of local news, Powell said.

Among the changes made:

- A new flag, with the key word in the newspaper's name — Independent — printed in blue.
- Removal of three skyboxes from the front page to provide more room for news.
- Adoption of Nimrod Bold type for headlines and Nimrod type for text and subheads. The size of text type was increased to 9.5 point on 10.5 leading.

• A new, integrated style for graphics and all design elements that employs Franklin Gothic Book and Franklin Gothic Heavy types.

Design consultant Edward F. Henninger assisted the newspaper in its nine-month makeover. He is di-

rector of ReaDDesign (cq) Ltd. in Xenia, Ohio, and before taking on the Daily Independent project was responsible for newspaper redesigns in LaPorte, Ind., and Las Vegas.

Henninger said as a result of the redesign, the newspaper's appearance and organization are more consistent and that stronger emphasis is being placed on packaging stories and the photographs and graphics that accompany them.

"Despite the numerous changes," Henninger said, "we always try to maintain the character of a paper, and I think we've done that here."

According to Powell, reader response to the redesign has been positive. In particular, readers have said they like the increased size of text type and the expanded use of graphics and color photos, he said.

### WKPA selects officers

Bobbie Foust, editor of The Herald-Ledger in Eddyville, was chosen president of the Western Kentucky Press Association during the group's spring meeting April 12 in Paducah.

John Lucas, editor/publisher of The Crittenden Press, is the new vice president, and Jed Dillingham, editor of The Dawson Springs Progress, is secretary-treasurer.

Speakers during the meeting were Al Cross, political writer for The Courier-Journal in Louisville; John Dillon, assistant professor and director of Murray State University TV 11 News, and Roger Haney, associate professor and coordinator of MSU's journalism and radio-TV master's program.

WKPA members voted to change their twice-yearly meetings to the last week in March and last week in September.

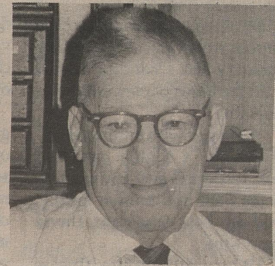
## In Memoriam

### Carrol Roberts

Carrol Roberts, 59, former editor of the Tribune-Courier in Benton, died May 5 at her home after a bout with cancer.

She joined the newspaper staff in 1982 as a feature writer and was promoted to editor in 1988. She resigned in the winter because of her illness. She was a graduate of Northern Illinois University in her home state.

"Carrol was very much a peacemaker. She had the ability to read people and knew how to handle them," said publisher Jerry Lyles. "She was just a great person."



### Larry Brannon

Founder and publisher of The Bourbon County Citizen in Paris, Larry Brannon, died April 30 at Homestead Nursing Home in Lexington following a long illness. He was 70.

Active in the newspaper world for more than half a century, Mr. Brannon started his career as a correspondent for The Lexington Leader while he was a student at Paris High School. He later earned a degree in journalism from the University of Kentucky.

Following a military stint during World War II, he joined his father, the late Paul Brannon, and brother, Jim Brannon, in running The Kentuckian-Citizen and, later, The Nicholas County Star. He became sole owner of the Paris paper in 1965 and subsequently began the free newspaper, The Citizen-Advertiser.

He started The Bourbon County Citizen in 1984, supervising its operation and writing his Scratchpad column from a hospital bed at Humana in Lexington.

Throughout much of the last decade, he was plagued with a variety of cancers, kidney failure and leg amputation, but he continued to write. He was hospitalized during most of the last two years.

His widow Genevieve, son Jimmy and daughters Rebecca, BeBe and Suzanne have been actively involved in the newspaper and plan to continue its operation.

### On tap . . .

- June 5-7: Suburban Newspapers of America Summer Conference.
- June 7-8: ANPA Labor Relations & Technology.
- June 9-11: Mid-Amer. Press Inst. Sports in Newspapers.
- June 9-12: SNPA New Supervisors Mgt. Training.
- June 9-12: ANPA/INAME Leadership in Ad Dept.
- June 16-21: API Editorial Page Editors & Writers.
- June 16-22: API Mgt. & Costs.
- June 19-29: API Minority Journalism Educators Fellowship.
- June 20-22: KPA Summer Convention, Drawbridge Inn.
- June 23-28: API Developing Mgt. Skills.
- June 23-26: ANPA Leadership in Newsroom.
- June 24-28: ANPA Web Offset.
- June 27: Inland Press Foundation Revenue Blitz, Troy, Ohio: 708/696-1140.
- July 11-14: SND Managing Color, 401/277-7315.

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# Owensboro paper's NIE program blossoms

By Julian F. Boone  
*The Messenger-Inquirer*  
(Reprinted from SNPA Bulletin)

Drawing on ideas from other newspapers, we set a goal of teaching 50 elementary and secondary school classes (in the Newspapers in Education program).

We began with a comprehensive search for a highly qualified educator, respected and knowledgeable in the field and known locally. We hired our best candidate, David Pettit, part time.

He brought with him 20 years of teaching experience in the county school system, was a director and instructor of the adult education program locally and is children's residential instructor at the Owensboro Day Treatment Center, responsible for

Broad-based support + a committed leader = success

developing and implementing individual education plans for youths. He came aboard in mid-January 1991 as our NIE coordinator.

Wanting a "grass roots" program where everybody wins, we set out to sell small businesses on sponsoring a class. They would receive recognition with their own individual company label at the top of each newspaper and sponsorship "thank you" ads in our newspaper.

By specifying the class needing a sponsor, most all businesses agreed to finance the program after seeing the specialized lesson plans developed by Pettit.

Kicking off the program, we ran a house ad targeted at teachers, offering free newspapers for two weeks and instructions on how to use them in the classroom. We encouraged them to continue using NIE if we could find them a sponsor. Most all agreed to continue, and many led us to potential sponsors.

Instead of going to one or two large companies asking for sponsorship, we decided to approach small businesses. In just over seven weeks, we recruited 64 small business sponsorships, sold 2,294 papers per week

and boosted our average day circulation by 382 (over one percent).

We now service 75 classes. Lesson plans are supplied to the teachers, including ideas on how to use the newspaper in science, math, reading and social studies. We found teachers very responsive and enthusiastic.

With personal commitment to true utilization of the newspaper as a chronicle of living history, we continue regular contact with the teachers and sponsors. Children write thank you notes to their class sponsors and the teachers are regularly provided with lesson plans by Pettit, in some cases, customized to the grade levels in each class.

With 100 percent commitment of our circulation manager, Barry Carden, we made individual approaches to each potential small business sponsor, showing them the material that would be used in classes.

We have achieved a very successful program in which the student wins, the teachers win, the sponsors win through our house ad promotions and, of course, The Messenger-Inquirer wins because we were committed to sell the true educational as-

pects of the program to the school board, teachers and sponsors rather than just a circulation promotion.

Continuing daily support to the teachers and regular nurturing by Pettit and Carden led us from 13 classes in 1990 to 75 in a short seven weeks this year. We actually had to halt further expansion to catch up on servicing new classes.

Next semester, we believe 100 classes is well within reach.

## Is it taking more to manage fewer?

Newspapers appear to be following the lead of many other American industries. The number of officers is up, and the number of field troops is down, says an article in the April 20 edition of Editor and Publisher.

An employment survey by the American Society of Newspaper Editors reveals there are 1,200 fewer journalists working at US daily newspapers this year. ASNE says this indicates the first newsroom work force reduction in 10 years.

The study showed a total of 55,700 reporters, photographers and editors at daily newspapers, down two percent from a year ago.

At the same time, the number of newsroom supervisors has grown by nearly 300.

The decrease in news personnel is attributed to the slow economy.

The number of journalists had grown steadily since 1981, according to the article.

"As more papers become part of groups, numbers play a more important role," Mark Ingham, executive director of the Newspaper Personnel Relations Association, is quoted as saying. "Layoffs affect all departments. There are none that are above the numbers."

The belt-tightening was reflected in attendance at ASNE's April convention. The number of participants was off by about half of last year's attendance, indicating that travel budgets have also been affected.

"I don't think we should assume things will get back to normal the way they were several years ago," the article quotes Wanda Lloyd, USA Today senior editor for newsroom administration. "People are learning to manage with less."

The article does not explain the increase in the number of supervisors.

## Pick ups

*The Appalachian News-Express*, Pikeville's tri-weekly, has begun limited home delivery with a goal of extending the service to subscribers throughout the city. The paper formerly relied on mail delivery.

Six Kentucky high school seniors were named 1991 *Herald-Leader* Scholars in May. The Lexington newspaper recognized Paul Ansel and Ofer Elitzur of Henry Clay High School, Tracie Diamond of Boyd County High School, Marcy Oswald of Jessamine County High School, Robyn Snyder of Paul Laurence Dunbar High School and Kimbra Wilder of Middlesboro High School. The students are eligible for \$1,000 scholarships for each year of undergraduate study.

The Greater Lexington Convention and Visitors Bureau presented one of its eight annual Hospitality Awards to the Lexington *Herald-Leader* and publisher Lewis Owens in May. Owens and the paper earned the Bluegrass Award for sponsoring a tourism event or function — in this case a visitor's guide.

*The Bracken County News* in Brooksville and editor Donald Monson were recently given a certificate of appreciation by the Veterans of Foreign Wars and the group's local post.

*The Kentucky Standard* has added a local cartoon to its editorial pages. The artist is Gary Crume, a Bardstown native who is a graphic artist for an Indiana robotics firm.

Often it does seem a pity that Noah and his party did not miss the boat.

—Mark Twain

## When the check's not in the mail

### Failing advertisers may send signals

An article in the April edition of Nation's Business provides some warning signals to look for when a customer — read, advertiser — is failing. And it suggests some steps a creditor can take to minimize losses.

