

grassroots editor



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for newspeople*

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Public notices under fire:

What does this bode for community newspapers?

By Les Anderson

Whereas that a strong American tradition for notifying the public of official and important events and transactions through newspapers requires notices to have four basic elements:

- A notice must be accessible and disseminated to the public.
- A notice must be published by a neutral and independent party with demonstrated continuity.
- A notice must be capable of being archived in a safe and accessible format.
- The act of publishing a notice must be authenticated by the publisher.

Resolved, therefore, that a notice placed on a government Web site cannot be considered a public notice.

— Adopted by the National Newspaper Association, March 2006

The loss of public notices to the Internet would not only harm community newspapers' bottom line, it also would be detrimental to the public. Public notices in community newspapers — a trusted source of community information — remain the best way to inform people about the actions of government.

Those findings are according to newspaper editors, owners and publishers responding to an online survey posted by the Public Notice Resource Center. Nearly three-fourths of those responding say losing public notice revenue would be "significant" or "somewhat detrimental" to their ability to continue publishing a newspaper.

An equal 37 percent — 44 each of 120 respondents to the online survey — chose those two responses: "significant" or "somewhat detrimental." Twenty-four respondents — 20.2 percent — said the loss of public notice revenue would be "devastating." Only 5.9 percent — seven respondents — said the revenue loss would be "inconsequential."

The survey was prompted by a continuing effort on the part of state and local government officials who are seeking to reduce or eliminate public notice publication requirements. These officials, in some cases, are seeking to place their public notices only online.

In a 2000 report titled "Public Notice in Peril: A Report on the Status of Public Notice & Accountability," the National Newspaper Association (NNA) detailed the impact of the Internet on what it termed an important component of public information.

Samuel B. Spencer, chairman of NNA's Public Notice Task Force, said a fundamental service provided by community newspapers is in jeopardy as state and local officials move to control notices themselves exclusively online.

Spencer said public notices, or locally run legal/public advertisements, perform the essential function of announcing impending government action or local obligations on businesses or citizens.

"These public notice advertisements give citizens the information they need to make informed decisions and allows for an informed electorate," said Spencer.

With the advent of the Internet age, Spencer said, there is a fundamental change in how

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local residents receive information about government activity.

“It is important for government to provide more information, not less, as technology improves our ability to communicate locally,” said Spencer.

The NNA report discussed the digital divide between the Internet “haves” and “have nots,” stating that while Internet usage is increasing, total household penetration was less than half in March 2000. A survey conducted from February through April 2006 by the Pew Center showed Internet usage by adults at 73 percent — 71 percent for women and 74 percent for men. A total of 4,001 adults 18 and older were questioned in The Pew Internet & American Life Project conducted Feb. 15 through April 6, 2006. A survey conducted in May and June 2004 by the Pew Research Center found that only about 27 percent of Americans access the Web for news (most use it for e-mail). The Pew survey also showed that 63 percent of Americans read newspapers for news.

It should be noted, however, that the Pew survey did not specifically address public notices or news in general. Instead, the two-part question, in seeking to identify Internet users, asked “Do you use the Internet, at least occasionally?” and “Do you send or receive e-mail, at least occasionally?”

“Shifting notices to online services is not a legitimate substitute for public notice and guarantees that notices will be lost in cyberspace,” Spencer stated after the NNA findings.

Dave Bergmeier, publisher of the *Abilene Reflector-Chronicle*, a daily in Abilene, Kan., said he sees a growing number of “administration people” who are pushing to have public notices only on government Web sites. Those officials, Bergmeier noted, often do not subscribe to the paper and “tend to believe it is irrelevant and make statements like it would be more cost effective to list them (public notices) on their site.”

When he hears such comments, Bergmeier added, the first thought that comes to mind is that “those people who don’t believe in reading are ignorant.”

Community newspapers are the primary source of information — both news and advertising — about local communities by a 3-1 margin, according to a survey conducted in the summer and fall of 2005 for the National Newspaper Association by the Center for Advanced Social Research (CASR), part of the School of Journalism at the University of Missouri-Columbia.

