

Publisher

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WEEKLY

Supreme Court accepts APA amici brief

The Arkansas Supreme Court last week granted the motion of the Arkansas Press Association (APA) and the Reporters Committee for Freedom of the Press (RCFP) to appear as amici curiae (friends of the court) in *McCutchen v. Fort Smith*. Stephens Media asked for permission to join in the brief filed by APA and RCFP, and its motion was granted as well. Also filing a separate amicus brief was the Attorney General of Arkansas. All four “friends of the court” argue that the Supreme Court should reverse the ruling of Sebastian County Circuit Judge **James Cox** and preserve the Freedom of Information Act (FOIA) against a lower judicial opinion stating that portions of

the law are unconstitutional. Now the Supreme Court has said that it will consider their contentions and accepted both briefs without comment.

John Tull and **E. B. “Chip” Chiles IV** of the law firm of Quattlebaum, Grooms, Tull & Burrow assisted APA in the preparation and filing of the brief and related motions.

The grant follows on the heels of the Supreme Court’s decision in *Thomas v. Hall*, in which it held that use-of-force reports prepared by the Little Rock Police Department are not exempt from the FOIA and must be provided upon request. APA also filed an amicus brief in that important case.

Two weeks to News-Editorial Contest deadline

There are now just two weeks (or, rather, two weeks and one day) until the submission deadline for the 2012 Better Newspaper News-Editorial Contest: Friday, March 30, by 5 p.m. The Arkansas Press Association (APA) has sent materials to all members, and rules, information and entry forms can be downloaded at the APA’s website in the “APA News” section on the main page. *The Glenwood Herald* was the first newspaper to submit its entries for the contest.

Held annually by the APA, the competition regularly attracts thousands of submissions from newspapers across the state. Winners will be announced Saturday, June 30 at the conclusion of this year’s SuperConvention at the DoubleTree Hotel in Little Rock during the Awards Banquet.

Newspapers will be notified in late May if they have entries that have placed in one or more of the categories, but specific award announcements will not be made until the official presentation.



SWEEPSTAKES WINNERS | Sweepstakes winners in the APA’s annual Better Newspaper Advertising Contest are, front row (from left) **Emily Byers** and **Claudia Ahrens**, *Stuttgart Daily Leader*, smaller dailies; **Tracy Walker**, *White Hall Journal*, smaller weeklies; and **Tamzen Jarrett-Cox**, *Nashville News*, medium weeklies. Back row (from left): **JR Deniz** and **Danni Jo Bueker**, *Stuttgart Daily Leader*, smaller dailies; **Rusty Fraser**, *Stone County Leader* in Mountain View, larger weeklies; and **John Speck**, *Times Record* in Fort Smith, larger dailies. Not pictured was *The Courier* in Russellville, sweepstakes winner in the medium dailies division.

important dates

March 11-17

National Sunshine Week

March 14

Judging of Kentucky Press Association Editorial Contest begins

March 30

Deadline for APA “Special Awards” nominations

March 30

Deadline for entering the 2012 Better Newspaper News-Editorial Contest

April 6

APA Day at the Races, Oaklawn Park, Hot Springs



Tom's

Potpourri

APA EXECUTIVE DIRECTOR TOM LARIMER

Congratulations are definitely in order for the winners in the APA's Annual Better Newspaper Advertising Contest. The contest awards were presented last Friday at the annual APA Advertising Conference.

Among the winners were several regular winners, but there were some first-time winners in this year's competition, and there was a lot of excitement in the room as the awards were presented.

This is always a fun time. Whether it's the advertising awards or the editorial awards presented at the annual convention in the summer, it's always exciting to watch the winners light up when their names are announced.

We try to play down awards, but we all like them. We like to receive them, and we like to be recognized by our peers. I can remember many awards luncheons where I was very excited about what was about to unfold. I usually had several entries in each contest and, of course, I was confident they were all winners. They actually seldom were, but I'm still proud of the folder full of "honorable mention" certificates I have.

I know the awards presented by APA mean something to our members because almost every APA member newspaper I visit has them on display in the front office. Some have a whole wall full of them. Some have more than one wall covered indicating their contest success spans several years.

