

WE NEED YOUR LEGALS!

NCPA develops new service designed to help you keep your legal ad business

It seems to be the latest craze sweeping across the country. City and county governments wanting to take legal advertisements out of newspapers and put them on their own Web sites.

Officials say it's all about saving money.

Unfortunately in the process, it also means less visibility for vital legal announcements. As municipal and county government Web sites tend to attract few viewers, the pool of citizens knowing what their government is up to will dwindle.

The public might save a few dollars here and there, but at what expense?

www.ncnotices.com

To help you ward off potential threats in your community, NCPA has developed a new Web site, ncnotices.com.

This is a compilation of legal notices printed in newspapers throughout North Carolina. The database is searchable by county, type of legal notice and date.

And here's the best part: It's free to use!

Governments don't have to spend another dime to get their ads online. They don't have to figure out how to get their notices up on their Web site or pay someone extra to do it.

Plus, the legal notices continue to be published in the place citizens have been used to seeing them for decades – in the local newspaper. We're just adding more eyeballs by also putting these ads on the Internet! This is truly a win-win-win!

Join up

In order for this to work, we need you to participate. It costs your paper nothing to join. You will need to sign up and there is a little work involved, but it's very easy.

Watch your mailbox for full details soon!



NCNOTICES.COM

Are you vested yet?

Federal DOT rules will change the way journalists do their jobs along highways

Page 9



ALSO INSIDE

Summer Convention is this month. Can you survive missing the Newspaper Next 2.0 session? Page 5

Is the **over/more than debate** much ado about nothing in today's world? Doug Fisher wants your thoughts. Page 10



From the president

tdearman@statesville.com

Great year made possible by a whole lot of people

Tim Dearman

My time is nearly done. It has been a wonderful year and I must use this last column to thank the people who made it possible.

The first recognition goes to a very supportive executive committee comprised of Vice President Rick Thames, Treasurers Scott Harrell and Jordan Whichard, and past President Deuce Niven. They provided a sounding board that kept us on track.

The second recognition goes to a great board. We had outstanding board attendance and participation this year. A special thanks to board members for making many courtesy calls to members. I believe we can say more members received a personal call than ever before.

The third recognition goes to the committee chairs and committee members. This is where the real work of the association takes place and where the officers and board send all the tough questions to be addressed.

Beth Grace is the perfect executive director. She has a solid background in journalism and management experience with The Associated Press. That experience is a perfect fit for the association and Beth's enthusiasm and constant smile make her a great leader and a

joy to work with. She constantly pushes for excellence and ways to improve. Your association is in good hands.

Bobby Bracy walks on water. Well, maybe that is understated. Bobby has transformed the association into a well-run business. Bobby makes sure the business side of the association works well. Every audit is perfect, he gets us tax refunds, updates our technology and has implemented good business practices in every part of the association.

Holly Johnson may be the person you see the most. She organizes our meetings and contests and oversees the annual member directory. Holly stepped into the job just over a year ago and you have certainly seen a difference in everything she touches. The great Winter Institute was a tribute to Holly's planning and handling of details.

Lindsay Webster had a busy year. In addition to keeping the sales side of your association going strong, she stopped long enough to have a baby. We missed her but Lindsay planned well for her absence and got caught up quickly upon her return.

Amanda Martin, John Bussian and John Pea are not official staff members but are a vital part of everything we do. All are ultimate professionals, all share a passion for our

industry and all serve with dedication far beyond what they are paid.

A few personal thanks.

First, thanks to Nancy, who traveled with me to all the meetings and makes friends quicker than I lose them.

Second, thanks to the *Statesville Record & Landmark* staff. The newspaper thrived under their leadership.

Third, thanks to Media General, which has always encouraged and supported my work with the association.

And, a big thank you goes to Rick Thames who was much more than a vice-president. He took key leadership roles the whole year and will take us to new heights in the coming year.

The biggest thank you goes to each member for your support. Your association struggled through economically challenging times along with you.

With your support the Press Association's mission was advanced on several fronts. The First Amendment was championed, open records and open government defended, excellence in journalism promoted and North Carolina remained a state of good newspapers and a good state for newspapers.

Truly, the best is yet to come. It has been an honor to serve as your president.

THE NORTH CAROLINA PRESS

Beth GracePublisher
Holly JohnsonEditor
John PeaManaging Editor

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Want to contribute? NCPA encourages members to submit items or stories of interest for publication. The easiest way is to e-mail to john@ncpress.com. Deadline for contributions is the 15th day of the month preceding the publication month.

The **basic subscription rate** of \$24 a year is included in members' dues.

For **address changes**, contact the NCPA office.