#### Warning signals

1. Are there tax problems, liens or lawsuits? (Read your local courthouse news.)
2. Have there been changes in production, quality or service?
3. Have there been changes in payment patterns?
4. Has there been management turnover?
5. Have you experienced unreturned phone calls, unanswered correspondence or other communication breakdowns?
6. Are you aware of any unfavorable information about the customer?
7. Have you received any unusually

large orders from the customer recently?

8. Does your customer demonstrate an increasing reliance on your business?

9. Are you aware of any false or misleading information (in the customer's ads)?

10. Have there been any unexplained changes in business relationships or strategies lately?

11. Have there been recent employee layoffs?

#### Minimizing your loss

1. Demand partial or full payment of existing accounts before extending new credit.

2. Have your customer sign a promissory note to cover the outstanding balance?

3. Obtain collateral to secure existing and future credit.

4. Insist on cash with order for all future ads.

... the Legislature adopted the published statement of ownership as a convenient means of resolving disputes between newspapers as to which is entitled to legal publication rights. In so doing, however, the Legislature did not abandon the concept of "publication area" nor was its significance diminished.

—Kentucky Supreme Court, in May 9, 1991, ruling in *The Whitley Whiz Inc. vs Whitley County, KY, et al and The Times-Tribune*

## Legalese

Recent legal issues affecting KPA members:

• The Attorney General's Office has declared that recent private meetings between members of the zoning board, fiscal court and city commission in Harrodsburg were illegal. Assistant AG Amye Majors, in an April opinion, said that a reporter from *The Advocate-Messenger* in Danville should not have been barred from meetings of members of the three organizations. Majors indicated that the advisory body is a public agency.

• A federal appeals panel in April upheld the dismissal of a libel and defamation suit filed by 29 educators in Pike County in 1988 against *Associated Press, Appalachian News-Express, The Courier-Journal, Lexington Herald-Leader* and *The Daily Independent* in Ashland. The decision let stand a ruling issued last year by US District Judge Karl Forester.

• The Kentucky Court of Appeals recently refused to reinstate an invasion of privacy suit against *The Courier-Journal* that was filed by the family of a victim of the 1989 Standard Gravure shootings whose picture was published on the paper's front page. The Court in a 2-1 ruling said that while the publication of the picture might be "highly offensive to most reasonable persons," the newspaper had a right to print it because it involved a matter of "legitimate public concern."

• A state court case in Arkansas has resulted in the ruling that campus police records should not be closed, but the University of Kentucky, under threat of revenue loss by the US Department of Education, continues to seal its student police records.

• The US Supreme Court has let stand a \$175,000 libel judgment against *The Kentucky Post*, brought six years ago in a suit filed by a Campbell County Commonwealth's Attorney. A state appeals court threw out the libel verdict in 1987, but the Kentucky Supreme Court reinstated it last fall. In their appeal to the high court,

*Speech about government and its officers, about how well or badly they carry out their duties, lies at the very heart of the First Amendment. . . The decision. . . encourages bland reporting and one-sided debate.*

—The Kentucky Post's appeal to the US Supreme Court, seeking reversal of a libel verdict.

lawyers for the Scripps Howard paper reportedly contended that the state's top court used an improper standard of review and that the trial judge should have required jurors to identify each statement they found to be false, defamatory and published with actual malice. (See related story from *presstime* magazine in this edition of *The Kentucky Press*.)

*If you think it's bad here. .*

◀◀ A Texas jury in April awarded \$58 million to a former county district attorney who was judged to have been defamed in a 1985 investigative series on WFAA-TV of Dallas. It was reportedly the largest libel judgment in US history.

◀◀ A California jury reportedly assessed \$1,637,000 in damages against *Business Week* magazine because a lawyer was called "arrogant" in an interview.

◀◀ A Rhode Island state legislator wants to increase search fees for public documents to \$100 an hour, saying people who need the information should pay for it.

◀◀ In Cambria County, Pa., a suspended county judge has sued the *Johnstown Tribune*, as well as state and county officials, alleging they waged a campaign to oust him from office. Joseph F. O'Kicki claims the paper and officials conducted an "inquisition" that led to his conviction on corruption counts.

◀◀ The California Supreme Court is expected to decide by the end of the summer whether the public can inspect the governor's calendar. The case began when a *Los Angeles Times* reporter requested access to the calendar for a story on who met with the governor around the times of critical decision-making. The governor's office claims the calendar is exempt from open records law because it amounts to "correspondence," written and compiled by the governor's staff.

### The Gender Gap

Women often get stalled on the career ladder because they are not as adept as men at promoting themselves, according to an article in the June edition of *Working Woman*. Making people aware of your talents is part of your job, says corporate psychologist Beth Milwid.

"This is where a lot of people, especially women, get into trouble," Milwid says. "They think it's bad manners to boast about their accomplishments, and they can't figure out

any gracious way of doing it."

"I see it all the time — women who feel inhibited when it comes to cruising the halls, letting people know what a good job they're doing," says business executive Susan Thomas.

"Women... don't understand the purpose it serves. The older male partners look at a woman who's not out there talking up her accomplishments and think 'How will she ever be able to talk up the firm?'" Thomas adds.

## Libel complaints: Avoiding and handling

In these litigious times, libel suits are the bane of newspaper work. Editors and publishers are increasingly concerned over avoiding libel complaints and handling threats.

The Pennsylvania Newspaper Publishers Association excerpted two publications for suggestions that can apply to papers everywhere. "Avoidance" is from *Synopsis of the Law of Libel and the Right of Privacy*; "handling" is from the First Amendment Coalition's *Media Survival Kit*.

### How to avoid libel and invasion of privacy lawsuits

**\*Avoid slipshod, indifferent or careless reporting.** Whenever a statement could injure someone's reputation, treat it like fire. The facts of a story should be confirmed and verified, as far as practicable and in accordance with usual news-gathering procedures.

**\*Truth is a defense, but good intention in reporting an untruth is not.** Remember, there may be a vast difference between what's true and what can be proved to be true to a jury. When in doubt as to whether a story is libelous, do not publish it until you are sure it is not libelous. Remember, a retraction is not a defense to a libel action but serves merely to mitigate or lessen damages.

**\*Make reports of arrests, investigations and other judicial or legislative proceedings and records precisely accurate, full, fair and impartial.** Use of unsubstantiated information from law enforcement officers has ensnared many reporters in libel lawsuits. Limit comment or criticism to matters of public interest based on facts which are fully stated in the comment and which are true.

**\*Try to get the "other side of the story."** A good reporter sticks to the facts and not to some bystander's opinion of what might be the truth if the facts were known. The eventual "write-up" of a story should be objective and never colored by the en-

thusiasms or opinions of the reporter.

**\*Particular care should be taken in publishing quotations.** The fact that a person is quoted accurately is not in itself a defense to subsequent libel action, if the quoted statement contains false information about someone.

**\*Never "railroad" a story through,** but instead write it, check it out and edit it carefully to make sure it is accurate and says precisely what you want to say.

**\*Avoid borderline cases of invasion of privacy,** since the law of the right of privacy is still developing.

**\*Avoid gossip and the unauthorized use of names and pictures for advertising or other commercial or promotional purpose.** Use the name or picture of a person only when identified and relative to the subject matter of the publication. Never use unidentified pictures to illustrate social or other conditions, when pictures of people who expressly consent, including professional models or staff members, will suffice and are readily obtainable.

**\*If an error has been made, always handle demands for retractions which come from a lawyer for a potential plaintiff with the advice of legal counsel.** A well meaning but unnecessary or poorly worded correction may actually prejudice a publisher's defense in a subsequent law suit.

### How to handle a libel complaint

If you receive a telephone call or letter regarding an alleged defamation:

**\*Be polite.** Nothing will force the filing of a lawsuit faster than a callous reporter or editor insensitive to the complaints of an individual who feels he/she has been wronged.

**\*Do not admit error, but agree to check into the facts.**

**\*Do not volunteer any information as to how any mistake was made.**

**\*Print "clarifications" freely.** You should stress "clarifications," using "retractions" only in extreme circumstances.

**\*When a clarification is published, try to give it prominence.** A "hidden" clarification for a front page story may be worse than no clarification at all.

**\*If the telephone call or letter is from an attorney, refer the matter to your own attorney.**

**\*Remember, a retraction is not a defense** to a libel action, but serves merely to mitigate or lessen damages.

## Media blackout kept public in the dark

*The Bourbon Times*

The talks are over, and little or no progress was made.

We apologize for not having more complete coverage of the talks between proponents and opponents of the Lexington Road issue, but we in the media weren't invited to cover the meetings.

That's not exactly correct. We

### Kentucky views

Editorials from across the commonwealth

weren't allowed to cover the meetings.

Sounds like discrimination, doesn't it?

But the talks apparently were not covered by the Kentucky Open Meetings Law — the law that says governing bodies cannot meet in secret to discuss public issues.

The Lexington Road talks were, however, open to the public; therefore, to Bluegrass Tomorrow's thinking, the media must not be part of the public.

We dissent.

We are the public's eyes and ears in public issues. We tell you what happened in the fiscal court meeting, in the school board meeting, in the city commission meeting.

But we can't tell you what happened in the Lexington Road talks, even though the issue is one of the most emotional issues facing citizens in central Kentucky in a decade. The issue will have as much impact as any issue in recent memory.

They kept telling us that a "good cross-section" of people was represented at the meetings. We don't doubt that, but shouldn't the entire population have been represented? It would have, had the media been "invited."

But we weren't allowed to attend. We had to rely on the mediator's version of how the meetings went.