I still have some in our garage at home, and those who have visited my office will attest that I also have three on display in my office at the APA. Two of those on display are from 1989. The other is from 1988. I use these to prove that I actually did have a job at a newspaper at one time.

The certificate from 1988 was signed by APA President **Betty Magie**. The two from 1989 were signed by **Derwood Brett**. I served on the APA board with both of these APA past presidents making the awards even more meaningful.

One of the awards, the one from 1988, was for first place in column writing. I don't recall the subject for that particular column, but I'm sure it was either very timely or very humorous or both.

One of the other three on display is for a first place for a news story, and the other is for a feature story. I don't recall the subject of the news story, but I do recall the topic for the feature that won. It was actually a sports feature on a young man proficient in playing basketball who earned a spot in a Coach John Wooden Clinic on the UCLA campus in Los Angeles.

The clinic actually took place in Pauley Pavilion where the legendary basketball coach racked up hundreds of victories for the Bruins. The only problem was in the feature story I wrote I spelled it "Poly Pavilion." It was in the story more than once. Apparently, the contest judge didn't know how to spell it either and marked my feature high enough to take first place.

I think I remember this topic because of this monumental gaffe on my part, and because of all the clippings I entered this was the last one I had suspected would merit serious consideration for a first place award.

I keep it on display to remind me. I'm not exactly sure of what it's supposed to remind me, but I've never forgotten the subject of that fea-

ture, either. I suspect I keep it to make up for all those I just knew were sure winners that didn't even get an honorable mention. Here was one that was definitely not a sure winner, but it won anyway.

The point here is that the awards do mean something. They stay with us, the poor judgments and the good. And while it's all subjective and the outcome an opinion of a singular judge or panel of same, it's still good to be recognized.

Congratulations once again to the recent APA advertising award recipients, and a reminder to the editorial types that March 30 is the deadline to enter the editorial contest. Those awards will be presented Saturday, June 30 at the annual SuperConvention closing editorial awards luncheon.

We are in the final stages of production for the first quarter issue of *The Arkansas Publisher* magazine. In it you'll find photos of the winners of the advertising contest as well as the "hot ideas" session winners along with some candid shots of the APA's annual advertising conference held last Friday in Little Rock.

You'll also find three more APA member and newspaper profiles written by **Eric Francis**, award-winning journalist now doing free-lance journalism in Arkansas.

Also included will be a column from APA President **Don Bona**, and, of course, one from yours truly. By way of a teaser, I can tell you that my column is a commentary on some question responses and general attitude I received recently at the SNPA/Inland Press/LMA "Mega-Conference" held in San Antonio.

There were more than 470 registered for this conference. I visited with several of them, and like any other opportunity to visit with participants at such a newspaper conference none were reluctant to offer an opinion on the current state and, more importantly, the future of our newspaper business.

I think you'll find what they had to say interesting. Be looking for *The Arkansas Publisher* magazine in a mailbox near you in the very near future.

Don't forget to sign up for the APA's "Day at the Races" scheduled for Friday, April 6 at Oaklawn Park in Hot Springs. Information and a registration form for the event can be found on the APA website, <http://onlineservices.arkansaspress.org/2012-day-at-the-races.pdf>.

The \$35 registration fee covers admission to the park, a race program, lunch on one of the outstanding Jockey Club buffets, and an afternoon of fun with your APA colleagues and friends.

These events have proved to be great fun in the past, and I'm sure this one will be no exception. It's always fun when APA folks get together, and especially when it's at a fun setting like Oaklawn Park.

Have a great week!

Tom

Edwards elected president of ANF

Jay Edwards, editor-in-chief of *The Daily Record* in Little Rock, was elected president of the Arkansas Newspaper Foundation (ANF) during its board retreat held in February. A Little Rock native and graduate of the University of Arkansas, Fayetteville, he began his career at T.J. Raney and Sons in Little Rock. He worked for Morgan Keegan, Prudential Securities and Boatmen's Bancshares before joining the staff of *The Daily Record* in 2003. In addition to his position there, Edwards is also associate publisher of the *Hamilton County Herald* in Chattanooga, Tenn.

ANF is the educational arm of the Arkansas Press Association. In addition to sponsoring paid internships, the foundation also distributes continuing education grants and provides educational resources to students and newspapers.