North Carolina Press Association Mission Statement

- To protect First Amendment freedoms; to keep public meetings and public records open; to keep the entire state government process accessible to the public.
- To promote thorough communications among members and to encourage membership growth and activity.
- To maintain high industry standards.
- To represent the business interests of North Carolina newspapers.
- To promote literacy throughout the state.



North Carolina Press Services Mission Statement

- To maintain an innovative, profitable sales and marketing program that promotes and enhances the total newspaper industry.

Lindsay WebsterNCPA Marketing Director
Leta PopeNCPA Network Advertising Director

www.ncpress.com

Advertising staffs celebrate awards

Advertising reps and graphic artists from North Carolina newspapers picked up awards for their work on June 19 at the 2008 Advertising Awards Banquet in Raleigh.

Shelby Varnadore of *The Independent Tribune*, Concord, and Laurie Powell of *The Smoky Mountain News*, Waynesville, were named the winners of the 8th Annual Fred D. Crisp Jr. Outstanding Sales Professional of the Year Award which recognizes North Carolina's best advertising and marketing professionals.

The award, named after the retired publisher and longtime sales and marketing professional of *The News & Observer*, honors and celebrates the traits and skills that are a part of the best sales staff.

Each winner received a \$1,000 check. Newspaper publishers and advertising managers were asked to nominate one person from their staffs.

Friend of Print

Ingles, the Asheville-based grocery store chain, received the NCPA Friend of Print Award. This award was created in 1992 to honor loyal print advertisers.

Metro Plus Business Award

A sweepstakes award given in each circulation division for the most points earned in the contest.

- Division A: Kenly News
- Division B: The State Port Pilot, Southport
- Division C: The Smoky Mountain News, Waynesville
- Division D: The Free Press, Kinston
- Division E: The Wilson Daily Times
- Division F: The Fayetteville Observer.



Varnadore



Powell

Best of Show

One entry in each division is judged to be the best advertisement among all those entered, regardless of the category.

Division A:

Christy S. Clark and Dwight Sparks
The Clemmons Courier
Community Service Signature Page

Division B:

Donna Cook and Teresa Pullium
Cherokee Scout, Murphy
Best Full Color Real Estate Ad

Division C:

Marc Levitt and Matt Freeman
Charlotte Business Journal
Best Use of Spot Color

Division D:

Maria House & Charlotte Gard
The Daily Record, Dunn
Best Full Color Motor Vehicle Ad

Division E:

Staff
The Wilson Daily Times
Best Newspaper Promotion

Division F:

Steve Pigg
The Charlotte Observer
Best Full Color Motor Vehicle Ad

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CALENDAR

July 10
NNA Postal Summit
Washington, D.C.

July 17-19
NCPA Summer Convention
Crowne Plaza hotel at Asheville

Aug. 5-7
SNPA Foundation Traveling Campus
Gastonia

Feb. 12-13, 2009
Winter Institute at Embassy Suites, Cary



2064 could make N.C. a top state in openness

John Bussian

We've come close to the summit once before. In 2005, the NCPA proposed legislation to allow citizen and media winners of public records lawsuits automatically to recover legal expenses. For a time, when the bill passed the state Senate, it appeared North Carolina would close a gaping hole in its open government law – the lack of an effective enforcement mechanism.

But a combination of forces in the House and a lone senator ended the bill's run. Then-House Judiciary I Committee chairman Joe Hackney and Sen. Dan Clodfelter from Mecklenberg County announced their opposition. And in short order, an amendment was offered to strip automatic recovery of legal expenses from the bill.

In its place was inserted the current language: that a trial court judge "shall" award reasonable legal fees to a party who files a public records suits and prevails against the government UNLESS there is "substantial justification" for the government refusal to disclose the public records, or other circumstances exist that would make an award of fees to the winning party unjust.

In practice, judges rarely award anything close to the cost of enforcing the open government law to winning citizens or members of the press.

Why is the current mechanism for recovering legal expenses a mirage? Because state trial court judges, as a rule, find that the government's initial refusal of a public records request was substantially justified, in effect that the government made an honest mistake.

And if that's not tough enough for the winning party to swallow, the judge may find that special circum-

stances exist to make it unfair to saddle the government with the winner's legal bills.

It truly is a no-win situation for the winner! And no one who has fought, funded and won a public records suits is anxious these days to do it again. The exercise to enforce the right to know has become more costly than any group of citizens or any media group can bear!

Three years and three lawsuits without recovery of legal expenses since that legislation provided a legal fee escape valves for the government tell the tale. The Wilkes Journal-Patriot's case against its public hospital, the Chatham County citizens suit against the county election board and the Outer Banks Sentinel's epic battle to see local government records are notable examples where little or no legal fees were awarded to the winner.

