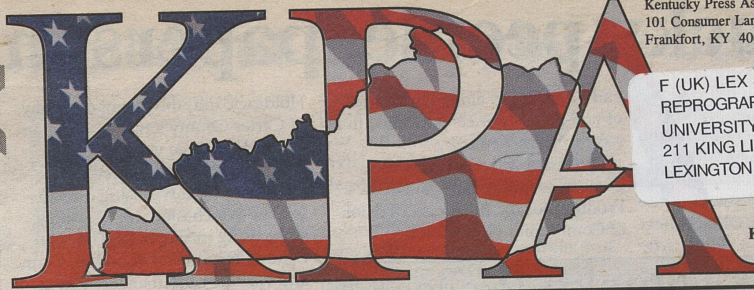


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The Kentucky Press



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Convention is a hit

Over 550 gathered at the Embassy Suites in Lexington Jan. 22-23 for the annual KPA Winter Convention and Trade Show.

The convention offered a packed agenda of speakers on every aspect of the industry. Many sessions had standing room only crowd with standing room crowds.

The session by Kim Greene and Ashley Pack on Open Meetings and Open Records which featured the debut of the Reporter's Handbook, a resource for covering the courts, by Chief Justice Joseph Lambert, drew a standing room only crowd with many gathered outside the door in hopes of being able to hear.

The Reporter's Handbook reference guide was published by the Administrative Office of the Courts and compiled by Kentucky journalists, lawyers and legal educators. The book was designed to help reporters better cover and understand the Kentucky Court system.

Free copies of the book were also

available at the session.

Gov. Ernie Fletcher continued the tradition of newly elected governors by serving as the keynote speaker during the Changing of the Guard luncheon.

Fletcher said he has one vision for Kentucky, "restoring hope and opportunity." During his speech he gave a brief glimpse to his budget proposal which he was to deliver the following Tuesday night.

"It is not going to be a painless budget," he said calling it "pruning time in Kentucky."

He ended his speech by indicating that he realized that the job of a journalist isn't easy and that the First Amendment right is an important one.

Tim Kelly, publisher of the Lexington Herald-Leader, presented the Lewis Owens Community Service Award to Bob White. White

See HIT on Page 6

February News & Notes

WKU to host forum April 16

On Friday, April 16, Western Kentucky University's School of Journalism and Broadcasting is hosting Forum 2004 - How Newspapers Can Increase Revenue Using Innovative Strategies.

Forum topics include convergence, content management systems, interactive advertising and much more. Rob Curley, director of New Media for The World Company in Lawrence Kan., will kick-off the seminar. Forum 2004 is an all-inclusive seminar and offers hands-on workshops. Forum 2004 begins at 9:00 a.m. in the newly built Mass Media and Technology Hall and wrap-ups at 4:30 p.m.

Attendees are encouraged to

register early, since space is limited. A \$99 early bird special is available to those who register prior to March 16.

To reserve space or for more information contact: Heather Garcia at (270) 745-8915 or heather.garcia@wku.edu.

MSU to host annual journalism workshop

The Department of Journalism and Mass Communications at Murray State University will host its 31st annual Journalism and Broadcasting Workshop for regional high schools on Feb. 20, 2004.

The workshop will begin with registration and announcements from 8:30-9:45 a.m. Following that students and their advisors will be

See NEWS on Page 8

New KPA officers, board members begin duties



Nelson



Tuminski



Thornberry



Portmann



Gray



Pennington



Carman



Sawyers



Hansen

John Nelson, managing editor of The Advocate-Messenger in Danville, was elected president of the Kentucky Press Association for 2004 during the KPA Convention in Lexington Jan. 22-23.

Nelson received the gavel from 2003 President Sharon Tuminski during the Changing of the Guard

luncheon on Jan. 23. Tuminski is financial manager of the Winchester Sun and will serve as past president of KPA/KPS in 2004.

Also elected were David Thornberry, publisher of the Somerset Commonwealth-Journal, as president-elect; Charlie Portmann, editor of the Franklin Favorite, vice-

president; and Glenn Gray, vice-president of the Manchester Enterprise, treasurer.

New board members also took office during the convention.

They were Jerry Pennington, of The Big Sandy News in District 9; Donna Carman, of The Casey County News in District 12; Willie

Sawyers, of the London Sentinel Echo State-At-Large board member; and Liz Hansen, Eastern Kentucky University Journalism Representative to the board.

Dave Eldridge, of the Jessamine Journal, was presented a clock for his time as a board member and 2002 president.

Kentucky people, papers in the news

New publisher to head Morehead News Group

Ann Laurence will lead the Morehead News Group which includes The Morehead News and newspapers in Grayson, Olive Hill

and Frenchburg, along with a host of non-paid products published in Northeastern Kentucky.

Laurence was most recently Director of Group Sales in Niche Products for the Bluegrass Division of Community Newspaper

Holdings, Inc., the parent company of Carter County's two newspapers, for the past three years.

Prior to her job as director of sales, she was advertising director for The Winchester Sun, classified advertising manager for The New London Day in New London, Conn. and was the sales management at The Lexington Herald-Leader. She also served as editor of The Clay City Times.

tography by Russ Metz and his son, Ken.

She is covering a wide range of events for the Advocate including the Montgomery County Fiscal Court and board of education meetings.

She is a graduate of Powell County High School and attended the University of Kentucky.

Open house held for retiring ad executive

Bonnie Burks Gray was honored at the end of the year with a retirement open house after 30 years with Landmark Community Newspapers, Inc.

Fellow workers, friends and family were invited to the open house to honor Gray.

Gray began her career at The Shelby News as an associate editor in 1970 before the paper was acquired by Newspapers, Inc., and then later by Landmark.

While there, she led investigative reporting on the possible relocation of the Louisville International Airport to Shelby County; and the deplorable living conditions many residents of the Martinsville community were enduring during the 70s and early 80s. She earned Kentucky Press Association awards for writing and photography.

Gray moved from news to advertising in 1975, and became advertising manager of The Sentinel-News in 1976. As advertising manager,

See PEOPLE on Page 10

The Kentucky Press

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Officers

Kentucky Press Association

President - John Nelson, The Advocate Messenger, Danville

President-Elect - David Thornberry, Somerset Commonwelath Journal

Vice President - Charlie Fortmann, Franklin Favorite

Treasurer - Glenn Gray, Manchester Enterprise

Past President - Sharon Tuminski, Winchester Sun

Board of Directors

District 1 - Alice Rouse, Murray Ledger and Times

District 2 - Jed Dillingham, Dawson Springs Progress

District 3 - Donn Wimmer, Hancock Clarion

District 4 - Charlie Portmann, Franklin Favorite

District 5 - Ron Filkins, Kentucky Standard

District 6 - Arthur B. Post, Louisville Courier-Journal

District 7 - Kelley Warnick, Gallatin County News

District 8 - Ken Metz, Bath County News Outlook

District 9 - Jerry Pennington, Big Sandy News

District 10 - Edmund Shelby, Beattyville Enterprise

District 11 - Glenn Gray, Manchester Enterprise

District 12 - Donna Carman, Casey County News

District 13 - Tom Caudill, Lexington Herald-Leader

District 14 - Teresa Scenters, Berea Citizen

State At-Large

Chris Poore, Kentucky Kernel
Willie Sawyers, Sentinel-Echo
Patti Clark, Owenton News Herald
Taylor Hayes, Kentucky New Era

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News Editorial Division - John Shindlebower, Spencer Magnet

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Circulation Division - Kriss Johnson, Lexington Herald-Leader

Associates Division - Cliff Feltham, Kentucky Utilities

General Counsels - Jon Fleischaker, Kim Greene, Dinsmore & Shohl, Louisville

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Teresa Revlett, Director of Sales
David Greer, Member Services Director
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David Spencer, New Media Director
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Reba Lewis, Research/Marketing Coordinator
Sue Cammack, Administrative Assistant
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Holly Willard, INAN Business Clerk
Mark Sheridan, INAN Account Executive
Tami Hensley, Tearsheet Clerk

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

Christy Wilson King joins staff of the Bath County News-Outlook

Christy Wilson King, a native of Rowan County, joined the staff of the Bath County News-Outlook in December as a writer/photographer. She assumes the position left vacant by the departure of Sunny Kramer.