SuperConvention to feature 'talent roundup'

There's a lot of talent among APA members, and some have already indicated their intent to participate in the APA Talent Show to be held at the SuperConvention Thursday evening, June 28 at the DoubleTree Hotel in downtown Little Rock.

The event will be a fundraiser for the Arkansas Newspaper Foundation (ANF). In addition to the talent acts, a few items will be sold in a live auction to benefit the Foundation. The traditional silent auction will be taking place simultaneously to the Thursday night fun.

"If you can sing, dance, juggle, yodel, do acrobatics, play a musical instrument or just about anything else, get your act together and make plans to participate in this unusual and fun event" urged Tom Larimer, APA executive director.

There will be more information in the SuperConvention registration packet in the near future along with sign up forms for those who want to participate in the talent showcase.

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Sunshine Week continues through Sat.

Newspapers across the nation will continue to observe Sunshine Week through Saturday, March 17, and press groups are urging their members to call attention to the event.

For that purpose a toolkit of promotional materials is available at the official site, www.sunshineweek.org. There visitors will find an "idea bank," editorial cartoons, infographics, various logos in English and Spanish, a "Ray of Sunshine" quiz and op-ed pieces on

the importance of transparency in federal, state and local government.

The site also features a Freedom of Information Roundup, listing Sunshine Week events from across the country, and FOI resources.

Locally, Brenda Blagg, Sunshine Week coordinator for Arkansas, has written a column for newspapers to use during the week. It is reprinted on the following page.

ANF announces host newspapers for 2012

The Arkansas Newspaper Foundation (ANF) has announced its Summer 2012 Paid Internship Host Newspapers. "We are excited about the Internship program again this year," reported Karen Brown, ANF executive director. "The past few years have been excellent, and the interns just keep getting better and better."

Newspapers participating in the ANF Paid Student Internship program are: the *Nashville Leader*, the *Nashville News*, the *Harrison*

Daily Times and the *Pine Bluff Commercial*. Students have until April 1, 2012, to complete a student application to qualify for interviews. Newspapers may also locate their own intern within their own communities.

Those interested in getting information on the ANF Internship Program or other ANF activities, please visit our website at: <http://www.arkansaspress.org/component/content/article/3> or follow us on Facebook for more information on the summer convention.

APA golf outing to be held at North Hills

As plans continue to take shape for the 2012 SuperConvention, the Greens at North Hills in Sherwood has been selected at the venue for the annual APA golf outing to raise funds for the Arkansas Newspaper Foundation (ANF). The outing will be Wednesday, June 27, according to Jay Edwards of *The Daily Record* in Little Rock, SuperConvention committee chairman.

The event will be the opening event of the annual APA SuperConvention June 27-30. The DoubleTree Hotel in downtown Little Rock will be the headquarters venue for the annual gathering of Arkansas newspaper people and friends.

Sponsors of the golf outing once again will be UAMS and AT&T Arkansas, both long-time sponsors of the event and participants in other SuperConvention activities. Kyle Mooty of *The Daily Record* in Little Rock is chairman of the APA golf outing.

The APA event traditionally draws a host of golfers from the APA membership along with associate members, vendors and guests, all coming together to help raise funds to advance the educational mission of the Foundation.

Registration forms will be forthcoming along with other information on the SuperConvention in the near future.

Nominations sought for APA 'Special Awards'

Nominations remain open this month for the annual Arkansas Press Association (APA) "Special Awards" to be presented Friday, June 29 at the SuperConvention at the DoubleTree Hotel in downtown Little Rock.

Nomination forms were conveyed earlier with the *Arkansas Publisher Weekly* and are also available on the APA website at www.arkansaspress.org in the "APA News" Section.

The awards include:

- The Golden 50 Service Award;

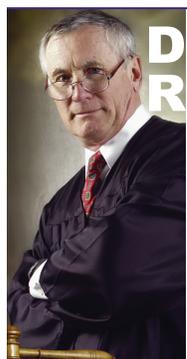
- The Headliner of the Year Award;
- The Distinguished Service Award;
- The Journalism Education of the Year Award; and
- The Freedom of Information Award.