And we're at the gates again with the current e-mail access suit that NCPA newspapers and others have filed against Gov. Mike Easley.

This time, Sen. David Hoyle (D-Gaston) may have the answer. His "Open Government Act of 2008" (SB2064) contains a provision for automatic recovery of reasonable attorneys fees. Like the original 2005 bill, a party that files and wins a public records suit would automatically recover reasonable legal expenses.

Sen. Hoyle rightly reasons that only automatic recovery of legal expenses by the winning party can deter time-consuming and costly public records litigation.

It's easy to see how SB2064 would do more to reduce open government litigation than anything out there. First, it offers the Attorney General's new Department of Justice "Open Government Unit," headed by Deputy AG David Elliott, a better chance to mediate open government disputes. That alone ought to divert disputes that would otherwise land in court to the Attorney General's office.

A party disinclined to use the AG's voluntary mediation service and follow the AG's advice would pay its own legal expenses – and those of its opponent – if the case goes to court.

Experience in 27 other states show that government officials are a lot less likely to litigate when faced with the prospect of having to pay a citizen's legal expenses. That's as it should be, given the command of our state Supreme Court that all questions about how to interpret open government laws should be resolved in favor of openness.

This Open Government Act – SB2064 – may be our best hope to bring North Carolina into the class of states with the strongest open government law.

Membership has its privileges

Watch for your dues statement in August.
Deadline: Oct. 1



Burlington fights back against ban on hawkers

If you think the days of hawkers on street corners selling newspapers have long since past, you'd be mistaken. But if the city council of Burlington has its way, by the time you get this newsletter there will be one fewer newspaper in the world doing it.

Fortunately, a suit filed in federal court may keep that from happening.

For eight years the *Times-News* has sold Sunday editions on the city's streets in a joint venture with Allied Churches of Alamance County. The organization works with homeless people.

Each Sunday the group's clients would purchase newspapers to sell at intersections. It provided part-time income for them.

At the June 3 city council meeting, the executive director of Allied Churches, Bill Adams, said the program has helped people work their way out of the homeless shelter.

Neither the newspaper nor Allied Churches had received complaints about the street vendors. City council members didn't cite any traffic accidents or other trouble caused by the vendors. What they did cite

Bill addresses same issue

As the 2008 General Assembly short session draws to a close, one of the NCPA-backed bills passed by the Senate in 2007 will begin to make its way through the House. SB 942 is designed to clarify a 2006 enactment authorizing local government to restrict solicitations along state highways.

The bill does two things:

- Adds a phrase exempting the sale of newspapers from any local ordinance that might be passed to ban or restrict solicitations along state highways;

- Preserves the constitutionality of the statute that authorizes local government to ban other sales, by ensuring that the First Amendment right to distribute news is not sacrificed in the process of enacting one of these local ordinances.

were reports from motorists who felt uncomfortable and apprehensive about the hawkers ... and a fear that an accident might happen someday.

Burlington's leaders passed the restriction, effective July 1. Now the penalty for selling newspapers by hawkers on the streets is a fine of up to \$50 or up to seven days in jail.

On June 20, the *Times-News* filed a federal lawsuit and asked for a

temporary restraining order.

The lawsuit states that the blanket prohibition by the city violates the constitutions of both the United States and North Carolina. The city's limitations amount to a denial of the paper's rights to free speech and free press.

In its supporting brief, the newspaper points out that federal courts have long held that similar city ordinances banning distribution of news violated the First Amendment.

In a story in the *Times-News* concerning the lawsuit, Publisher Steve Buckley said, "I had hoped that we would have been able to work out a compromise with the city that would have allowed us to continue to sell newspapers and allowed the eight people who did that to keep their jobs.

"We have worked diligently with the city to make the program safe for the vendors and citizens alike. Sadly, the city made it clear that there would be no discussion about compromise despite the fact that several citizens at the hearing suggested it."

A temporary injunction hearing was scheduled for June 27.

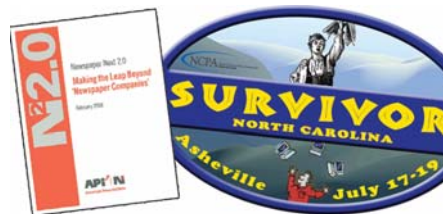
Newspaper Next at convention

2008 Summer Convention's theme of Survivor hits the mark when it comes to one of the headliner sessions.

Newspaper Next 2.0 is the followup to API's original study on how the newspaper industry could continue to grow and prosper by going beyond the core product.