She has experience in journalism having previously written for the Clay City Times and the Olive Hill Times. She is covering local meetings, producing features stories and shooting news photos for the paper.

King has also had several poems published over the years.

Tonja May joins Mt. Sterling Advocate

Tonja May joined the Mt. Sterling Advocate on Dec. 9 as general assignment reporter.

May, a Powell County native, worked for the Bath County News-Outlook for 10 years, where she was introduced to journalism and pho-

Deaths

The Sentinel-Echo production manager dies

Roy C. House, production manager for The Sentinel-Echo, died Thursday, Jan. 8 in the emergency department at Marymount Medical Center. He was 51.

House was a graduate of Laurel County High School and Sue Bennett College and had been employed at The Sentinel-Echo for more than 30 years. He was the most senior continuous member of the staff.

He began his work on Sept. 19, 1973, as a layout artist for the advertising department and picked up many other duties on his way to the production manager post.

Considered the backbone of the newspaper, House handled not only production responsibilities, but maintenance, shipping and receiving, and supervision of the newspaper insertion process prior to its circulation. His primary work was to do final design of many of the advertisements in the newspaper, see that ads were placed properly on the pages, and transmit the pages to be printed at The Times-Tribune newspaper in Corbin.

Convention turned out to 'maybe be best ever'

I should have known my fears were unfounded. I should have known most of you were just renewing your membership in the Kentucky

Procrastinators Association. I should have known a week prior to the convention the numbers wouldn't be anywhere near what we would end up with.

As I said, all those fears were unfounded.

Exactly one week prior to the convention, I sent out a panic note. We had 150 people registered for what we thought would be the best lineup of sessions KPA has ever offered. After all, that Thursday was the registration deadline. But then, deadlines are only enforced when we're sitting on your side of the desk.

As it turned out, the 2004 KPA Winter Convention ended up with 558 names on the registration list. We had a record attendance at the Friday luncheon with 250 (25 more than the previous mark that had been hit several times).

But what was most pleasing came at the sessions. In recent years, we've experienced numerous empty seats. Speakers we thought would bring in a large audience, ended up with just

On Second Thought

By David T. Thompson
KPA Executive Director



a couple of dozen listening.

This year, we had 14 sessions on Friday. Most all of them had packed rooms. Not just packed, but standing room only,

people in the doorways, chairs pulled up just outside the doors.

And you sat through. Typically the hallways would have people running in and out of sessions, more often out than anything. This year the halls were empty for the most part as people sat through 60- and 90-minute sessions hearing Russell Viers, Peter and Jeff Wagner, Jock Lauterer, postal officials, NIE sessions, Chief Justice Joseph Lambert, Kim Greene and Ashley Pack.

Even Stan Lampe drew a nice crowd. Stan's been a long-time supporter of KPA in his role with Ashland, Inc. Long-time if eight years is long. With Stan it only seems to be longer than that. Even some newspaper folks sat in on a session titled "Stan Lampe Unplugged," figuring they better be there if Stan had any comments to make about them.

My thanks go out to KPA Member Services Director David Greer. Over the past 20 years, I've never given up control, or full control, of the convention program. This year I did. After

seeing the programs David's put together for the high school association and with some feedback from division chairmen about session ideas, I let David take over that part of the convention.

And it was the best lineup of sessions and speakers we've ever had. When we returned to the office, I got the chance to thank him for putting all those programs together. I had to ask what he has planned for an encore in 2005. He's still mulling that question.

But you can go ahead and make your plans. The 2005 KPA Winter Convention will be January 20-21 at the Hyatt Regency in downtown Louisville. This will be KPA's first convention at the Hyatt since 1982.

* * * * *

One of the most successful programs KPA has is the summer internship program. Since its inception in 1993, the internship program has accomplished its purpose. To offer college students the opportunity to intern at newspapers during the summer in hopes when they graduate, they'll give first consideration to a career in newspapers.

It is working.

But in recent years we've noticed a decline in the number of students applying for an internship. Not only for the KPA newspaper internship but even the KPA Associates Division

public relations internship program.

I asked journalism educators from around the state to give us some help. Is there something wrong with the program that we can't get 50 to 60 students applying? Are there other ways to promote it? Is there a reason why only a half-dozen students apply for the Associates internship?

After reading my plea for help, Dr. Wilma King at Western, made an offer. Each spring, she has a PR/advertising class that takes on one project. The class looks at the business or the program, does some research, asks some questions and develops a suggested marketing strategy.

Her offer was to have the class take on the internship program this spring. From that, we hope to have a new marketing strategy in place when we start promoting the 2005 summer internship program later this year.

I met with the class the last week of January and opened most all of the program to them. There are some controls we have to maintain — limiting it to no more than 10 weeks, and keeping the newspaper internship available to the participating newspapers in the Statewide Classified Program. Most everything else is open for discussion. And I look forward to seeing what they come up with later this spring.

Ad department starts 2004 out with bang

How in the world do you top a year like 2003 when all sales records were broken with \$4.8 million in advertising placed? One way is to start out 2004 with a record month. In January 2004 over \$380,000 in advertising has been placed for Kentucky and Indiana newspapers. Now we just have to keep up that pace for the rest of the 11 months in the year.

The way that pace is kept up is in part through referrals. When we do a good job, word of mouth travels from client to client and then we gain new clients. Hopefully those new clients

Advertising Plus

By Teresa Revlett
KPS Director of Sales



turn into new money generated for Kentucky and Indiana newspapers. I still think it is amazing that we continue to serve our clients at this fast pace without adding

staff or equipment.

This year we want to get our name out to as many new advertisers and agencies that we can and that means that we will need your help. If there is an area that you feel like your newspaper needs more attention in please give me a call. I can only do what you tell me is expected. If you feel like there is an area lacking that we have not reached, then please feel free to call me. I want to know what our

members want. I have a direct line at 502-227-7992 or I can be reached from the toll free number at 1-800-264-5721. I promise - I am accessible.

Our staff was recognized at the convention by receiving the Russ Metz Memorial Most Valuable Member Award. Being the most valuable member to an association as well thought of as KPA is a true honor. Getting an award named after Russ Metz is an even higher honor.

When I first started working at the McLean County News in Calhoun, we ran Russ Metz's column in our newspaper. It was "syndicated" to the tune of \$2.50 per week. Later when I started attending KPA events I remember meeting Russ for the first time and thinking that the caricature that ran with his column that I had to typeset each week looked just like his actual

profile.