The nomination form also includes the list of past winners of each of their awards since the award's inception. The deadline for nominations is March 30. Nominees for the respective awards will be considered and award recipients selected by the APA Board of Directors at their April 5-6 retreat in Hot Springs.

Deadline extended for APA's 'Day at the Races'

The Arkansas Press Association (APA) will host its annual "Day at the Races" for members and associate members on April 6 at Oaklawn Park in Hot Springs. The popular outing, previously held during the Advertising Conference, will include a lunch buffet in the Oaklawn Jockey Club, and APA will sponsor the fourth race. The "Day at the Races" begins at noon.

A flyer/registration form is available on the APA's website (www.arkansaspress.org) in the "Upcoming Events" section on the front page. The deadline for registering was originally March 14, but it has been extended to March 26. Those with questions or comments should contact the APA headquarters (501.374.1500).



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Weekly WORD

pocourante

\ paw-kaw-koo-RAHN-te \ , **noun,**
adjective;

noun

1. a careless or indifferent person.

adjective

2. caring little; indifferent;
nonchalant.

Source: www.dictionary.com

**"In this world there are only
two tragedies. One is not
getting what one wants, and the
other is getting it."**

—Oscar Wilde



Between the lines: Sunshine Week

BY BRENDA BLAGG

Sunshine Week, a national celebration of the people's right to know, serves each year as a reminder of how well we are served in this state by the Arkansas Freedom of Information Act.

Originally passed in 1967, the Arkansas law stands as one of the best "sunshine" laws in the country. It guarantees any citizen of this state access to most meetings and records of both state and local governments.

Credit Gov. Winthrop Rockefeller, the state's first Republican governor since Reconstruction, and a decidedly Democratic state Legislature for bipartisan support of the FOI act. The law actually passed both chambers of the Legislature without a dissenting vote.

The Legislature has become so stridently partisan today that such an accomplishment seems nigh to impossible. Yet, 45 years ago, despite clashes with the Republican governor on other issues, the Democratic Legislature wisely set partisanship aside to declare:

"It is vital in a democratic society that public business be performed in an open and public manner so that the electors shall be advised of the performance of public officials and of the decisions that are reached in public activity and in making public policy..."

Those words establish the clear legislative intent of the Arkansas FOI act and sing to its purpose.

Remember, the law not only guarantees public access to information about what government is doing, but also provides the means to judge the performance of those who do the public's business.

A recent court case underscores that point.

In a February decision, the Arkansas Supreme Court upheld the public's right to know, saying that use-of-force reports prepared by a Little Rock police lieutenant are open records under the law.

The city tried to withhold the records, claiming them to be part of a lawfully protect-

ed personnel file. The court, however, said these particular documents are neither employee-evaluation nor job-performance records, but instead are reports routinely prepared by an officer and subject to release.

The bottom line here is that officer was acting on behalf of the public and the public should be able to know how and why he used force.

There are actually many instances in which the state's high court has stood behind the plain language of the Arkansas FOI, broadly interpreting its provisions to favor disclosure of public records and access to public meetings.

Yet another FOI case is pending before the court. This one argues that the FOI act violates the constitutional rights of public officials, a position upheld at the lower court level. The circuit court decision out of Fort Smith has been appealed to the Supreme Court.

Just last week, the Supreme Court allowed the Arkansas Press Association and the Reporters Committee for Freedom of the Press, as well as state Attorney General Dustin McDaniel, to file friend-of-the-court briefs in the case. All are asking reversal of the lower court decision.

It will be a while yet before we know whether the Supreme Court will again uphold the Arkansas FOI act, but the court's past decisions certainly have helped keep it strong through the years.

So has the vigilance of organizations like the Arkansas Press Association, the Arkansas FOI Coalition and others — including a long line of state lawmakers stretching back to 1967 who have helped fend off efforts to weaken provisions of the state law.

That's what it takes to have and to keep this long-guaranteed and cherished right to know.

Brenda Blagg is a columnist for Northwest Arkansas Media and has been the Arkansas coordinator for Sunshine Week. E-mail comments or questions to bblagg@nwaonline.com.

APA encourages members to send news of staff changes or additions and associated photos for inclusion in this publication to:

Tres Williams (tres@arkansaspress.org).