We understand that had the

media been allowed to cover the meetings, some participants may have been anxious and less willing to voice their opinions. But if they really mean what they say, why should they be afraid to tell everyone their position?

We didn't fight our not being allowed to participate in the meetings. We would have lost that fight.

But the feeling was, if the meetings were covered by the media, participants might not be able to reach a consensus.

Guess what. They didn't. And without our help.

And the majority of the population had no say-so and little knowledge of what transpired at the meetings.

## Olympic challenge for USPS

*The Paducah Sun*

The Postal Service calls its sponsorship of the 1992 Olympics an investment. Another word is risk.

The decision by the quasi-governmental service to support the games financially in the manner of private corporate sponsors prompted an explanatory letter to newspapers. Apparently seeing a potential public relations land mine, the Postal Service sought to pre-empt negative reaction.

The problem is that in the face of rate hikes and service cutbacks, diverting money and attention away from the task at hand appears unnecessary and possibly wasteful.

The Postal Service would dispute that characterization, pointing out that it envisions a return of \$177 million from its outlay of \$122 million over a three-year period. The \$55 million anticipated profit translates into a rate benefit for the mailing public, as the Postal Service views it.

If the Postal Service's estimate of return bears out, that is one thing. But the cost of sponsorship is far more certain than any profit from it.

The Postal Service is counting

on about \$40 million in extra revenue from sales to collectors of special Olympics-related stamps. Other income is expected from sales of merchandise to postal employees and enhanced business in competitive areas from ads with Olympic tie-ins.

The attempt by the government agency to act as though it were a private corporation is a two-edged sword, and that is the crux of legitimate criticism.

If the advertising promotion is successful, the Postal Service will have achieved an advantage over its private competitors from the protected position of a captive rate base provided by first-class mail customers. It's a matter of fairness.

If the Postal Service experiences a loss, however, who is it that loses? Failure of a corporation's sponsorship to pay off would affect the bottom line and management would answer to shareholders. If it happened to the Postal Service, the only effect probably would be an increase in the price of a stamp. That is the difference between a government agency and a private company.

## The cold shoulder

By Scott Perry

*The Floyd County Times*

We think we can speak for most Kentucky newspapers, particularly community newspapers like ours, when we object to the method state candidates are employing to advertise their respective campaigns.

Major candidates, like those for Governor and Lt. Governor, are spending millions of dollars to bring their campaigns to voters and they're falling all over themselves in the race to buy television time.

State newspapers, once again, have gotten the cold shoulder in the advertising campaigns despite the fact that survey after survey after survey has proven that Kentuckians prefer overwhelmingly to satisfy their advertising diets by digesting the printed word.

Even Paul Patton, whose candidacy we have strongly endorsed, has ignored his home region's newspapers in favor of television. Patton was beaming like a kid with a new toy last week as a telethon raised money for, as the Pike County Judge Executive noted, "increasing our buys" for TV advertising.

Thanks, Paul.

We don't expect to be paid for our endorsements or our news coverage. Those are services our readers deserve and we feel obligated to provide.

We run news releases, take advantage of "photo opportunities," and report on interviews and campaign issues... all free of charge.

Television gets the gold mine.

Newspapers get the shaft.

In protest, we've got our remote control channel changer greased up and ready for each and every campaign ad that comes across our TV screen.

Big money may go to pay for slick commercials, but every nickel is wasted on us.

## The right to read: It belongs to all, homeless or not

*Lexington Herald-Leader*

You hear libraries criticized about as often as you hear someone berating motherhood or apple pie.

But sometimes, such criticism is needed; and this week, we have Richard R. Kreimer to thank for pointing out that a library should not be a callous place.

Kreimer was a regular patron at his hometown Free Public Library of Morristown, N.J., and Morris Township. Every day, he generally spent an hour there in the morning and another hour in the evening. He read mostly books on sports.

But his presence at the library was not ap-

preciated. In 1989, the library adopted a set of rules specifically to keep him out. The reason: He was homeless.

On Wednesday, a federal judge sided with Kreimer. He ruled that public libraries cannot bar homeless people because their presence, their staring or their hygiene annoys or offends.

"If we wish to shield our eyes and noses from the homeless, we should revoke their condition, not their library cards," wrote District Judge H. Lee Sarokin.

Sarokin's opinion underscores that a library is a great resource, a place for learning and contemplation for all, not just those who have homes or

smell fresh. The judge ruled that the library had violated Kreimer's First Amendment rights because its rules were overly broad and denied Kreimer access to books, newspapers and other materials. The First Amendment protects not only the right to express ideas but also to receive them, the judge noted.

That argument goes to the heart of what the First Amendment is all about. The right to free expression entails not only the right to speak but the right to listen, not only the right to publish but the right to read. And in the end, those rights are what a public library is all about.



## Ms. Guernsey nervous about newspaper fiber in her diet

"North Notes" column by  
Dave Greschner in Rice Lake  
(Wisc.) Chronotype



We met in a culvert beneath Hwy. F. She eased out a low, yet reverberating "Moooooooooo," then whispered, "Hey diddle diddle, the cat and the fiddle, the cow jumped over the moon."

I leaned up against the corrugated cylinder, slipped a stick of Beeman's in my mouth, looked both ways and completed our password.

"The little dog laughed to see such sport and the dish ran away with the spoon," I said in a low, steady voice, looking straight down at the water hugging my ankles.

She came closer and I saw her long nose and huge, wet nostrils. Yeah, it was Gunda Guernsey. She had asked to meet me here to chew over something on her mind, something turning in her stomachs.

"How much you know about this newspaper thing?" she asked, getting right to the gut of the matter.

"What newspaper thing?" I said, playing dumb.

"You're playing dumb," she said. "You know what newspaper thing. Are they going to have us cows eating newspapers? Are they? Who's behind this?"

Gunda's eyes were so big and brown and sad. I gave in. "Yeh, I've heard. How did you know about it?"

I did some mental multiplication. A Chronotype weighs about 6-1/2 ounces. Each cow would have to eat 25 issues per day. A 50-cow herd would eat 1,250 Chronotypes daily and 8,750 per week. I saw the subscriptions going up, my wages spiraling.

"The barn radio. Morning milking a week ago. The whole herd's upset. When this thing happens, are we ever going to see alfalfa and silage again?"

Gunda was talking about a University of Illinois study in which a new technique to transform old newspapers into feed for cattle is showing promise. Lab tests indicate that when treated with a mild solution of hydrochloric acid and hydrogen peroxide, the newsprint could account for

as much as 30-40 percent of a cow's diet.

"Some of us cows got together and decided to talk to you. Won't you write about this?" pleaded Gunda. "We don't want to eat newspapers soaked in acid and peroxide. Hey, they're still testing to see if the newsprint may contain some copper, zinc and cadmium. They're just gonna say it's cheaper than hay?"

"Slow down,

and..." she blurted as a car passed overhead and drowned out something about being kept indoors nearly all day year-round and being made the subject of sweatshirts.

The culvert grew silent again, except for a trickle of water. Gunda switched her tail and regained her composure.

"They said something about eating 10 pounds of newspapers a

day," she said. "Isn't that quite a few newspapers?"

I did some mental multiplication. A Chronotype weighs about 6-1/2 ounces. Each cow would have to eat 25 issues per day. A 50-cow herd would eat 1,250 Chronotypes daily and 8,750 per week. I saw the subscriptions going up, my wages spiraling. I turned to Gunda.

"That's not many newspapers," I said, the dim light hiding my lying eyes. Gunda had more

questions. "How much does a paper cost now? Seventy-five cents? What if we get hooked on all this acid and peroxide and then they take it away from us? We're going to be hanging around the newsstands, going broke."

I told her about free Chronotype night at Big Smitty's, but it didn't fly. She said that past experiences of going to bars ended up in some cows not getting home for 5 a.m. milking (just like some farmers).

I tried to tell her that newsprint has soybean oil in its ink and that there's nothing wrong with soybeans. I told her we've been eating them for years in our fast-food hamburgers.

But I could tell she wasn't listening anymore. I heard her stomachs roar. She began backing out of the culvert. When Gunda reached the end she slowly turned around and I heard her mutter, "With some of the stuff you write, you should be eating your own words."

## Study overturns traditional ideas about readers

A dominant photo or illustration is the first thing people see when they pick up a newspaper, regardless of whether it is in color, says Pegie Stark, an associate at the Poynter Institute, one of the nation's foremost centers for continuing education in journalism.

Stark's recent lecture to journalism students at Southern Illinois University reviewed Poynter's two-year research study that examined how newspaper color affects readers.

While many editors think readers immediately tackle lead stories that are strategically placed in the top right corner of a page, that was not what high-tech equipment showed.

After viewing the dominant photo, people turn to headlines and then "everybody is looking everywhere," said Stark, director of the institute's graphics design programs.

The study used Gallup's sophisticated Eye-Trace equipment—two cameras attached to headgear that can determine to the exact letter of a word how much a reader takes in.

Readers love colorful graphic

teasers or sky boxes, the study showed. "Teasers are very well read by about 70 percent of readers," Stark said.

Facing pages in a paper are usually seen as a unit, not separately, she said. The study showed readers begin on the right-hand page, usually with a photo or illustration, and then move to a photo/headline on the left.

Color helps attract the eye to the left, she said. Although perceived as a whole by readers, facing pages are often put together by different copy editors who may not even consult with one another, she said.

Other findings:

- Photos attract more attention than anything else, and the larger the better.

- Cutdowns under color photos are more apt to be read.

- Big headlines, especially those with two or more lines of type, are read more often.

- Readers like briefs. They are read frequently and in depth.

- An average person reads 25 percent of the newspaper text. In bulk, more news is read than features, and more

features than sports.