You may think that attending a session on the original report is "good enough," but version 2.0 refines the previous work and provides case studies from papers who have tried out the methods.

Summer Convention is July 17-19



at the Crowne Plaza Resort in Asheville. There is still time to register. Go to www.ncpress.com for full details and to download a registration form.

Among the other highlights of this year's annual gathering:

- Separate appearances by both

major party candidates for North Carolina governor. This will be your chance for some face time with these hopefuls and a prime opportunity to see where they stand on open government.

- We'll be honoring native son Gene Roberts as the 2008 North Carolinian of the Year. Roberts was the editor of *The Philadelphia Inquirer* and managing editor of *The New York Times*.

- The annual business meeting and elections for NCPA/NCPS.



John Pea

The gap may not be big, but help out the seekers

Younger adults feel as if they are drowning in a sea of headlines and breaking news. They just want us to throw them some depth and forward thinking to use as life jackets.

That's a simple way to sum up the latest study on getting younger adults interested in news. The Associated Press commissioned this one and released it during a global conference on news last month in Sweden.

This study was not the product of your typical focus group or survey. The research employed anthropologists using ethnography (yes, you can actually find this word in the dictionary — it's the study and recording of human cultures).

Adults ages 18-34 (with an emphasis on the under 25 crowd) were studied from India, the United Kingdom and the U.S.

In the report you can read the stories of some of these people — although their names have been changed to protect the... well I'm not really sure what they're protecting.

According to the study, younger adults suffer from "news fatigue." That means they tire of getting the same headlines on the same topics from every source of news they plug into. These people are multitaskers. Giving them the same thing repeatedly frustrates and robs them of valuable time.

What frustrates them even more is attempting to find information beyond the headlines. They say they can't find the depth on topics they want to know more about. To use the study's terminology, they are seeing the headlines above the fold of your newspaper, but when they go below that fold, they find either repetition or a lot of empty white space.

One of the people in the study,

Jack of Kansas City, was quoted in the report: "news [today] is not the full story, but more like a preview — it's kind of annoying sometimes. I don't like to get bits and pieces of information."

I think a study conclusion that these young adults are willing to work to get the news they want should at least buoy us. They view news as social currency. Perhaps we should compare headlines and breaking updates to nickels and dimes. Sure they have value, but you need a large number of them to purchase anything good. The message: don't just nickel-and-dime them. Show them the money.

Other findings include:

- Younger adults tend to connect checking e-mail with getting their news.
- Constant checking for updates on the Internet is linked to boredom, not curiosity.
- Story resolution is important. They don't want to be left hanging.
- Jon Stewart has an impact on young adults' expectations. They feel that The Daily Show gives them more than the surface details — and it entertains them.

Concerning television news, I'm sure you are familiar with teases — "Shocking story of a man (fill in the blank) coming up." In conversations with some TV folks a couple of years ago, I asked about such teasers and whether they worked. All assured me that they were ex-

tremely important.

It may work on us older adults (questionable), but according to this latest study those teases are a source of frustration for younger adults, especially if they don't deliver on the promises they make.

The study makes three primary recommendations to news organizations.

- Deliver depth.
- Change the balance of news to eliminate repetition and provide paths for discovering more details.
- Create more social currency for younger adults.

How to go about achieving these goals is not addressed in the report, other than by AP revealing how it has used this study to fashion a new model for delivering content. The report also includes

information about transformation at the British news operation, *The Telegraph*.

One conclusion I think you can take away concerns e-mail alerts. If you send alerts on national or world news items, you might want to reconsider the practice. Chances are, these young adults are already getting the same thing from other sources. Use your alerts for content that's unique to your product.

If you want to find out more about this study, you can download a copy at www.ncpress.com.

John Pea is the member communications manager for NCPA and former editor at Gastonia and Burlington.

Sound familiar?

The 2004 Experience Study by the Readership Institute pointed to certain experiences that, if implemented, could attract new readers and users to newspapers.

Among the key experiences cited:

- Something to talk about (similar to providing "social currency")
 - Too much (getting the same thing over and over — a symptom of news fatigue?)
 - Make me smarter (providing paths to discover more information)
 - Turned on by surprise or humor (Jon Stewart)
- It's interesting how the same themes emerged from each study.

Remember...

The AP study focused on young adults and how to engage them in the news. Some findings may apply to older adults, others may not.



Kevin Slimp

Quark hoping Version 8 will attract new users

Is it too little, too late for QuarkXPress? I hope not. The more competition the better, I say. Unless it's a competing paper in my market, that is.