Russ and his wife, Margaret will always be the symbol of a true community journalism family in my book. They made a living serving the community that they love. That love of community and integrity in journalism has been passed on to their son, Ken who now heads their family newspaper in Owingsville.

I enjoyed serving on the KPA board of directors with Ken and during that time I got to know his wife, Gloria and their great family. Like most Kentucky publishers, the family has been driven all over the country on "vacation" while the parents attend meetings all in the name of community journalism. The tradition continues. I hope my staff and I can do justice to the Metz family name. I am truly honored.

Nothing 'brown bag' about Viers' session

I hope you were able to attend the annual KPA convention a few weeks ago at the Embassy Suites Hotel in

Oh, By The Way

By David Greer
KPA Member Services
Director



Lexington. The facility and its staff did a wonderful job making sure our every need was met. And those who attended the breakout sessions on Thursday afternoon and Friday were very complimentary. All in all, it was an excellent convention and one of the best attended ever.

On the day before the KPA convention began, the Kentucky High School Journalism Association sponsored a day of computer software training for teachers and students at the Embassy Suites. The day was an unqualified hit. Group after group emerged from the training room for breaks or lunch and they all had the same reaction - "Wow!"

Noted newspaper software guru Russell Viers spent the morning showing those present all the tricks and many capabilities of PhotoShop. If you've attended one of his sessions in the past, you know Russell knows his stuff, plus he is very entertaining in his presentation. The high school students loved him. And that made their teachers happy.

In all, we had 48 students and teachers attend. Many said Russell told them about PhotoShop capabilities that they were unaware of and they intended to go home and utilize them right away.

For KHSJA, this was an experiment to see if January is a better time of year for training as compared to the summer. In past years, KHSJA has presented several summer workshops for teachers. Attendance began strong but had slowly decreased over the years. One possible reason often cited was the increasing number of school districts implementing alternate calendars, which make summer breaks shorter.

The meeting room at the

Embassy Suites held a maximum of 48. We even had to turn away some schools, unfortunately, because the available seating for Russell's session

was full.

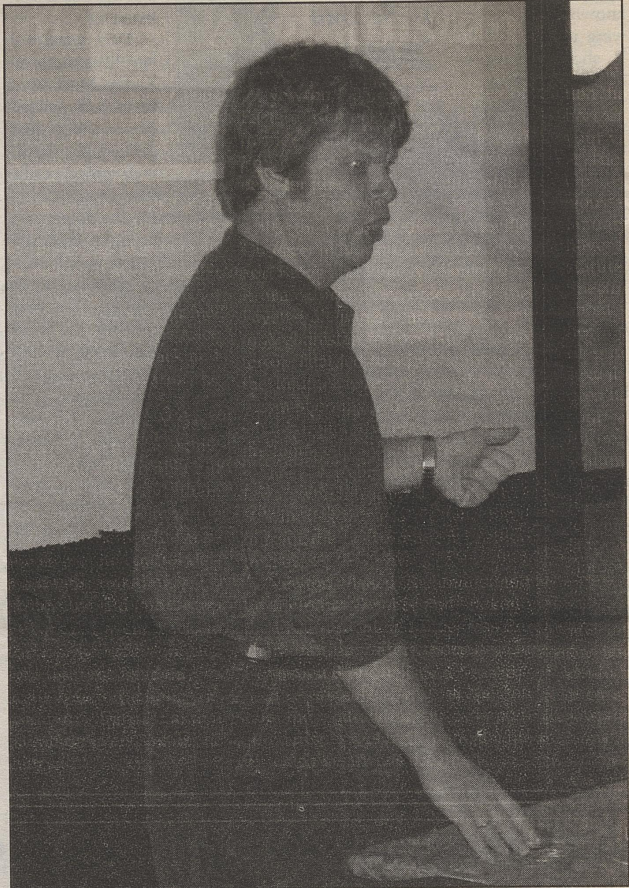
To meet demand, we hope to bring Russell back. We've asked him to return on April 21 to present sessions at the KHSJA annual state convention in Louisville. At this point, it's up to the airlines because of his busy schedule. Russell is available on April 21 but he has presentations already scheduled elsewhere in the country the day before our convention and the day after. If he can arrange the necessary flights to get him where he needs to go and get there on time, he will try to be at the KHSJA convention.

In the meantime, Russell spent the afternoon showing KHSJA teachers and students tips on PageMaker, the most-often used pagination software at high school papers in Kentucky. Only two schools present had upgraded to QuarkXpress and none have tried InDesign. The remaining time was spent with Quark and showing those present the capabilities of InDesign, which Russell believes will become the newspaper industry standard eventually.

We charged students \$25 for the day of training and teachers \$35. The fee included lunch. But as one teacher said, "I've attended a lot of these type sessions over the years and have learned that "Lunch included" means a bag of chips and a stale sandwich. I even told my students to eat a big breakfast because lunch wouldn't be much. Imagine my surprise when lunch was a visit to the hotel restaurant lunch buffet. It was outstanding," she said.

I can't always promise a lavish lunch at similar future training sessions but I can tell you lunch will never be just a bag of chips and a stale sandwich.

Yes, it was a good day.



Top: Russell Viers, noted newspaper industry software guru and trainer, talks with a room full of KHSJA member teachers and students. Bottom: Forty-eight teachers and students attended the Jan. 21 KHSJA newspaper software training session at the Embassy Suites Hotel in Lexington. Every seat in the room was filled.

The laws involving Internet publications

By KIM GREENE
KPA General
Counsel

Dinsmore & Shohl

It's all a matter of point of view, isn't it? Some see technological advances as the greatest thing since sliced bread. (I keep waiting for someone to come up with a replacement for that outdated aphorism - some reference to technology, of course.) Others have had to be dragged kicking and screaming into the cyber age.

Case in point: The Internet - which enables us to have Web sites. The Web sites, of course, allow us to put our newspapers online, which allows us to reach new constituents and be active members of the 21st century. All good things, right? Well, all good things, and all new things, come with new responsibilities and obligations. Online publication is no different.

The question came up recently about corrections. If we have a reason to correct a news story, is it enough to do it in the printed newspaper? Or must we also do it in the online version? Of course, we're all used to the mechanisms for publishing the correction in our printed newspaper. Remembering to do it in the online version is another matter. And it can be a hassle. Unfortunately, it's a necessary hassle.

For many legal purposes, the online version of your newspaper is an entirely different publication from your printed paper. This is true even if it is virtually identical in content to the printed version. That has several ramifications.

For one, if your news story defames someone it is possible that the printed version and the online version would be two separate defamations. The Kentucky courts



have not ruled on the "single publication rule." Those jurisdictions which adhere to the single publication rule would likely find the simultaneously published printed and online versions to be one single publication. For example, you publish a story that says Sammy Soso, a local sporting goods store owner, has made secret, illegal payments to basketball recruits on behalf of the local university. Claiming he did no such thing, Soso threatens to sue you. He has one year from the date of your initial publication.

It would be different for Sammy Soso in jurisdictions which reject the single publication rule. Online archives make news articles readily available to members of the public for lengthy periods of time. This means it's possible that someone could download the defamatory article three months or eight months or two years after its original publication in the printed and online versions. Some courts would say that each of those downloads represents a new publication.