NNA, with the help of the Missouri School of Journalism, conducted the survey in markets of less than 100,000 to examine the relationship between Main Street America and newspapers, according to Brian Steffens, executive director of NNA. Steffens reported that’s while the number of daily newspapers has shrunk from 1,700 in 1950 to fewer than 1,500, the number of non-daily newspapers has risen to about 7,000. And, Steffens added, the readership of non-dailies has more than doubled since 1965.

“I believe the number of non-dailies — community newspapers, not shoppers, hobby papers, ethnic or religious papers, which are often counted in such lists — was about 5,500 to 6,000...circa 1970,” Steffens said.

Steffens added that he thought *Editor & Publisher* under reports non-dailies. In 2004, *E&P* reported 6,692 weeklies with an average circulation of 7,444 and a total circulation of just under 50 million.

“Our database indicates about 8,000 non-dailies, not 6,700,” he said. “With a circulation of about 80 million, if you use a readership multiplier of 2+, that’s more than 150 million readers per week of non-daily newspapers.”

The NNA-Missouri survey found that the primary source of

information about local communities was the local newspaper (50 percent). Sixteen percent of those questioned said they get their local news from television, 9 percent said radio and only 2 percent said the Internet. The rest said they get local information from friends, relatives, co-workers, “others” or they “don’t know.” Also among the survey’s findings was that 75 percent of community newspaper readers read public notices.

Tim Weddle, advertising director of the *St. Joseph News Press*, a daily in Missouri, said members of the public want public notices where they are most able to see them on a regular basis — in the local newspaper.

“I believe any other means may be employed to make them readily available — such as the Internet — but I think the public wants them in full view to the masses. I know I do,” Weddle said.

Dave Berry, vice president of Community Publishers Inc., which has eight community weeklies in Missouri, said he is afraid that the public doesn’t care enough about public notices — period — much less where they find them. “I believe that those who do care,” Berry added, “would prefer to find them where they have always found them — newspapers.”

Jack Whitaker, publisher of the *Hannibal Courier-Post* in Hannibal, Mo., said the Internet is not a viable place for public notices.

“Many people still don’t have that service or know where to look,” Whitaker said in his survey response. “Bulletin boards require coming downtown, for instance, to look, but people don’t know when to look. Direct mail is frequently discarded as trash.”

The best option for public notices, Whitaker said, is the community newspaper. *The Courier-Post* is Missouri’s oldest newspaper — 168 years — and has been the legal paper as long as that definition has been around, he added.

Public notices survey

The loss-of-revenue question was one of 18 concerning public notices on the survey, which was posted online from May to mid-June 2006.

The 120 respondents represented 151 publications in 14 states: Kansas (46), Oklahoma (43), Missouri (21), Iowa (9), California (9), Nebraska (8), Oregon (5), New York (3), Florida (2), and one each in Michigan, Utah, Washington, North Carolina and Wisconsin. Total circulation of the community newspapers represented on the survey was more than 835,000. Nine respondents did not answer the question about circulation or the information was unavailable.

Seventy-eight (68.4 percent) of those responding represented weekly publications. Except for four large weeklies, the circulation average for weeklies was around 2,200. Just over 20 percent represented dailies (23) while 13 (11.4 percent) were listed under “other” — papers publishing predominantly two or three times a week. Six respondents did not answer the question about frequency of publication or the information was unavailable.

Other results from survey

- Most of the newspapers responding to the survey (41.2 percent) estimated their annual revenue from public notices at 5 percent. Just over 19 percent said the figure was 10 percent, and another 10 percent said their public notice revenue was 50 percent or more.

- Whether the newspapers’ public notice revenue was growing was evenly split: 44.1 percent said “yes” and a like percentage said “no.” Almost 12 percent of 118 who responded to this question

answered “other.” Most of those respondents said it was stable.

- Most of those responding (41.2 percent) said they do not post their legal notices on their Web site. Several of the smaller papers that responded did not have Web sites. Most of those (65 percent) who do post them don’t charge extra for that service.

- Overwhelmingly (74.4 percent), those responding said they would be willing to upload their public notices at no extra charge to a central Web site, perhaps one administered by their state press association, if it would guarantee they also could keep the paid printed version in their newspapers. Several newspapers, as noted earlier, already do this.

- Eighty-four percent of those replying to the survey said a member of the public had asked to see a public notice in the newspaper’s archives, or requested a copy of a publication affidavit.