The press releases came out recently touting the launch of QuarkXPress 8. When I received an invitation to attend the unveiling of the application in Denver, I really wanted to attend. Unfortunately (well, not really unfortunately - I had a great time in Montreal), I was already booked to speak in Montreal the same day. But I would like to have been there to see if the folks at Adobe have anything to worry about.

On their Web site, Quark promises to make the page-layout and design experience easier, faster and fun. I hope it's as fun as InDesign. Or as easy. Or as fast.

If past experience is any indication, Quark needs to make a major leap to accomplish any of the three. I'm pulling for them, though. Software only improves with competition.

Thinking about upgrading to Quark? Purchase version 7 by Aug. 1, 2008, and you can upgrade to QuarkXPress 8 free. Order online at quark.com and receive a 15 percent discount.

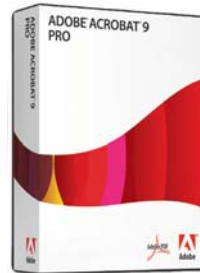
It can't be too much longer till we start hearing rumblings about Adobe Creative Suite CS4. Adobe seems to come out with a new version about every 18 months or so. If that holds true, maybe we'll have new versions of QuarkXPress and InDesign before the year is up. Only time will tell.

And speaking of upgrades

Adobe had its own announcement in June: Acrobat 9 is ready for public consumption. I've been involved in beta testing version 9 for the past year and plan to write a full review in the future. But for the moment,

let me share a few morsels to whet your appetite.

■ For the first time, Acrobat 9 provides deep support for Adobe Flash technology, enabling users to include Adobe Flash Player compatible video and application files in PDF documents. Recipients simply need free Adobe Reader 9 software to view these files.



■ Acrobat 9 also includes the ability to unify a wide range of content into a single document with the new concept of PDF Portfolios. PDF Portfolios enable users to assemble multiple media types, such as documents, video, audio and even 3D objects, into one compressed PDF file.

■ Acrobat now comes in three primary flavors: Acrobat 9 Standard, Acrobat 9 Pro and the new Acrobat 9 Pro Extended. The Extended version includes Adobe Presenter software for easily turning Microsoft PowerPoint presentations into multimedia experiences that can be published as PDF files.

Tempting PDF2ID plug-in

I recently took a quick trip - well, three hours - to Nashville to have lunch with David Blatner, author of more books than I can remember related to InDesign, QuarkXPress and other design programs. David was in town hosting a Creative Suite Tour event.

While there, we ran into Paramjit Chadha, who manages a software company - RecoSoft - based in Japan. A quick look at their Web site indicates they specialize in PDF conversion plug-ins. Paramjit told me a little about one of his products, PDF2ID, and I knew it was something I would be testing as soon as I

could get my hands on it.

First, the good news. PDF2ID allows users to open PDF files in InDesign. Read that again. I didn't say it allowed users to "place PDF files." I said "open PDF files." There's a vast difference.

Like Q2ID (Quark to InDesign) and PUB2ID (Publisher to InDesign) from Markzware (yes, I suspect Markzware might be a little peeved about the similarity in software names), PDF2ID allows users to open PDF files in InDesign simply by selecting File>Open. This immediately opens the PDF file as a native InDesign file, meaning the contents can be moved and edited as if they were created in InDesign.

Now for the bad news. In the tests I did, there was a good bit of shifting when I opened PDF files in InDesign. Most of these were related to fonts that weren't available - no fault of the plug-in.

Over the years I've seen speakers offer classes in PDF correction using Adobe Illustrator. I've never been a fan of this because you can never be sure the text hasn't shifted - or changed - when a PDF file is opened in Illustrator.

PDF2ID won't fix all the problematic PDF files you receive from advertisers every day. However, there are lots of times when I wish I could open a PDF file in InDesign to use part of the contents on my page. PDF2ID is a great tool for this.

Would I spend \$249 for a plug-in to open PDF files in InDesign? It depends. Individuals might find this a hefty price to pay for a tool used sparingly. However, a newspaper would be wise to consider making PDF2ID a part of its design arsenal. As always, the decision is up to you.

PUB2ID is compatible with both PC and Mac. For more information concerning PDF2ID, visit recoSoft.com.



Elizabeth Soja

New national FOIA law has many good points

Here in North Carolina, we have long appreciated that our Public Records Law is in most respects stronger than its federal counterpart, the Freedom of Information Act. For instance, our law governs all three branches of government, not just executive agencies, and our scope of what records are covered encompasses almost anything tangible that is created or received by a public agency.

However, at the end of 2007, Congress passed and President Bush signed into law amendments to FOIA that make the federal law much stronger. In fact, there might be a thing or two we could steal from FOIA to make our state law better.