The importance of that, of course, is that each new publication triggers the start of the one year statute of limitations for a defamation claim. Therefore, Sammy Soso would have a new lawsuit against you (and a new one-year window in which to file it) whenever he read your story online, even if he first read it 14 months after its initial publication.

Since the Kentucky courts have not yet been faced with this issue, we don't know whether they would adopt the single publication rule or not. Until we know, the moral of this story is that it pays to be vigilant about correcting your online version as well as your printed version. When you are aware that a bad, and potentially defamatory, mistake has been made in your newspaper, you should also consider going beyond the correction and removing the

story (or revising it) in your online archives.

The Internet has tweaked other familiar legal issues. If you use freelancers for news articles, feature pieces, photographs or graphics, can you include their pieces in your online version as well as your printed version? As of a few years ago, the Supreme Court of the United States has made it clear that this is a landmine. The Court said that the typical permission that a freelancer gave to a newspaper to publish his or her materials in the printed version did not extend to the online version. This is a function of copyright law. The Court said that the copyright owner (the freelancer) owns a bundle of rights vis a vis her photograph. The freelancer can license or authorize you to exploit some or all of those rights. To be safe, your agreement needs to be in writing and explicit.

For many years, newspapers assumed that authorization from a freelancer to use her photo in the printed paper extended to use of it online. The Supreme Court held, however, that the online version of most newspapers is sufficiently different from the printed version (e.g., differences in format, differences in electronic searchability) that using the freelancer's piece was a separate publication, requiring explicit permission.

To guard against this problem, we have been urging all KPA member newspapers to do two things. First, be sure you have written contracts with all of your freelancers. Second, be sure those contracts contain language which makes it clear that the freelancer is giving you permission to use her material in any medium you choose. If any KPA member would like the Hotline attorneys to review your freelancer contract, you're welcome to send it to us.

A third issue is jurisdiction. The printed version of your newspaper

reaches those who buy it from a rack or a store in your community or receive it via subscription no matter where they live. Should anyone want to sue you over allegedly defamatory content in your paper, under typical court rules they would be able to do so in the community where you publish and also in the communities where you do other business transactions, such as those communities to which you mail subscriptions. The courts in those places would have jurisdiction over you.

Think what the Internet does to expand the concept of jurisdiction. Anyone anywhere around the globe can reach your Web site and can read or download your news articles. Does that mean that the courts in every community around the globe have jurisdiction over you should someone in a remote locale feel defamed and want to sue you?

This issue has been controversial in the courts for the last several years. Recently, most courts are saying that anything other than a purely passive website could give rise to remote jurisdiction. Some examples of situations where courts have found jurisdiction based on website publications include where the newspaper's Web site encouraged users to subscribe to a mailing list, and where the newspaper's Web site directly solicited business and allowed prospective customers to download applications and request services online, and where reporters had made contacts in the remote jurisdiction to gather news about this particular story.

Why is the concept of jurisdiction important to you? It's because if a court in Oregon, Maine or Florida has jurisdiction over you, it can compel you to defend a lawsuit in that state rather than here in Kentucky. Having to defend a lawsuit in a remote state, among other things,

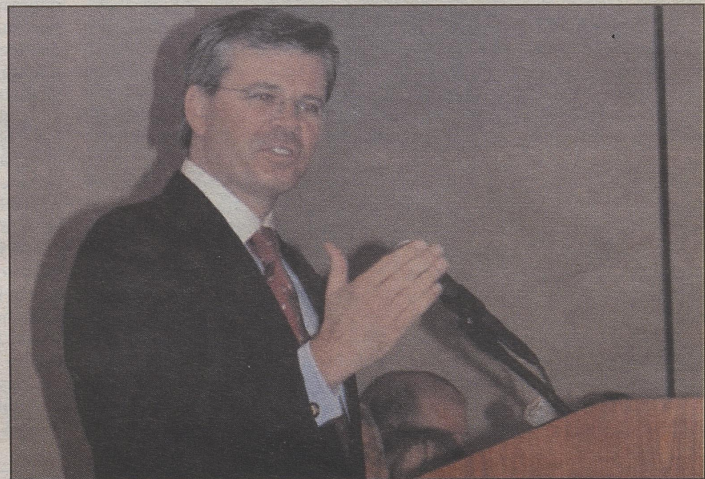
See INTERNET on Page 9

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KENTUCKY PRESS ASSOCIATION 2004 WINTER CONVENTION

The Kentucky Press Association Winter Convention and Trade Show was held Jan. 22-23 in Lexington at the Embassy Suites. Right: 2003 KPA President Sharon Tuminski, of The Winchester Sun, passes the gavel to 2004 KPA President John Nelson during the Changing of the Guard luncheon on Jan. 23. Below: Board member Alice Rouse, publisher of the Murray Ledger & Times, shares her thoughts with vendors at the Coca-Cola booth during the trade show.



HIT

Continued from page 1

is a sports columnist who spent several years covering high school basketball for the Louisville Courier-Journal and Times.

The Lewis Owens Community Service Award is presented annually by the Lexington Herald-Leader to a Kentucky newspaper person performing the most outstanding community service.

Sharon Tuminski, 2003 president, presented the 2004 Russ Metz Memorial Most Valuable Member award to the Kentucky Press Service Ad staff for the efforts in setting a sales record in 2003.

The Russ Metz Memorial Most Valuable Member Award is presented annually by the KPA President to an individual

or group who has performed the most outstanding service to the Kentucky Press Association/Kentucky Press Service.

Tuminski passed the gavel to 2004 KPA President John Nelson who praised the work of the association.

Goals Nelson has for KPA include to provide assistance to members who are interested in NIE program, to raise the level of awareness and understanding of the First Amendment and to open juvenile courts.

Friday night, the Excellence in Kentucky Newspapers awards were presented with the McLean County News, Henry County Local, Laurel News Journal, Jessamine Journal, Appalachian News Express, Corbin Times Tribune, Henderson Gleaner, Lexington Herald-Leader and WKU's College Heights Herald taking top honors.

Right, middle: Jock Lauterer, founding director of the Carolina Community Media Project at the University of North Carolina at Chapel Hill School of Journalism and Mass Communications, presented a 60-minute session for reporters, editors, photographers and page designers emphasizing packaging photos and text for maximum reader impact. Right, bottom: Gov. Ernie Fletcher was the keynote speaker at the Changing of the Guard luncheon on Friday. He gave those in attendance a brief glimpse of what his budget proposal was going to include and answered questions from the audience.

Right: Lesley Fair, of the Federal Trade Commission, was among the speakers at the "Green Lights and Red Flags: dos and don'ts of print advertising" session. The session offered insight on acceptable advertising practices while steering newspapers away from illegal and unethical practices. Below: 2003 President Sharon Tuminski presented the Russ Metz Memorial Most Valuable Member Award to the Kentucky Press Service Ad Staff. Teresa Revlett, Director of Sales, accepted the award on behalf of staff members Rachel McCarty, Mark Sheridan, Holly Willard and Tami Hensley. Each year the outgoing president choses the award's recipient.



Above: Marty Backus, publisher of the Appalachian News Express in Pikeville, takes an opportunity to relax by getting a massage from Jackie Hillyer at the Trade Show on Friday. Left: Stan Lampe treated members to a 60-minute session titled "Stan Lampe Unplugged." Lampe is the recently retired director of media relations at Ashland Inc. in Covington. He shared his thoughts on how to treat members of the media and what is necessary in order to be successful in the business.