Public notice legislation introduced in at least 30 states in 2006

According to the Public Notice Resource Center, legislation affecting public notices was introduced in at least 30 states in 2006: Arizona, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, Ohio, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington and Wisconsin.

Not all the proposed bills are detrimental to newspapers. Some of the legislation most damaging to newspapers — allowing publication online instead of in newspapers — was killed during the 2006 legislative sessions, which vary from state to state, and some bills stalled. Some legislation, however, remains pending.

Those pending bills deemed harmful to public notices in newspapers by the Public Notice Resource Center include a proposed Kansas law in the House that would reduce the number of times delinquent tax notices are published in newspapers from three to one, provided the notice also is published on the Internet. Another Kansas bill to allow local governments to designate papers without paid circulation as official newspapers was enacted but only after it was amended to remove the unpaid paper language. New notices on county reorganization also were added.

In New Hampshire, a pending bill would allow all public notices to be published on government Web sites in lieu of in newspapers. Current law requires either public posting or newspaper publication. That bill was passed in the House but stalled in the Senate. In New Jersey, a pending Senate bill would allow all public notices to be published on government Web sites with the exception of certain public meeting notices. Also pending is a bill that removes the requirement of a paid circulation to be considered a legal newspaper for publishing notices.

A bill stalled in New York would move the publication of concurrent resolutions of the county legislature to the Web, and to print only a synopsis of the resolution in newspapers. People who want the full text would be referred to a government-controlled Web site. In Rhode Island, a Senate bill to move newspaper notice requirements for hearings on rate increases of state medical benefits is stalled.

Notification of people interested in proposed landfills is covered in two pending bills in Tennessee. One would allow a county legislative body to inform those interested in a proposed landfill by posting a public notice on the Internet. The second includes posting on the Internet as an acceptable method to give notice of a proposed

landfill approval.

Public notice legislation that was approved included a new Connecticut law that reduces the number of insertions from seven to three for bank and credit union incorporations. The bill also eliminates the publication of requirements for the certificate of incorporation. Two bills in Iowa affected public notices. One removes the publication requirement for bank condition statements. Banks would only have to make statements available, but not advertise their contents or existence in any way. The second Iowa bill raises the threshold for competitive bidding from \$25,000 to \$100,000, and also maintains newspaper notice of competitive bidding.

In Ohio, a bill originally introduced in January 2005 reduces the number of newspaper notices for several election events and adds a requirement to put the notices on the board of elections’ Web site. A Washington bill raises the threshold for what items must be published before government sale. The bill removes newspaper notice for all other items.

A House bill enacted in Kentucky reduces the size of print used in county audit notices and reduces tax delinquency notice frequency. Newspapers in Kentucky also are now required to give 30 days’ notice before a classified rate change.

One of the arguments against publishing public notices in newspapers has been declining circulation. That may be true of some of the nation’s larger daily newspapers, but community newspaper circulation is on the rise. In a June 12, 2006, story carried by *Reuters* and headlined “Small towns are bright spots for US newspapers,” reporter Paul Thomasch interviewed Mary Junck, chief executive of Lee Enterprises Inc., which owns 58 newspapers. Junck said Lee’s smaller newspapers — like the *Waterloo Courier* in Iowa or the *Missoulian* in Montana — are performing well.

“In those small to mid-sized markets,” Junck said in the *Reuters* story, “we are far and away the leading source of news, information and advertising. We are just very, very strong in terms of ad share and in terms of readership.”

An entry on the Mississippi Press Association’s blog, *InkBlots*, stated that the Audit Bureau of Circulation’s latest data showed weekday circulation over a six-month period fell 4.7 percent at Colorado’s *Denver Post*, but rose 2.54 percent at the *Grand Junction Sentinel*; Florida’s *Orlando Sentinel* dropped 8.3 percent, but the *St. Augustine Record* rose 11.2 percent.

Matt Erwin, executive director of the Public Notice Resource Center (PNRC), noted on June 21, 2006, in PNRC’s public blog (www.pnrc.net/blog) that opponents of newspapers often point to reports that circulations are dropping as reason to pull public notices. However, Erwin wrote, they willfully ignore the facts.

“The *USA Today* does not run public notices,” he wrote. “Most notices don’t run in the *Washington Post* or *New York Times*. Notices are published in community newspapers — the newspapers that are seeing an increase in circulation and trusted by the public.”