The "Openness Promotes Effectiveness in our National Government Act of 2007," sponsored by Sen. Patrick Leahy (D-Vt.) and Rep. Lamar Smith (R-Tex.), is familiarly known as the OPEN Government Act. The much-needed changes are perhaps the most significant overhaul of FOIA since the 1970s.

Essentially, FOIA allows the press and the public to access records kept by all federal agencies in the executive branch, including the Justice, Defense and State departments. The law identifies several categories of exempt information that agencies can choose (or are occasionally required) to withhold. (See Page 9.)

The OPEN Government Act makes several notable changes to FOIA that most open government advocates view as improvements:

Legal Fees

The law gives requesters additional ability to recover legal costs when they are forced to sue the government for the release of documents. A requester can recover liti-

gation costs and attorney's fees if a court rules that the request was wrongfully denied or if, after a requester has taken steps to appeal the agency's decision by hiring counsel and proceeding with an appeal, the agency changes its position and turns over the requested materials before a court can rule.

This second provision essentially prevents an agency from stalling until the 11th hour and turning over the materials on the eve of a court order to do so, thereby depriving the requester an opportunity to collect legal fees.

And any reimbursed legal fees now will come directly out of the agency's budget rather than the Treasury Department's Claims and Judgment Fund.

Agency Response Deadlines

FOIA gives an agency 20 days to determine whether they will comply with a request once the request reaches the person in charge of such responses. The new law says this 20-day period must begin within 10 days of the agency's initial receipt of the request; in other words, the agency has 10 days to get the request to the right person.

The agency can stop the clock when the agency is waiting for clarification from the requester regarding either the substance of the request or a fee assessment. And an agency is now only allowed to suspend the period once for a substantive clarification request.

Tracking

Previously, there was no central way to track a FOIA request. The amendments signed into law Dec. 31 provide that the agency must assign a tracking number to any request that will take more than 10 days and must provide the requester with either a web site or a phone number that can be used to check the status.

Reporting Requirements

Agencies now must submit public reports once a year that describe how many requests were denied and upon what statutes those denials were based; how long it took the agency to respond to requests; and how many requests were approved.

The Attorney General also must inform Special Counsel any time a civil action results from the arbitrary rejection of a records request. The Attorney General also must submit a record of all such actions to Congress on a yearly basis.

FOIA Personnel

The new law establishes an Office of Government Information Services within the National Archives and Records Administration that will be responsible for overseeing agencies' responses to FOIA requests.

Each agency must now appoint a chief FOIA officer responsible for assuring the agency follows the rules and monitoring the way the agency handles requests. Each chief FOIA officer will be required to appoint a FOIA public liaison who will deal with requests and the public on a day-to-day basis.

Definitions

The definition of "record" now includes information maintained by private contractors hired by an executive agency.

A "representative of the news media" is now defined as "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." This means bloggers and freelance journalists can apply for fee waivers as journalists when they make FOIA requests.

Exemptions to FOIA law

Records of executive branch agencies are public with the following exceptions:

- Classified national security information concerning the national defense or foreign policy
- Records "related solely to the internal personnel rules and practices of an agency."
- Information "specifically exempted from disclosure by statute."
- Trade secrets and commercial or financial information obtained from a person that is privileged or confidential.
- Inter-agency or intra-agency memorandums or letters which would not be available by law to a party...in litigation with the agency.
- Information about individuals in personnel and medical files and similar files when the disclosure "would constitute a clearly unwarranted invasion of personal privacy."
- Records or information compiled for law enforcement purposes, but only to the extent that production of such law enforcement records or information...could reasonably be expected to interfere with enforcement proceedings.
- Records or information compiled for law enforcement purposes (the disclosure of which) would deprive a person of a right to a fair trial or an impartial adjudication.
- Personal information in law enforcement records the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- Records or information compiled for law enforcement purposes which could reasonably be expected to disclose the identity of a confidential source and information furnished by a confidential source.
- Law enforcement information which would disclose techniques and procedures for investigations or prosecutions, or would disclose guidelines for such investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.
- Information that must be withheld to protect the physical safety of any individual when disclosure of information about the individual could reasonably be expected to endanger his life or physical safety.
- Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.
- Geological and geophysical information and data, including maps, concerning wells.

Have your vests yet?

Here's something that may have slipped up on you...

Beginning Nov. 24, federal law will require reporters and photographers to wear safety vests whenever outside of their vehicles on federal-aid highways or their rights of way.

In other words, whenever covering that accident on the interstate or U.S. highway, members of the media not wearing an approved vest could be arrested and fined.