AG Opinions

The Big Sandy News/Martin Co. Occupational Tax Administrator

The Kentucky Attorney General's office was asked to rule whether Marlana Slone, the Martin County Occupational Tax Administrator, violated the Kentucky Open Records Act in denying the request of Lilly Adkins, a reporter for The Big Sandy News, to inspect records containing the names of the businesses and individuals who are, and are not, paying the recently imposed Business and Occupational Tax.

On Dec. 1, 2003, Adkins submitted the request at issue to Slone, indicating that the information sought would be used in an upcoming article of The Big Sandy News.

In a timely response, Kennis Maynard, the Martin County Attorney, denied Adkins' request on behalf of Slone notifying her that the records she requested do not exist in a form that would satisfy the request.

In her letter of appeal, Adkins said she volunteered to write down the names if necessary and that all she was seeking was names, no other information.

Adkins disputes Maynard's characterization of her request, clarifying that she did not request a particular format but, rather, "merely asked to view the records containing the names."

Adkins contends that the records contain public information and should be made available for viewing and copying. She emphasized that The Big Sandy News has not requested access to any personal information such as amounts or social security numbers.

Maynard in supplemental correspondence to the AG's office said that the Tax Administration Office computer program will show, name, address, amount paid and date received on the screen.

Maynard asserts that even if a list of the type requested could be generated, it is not clear whether the tax administrator could divulge such information given the terms of the Exchange of Information Agreement and Acknowledgement of Confidentiality that Slone entered into with the Kentucky Revenue Cabinet.

In the AG's written opinion,

Assistant Attorney General Michelle Harrison wrote the AG's office has no reason to question the truthfulness of Maynard when he stated that a list containing the information requested by Adkins does not exist, but Maynard does acknowledge the existence of "logs" containing the "amount of payments that have been received" with the necessary implication being that the names of those from whom the payments were received is also listed.

The AG's office found no language from the agreement between Slone and the Revenue Cabinet that would appear to conflict with the Open Records Act.

The AG found that while Slone is not obligated to compile a list solely for the purpose of satisfying an open records request, Slone is obligated to redact the exempt material that is responsive to the request from the logs that have been compiled in the process of developing a list and make the nonexempt material available for inspection by Atkins.

The Advocate Messenger/ Danville City Commission

The AG's office was asked to decide whether the Danville City Commission, acting through its City Manager Screening Committee, violated the Kentucky Open Records Act in initially denying the request of John A. Nelson, managing editor of The Advocate Messenger, "for documents which spell out the qualifications of each of the eight remaining candidates for the position of city manager."

In a letter to Donna Groves, the Danville City Clerk, on Nov. 18, 2003, Nelson clarified that his request on behalf of the newspaper "would involve any existing record-including resumes, job applications, etc. used by the search committee or the city commission to review the candidates" but conceded that the names could be redacted from those documents.

Upon receiving the request, Groves directed it to Edward D. Hays, the Danville City Attorney.

Hays' response to Nelson was as follows:

"It is my understanding that the

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NEWS

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able to choose from 25 programs held during three different sessions.

Winners of the newspaper and advertising competitions will be announced at 12:30 p.m., immediately before the workshop closes at 1 p.m.

Dr. Bob. McGaughey, director, will be participating in the workshop along with Dr. John Dillon, Jeremy McKeel, Joe Hedges, Dr. Roger Haney, Dr. Debbie Owens, Dr. Jeanne Scafella, Orville Herndon, Robin Orvino-Proulx, Gill Welsh and Dr. Allen White, all faculty and staff of the JMC department.

Harold McGehee and Wayne Rushing of Josten's Publishing will conduct three sessions on producing the high school yearbook. Dana Ehlschide, of the Kentucky Press Association, will conduct sessions on covering a beat and on community journalism.

Tours of the Murray State News offices and TV-11 studios will be available.

Cost of the one-day event is \$4 per student. There is no charge for accompanying advisors. Juice and donuts will be provided during registration at no charge.

Competition rules/forms and registration forms have been mailed to regional high schools.

For more information contact McGaughey at (270) 762-6874 or e-mail him at Robert.mcgaughey@murraystate.edu.

Deadline for registration is Feb. 14. Fees may be paid at the door.

Society of Environmental Journalists announces its third annual awards

The Society of Environmental Journalists announces its third annual Awards for Reporting on the Environment, offering \$1,000 prizes in nine categories. The contest recognizes outstanding journalism on environmental topics in print, television, radio and online media.

Categories include beat reporting, in-depth coverage, and small

market coverage. Last year's contest drew more than 200 entries from across the U.S. and nine other countries. To view a list of 2003 winners visit www.sej.org/contest/index4.htm.

Entry deadline is April 1, 2004. Submitted work must have been aired or published between March 1, 2003 and Feb. 29, 2004. Full details are available at www.sej.org/contest/index.htm or by calling (215) 884-8174.

Winner of convention trade show prize

Dawn Pennington, of the Jessamine Journal, was the winner of the prize given away at courtesy of Embassy Suites and the Kentucky Press Association at the KPA convention Jan. 22-23.

Pennington won one free overnight stay for two at the hotel, which includes a suite, cocktail reception and a full cook to order breakfast.

To enter the drawing for the prize, attendees had to have their entry form initialed at all the trade show vendors.

WKU to hold job fair

Western Kentucky University will hold its Spring Job Fair on March 11, 2004 from 1-4 p.m. central time.

Registration fees for a booth at the fair are: Partnership Level (lobby location - tables 137-151) are \$200 until March 1 and \$225 afterwards. Cost for a table on the basic level, where over 100 tables are available on a first come, first served basis, are \$75 until March 1 and \$100 after that date.

For complete information about what each registration level includes or to register on line go to: www.wku.edu/CareerServ/employer/eventsSpringJobFair.htm.

Once you have registered you will receive an e-mailed copy of a confirmation. To speak with someone about the event, contact WKU Career Services at (270) 745-3095 or Career.Services@wku.edu.

WKU Spring Job Fair is sponsored by WKU Career Services, Division of Student Affairs and Campus Services

Former Kentucky journalist, others hit landmine in Afghanistan

EKU grad walks away without serious injury

By DAVID GREER
Member Services Director

Former Kentucky journalist Jeff Newton, now a field producer with the CBS News program 60 Minutes II, narrowly escaped serious injury while on assignment in Afghanistan on Nov. 23.

Several days later, Newton, who was a reporter at The News-Enterprise in Elizabethtown for three years in the 1990s, escaped injury again when a base camp he was visiting came under rocket attack. Television viewers will probably see video from both incidents during a segment on 60 Minutes II set to air at 8 p.m. EST on Wednesday, Feb. 11.

Newton, now back at CBS News in New York, said he was riding in the back of a Humvee with U.S. forces when the vehicle ran over an anti-tank landmine. The force of

the explosion threw the 6,000-pound vehicle 15 feet in the air. The Humvee, with 14 people inside, landed on its side.

Newton and 60 Minutes II correspondent Lara Logan escaped serious injury - walking away with bumps and bruises. But others in the vehicle were not so fortunate, Newton said.

"A soldier sitting about four feet from me lost his leg from the knee down. Another broke his back and took shrapnel through the arm," he said.