Tennessee Supreme Court to hear arguments on public notice

Earlier this year, the Tennessee American Civil Liberties Union (ACLU) attempted to get the state’s gay marriage amendment process halted by the judiciary because of insufficient notice. A lower-court judge dismissed that case. The case has been appealed to the Supreme Court of Tennessee and this time PNRC has become involved, Erwin said.

Working with Vanderbilt Law Professor Michael Bressman, he said, PNRC has filed an amicus brief to overturn the lower court’s

ruling on public notice issues. The brief is being supported by the ACLU, which is also supporting a brief from the National Organization of Women (NOW). The NOW brief argues that the lack of notice hampered its ability to organize political opposition to the amendment.

Erwin said PNRC decided to file the amicus brief arguing the public notice issues of the case. Public notice issues have allowed PNRC to work with a broad range of groups in the past several months, including recent support of an appeal made by a property rights group in Washington state, he said.

"The cases go to show that public notice is not a partisan issue," Erwin wrote in the PNRC blog on May 30, 2006. "According to Tennessee law, when an amendment to the Tennessee Constitution is proposed and passed by the legislature, it must be published six months prior to the next general election. The amendment must then be passed again by the legislature. It is then put to a public vote in the following general election. In the case of the gay marriage amendment, the proposed amendment was published in newspapers only four months prior to the 2004 election."

A lower-court ruling stated that since the amendment was posted on the state legislature's Web site for more than six months, the publication requirement was satisfied. Erwin said PNRC is arguing against that line of reasoning.

PNRC argues in the brief that an Internet posting of the amendment to the General Assembly's Web site does not constitute "publication" of the amendment under the constitutional notification requirement.

"The brief argues that, according to the General Assembly's own Web traffic statistics, the Internet posting reached fewer people in eight months than publication in six Tennessee newspapers would have reached in one day," Erwin wrote. "The brief also argues that large segments of Tennesseans still do not use the Internet, and that states have not traditionally used the Internet for public notice."

Erwin said the pending case is important for public notices. If allowed to stand, he said, the ruling would set a troubling precedent for allowing governments to publish their own notices.

In commenting on the case, the *Nashville City Paper* instead focused on what Erwin calls the real issue facing the state. "Gay marriage aside," said a June 8, 2006, editorial in the newspaper, "governments from the state itself down to the smallest local burg should be transparent in their operations. Government should err on the side of caution rather than trying to find the easy way out in reaching the public about its activities. Public notice of governmental action should be given in as many places as possible, not in a limited number subject to the convenience of bureaucrats."

Erwin said newspapers have had more than 200 years of practice in the public notice field and are still the experts.

"Extensive research of public notices clearly shows newspapers to be the most effective medium for carrying public notices," Erwin wrote in his blog. "Newspapers — in print or online — have an established ability to independently authenticate, make accessible, and to provide an accurate historical record of the notice."

The facts of the Tennessee case are simple, Erwin said, explaining that the state constitution requires publication of a public notice six months prior to a general election. The state published the amendment just 4 1/2 months prior, he said, adding, "It is hard to justify making new constitutional rules when the ones on the book are flagrantly violated."

"The state argues that they 'published' the amendment by having it up on their Web site under the bills section," Erwin wrote. "Do you

really feel you are being notified if you have to go the legislature's Web site, find the bills section, run a search and then read through pages of results to find the particular measure you are looking for? Citizens deserve better and that's why notices have traditionally been published in newspapers."

Newspapers don't go down when there is high traffic, and they don't lose information when hackers toy with their sites, he said.

"Newspapers are tangible and available to pass along to every citizen," Erwin wrote. "Be it through subscriptions, archives or libraries, if you need to find something that was printed in a newspaper, it's always available. Furthermore, most newspapers, such as the *Nashville City Paper*, have notices on their Web sites, giving citizens a choice of how to receive this information."

"Most importantly," Erwin added, "newspapers provide the independent verification that is needed. One thing I think we can agree on is that governments shouldn't be trusted to be their own watchdogs. Newspapers provide that watchdog ability. If the government publishes the wrong information, they have to answer for it. When they post it on their own Web sites, they can surreptitiously 'correct' information without anyone knowing."