- Surprising, tint blocks did not affect what readers read or how much they read. Existing schools of thought warn that such blocks might hinder readers.

- Although color use did not generally affect what was read, the readers said they preferred editions that used a lot of color, and the brighter the better.

Stark and coauthor Mario Garcia have published the results of in a book, "Eyes on the News." (Illinois Press Association Bulletin)

The easiest way to achieve complete strategic surprise is to commit an act that makes no sense or is even self-destructive.

—Sign on the office wall of CIA director-nominee Robert Gates

What you have when everyone wears the same playclothes for all occasions, is addressed by nickname, expected to participate in Show and Tell, and bullied out of any desire for privacy, is not democracy; it is kindergarten.

—Miss Manners (Judith Martin)

### What advertisers want

Every advertiser wants five basic things from a newspaper, according to John Marling of Pulse Research:

- \* Results.
- \*\* Total market coverage.
- \*\*\* Showing what papers can deliver.
- \*\*\*\* More service and calls.
- \*\*\*\*\* Information.

To provide these things, Marling suggests that papers—provide more responsible content;

- eliminate personnel complacency;
- be thoroughly familiar with every aspect of the market;
- always ask for the business.

He also suggests that publishers take five minutes a day to call some advertisers to ask "How are we doing for you?"

(From Montana Newspaper Association)

Use the frankfort connection  
KPA News Bureau  
800-866-1431

## Items

### Minorities increase on paper staffs

The percentage of minority professionals in the daily newsroom rose last year by nearly one percentage point to 8.72 percent, according to a survey of dailies by the American Society of Newspaper Editors. The number of blacks, Hispanics, Asian Americans and Native Americans is about 4,900, with the greatest increases at papers with circulations between 50,000 and 100,000. Minorities are more than 22 percent of all entry-level hires and 34 percent of newsroom interns. The number of minorities in newsroom management jobs went from 4.6 percent in 1990 to 5.8 percent this year. The survey reflects responses from 65 percent of daily newspapers in the country. . . The May 1 edition of *The Morris Memo*, which tracks minorities in the media, reports that about 42.5 percent of the responding papers have no minority employees. Of 15 responding dailies in Ken-

tucky, the publication says, nine employ no minorities.

### Recycling on display

American Newspaper Publishers Association and Newspaper Association Managers have developed a traveling exhibit to educate the public about newspaper recycling. "The Environmental Newspaper" includes statistics about newsprint recycling, a map with current and future recycled newsprint mills, and tips on recycling. The 8 foot x 10 foot booth made its debut at the ANPA convention in May and will appear at recycling conferences and trade shows.

### Mastering the Mac

If you have to call a computer company rep every time a problem occurs with your MacIntoshes, you might be interested in sending a staff member to a workshop, sponsored by Data-Tech Institute. It's billed as "The MacIntosh Survival Course:

Troubleshooting and Data Recovery Techniques for the Macintosh." The promotional flier promises participants will learn to recover lost or damaged files and folders, troubleshoot typical problems, diagnose system error messages, establish data security procedures, optimize the Mac Hard Disk and more. Schedule: Boston, July 9-10; Cincinnati, July 18-19; San Francisco, July 22-23; Chicago, Aug. 13-14; Philadelphia, Aug. 22-23, and Parsippany, NJ, Aug. 26-27. The cost, \$795, is a little steep, but you might save money in the long run. For information, contact the institute at 201/478-5400.

### ANPA selects new executive

Cathleen P. Black, publisher of USA Today and executive vice president/marketing of Gannett Co., will take over as president and chief executive officer of the American Newspaper Publishers Association on June 17. Chosen in a national search, Black succeeds Jerry W. Friedheim, who will join the Gannett Foundation. She published New York magazine before she helped launch the national newspaper. . . Also at ANPA, Robert F. Erburu, chairman and CEO of The Times Mirror Co. in Los Angeles, has been elected chairman. Other new officers are: Frank Bennack Jr., The Hearst Corp., vice chairman; Donald Newhouse, Newark Star-Ledger, secretary; Charles Brumback, Chicago Tribune Co., treasurer; and directors David Cox, Cowles Media, and James C. Kennedy, Cox Newspapers.

### Looking for a new product?

American Press Institute has come up with a three-day seminar

### Be an art supporter

Local libraries and small museums are often looking for good exhibits. Now, you can help them. KPA's traveling exhibit of award-winning photographs by some of the state's best newspaper photographers can be scheduled for showing in your area. It's good p.r. for your paper and KPA. More than 60 photos comprise the exhibit which can be arranged on easels or can be hung for display. Through June and July, the exhibit is being shown in a local museum by *The Daily Independent* in Ashland. After that, it's first call, first reserved. To schedule a showing in your area, call Sue Cammack at 1-800-866-1431.

on developing new "revenue streams" and increasing market share. The training program on new product development will be Oct. 27-30 in Reston, Va., and will focus on successful database marketing, niche publications, electronic services and alternate delivery systems. Tuition is \$595. Call API at 703/620-3611.

## New soy ink cheaper, safer

Black newspaper ink using all soy oil will be cheaper than petroleum inks.

Until now, soy-based ink has contained only about 30 percent soybean oil, says Sevim Erhan, a chemist at the USDA research center in Peoria, Ill., where scientists have developed a printing ink using 100 percent soybean oil.

The process has replaced both the resin and the mineral oil present when mixed with 70 percent petroleum oils, Erhan said. The only non-soybean ingredient in the new soy ink is the pigment for colors.

Besides offering the nation a small amount of independence from imported oil, the new ink is cheaper because it will eliminate production steps, the chemist said.

Black soybean-based ink has not been accepted by newspapers, principally because it costs 50 to 70 percent more than petroleum-based ink. Now Erhan says even black ink that is nearly 100 percent soybean oil will cost less.

Officials at the USDA's National Center for Agricultural Utilization Research in Peoria estimate that if all newspapers used ink made entirely with soybean oil, they would create a market for 40 million bushels of soybeans.

Use of the ink would also remove one of the unfounded reservations farmers have about using newsprint for animal bedding. Some farmers were concerned that the contaminants in the petroleum ink would put toxins in the soil when the bedding is spread with manure. This new soy ink would remove that fear.

In addition, the ink has lower rub-off, a quality that will make readers happy with their newspaper. It is also expected to run better on the press and reduce the solvents used in the pressroom.

The ink is expected to be in commercial production by summer, after licensing agreements with private ink companies have been signed and the conversion process is completed.

(Nebraska Press Association Bulletin)

## Would today's voters veto the Bill of Rights?

If American voters were asked to ratify the Bill of Rights today, freedom of the press would not likely be included, according to a new study released by the American Society of Newspaper Editors.

The study, *Free Expression and the American Public*, was conducted by Robert O. Wyatt, professor of journalism at Middle Tennessee State University, in two waves during 1990 and 1991. Wyatt said it reflects the opinions of some 2,500 randomly selected Americans age 18 and over.

"If the news media had to depend on a vote of the American people today," Wyatt said, "I believe there would be no free press clause in that (the First) Amendment, or it would be so severely qualified that it would become meaningless."

In a study of how the American public ranks different rights guaranteed in the Bill of Rights, the report reveals the right to have "a press free from government control" ranks fourth behind religious freedom, free speech and the right to a speedy and public trial.

From this and other related information, the report concludes that "the public is generally far more willing to protect the free expression rights of individuals than those of the media."

A close examination of the survey's results reveals a number of disturbing tendencies regarding not just press freedoms, but individual forms of expression as well.

"A substantial plurality — and often a majority — of Americans oppose protection for forms of expression that do not remotely affect the national security but merely represent things members of the public disagree with or dislike.

"The fact that 40 percent would not protect blasphemy under any circumstances raises questions not only about Americans' commitment to free speech but also about their commitment to freedom of religion — the First Amendment right they say they value most.

"Americans may be cultivating a belief in a new right, the right not to be offended — and attempt to protect themselves and their families from words, music, photographs and other forms of expression that they find offensive or distasteful."

This report is available for purchase from the American Society of Newspaper Editors in Washington, DC.

"Anyone who ponders this data will conclude that Americans do believe that they believe in free expression. But those same Americans most often believe in regulating, limiting or suppressing expression," said Wyatt.

## Databank

### Saving postage

The National Newspaper Association has produced a four-page pamphlet that summarizes the new postal rates and suggests ways publishers can take the best possible advantage of them. Included are: \*Some things to watch for. \*How to fill out the new Postal Form 3541. \*How to understand new discounts. \*How to calculate new postal rates. For non-members of NNA, the cost is \$49.50. Contact NNA, Suite 400, 1627 K St. NW, Washington, DC 20006-1790; 202/466-7200.

### Better accounting

International Newspaper Financial Executives has come out with the second edition of its Guide to Developing a Chart of Accounts for Newspapers. The manual is billed as an "easy to use" tool in developing or expanding a newspaper chart of accounts. Cost is \$19.95 for INFE members and \$39.95 for non-members. For information, call 703/648-1160.

### Reporting environmental issues

With environmental issues taking up more news space, reporters might find helpful the written proceedings of an environmental risk reporting workshop, "The Science and The Coverage," sponsored by the American Association for the Advancement of Science. The document is available from Sharon Friedman, Department of Journalism, University Center 29, Lehigh University, Bethlehem, PA 18015.

### Dealing with substance abuse

Two new publications address the problem of substance abuse in the workplace, a situation that reportedly costs businesses \$30 billion in lost productivity annually. \*Aetna Insurance offers a booklet, "Fighting Substance Abuse at Work," which discusses the components of a successful substance abuse program. Write Aetna, Box 303,

Hartford, CT 06141. \*The Institute for a Drug Free Workplace has published a fast sheet, "The 12 Most Common Employer Mistakes in Addressing Drug Abuse." Copies are available at 57 cents each from the Institute at Box 65708, Washington, DC 20035-5708; 202/828-4590.