"It happened very fast," Newton said. "There was some suppressive fire put down on a hill because someone had said there was someone running away at the time. It is unclear whether the anti-tank mine was remote-control detonated or if we just rolled over it."

The explosion did not stop Newton's work. "I went back to work that day," he said. "In fact, we shot a lot from the incident."

On Dec. 10, Newton said he was at a base camp in Afghanistan that was attacked by rockets. Again, he escaped injury.

Newton, 35, a graduate of Eastern Kentucky University and former editor of The Eastern Progress, covered the Fort Knox beat for the Hardin County daily from 1993 to 1996.

He then went to the Fayetteville Observer in North Carolina to cover Fort Bragg and Pope Air Force Base. It was during his time with the Fayetteville paper that he first went to Afghanistan to cover the war on terror. That led to a brief stint with the Reuters wire service where he began shooting video footage with small digital cameras and selling the footage to TV networks.

That caught the attention of Logan who introduced Newton to a 60 Minutes II executive who hired him for the field producer position in 2002.

Newton visited Richmond and Lexington in October and spoke to the EKU student and Bluegrass Pro chapters of the Society of Professional Journalists.

As a war correspondent, Newton told those attending an SPJ-sponsored dinner that he is living the life of which he always dreamed.

INTERNET

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adds considerably to the cost of defense and disruption of your business.

The internet and online publication have certainly broadened our horizons, but that comes with a cost - your vigilance can't take the day off.

Those of you who attended the Open Records/Open Meetings session at the KPA convention on January 23 heard us discuss efforts to have the courts rule that certain statutes were unconstitutional. Specifically, we were concerned about statutes which closed juvenile hearings and which required that the files in lawsuits by adults alleging sexual abuse when they were children be sealed. Tackling the juvenile court access issue is a hope for the future. The challenge to the statute sealing sex abuse lawsuits was pending. Yesterday, Jefferson Circuit Judge Barry Willett issued his opinion in the sex abuse lawsuits case. He declared unconstitutional the statute which requires sealing the lawsuits. He gave the Jefferson Circuit Clerk 30 days to unseal any lawsuits that have been sealed since the law was enacted in 1998. This could include lawsuits filed against the Louisville Archdiocese as well as lawsuits filed against other institutions. Immediately after the judge's opinion was released, the Jefferson Circuit Clerk's office said it didn't know of any such cases but would conduct a search.

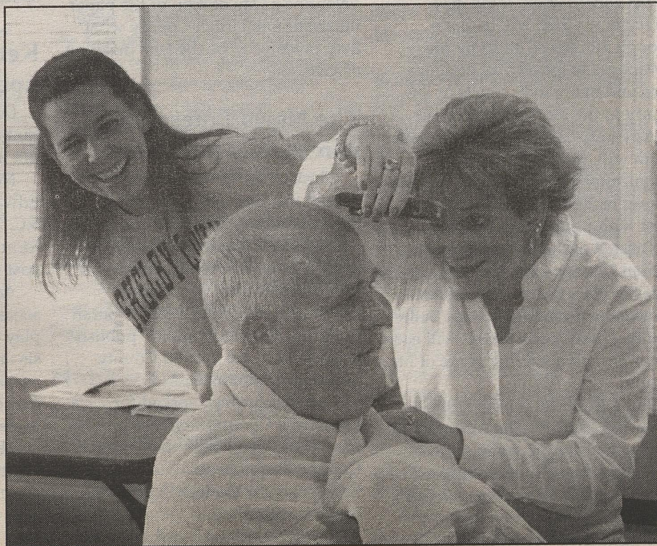
Judge Willett's decision contains some good language: Where the state attempts to deny the right of access in order to inhibit the disclosure of sensitive information, it must be shown that the denial is necessitated by compelling governmental interest and is narrowly tailored to serve that interest.

Judge Willett said this statute failed that test and that the statute amounted to the legislature overstepping its role in regulating the judicial branch of government.

Of course, any of the other parties to the suit could file an appeal within 30 days of the January 27 decision. However, there may be no appeal, since none of the parties to the case objected to the newspaper's request for the court to declare the statute unconstitutional. If you questions about this subject or any other covered by the Hotline, don't hesitate to call.

Cutting it close!

Teresa Revlett, KPS director of Sales, takes the razor to the head of David Thompson, KPA executive director, last month as Rachel McCarty, advertising assistant looks on. Thompson told the staff that if they could sell \$5 million in a year they could shave his head for the winter convention.



PEOPLE

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Gray created several special sections for readers of the hometown newspaper, some of which are still published today.

Gray led the effort to launch the first Painted Stone Festival in Shelby County, and later created a walking/driving guide of the county that included history of local landmarks and illustrations by her husband, William Whitie Gray.

She also participated in various community programs, including fundraising drives for area projects. Recognition for her community service efforts has included the Kentucky Farm Bureau award for outstanding contribution as a journalist to farming and being named Shelby County Young Career Woman.

In 1988, Gray joined the LCNI's corporate staff as advertising director.

Green River Republican editorial reprinted on GOP website

The Butler County Banner and The Green River Republican publisher Jeff Jobe had an editorial selected to be featured on the www.kyrepulic.com website in November.

The editorial was written for the Green River Republican and was entitled, "An End to the Democrat Retired Judge-Executive Club in Frankfort."

A copy of the newspaper made its way to Republican headquarters in Frankfort and Jobe received a call asking for permission to reprint it on the Kentucky Republican Party website.

History of newspapers is new exhibit at museum

The Hardin County History Museum presented their History of Newspapers in Hardin County exhibit in December.

It highlighted the various newspapers that have been published over the past 200 years in the county, as well as the men and women who have been involved in the printing business over that period of time.

The exhibit contained a historic

timeline of newspapers printed in the county beginning in 1825 with the Western Intelligencer as well as historic tools of the printing business at work in the early 1900's, local printing people and actual front pages of newspapers printed in Hardin County, the earliest being an 1867 issue of The Elizabethtown Banner.

Wiley named Hazard Herald publisher

Heath Wiley was named publisher of the Hazard Herald in an announcement made Dec. 17.

Wiley has been a resident of Eastern Kentucky for a number of years and has a newspaper background, including most recently as a member of the management staff of The Floyd County Times in Prestonburg.

Union Advocate begins yearlong library expansion projects

The Union county Advocate has joined with the library board in a yearlong effort to not only raise money for the library expansion, but also to raise awareness of literacy concerns in the county.

The newspaper will launch a three-part project in January aimed to achieve both of these goals.

Phase I of the project will be the effort to raise the \$250,000 needed for the construction of the new library wing. This will be done through an intense effort by the newspaper to involve all organizations and many individuals in the county in the fundraising process.

Advocate General Manager Paula Smith will meet with as many organizations as possible in the first quarter of 2004 to elicit help from them with fundraising projects.

Phase II of the project, dubbed "Union County - On The Same Page," will be the creation of interest-generated reading groups in the county. These "book clubs" will each center around a specific genre of literature.

Phase III of the project will be a concerted effort by The Advocate to involve writing classes in middle and high schools in the writing of feature articles for newspaper publication.

Phase III has been dubbed "The Misty Project" in memory of a

Madisonville North Hopkins High School graduate Misty Perkins.

Perkins was slain Oct. 8, 2001 in an incident of domestic violence while she and her husband were guests at the Opryland Hotel in Nashville, Tenn. The case drew nation-wide attention because the murder occurred at the famous Nashville hotel.