NNA has researched prices and found the Class 2 vests for about \$30. A



quick check online by NCPA revealed some companies selling these vests for as low as \$15 each. Applying company logos or "Press" on the backs will cost extra.

NNA reports that this regulation was finalized in November 2006. The Department of Transportation allowed for a two-year compliance period.

NIE package for elections available

At no cost, the N.C. Press Foundation NIE program will provide an 8-part series that focuses on N.C. elections and voting.

The quarter-page features may be published in your newspaper, on your newspaper's Web page or in the newspaper's e-edition.

The series was funded and written in part by the N.C. Civic Education Con-

sortium

NCPF will also provide part of a teacher's guide. The complete 135+ page teacher's guide, a tab that includes national elections and a tab on state elections, will be available for purchase at low cost.

To request a CD with the 8-part election features and selections from the teaching guide, email sandynie@unc.edu.

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Doug Fisher

Distinctions without any real differences?

The new AP stylebook is out, which always gets me thinking about language changes and whether it's time to jettison some of the usages and spellings we cling to.

But I need your help. This month, let's look at some disputed usages – or ones I think might be ripe for questioning. Then, you tell me whether you observe the distinctions anymore. Please e-mail me at fisherdj@mailbox.sc.edu (that's a new address), and in an upcoming column we'll revisit the issue with your thoughts.

Over/more than: It's getting harder to find a desk that really labors over this AP distinction – use more than with numerals – anymore. John McIntyre, assistant managing editor in charge of copy editing at *The Baltimore Sun*, says there are too many more important things. Plus, most authorities now consider it a distinction without difference. Do you still change “over” to “more than?”

Lend/loan: The AP has just weighed in with a new stylebook entry elevating “lend” as the preferred verb. Classic usage manuals counsel similarly. But we see “loaned” all the time in newspapers and other writing. Is this an issue for anyone? Will you enforce AP style?

Another/an additional: AP has long held that “another” requires like things or amounts (you can't have 3 million and get “another” 4 million). I can't remember the last time I saw this distinction in an AP story, let alone a newspaper. Is it time to ditch it?

If/whether: “Working With Words,” a widely used grammar and usage guide for journalists, says that when “whether” works in a sentence, use it. In classic usage, “if” is reserved for conditional (if ... then)

situations. But even the “Working With Words” authors acknowledge widespread substitution. I'm wondering whether – or if – it's time to let this fade.

Since/because: The AP allows “since” in a casual use where one thing follows logically, but is not the direct cause, of the other. And there are the persistent arguments about ambiguity (Since you won the lottery, we've been envious.) But McIntyre, again, says there's really no longer any practical distinction, and Arnold Zwicky at “Language Log” says the ambiguity argument is suspect because context almost always clarifies. Your thoughts?

Because/due to: While we are at it, what about this old shibboleth that these are not substitutes. If a writer writes: “He was overthrown due to the widespread poverty,” would you change it? Would you insist only “His overthrow was due to the widespread poverty” is correct? It is time to acknowledge widespread popular ignorance of this distinction.

While: Do you recoil at its use as a conjunction in the sense of “whereas,” especially beginning a sentence. Many of the arguments are the same as since/because, and many of the “it's a useless distinction” retorts are likewise.

Gantlet/gauntlet: Merriam-Webster's and American Heritage both now show gauntlet as the preferred term for running an obstacle course. Only Webster's New World, the dictionary favored by AP, sticks with “gantlet.” So let me issue a challenge – do you care about that distinction?

Drunk/drunken: Notwithstanding Mothers Against Drunk Driving, this has been a stalwart of AP and newspapers' style in general. But both the Chicago Manual of Style and Bryan Garner, in his widely

read usage manuals, suggest “drunk” may be more correct for temporary inebriation and “drunken” for a chronic condition. Maybe MADD has it right after all?

“Beg the question” for “pose the question”: Yes, beg the question means a tautological argument. But as has been noted in several corners of the language world, if everyone is misusing it, are we being priggish in insisting otherwise?

Following/after: The AP prefers “after” as the preposition and “following” as the verb (in other words, he died “after” the wreck, not “following” it). But this is another case where the dictionary acknowledges much of the world uses “following” as a preposition. Do you spend any time changing it anymore?

Stanch/staunch: Even Webster's, conservative as it is, lists staunch as the preferred form of the verb. AP sticks with stanch. Where do you stand?

Include: Do you insist that “include” can cover only part of the whole? The dictionaries and usage guides say it might be worth rethinking that. Is it a distinction you think we need to keep?

Proved/proven: “Proved” is listed as the preferred verb in many references and “proven” the noun. But “proven” is very common usage (“He has proven his point.”). Do you worry about changing this?