### Selling with the Census

The benefits that advertising departments can gain from using the 1990 Census are examined in the April edition of Newspaper Marketing, magazine of International Newspaper Advertising and Marketing Executives. The article looks at how computerized databases make it possible for newspapers to get information on readers, their backgrounds, education and economic status. For a copy, call INAME at 703/648-1302.

### 1st Amendment doings

The First Amendment Congress has released *A Time for Choices*, a collection of 13 essays about contemporary issues that promise to reshape interpretations of individual liberties in the coming decade and throughout the 21st century. Written by leading constitutional scholars, the book is being distributed to news organizations and to members of the National Council for the Social Studies for use in teaching about the First Amendment. The Congress also has available for purchase a 20-minute broadcast-quality videotape documenting the 1988 national congress, which can be used to introduce audiences to the importance of First Amendment rights. For information, contact First Amendment Congress, University of Colorado at Denver, Graduate School of Public Affairs, Suite 320, 1445 Market St., Denver, CO 80202; 303/820-5688.

### Locating documents

*Following the Paper Trail: A Journalist's Guide to Locating Legal Documents* is new

40-minute video tape, produced by the American Bar Association in conjunction with Investigative Reporters and Editors Inc. The presentation follows two reporters attempting to uncover local government corruption. The trail leads to obtaining property documents, voter registration files, campaign finance records and court and government records. Included in the package is a program-planning guide and a pocket-sized "Journalist's Primer on Locating Legal Documents." Price is \$89, plus \$10 handling. Publishers' Auxiliary says the package is not only a good training tool, but also an effective presentation to local civic groups. Contact ABA, 750 N. Lake Shore Dr., Chicago, IL 60611.

### Motivating the staff;

**controlling costs**  
International Newspaper Financial Executives has published a report on motivating workers through incentive plans, *INFE Business Focus: Newspaper Incentive Plans*. The report relates members' incentive plans for profit sharing, paid time off, sales incentives,

waste reduction, advertising circulation and platemaking incentives... The May issue of INFE's Newspaper Financial Executive Journal focuses on cost management ideas, budgeting tips and layoff procedures. For a copy of the special edition, titled "When the going gets tough... publishers call on controllers," or for information on the incentives report, call 703/648-1160.

### Database marketing

Using databases to increase sales and circulation is an idea that's getting more and more play these days. The International Newspaper Marketing Association has a new publication that "takes a step-by-step approach to applying database marketing to all sizes of newspapers and utilizing the technology for planning and creativity. *Database Marketing: Newspaper Sales in a One-on-One Environment* is \$20 for members, \$30 for non-members. Contact Beth Richardson, INMA Book Department, 11600 Sunrise Valley Dr., Reston, VA 22091; phone 703/648-1094.

## What is a good, little paper?

The American Society of Newspaper Editors has compiled a list of characteristics of outstanding small papers, based on research by former University of Missouri journalism professor Jeanne Abbott.

A good small paper has:

- A clearly articulated mission, with high standards constantly reinforced.
- A staff expected to commit its best work to the product.
- An atmosphere that maximizes efforts with adequate inspiration, feedback and resources.
- A staff "treated with enlightenment."
- Careful, thoughtful hiring practices.
- Recognition that a gifted journalist may be using this paper as a stepping stone to another.
- Avenues for communication, including planning meetings, critiques and other feedback, and regular evaluations.
- Mutual respect between ownership and management.
- A news staff considered an equal partner in decision making.
- Encouraged flexibility and teamwork to promote cooperation.
- The goal that the paper is a complete product, with strong local elements, a high quotient of enterprise and follow-up and mature reporting of issues.
- Coverage tailored to readers' interests and needs, with frequent reader opinion surveys.
- A staff that tinkers, fine-tunes and polishes it product continuously to get closer to readers.

## Idea exchange

### Self promotion pays off

To develop new business, The Longview (Wash.) Daily News published a special section on its own advertising department. The 12-page broadsheet promoted the advertising features and benefits of the newspaper, including illustrations of its various advertising vehicles, information on special sections and circulation penetration, and names and pictures of the ad staff. Mailed to every business in the local Yellow Pages, the paper also showed its success versus yellow page advertising.

### Find the treasure

The Decatur (Ala.) Daily printed clues to the hiding place of a \$1,000 prize in its classified section to promote readership.

### Make it fax-able

To improve the fax quality of your rate cards/media kits, print a separate, simplified fax kit that is black and white, the Alabama Press Association suggests.

### Pleading the First

A newspaper and college in Oregon joined forces to promote 1991 as the bicentennial of the Bill of Rights by sponsoring a seminar on "Freedom for the Thoughts We Love to Hate: Forms of Extremist Free Speech." The program, presented by the Medford Mail Tribune and Southern Oregon State College, included speeches and panels on racism and bigotry, political extremism, blasphemy and offensive speech, and pornography — all recent headlines. For information, contact Richard Sept at 503/776-4461.

### Lend an "eye"

To get more extensive coverage of local happenings, the Beatrice (Neb.) Daily Sun has a community camera which it lends to local groups who want coverage when no staff person is available. The paper throws in a free roll of 12-exposure black and white film, as well. The group representative who takes the photos returns the equipment, film and caption information to the paper. Periodic house ads remind readers of the service.

## Did I say that? Research says no

Newspaper reporters often misquote their sources by mistake, a university researcher has found.

University of Arizona linguistics professor Adrienne Lehrer found 40 percent of the quotes in a national publication's reports of the 1984 presidential campaign debates were something less than verbatim when checked against the speaker's words on tape recordings. Other stories were even more inaccurate.

Lehrer said the misquotations encountered in her search weren't deliberate, and most were trivial. They result from tricks of memory, she said.

Most of the errors did not change the speaker's meaning. Some changed a nuance; some were substantial but still compatible with the speaker's meaning. Very few mistakes distorted the speaker's meaning.

When people talk they make false starts, backtrack or get themselves "into a syntactical box," Lehrer said. As a result, reporters find themselves rephrasing quotes. She said she is not troubled by that. "I don't see why it is unethical. By and large, people are rather pleased" when their quotes are changed to take out verbal clutter.

(Alabama Press Association's *Ala\*Pressa*)

# NNA is asset to Kentuckians, state chairman attests

By Max Heath  
NNA State Chairman

I want to thank all the Kentucky papers that are supporting the National Newspaper Association with your dues money during 1991. Total membership in May stood at 106, with \$16,117 helping to support NNA representation in Washington.

Here is a report of activity on your behalf in 1990-91. If you are not a member, you can join for the rest of 1991 for only half the annual dues. Call me at (502)633-4334 or KPA for details and membership blank. If you received a non-member mailing recently, please respond now.

In 1990, NNA's advertising subsidiary, ANR, sent Kentucky newspapers \$59,965. In the first three months of 1991, it has sent \$21,348 to papers here. ANR is running almost 20 percent ahead this year despite the nation's economy.

Many Kentucky papers are also about to share in more than \$170,000 in liability insurance dividends from NNA's Travelers program this year. Still others of you belong to NNA's libel insurance program, the only insurance program that not only covers libel suits but punitive damages and appeals costs. Since 80 percent of all libel verdicts are overturned in appeal, this additional coverage is essential. More than 1,200 papers across the country are members of NNA's libel insurance group.

This year, if it were not for NNA, newspapers would not be able to mitigate the outrageously high postal increases through new discounts. Only through NNA efforts are the 125-piece sequence discounts and destination post office delivery discounts available to you. We are now working to get the 125-piece walk sequence discount, now available for second class, for third class TMC products.

NNA has just distributed to all members a full summary of how to prepare newspaper and TMC mailings under this new postal rate structure, so you can be sure you are not overcharged and so you don't overlook any postal discounts that are coming to you.

NNA efforts are the key to the full congressional funding of revenue forgone which protects in-country rates.

NNA helped defeat crippling insert rules for newspapers so that you can carry inserts in your papers.

NNA led to the rescinding of revenue deficiency rules which would allow the Postal Service to close down any publication in arrears even if the deficiency came because a postal official made a mistake.

And NNA efforts allow you

to carry charitable lottery ads.

NNA works for you as Congress seeks new tax schemes. Last year it was proposed that advertising dollars be considered a capital expense, that they be spread over five years rather than be considered an annual cost of doing business. This would have reduced what advertisers spend with you by about 20 percent. We expect to be doing battle on that one again this year.

Last year NNA helped ensure that the Federal Trade Commission maintain its cooperative advertising guidelines so that co-op allotments continue to be based on a local store's purchases of a manufacturer's product during a defined time rather than on the subjective value of, let's say, what the manufacturer desires for a Wal-Mart or K-Mart.

and reject ads should be that of individual publishers and not that of the government.

NNA has endorsed a bill to grandfather all existing joint operating agreements but to repeal future mergers possible under the Failing Newspaper Act, because newspapers should not have artificial exemptions under antitrust laws or provide unfair competition to community papers.

NNA, in coalition with others, works to defend the provisions of the federal Freedom of Information Act and to make sure libel and tort reform don't damage our industry.

NNA members, in addition to our libel policies and liability policies, can take advantage of MedServ which allows you to find out whether your present health care coverage can be equaled in a less expensive manner.

## NNA membership benefits

- Advertising representation
- Insurance services
- Postal Service monitoring
- Federal lobbying
- FOI monitoring
- Publishers' Auxiliary
- Member perks

We are now in the middle of a battle so that when your paper enters the field of electronic publishing of classifieds over the phone, or dial-up classifieds, or dial-up other information services, you don't find that your main competitor is the phone company which owns the lines over which you have to provide this service. That's like competing with the Postal Service as it delivers your paper and publishes your competitor.