In 2002, the case was included in a real-life crime/forensics documentary on a major cable network. Perkins' parents have since filed a lawsuit, which has also gained national media attention, against the network for showing crime scene video of their daughter's body, as well as actual morgue video footage without the family's permission.

People magazine has recently expressed an interest in the family's story of alleged media insensitivity in the use of personal tragedies for broadcast purposes.

The Misty Project's goal is to have students in grades 7-12 seek out uplifting stories in their respective communities, and write features articles about their chosen topics for their local papers.

The Union County Middle School seventh grade accepted a challenge extended to them shortly before Christmas break to be the first class to write a "Misty Project." Their article will appear on the Life Page of The Advocate on Feb. 11.

The seventh grade's assignment is to write an article for the Valentine's Day edition of the paper illustrating to Union County what they perceive to be the true meaning of love.

The News-Enterprise names new publisher

Chris Ordway was recently named the new publisher at The News-Enterprise in Elizabeth town.

Ordway, a Kentucky Native, is currently the marketing director at the Citrus County Chronicle in Crystal River, Fla. he replaces Sarah K. Baker, who accepted the publisher position at the Carroll County Times in Westminster, Md.

Ordway, 36, has worked for Landmark Community Newspapers Inc., which owns both the Citrus County Chronicle and the News-Enterprise, for the last 13 years in various roles.

Ordway was born and raised in Marion and graduated from Murray

State University in 1989 with a degree in advertising and marketing. After graduation, he was immediately recruited into Landmark and joined the advertising sales staff in Citrus County.

Hamilton named sports editor at Flemingsburg Gazette

Chuck Hamilton has been named the sports editor at the Flemingsburg Gazette. He is also a regular columnist for Big Blue Nation magazine.

He is a 2003 graduate of the KPA Journalism Boot Camp.

Hamilton said he is truly enjoying his "second career" as a writer and is very grateful for the experience of the boot camp and the expertise and patience of Jim St. Clair, the camp's instructor.

Cox retires from CKNJ

Marie Cox retired Dec. 31 after nearly 30 years of work as a graphic artist for the Central Kentucky News Journal.

Cox was first hired in the late 1960s at The News-Journal and rejoined the newspaper business in 1976 after the 1974 merger of The News-Journal and The Central Kentucky News.

Cox authors the very popular "Early Days" column and will maintain that responsibility as a correspondent.

Kentucky New Era updates look

On Jan. 12, readers saw significant changes in the Kentucky New Era in Hopkinsville.

Newspaper design consultant Edward F. Henninger, of Rock Hill, S.C., assisted the newspaper staff in formulating the changes over the past six months.

Aesthetically, readers were presented with a brighter, cleaner display of stories, with a strong emphasis on photographs, charts, maps and information highlighted to further explain complicated stories and issues.

The size of type used in stories is slightly larger - about 6 percent larger - than the previous type and uses an easy-to-read typeface.

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PEOPLE

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The Kentucky New Era is one of the last newspapers in the state to shift to the narrower, 50-inch web, format.

A number of new features or weekly pages have been added to supplement the business and agriculture stories readers' demand. New weekly sections on health, science and technology complements their previous coverage.

Leitchfield Record makes changes to front page

The first issue of The Leitchfield Record in 2004 featured an easy-on-the-eyes front page, improved Viewpoints and Youth pages and a new Sports section featuring UK basketball coverage from "The Cat's Pause."

The Record plans to become more of an advocate for Grayson Countians by tackling tough issues such as single parenting, and doing their part to improve the community.

Spencer Magnet G-M elected Chamber of Commerce president

Wesley Martin, general manager of The Spencer Magnet, was recently elected as president of the Spencer County-Taylorsville, Chamber of Commerce.

Martin, who has worked at The Magnet since November 2002, was active in the chamber during the previous year and was elected by fellow chamber members during the December election. He began his new duties in January.

Centers joins Anderson staff in graphics

Cindy Centers has joined The Anderson News staff in Lawrenceburg as a part-time employee in the graphics department.

A veteran newspaper employee, she has worked at The Woodford Sun for 18 years. She has worked in all aspects of the newspaper industry.

Centers is a Woodford County native and graduated from Scott County High School.

She has been with The Anderson News since August.

Former Messenger-Inquirer publisher goes to work for LinGate

Ed Riney, former publisher of the Messenger-Inquirer, has been named president of LinGate Hospitality Group.

Before being named publisher in 1997, he was general manager and chief financial officer at the Owensboro newspaper.

LinGate Hospitality Group owns or operates 18 Marriott and Hilton branded hotels in seven states with corporate headquarters in Owensboro.

Bastin promoted to sports editor

Jeff Bastin, who joined The Casey County News as a part-time sports writer in September 2002, has been promoted to sports editor. His promotion was effective Jan. 1.

Bastin's main focus will continue to be high school sports. However, since joining the staff, he has branched out to cover some aspects of middle school sports and has written feature stories on other sports-related activities.

Former clipping service staff member's paintings on display

Erika Kaiser, former employee of the Kentucky Press Service clipping staff, has two of her paintings on display at the newly-renovated Church of the Ascension in Frankfort. "Jesus' Triumphant Entry Into Jerusalem," was unveiled to the congregation at services in November.

Kaiser, originally from Austria, comes from a family of painters. She studied art in Vienna before earning a bachelor's degree in art education from Ohio State University. She's been in Frankfort for over 30 years.

Hubbard assumes editor's post at The Metcalfe County Light

Teresa Lile Hubbard has taken the position of editor at The Metcalfe County Light in Edmonton. Hubbard was raised in Metcalfe

County and graduated from the Metcalfe County School System in 1983.

She and her husband, Stephen, moved from Metcalfe County in 1985 during which time she attended Clear Creek Baptist Bible College, Southeast Community College and Eastern Illinois University.

In 1994, Hubbard and her family returned to Metcalfe County.

She is currently enrolled at Western Kentucky University, where she is scheduled to graduate with her Bachelor's Degree in Business in the spring of 2004.

Horton joins Olive Hill Times, Grayson Journal-Enquirer

Harold Horton, a lifelong native of Carter County, is the newest member of the Grayson Journal-Enquirer and Olive Hill Times.

Horton, a 1986 graduate of East Carter High School and presently the owner of Mountain High Computers in Grayson, is the new advertising representative for the newspapers.

Horton was promotions director and advertising consultant for WGOH/WUGO for 14 years before he opened his own computer company.

McCreary County Voice gets new publisher

Hank Bond has been named publisher of the McCreary County Voice. He took over his position Jan. 5.

He most recently served as general manager of Easley Publications LLC in Easley, S.C.

He has been in the media since his cub reporting days in 1964 including stints in cable, sports information, radio and newspapers.

In 1967 he began a 13-year radio career at WBTH in Williamson, W.Va., finishing with a five-year tenure at WFKY in Frankfort.

From there he worked for two years as sports information director at Kentucky State University.

He served as publisher of the Georgetown News and Times in Georgetown for over four years, and then he and his family purchased the Carlisle Mercury in Carlisle. The family also operated papers in Lewis County, Robertson County and in Flatwood.

He served as general manager of four other weekly newspapers in

Kentucky, when the family sold its holdings.

His family operated a commercial print shop but he left that arena and returned to the newspaper business in 1996.