We easily could find a dozen others. As one copy editor wrote to me recently: “I will change ‘males’ to ‘men,’ and ‘females’ to ‘women’ (we are not lab rats), and I will change ‘gender’ to ‘sex’ every time I see these used improperly, which is almost all the time in medical writing.”

I hope to hear from you.

Doug Fisher, a former AP news editor, teaches journalism at the University of South Carolina.

News of North Carolina newspaper people

Leigh Carter joined the staff of *The Caswell Messenger* of Yanceyville as a staff writer.

Frank Daniels and his wife, **Julia**, are to be inducted into the Raleigh Hall of Fame in September. Daniels is former owner and publisher of *The News & Observer*. The couple is being honored for their work in business, philanthropy, and cultural and educational issues.

University of North Carolina professor **Jock Lauterer** has been appointed by the National Newspaper Association as its point person on community journalism.

Steve Martini, formerly a reporter for *The Free Press* at Kinston, had a story of his featured on Fox Sports Net's "Amazing Sports Stories." The tale aired from a chapter of his book "The Chattanooga Lookouts and 100 Seasons of Scenic City Baseball."

Steve Steiner is the new editor of *The News of Orange County*. He succeeds **Casey Ferrell**. Steiner was the managing editor of *Lincoln Times-News* for more than two years.

Wendy Byerly Wood took over as associate editor of *The Mount Airy News*. She previously served as news editor for *The Stokes News* and *The Weekly Independent*.

Death

Holley Mack Bell II, former editor-manager of the *Bertie Ledger-Advance*, associate editor of *Greensboro Daily News* and reporter for the *Charlotte News*. Died May 11.

NCPA welcomes Rice to staff

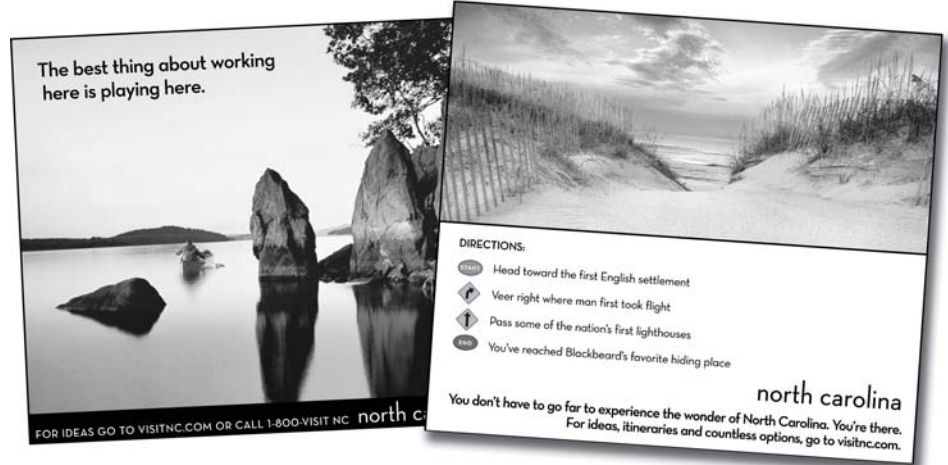
Victoria Rice is the new NCPA member services administrator. She is responsible for assisting Member Services Director Holly Johnson carry out all membership functions, including dues billing, events and contests.

Rice says she's an Army brat and has traveled most of her life. Most recently she lived in Denver, Colo.

She is a volunteer assistant basketball coach and a youth group leader at her church, where she is considered a multimedia guru.



Rice



New tourism ads available for download

The North Carolina Division of Tourism has updated its newspaper and online ads and are now available for download.

The North Carolina Press Foundation receives most of its funding through a grant from the Division of Tourism.

In order to receive the grant, newspapers agree to run these tourism ads for free periodically.

The foundation is the charitable arm of the newspaper industry in the state. Among its programs is the statewide Newspapers in Education program.

To obtain the new ads, follow the links on the NCPA Web site at www.ncpress.com.

Thanks for your continued support of this program!

Where do you get this stuff?

Here's the scoop. NCPA has a clipping service that scours your newspapers. But what we really like is when you send info on what you're doing directly to us for inclusion in this newsletter. Send it today to:

John@ncpress.com

Don't forget the mugshot!



O'Connor still teaching

Longtime Capitol Press Association fixture Paul O'Connor is off the government beat for now. However he will continue to teach at UNC's School of Journalism and Mass Communication.

Capitol Beat comes to Raleigh

The national Association of Capitol Reporters and Editors will hold its annual conference in our own state capital in November.

North Carolina Press Association
5171 Glenwood Avenue, Suite 364
Raleigh, NC 27612

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