Your reporters and photographers don't have the right to veto any editing changes that they think will affect the integrity of their work because of NNA's efforts on new copyright bills.

Last year NNA, together with other groups, killed a measure that would have created new liabilities for newspapers. Any newspaper that published a story that disparaged or tarnished the reputation of a trademark item, regardless of truth or falsity of the item, would have been open to lawsuits. And that included advertising.

Last year NNA, together with others, continued the fight against proposals to ban any kind of advertising because we believe if a product is legal to sell, it should be legal to advertise, and that the choice to accept

We've saved papers thousands of dollars in health insurance costs. Inquire from our Member Services Department, 202-466-7200.

NNA provides member discounts. Our save-as-you-use program includes a MasterCard program with no annual fee and discounts on long distance telephone, facsimile machines, copiers, hotels, car rentals, and more — savings up to 40 percent. All of these things have saved member papers thousands of dollars for probably the lowest dues of any national trade organization.

Several of you have participated in NNA study missions and publisher exchanges abroad or attended our tradeshow in conjunction with our annual convention. This year it's the last week in September in Little Rock, Ark.

And, of course, our newspaper, Publishers' Auxiliary, this year is 126 years old. It is more current, more useful, more informative and more quoted than ever.

NNA stands guard for you in Washington to make sure that no legislation sneaks through at night or becomes enacted as a codicil to a piece of unrelated legislation. NNA is able to work with the Council for Commercial Freedom, the Advertising Tax

Coalition, political consultants and others. NNA is considered one of the most effective organizations in Washington. We do it by representing more than 5,000 community newspapers across the nation, more than 750 of them dailies. There are only 250 newspapers across the country with circulations greater than 50,000. Some of them are our members, but the preponderance of NNA membership is the great grassroots newspaper industry of America.

And that's why in relations with Congress and federal agencies, we have a great deal of clout, clout that we marshal on your behalf. Anything that has bottom line impact or First Amendment impact is monitored and worked on by a very able government relations staff headed by Bob Brinkman. This staff also represents Suburban Newspapers of America, American Court and Commercial Newspapers, and the Association of Area Business Publications, so your papers enjoy a broader base and new dimensions in Washington.

Dick Schmidt, general counsel of the American Society of Newspaper Editors, summed it up: "NNA is recognized as a powerful influence with members of Congress. NNA is highly regarded. Its ideas and proposals are respected and listened to. When NNA speaks, they really listen up on the Hill, and other media groups recognize this too."

An organization is known by the company that seeks it and by the people who want to address it. Those of you who watched this year's C-Span coverage or personally attended NNA's Government Affairs Conference in Washington realize that when General Powell, Attorney General Thornburg, Secretary Sullivan, Senator Sasser, former drug czar Bennett, and many others select NNA to address both our industry and the nation, it's a strong endorsement for the high regard in which NNA is held.

## Oops!

**\$2,000+ Loss  
DNRs (did not runs)  
are a problem for the advertiser, the newspaper and the Kentucky Press Service.**

**They represent a significant loss of money for all of us. In the first quarter of 1991, we all lost more than \$2,000 because of DNRs.**

**And that's just the dollar value. Credibility and a reputation for reliability are priceless.**

# How to improve out-of-state 2C delivery

By Max Heath

The most vexing problem small newspapers have with the Postal Service, year after year, is getting timely delivery out-of-county and out-of-state.

Even when mail is prepared according to what the Domestic Mail Manual shows as acceptable sortation, delivery is still slow, often with multiple copies arriving at once.

Working with Harry Stanley, senior distribution procedures specialist in Postal HQ, NNA (National Newspaper Association) has learned several methods to improve delivery. Papers in my company have reported improvement using Stanley's suggestions.

Here they are:

(1) **Discontinue the use of Mixed States and State sortations except for perhaps a very minor portion of mail the farthest from you.** Specifically, do NOT use DMM Exhibits 122.63p, Originating Mixed States Labeling List and 122.63i, State Labeling List.

Even though these are allowable sortations, and some mailers want to use them, they are not best for time-sensitive publications like newspapers. Even though postal officials inspecting your mail may say that you are mailing "according to the manual" using these sorts, they will slow delivery.

(2) **DO USE the Optional State Distribution Center (SDC) Labeling List at DMM Exhibit 122.63f.** SDC mail (most labels start with DIS for Distribution center) generally goes further before handling by manual sortation.

But remember, the Postal Service changes handling procedures regularly as areas grow and for other reasons that require reorganization. Therefore, one must check the DMM each issue for changes to the SDC Labeling List (and others mentioned below). Subscribe to the quarterly DMM for \$19 a year from the Superintendent of Documents, US Government Printing Office, 941 N. Capitol St. NE, Washington, DC 20402-9371 (Visa and Mastercard accepted).

Considering other regular changes in Optional Multi-Zip Coded Cities, 3-Digit Unique Cities, and SCFs in Exhibits 122.63d, and others, the DMM will pay for itself.

(3) **When delivery problems persist using the SDC sortation, make up SCF sacks next.** Especially where the SDC and State sorts are the same, even SDCs may not work very well.

(5) **Use the new barcoded sack labels on all mail sacks leaving the area.** This option is

mandatory for anyone wanting to maximize delivery. Such sacks are moved more quickly through the system without error. Ask your local postmaster to order them for you on internal Postal Form 1578B. Start using them ASAP and don't stop. Of course they should be pink and will be if ordered from USPS.

(6) **It goes without saying that you should be using brown bags.** If you have any shortages, complain to your postmaster or division office.

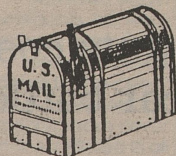
(7) **Don't roll your newspapers.** DMM 429.52 prohibits that. Rolled papers are hard to handle, sort and stack. You can fold papers either in quarters or halves, whichever suits your production needs.

(8) **Change addresses as soon as possible on snowbirds and others moving.** That means not running sets of labels for an entire month, but a week at a time, unless you update with handwritten labels.

(9) **Make sure addresses are complete and accurate.** Ask your postmaster or account rep for a handbook on new addressing standards. Follow them religiously, changing existing lists to the new format.

For instance, SDC Charleston, WV, is not an effective sort for timely delivery, explains Stanley. Mail for West Virginia would be better made up into SCF bags. Likewise, central Florida mail delivery should improve if sent to SCF Orlando, etc., rather than DIS Jacksonville. See 122.63 c-d for lists of SCFs serving both single and multiple 3-Digit territories. In multiples (122.63d), the first 3-Digit listed is the SCF.

Generally speaking, delivery would be best if all mail were sorted direct to SCFs. That may be impractical for some, but worth considering.



(4) **If SCF sortation doesn't make enough improvement, create direct sacks to 5-Digit Zips no matter how few pieces in the sack.** There is no minimum sacking requirement in 2C, Stanley reminds us. Direct sacks will travel to that zip, usually a delivery office, without handling in another facility. Use the smaller number 3 sack.

If you take advantage of Exhibits 122.63a-b for Optional Multi-Zip Cities and 3-Digit Unique Cities, you can add pieces to your sacks, get greater discounts, and move pieces from Level A to B without hurting delivery.

You may want to buy Zip Code directories for such states as Florida where your subscribers migrate, to check addresses and Zips before entering.

You may want to take advantage of the National Address Information Center's free updating of address records to Zip+4 and adding of carrier route information at the same time. While there are no discounts for Zip+4, except in first class, it will improve your address quality and delivery.

You can submit data on computer diskettes as described in Postal Form 5603, May 1989, available at post offices. You may also improve the amount of C level carrier route mail in towns where you have enough pieces to find six or more on a carrier route (usually large town closer to you with 30-50 or more papers to one zip code).

If any of you have other tips you've learned, share them with me in writing or call 502/633-4334.

## Salute to the P.O.

Digressing from postal bashing for a moment — is your local postmaster a cut above the average?

The first Westphal Postmaster of the Year Award will be presented at the National Newspaper Association's annual convention.

The \$500 award, developed by NNA and the National League of Postmasters, is named for Marguerite Westphal, a former publisher and postmaster in Trona, Calif. Also to be awarded are a \$250 second prize and a third place plaque.

The award honors "a local postmaster who best shows helpfulness to local individuals and business, as well as his or her understanding of the mailing problems of community newspapers."

Judging will be by the NNA Postal Committee and by a representative of the postmasters group.

Nominations may be made by letter by any NNA member newspaper. Deadline is Aug. 15.

Send nominations to Westphal Postmaster of the Year, NNA, Suite 400, 1627 K St. NW, Washington, DC 20006-1790.

Libel, from page 15

Phillips, now editor of The Sun in Bremerton, Wash., says he used to rely on legal handbooks when questions of libel arose. Now, "the first thing I ask myself is not what those books on my shelf say but 'How am I going to explain it to the 12 jurors?'"

Sanford says the Post spent "several hundred thousand dollars" in legal fees, most covered by libel insurance. Although he would not give the specifics of the paper's insurance policy, he says a paper of its circulation size (45,700) usually has a deductible of from \$50,000 to \$100,000. Above that threshold, the newspaper usually pays 20 percent of the defense costs. Insurance also typically covers judgements or settlements to plaintiffs by the same 80-20 formula.

Even though it undoubtedly would have been cheaper to settle or to concede defeat after the trial, none of the parties say they would have avoided the fight.

"It's hard to figure out what we gained except experience," Clabes says ruefully. Still, she adds, "I'm sorry we lost, (but) I'm not sorry we went to court. And I'm not sorry we did the story."