Bond was general manager of the Hardinsburg Herald-News for three years, publisher of the Pahump Valley (Nev.) for two years and regional editor of the Las Vegas Review-Journal's community newspapers. The Views, produced by the Nevada Company, covered 500,000 households with 13 weekly editions.

In 2001, he became publisher of the Sweetwater (Texas) Reporter and was promoted to publisher of the Big Spring (Texas) Herald before leaving Texas and moving to South Carolina.

Shaffer, Ward promoted to news position

Two 16-year veterans of The Independent have been promoted to new positions effective Jan. 12.

Cathie Shaffer was named executive editor of The Greenup County News-Times while Lee Ward will take over as Lifestyle editor of The Independent.

The Independent and The Greenup County News-Times are both owned by Community Newspaper Holdings Inc., of Birmingham, Ala.

Shaffer and Ward are both regular contributors to The Independent's local columns each week. Shaffer's column has long been one of the newspaper's most popular features and will continue to appear in The Independent each Tuesday.

Shaffer is a native of Ridgeville Corners, Ohio, and prior to coming to Ashland in 1988 worked for a weekly farm newspaper in Archibold, Ohio and wrote editorials for the Messenger-Inquirer in Owensboro.

She has been an active member of the National Federation of Press Women, serving as both the literacy director of the national organization and two terms as treasurer, one term as secretary. She is currently part of the six-member executive committee and is also chairwoman of the 2004 national conference in Kentucky.

Ward received her bachelor's degree in journalism in 1983 and her

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OPINION

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City Manager Screening Committee met on Saturday, Nov. 22, 2003, and pursuant to action taken on that date in open session, selected the top six candidates for the position of Danville City Manager, identifying said candidates by number only, and did on that date transfer all records pertaining to the matter from the custody of Donna Groves, a member of the selection committee, to the same Ms. Groves in her capacity as City Clerk for the City of Danville, Kentucky. This action was reported by Ms. Groves to the Danville City Commission in (an) open session of the meeting of the Danville City Commission on Monday, Nov. 24, 2003."

Because of that explanation, Hays said the Screening Committee has no records in its possession or custody or subject to its control and therefore cannot provide Nelson with any of the documents requested.

Because Nelson's request was made at a time when the Screening Committee had possession, Hays said he assumed that Nelson would want the request transferred to the Danville City Commission as the present custodian of the records. Hays indicated that he would review the records and provide him with a response within three business days. Hays also expressed concern as to whether or not the request could be honored without revealing the identity of the candidates.

In response, Nelson took issue

with Hays' interpretation that the records had not been in possession of the city since, according to Nelson, the Screening Committee is "an arm of the city, just as any other committee so appointed would be, and the city is by virtue in control of the records, not to mention the presence in both cases of the official custodian of the records (Groves)."

In Nelson's view, revealing the employment experience, educational background and related history of an individual would not reveal the identity of the individual.

Hays denied Nelson's request on behalf of the city on Nov. 26 citing 96-ORD-01 as authority for his position that "applications of unsuccessful applicants for public employment are excluded from public inspection by operation of KRS 61.88(1)(a)."

On appeal, Nelson explains that the search for the former City Manager's replacement began immediately upon his departure with the appointment of a search committee consisting of employees and citizens "given the authority to advertise for, accept and review resumes of interested applicants" and then offer the City Commission a list of finalists from which to choose. According to Nelson, the "stated purpose for the appointment of the committee was to involve the public in the hiring process."

Nelson said that the committee apparently met several times, reducing a list of 24 applicants to eight and then to six, although it "reportedly did not learn the names of the applicants until it conducted inter-

views" of the eight finalist. Nelson said that there appear to be documents upon which the agency has already acted that closely or precisely resemble those at the center of the dispute.

In support of his position, Nelson argues, "there is clearly a significant public interest in this matter because of the circumstances surrounding the departure of the former city manager and questions that have been raised about how the City Commission has performed its duties relative thereto." In a supplemental response to the AG's office by Hays, he said that it was never the intention of the City of Danville to withhold indefinitely the identity of candidates for the position of City Manager. According to Hays, the initial request from Nelson was received prior to the City Commission learning the identity of the candidates because they were identified by number only until very late in the selection process. Hays said it was always the intention of the City Commission to release the names of the finalist for the position upon learning their identities and the City Clerk release the name, educational background and current position of each of the six finalist on Dec. 10.

Nelson acknowledged receipt of six of the eight documents requested, but he continued to request a decision since "the documents were received late and two were missing." Despite Hays' assertion to the contrary, Nelson contends that "it was evident there were no intention to give (The Advocate Messenger)

the redacted records, much less the names, at any time." He further contended that the reason cited by the City Commission for refusing to disclose the requested records "doesn't matter" since "there are surely many documents in the public record that commissioners have never seen" and the "custodian of the record is the city clerk, not the city commissioners." In his view, "the city's willingness to (reveal) the names is irrelevant" since the names were not requested.

In response on appeal, Hays clarifies that the City Commission was apprised only of the top six candidates not eight. According to Hays, the city was not required to disclose the requested records but did so "because it was the choice of the City Commission to make such information public at the appropriate time."

The AG's office concluded that Hays' assertion was correct.

The AG's office found that "the public interest in ensuring the City Commission's ability to attract the most qualified applicants for the position of City Manager is more compelling than its interest in records relating to unsuccessful applicants, and that the privacy interests of the unsuccessful applicants are paramount to both."

The opinion further stated that the City Commission was not obligated to disclose any of the requested records and, therefore, did not violate the Open Records Act in delaying disclosure of the records or in ultimately disclosing only those records relating to the six finalists.

PEOPLE

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Master of Arts in journalism in 1988, both from Marshall University where she taught beginning news reporting as a graduate assistant.

She joined The Independent's copy desk in 1988.

In addition to her work at The Independent, Ward has written on a free-lance basis for magazines and Web sites, both regionally and nationally, and is a regular contributor to a cooking Web site.

Ward, from Williamson, W.Va., is a part-time instructor of sign language at Ashland Community and Technical College. For the past few

years she has written most of the stories and been involved with The Independent's Needy Families Fund, an endeavor to raise money to make the holiday season brighter for the less fortunate.

The Garrard Central Record introduces new weekly column

The Garrard Central Record has introduced a new weekly column for its readers called "Life Happens." Written by local writers whose works have appeared in state and nationally known newspapers, magazines and journals, "Life Happens" is about life as the columnist sees it.

Life Happens developed from

aspiring writers who took Garrard County Community Education writing classes two years ago. After the class they formed a writers group, Grassroots Writers Group. They meet the second and fourth Tuesdays of each month.

Reichert promoted to associate editor, Miller joins news staff in Shelbyville

Staff writer Walt Reichert has been named associate editor of The Sentinel-News in Shelbyville and Terri Miller has joined the news staff as reporter/photographer, replacing former reporter John

Friedlein.

With some modifications, Reichert will continue his reporting assignments, but will also assist in editing and planning.

He has been a staff writer with the paper since March 2000.

Miller began as staff writer just after Christmas. The New Albany, Ind., resident will cover the City of Shelbyville and Shelby County Public Schools, as well as other assignments.

Miller, a Western Kentucky University graduate, is a former writer/photographer for Business First in Louisville. She has a fine arts degree in photography from the University of Louisville, and a photojournalism degree from WKU.