Phillips, who for many years served on the board of a Kentucky organization trying to save drug-ravaged youngsters, says at the time the articles were written, northern Kentucky was plagued with prostitution and drug use among young people. "We were losing a generation of Appalachian youth. Law enforcement was not stepping up to the problem," he says. "How could I ever regret anything the newspaper did to combat that?"

And Salvato says the stories did have the impact intended. In his opinion, Ball improved his office, prosecutes more aggressively and has better relations with police.

Clabes concedes that it might not have been easy to follow the same fight-to-the-end strategy if she were editor of an independent newspaper, rather than part of a large and powerful company. "I'm glad that I didn't have to make that decision," she says.

All the participants emphasize the importance of sticking together whenever confronted with the trauma of libel litigation.

"You have to just grit it out," Salvato says. "If you have the support of the people around you, you can get through it. If you don't have an editor, fellow reporters or lawyers who truly believe in you, you're in trouble. It can break you down, professionally and personally."

I am not young enough to know everything. —Oscar Wilde

# Anatomy of a libel suit:

## Kentucky Post mounts costly libel defense But loses 6-1/2 year battle

By Anna America

Reprinted with permission from *presstime*,  
The Journal of the American Newspaper Association

What are the costs of a libel suit? The money? Legal fees can reach the hundreds of thousands or even millions of dollars, not to mention the potential for a megabucks award. Lost time? Even before a trial, reporters, editors and others may spend months reviewing notes and documents, reconstructing their "state of mind" and preparing testimony.

Then there's the possible chilling effect on other staffers, who may henceforth shy away from aggressive reporting. Finally, there's the strain on those forced to defend themselves, their professionalism, their morality and their newspaper.

In the case of E. W. Scripps Co., *The Kentucky Post* and Al Salvato v. Louis A. Ball, the cost has been assessed in all those ways, and more.

At first, Post executives deemed the matter a mere annoyance. "We considered it a nuisance suit from the beginning," says Editor Judith G. Clabes.

One trial, three appeals, several hundred thousand dollars in fees and more than six years later, the "nuisance" has finally ended -- in the US Supreme Court.

### Stage One: Publication

When special projects reporter Albert D. Salvato started piecing together a story about the allegedly lackluster performance of Campbell County Commonwealth Attorney Ball, everyone at the Scripps Howard paper knew the popular prosecutor would be highly resentful.

But that didn't deter the Post, which prides itself on hard-hitting community reporting. For years, the daily had tackled the crime and corruption ingering from days when gambling, prostitution and related skullduggery thrived on the Kentucky side of the Ohio River across from Cincinnati.

Salvato, the Covington paper's top investigative reporter, says he started hearing complaints from police about Ball's lack of aggressiveness in the early 1980s, when he was researching a series on drug abuse. He

also picked up complaints about some police mishandling of evidence.

In 1984, a state probe of the Bellevue Police Department in Campbell County led to a grand jury investigation of police corruption. The panel did not return any indictments, and Mike Phillips, then managing editor of the Post, wrote an editorial criticizing prosecutor Ball and the grand jury.

The Post, published in the adjacent county of Kenton, decided to take a detailed look at Ball's performance. As with any investigative story, the reporter and the editors took

he was treated unfairly.

### Stage Two: Filing Suit

A month after publication, Ball filed suit. He charged that the two articles, as well as the two editorials, were false and defamatory; that favorable information was intentionally omitted; and that unfair comparisons were made.

"You start from the position that what you have done is what good newspapers ought to do," Clabes says. "You have done an examination of a public official's performance in office. We thought we did that well.

It's hard to figure out what we gained except experience.  
I'm sorry we lost, (but) I'm not sorry we went to court.  
And I'm not sorry we did the story.

--Editor Judith Clabes

extra care to ensure fairness and accuracy, news executives there say. Salvato spent nearly three months studying the records of about 3,000 Campbell County cases, and he interviewed more than 40 officials, including Ball and his three assistants.

The result was a two-part series, published Nov. 17 and 19, 1984, focusing on Ball's treatment of chronic felons, his reliance on plea bargaining and his relations with police in Campbell County.

The series did not suggest that Ball was corrupt, but it clearly implied that the prosecutor was not living up to the full responsibilities of his job. Before publication, a team of attorneys checked and rechecked the stories.

"We thought it was as solid an effort as we had made in more than a decade-long series of special reporting projects looking at government, crime and social problems in our community," says Phillips, who edited the series and wrote another critical editorial afterward.

Editor Clabes says, "We were very comfortable with how thorough we had been and how the stories were framed, and we still are. We didn't expect Lou Ball to be happy with the stories, but we certainly did not think

the trial, Clabes not only had to deal with the lawsuit administratively -- scrutinizing records, conferring with corporate consultants, making decisions -- but she also had to spend hours with attorneys discussing the stories and the editorial process that surrounded their formation and publication.

For Phillips, who by then had moved to an editorship at the Scripps Howard daily in Florida, most of the preparation was by phone and mail, although he returned several times to Kentucky. He went over the original stories and backup and kept abreast of pertinent document filings at the court. He arrived for the trial several days early to meet with attorneys and go over his testimony.

All agree that by far the worst burden was on Salvato.

Early in 1985 he had moved across to the Kentucky Post's sister paper, *The Cincinnati Post*. For the first six months, he probably was closeted with lawyers for a total of about 40 hours, says Covington lawyer Richard G. Meyer, who assisted in the defense. Then, from June until

I had three dozen notebooks. We went through every single one. The lawyers wanted to know what every paragraph meant. I have never been so scrutinized in all my life.

--Reporter Al Salvato

November -- after putting in a full day's work in Cincinnati -- Salvato often went to the lawyer's office for up to three or four hours' consultation.

He estimates he was interviewed exhaustively 10 to 15 times. "We reviewed every word of the stories, every statistic, every quote, every statement," he recalls. "I had three dozen notebooks. We went through every single one. The lawyers wanted

Continued, page 15

In the months leading up to

**Anatomy of a libel suit, from page 14**

to know whatever paragraph meant. I have never been so scrutinized in all my life."

**Stage Four: The Trial**

The trial began in mid-November of 1985. Every day, Clabes and Salvato sat at the defense table and heard Ball's attorneys accuse them of sloppiness, inaccuracy and worse. Three attorneys — two local and one brought in by Scripps Howard — mounted the Post's defense.

All eyes are on you. You're the one being questioned. . . People find out about your family, your work habits, your mannerisms, how you ask questions.  
—Reporter Al Salvato

Clabes, who testified several times, describes the trial as "the most emotionally devastating experience I ever had. There's no way to explain just how difficult it is to sit there and listen to lies being told about yourself or about your newspaper."

The biggest surprise came when the plaintiff's attorney unveiled what he said was proof of a grudge against Ball. In 1982, Salvato had been detained by Bellevue police at a high school football game after a female student reported he was trying to sell drugs.

Ball's attorney argued that because of this, Salvato held a grudge against the police department, and thus Ball, because the prosecutor had not vigorously pursued the earlier allegations of police corruption.

Salvato and his editors countered that he was at the football game with undercover narcotics agents, working on his stories about drug abuse.

But Ball's attorney portrayed the investigative reporter's activities as sordid and immoral.

Salvato had covered trials as a reporter, but he says "it's a totally different experience when you're sitting behind the defense table. All eyes are on you. You're the one being questioned. . . People find out about your family, your work habits, your mannerisms, how you ask questions."

The Post covered the trial as a news story, which meant that Salvato's name suddenly appeared on its pages as a defendant in a civil court action rather than as a byline. He had to explain it to his children. When he met neighbors or other acquaintances, he would wonder, "Do they trust me? Do they believe those things about me?"

The legal definition of "actual malice," which must be proven to establish libel against a public figure such as Ball, does not mean ill will; it means publishing inaccurate infor-

mation knowingly or with reckless disregard of the truth. Ball's attorney convinced the jury that Salvato's run-in with Bellevue police was proof of malice and reason enough for him to write inaccuracies intentionally.

And there were inaccuracies. A transposition of some figures in one accompanying graph made Ball's record look worse than it actually was. Ball also said that a comparison between his office and another county was inaccurate because of different methods of plea bargaining used. The defendants argued the difference was sufficiently explained in the text.

Defense attorney Meyer pointed out to the jury that Salvato — seeking comment — showed the figures to Ball before publication, but the prosecutor didn't remark on the error in the graph. From the Post's perspective, the numerical mistake was a regrettable accident but not enough to change the thrust of the story.

"We've done a lot of self-examination," Clabes says. "Did we make mistakes? Yes. But they were honest mistakes. . . We wish that (the stories) had been perfect, but we aren't always perfect."

Scripps Howard counsel Sanford observes, "Going through a libel trial you will always find flaws. You put any story under a microscope, you will always find flaws. Every story could be better if you had just one more day."

We had checked and double-checked and triple-checked all of our facts. And we were fair.  
—Former ME Mike Phillips

Although Salvato says he was pessimistic about juries' attitudes toward the media in general, Clabes and Phillips thought all through the seven-day trial they would win.

"We just didn't think (Ball) stood a chance," Phillips says. "He's a public official. We had checked and double-checked and triple-checked all of our facts. And we were fair. I spent four hours on the stand and had eye contact with the jurors the whole time. When I stepped down, I felt those jurors and I understood each other."

After several hours of deliberation, the jury found in favor of Ball and awarded \$175,000 in actual damages. No punitive damages were assessed.

**Stage Five: The Appeals**

In an area where multimillion dollar punitive-damage awards are unexceptional, paying \$175,000 could have been considered a relatively easy escape. However, Post executives decided almost immediately to appeal, especially because they saw the decision as setting a dangerous precedent.

I had three dozen notebooks. We went through every single one. The lawyers wanted to know what every paragraph meant. I have never been so scrutinized in all my life.  
—Reporter Al Salvato

Using the reasoning the jury applied in this instance, Sanford says, "you could take an honest mistake, combine it with some concocted grudge and win a libel case."

Although the legal process was still in its early stages, once the trial was over Salvato and his editors were able to return to day-to-day life for the most part. For the battle was only beginning.

It took nearly two years — a fairly routine wait — for the Kentucky Court of Appeals to issue its ruling. In August 1987, the appellate court reversed the jury's decision, saying there was not sufficient evidence of actual malice for the mistakes to qualify as libel.

For the defendants, the decision affirmed what they had felt sure of all along — that the stories were clearly protected by the Constitution.

Ball then appealed to the state Supreme Court, kicking off another round of legal briefs and arguments over a 39-month period. Last November, that court rejected the appellate court's reversal and reinstated the jury verdict.

This time, Clabes says, the disappointment was acute but not as emotional. "We were so sure it was cut-and-dried, legally, that we were more intellectually offended. You think, how could people who were supposed to know better do this?"

In late February, the Post asked the US Supreme Court to hear the case.

Although the high court rejects without a hearing the majority of cases appealed to it, Sanford says he was hopeful that the Ball case posed enough of a constitutional question to warrant a review. But on April 22, the court, without comment, refused to hear the case.

Of special concern to Sanford is what he sees as a dangerous confusion as to how the jury reached its verdict. He says it is unclear how well the jurors understood the law or which specific statements they regarded as libelous. Throughout the trial, Post attorneys pressed unsuccessfully for special interrogatories that would have forced the jury to spell out each statement that it found untrue and damaging and made with actual malice — all necessary to prove libel against a public

**June 1991, The Kentucky Press, Page 15 figure.**

Sanford concludes, based on jurors' post-trial statements, that some didn't really believe the Post had published anything seriously wrong, but just hadn't been nice enough in its articles about Ball.

The Post's brief to the US Supreme Court asked that juries in all libel cases be submitted to such interrogatories.

**Stage Six: The Aftermath**

Clabes maintains that the lawsuit has not hampered the Post's coverage of Ball — who ran unopposed in the last election — or any other subjects. She made clear from the beginning that the paper backed Salvato and the stories (she even sent him flowers after the 1985 jury verdict), and she still firmly believes that the paper acted properly all along.

But there probably was no way to eliminate entirely all apprehension among other reporters, she notes, adding, "I wish I could say with absolute certainty that there was no chilling effect."

You believe in the rightness of what you have done and you expect right to prevail in the American justice system. So were we naive about it? I suppose that's exactly what we were.  
—Editor Judith Clabes

Mark A. Niekirk, now the city editor, was a city hall reporter at the time of the trial. He says management's show of support for the story and reporter helped alleviate qualms others might have had about being aggressive on their own beats.

"We felt like it was an important story to do and once it was done, if there was a libel suit, so be it," he says. "It didn't seem to me that we as a newspaper behaved differently" after the suit.

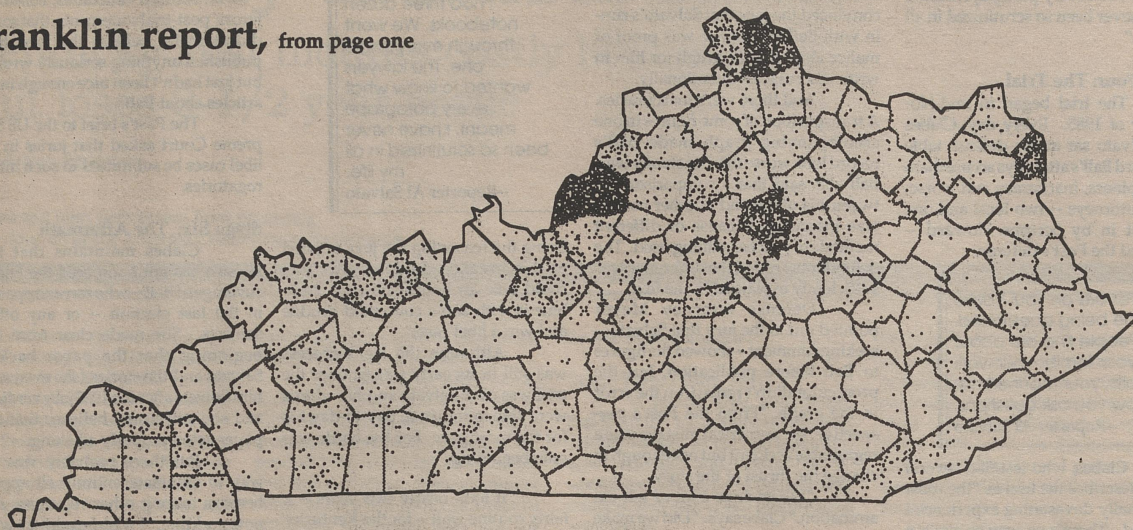
The lawsuit has made the job of covering Campbell County courts a little tougher, says current Managing Editor Mike Farrell. The Post reporter covering the trial had to strive for impartiality while writing about accusations against colleagues and supervisors. Afterward, reporters labored to establish a working relationship with Commonwealth Attorney Ball.

Both Salvato and Phillips say the experience altered their working habits, although not entirely for the worse.

With just about any story now, Salvato says, he rechecks everything. "When I write a sentence, I think back to the lawyers saying, 'What does that word mean?'"

See *Libel*, page 13

## Franklin report, from page one



A map from the Franklin Associates report shows ONP generation in Kentucky in 1990. Each dot equals 20 tons of old newspapers.

cycling newsprint are still in the works, leaving collectors of ONP with a product and few buyers.

But there's a silver lining. Franklin Associates predicts the market for ONP will double by next year, when several newsprint manufacturers in the southeast will be on line to accept recyclable papers.

The cloudy side of that picture, however, is that smaller, rural communities will have a hard time

implementing newsprint recycling programs because of two factors. One, the cost of maintaining local programs often amounts to more than the prices paid for ONP by recycling businesses. And, two, transporting ONP to recycling centers in larger cities is also costly.

The consultants recommend that state or local governments create regional cooperative markets to ease the transportation problems involved

in getting old newsprint to manufacturers.

Because of the expense connected with recycling programs in rural areas, the consultants also suggest the development of more local "end uses" for ONP.

Practical ideas for Kentucky, they say, are using ONP in animal bedding, in mulch products, and in building and construction products. A program that would integrate

newsprint with conventional bedding for animals could use as much as 30 percent of the total ONP generated in the state, the study reports.

No single effort will guarantee the total success of recycling programs in the state, the Franklin report indicates. Instead, the study team advises the state government and private citizens to explore a multi-faceted approach to reducing the amount of ONP that now ends up in landfills.

## Whitley dispute aimed for another round in court, from page one

or to *The Times-Tribune*?

A key phrase in the current law regarding public notice advertising, the state Supreme Court says, is "publication area."

In remanding the case to the Whitley Circuit Court, the state court's published opinion says, "By virtue of the trial court's exclusive reliance on the number in the published statement of ownership, this contention (by the Republican) remains unresolved."

The opinion, with emphasis added by the court, cites the present statute, KRS 424.120 (1) (d), which states:

*If, in a publication area there is more than one (1) newspaper which meets the above requirements, the newspaper having the largest bona fide paid circulation as shown by the average number of paid copies of each issue as shown in its published statement of ownership as filed on October 1 for the publication area shall be the newspaper where advertisements required by law to be published shall be carried.*

The justices who prepared the opinion characterized the statute as

having "latent ambiguity" in reference to the circulation question.

The opinion acknowledges that the legislature, in drawing up the statute, used the statement of ownership as a way to resolve disputes among competing papers. But the court adds that the legislature "did not abandon the concept of 'publication area' nor was its significance diminished."

Implicit in the opinion is that "this ambiguous statute" needs to be clarified.

"We must decide whether to strictly observe the number shown in the published statement of ownership or the actual number of the publication area. One or the other must yield," says the opinion, agreed on by Justices Stephens, Combs, Lambert, Leibson, Spain and Wintersheimer, with Justice Reynolds dissenting.

Publishers of both papers involved in the case won't say how much they've spent on the suit which is about to come full circle from its origin in Whitley Circuit Court.

But Don Estep, head of The

Whitley Whiz Inc., which brought the suit, is claiming victory. "I feel we won big," said Estep.

"What's left," he added, "is a measuring stick. How are they (circuit court) going to do it (determine publication area circulation)? I would hope they will do what the postal service does — show paid accounts, receipts, etc."

Estep, however, doesn't believe he'll have a problem following the law as it's now written when the October reporting date rolls around again. Last winter he combined *The Whitley County Republican* with the formerly third class *Corbin This Week* as the twice weekly *News Journal*, which he contends will reflect an overall higher circulation.

*Times-Tribune* publisher Charles "Wink" DeVane, on the other hand, said he does not consider the Supreme Court's decision as a defeat. "It's simply back to the drawing board."

At press time, DeVane was considering petitioning the high court for a rehearing. "We feel the court may

have overlooked some things in our brief," DeVane said.

Following the daily's petition, Estep's organization will have 20 days to respond. The court then can open up the case again, although such action is reportedly rare.

"We were surprised," DeVane admitted, "that the Supreme Court ruled that in-county subscribers were the criteria. The ruling completely strikes down the statute as it is now."

However, DeVane said his paper does not "have any problems with proving our figures."

Whatever the outcome, the case will impact competing papers in several counties. Estep said he has already received calls from publishers involved in similar disputes.

According to KPA figures, 28 Kentucky counties have two or more newspapers. In five of those, the papers are owned by the same company, leaving 23 counties in which the case could have impact.