"Newspapers have been in the business of public notices for a long time and provide a service both to the community and the government. The service they provide is no more expensive (and often cheaper) than the same service of classified advertisements they print for the average citizens. Newspapers are expert contractors, no different than a construction company hired by the state to build a public artifact."

Erwin added in his blog: "The Tennessee Constitution requires the publication of amendments and that is no mistake. The authors of the constitution understood how important it is to keep the public informed of the government's actions. The only mistake is allowing legislatures to rewrite the rules after the fact."

Washington Supreme Court rules Internet notices are sufficient

In February, the Washington Supreme Court issued a ruling on a 5-4 margin that brought shock to many in the newspaper industry. The court ruled that a Web posting meets the legal requirements of "reasonable notice."

The state supreme court case arose when a couple lost their South Tacoma property through condemnation procedures. A transit agency wants to build a commuter train platform and parking lot there.

"While precedent on this subject is sparse, posting on a public Web site is at least as likely to provide the community with notice as the specifically approved notice given to a newspaper," Justice Mary Fairhurst wrote for the 5-4 court majority.

Peter Callaghan, writing in the *Tacoma News-Tribune* on Feb. 20, 2006, disagreed. "Public notices are intended to capture the attention of people who might not otherwise find out about a meeting or action," Callaghan wrote. "A newspaper notice might not have been seen by the Millers, but it might have been seen by friends or associates. A yellow sign on the property, which is about an acre and includes a vacant house, certainly would have been noticed. An e-mail to those who attended meetings on the issue and filled out sign-in sheets would have done the trick as well."

Those methods would have prodded the Millers to attend the board meeting, Callaghan wrote. "They also would have informed those interested in telling the board that the Miller property was a poor choice poorly arrived at. Sorry, says Fairhurst, they all should

have been checking the Web if they expected to know the board's plan to act."

"It's no longer the public's right to know — it's the public's right to search," said Callaghan.

Just for the heck of it, Callaghan wrote, let's accept Fairhurst's assumption that everyone has Internet access and everyone regularly checks the Sound Transit Web site. The notice that the agency claims was sufficient for the Millers didn't even list their address, didn't even list their parcel number and didn't even mention them by name, he added.

In a dissenting opinion, Chief Justice Gerry Alexander wrote: "I disagree that the Internet-only notice in this case met the intent of the statute...It is highly optimistic to expect a landowner's clicks of the computer mouse to lead, at the right time and on the right site, to a posted proposal bearing on his property interests."

"No case, until this majority, has held Web posting notice sufficient," wrote Justice James Johnson in another dissent.

Callaghan added: "Those are the old days. Our modern, wired society means, at least according to Fairhurst, Barbara Madsen, Bobbe Bridge, Susan Owens and Charles Johnson, that property owners better bookmark the Web sites of all of the government agencies that might have designs on their property. Only that way can they hope to be treated 'fairly and sufficiently.'"

Erwin, writing in his blog for the Public Notice Resource Center, said the ruling could have a major effect on public notice cases throughout the nation because it sets a dangerous new precedent for the viability of public notices posted on government Web sites.

How the New Jersey Press Association is fighting Internet-only public notices

When the New Jersey Legislature attempted to allow all legal advertising to be put on the Internet, the New Jersey Press Association (NJPA) and its 170 member newspapers went on the offensive. John O'Brien, executive director of NJPA, said dealing with the state legislature is like playing a football game against a team with a serious home-field advantage.

"They have the stadium, they have the football, they have the rules, and we have to play with them," O'Brien said.

Like many states, the New Jersey Press Association created njpublicnotices.com last year. This Web site contains all the public notices published in the majority of the state's 200-plus newspapers. They are searchable by newspaper, county, municipality, subject matter and more. And all at no cost to New Jersey taxpayers, according to an article titled "Fighting for public notice ads, NJPA goes on the offensive," by Elizabeth K. Parker, co-publisher and executive editor for Recorder Newspapers Inc. in Stirling, N.J. The article was written in 2004 for the National Newspaper Association.

At the bottom of the home page on the Web site (www.publicnoticeads.com/nj) is a note: "This database is not a substitute for the official publication that is required by law. You will still find those in your local newspaper." As of late June, the New Jersey Press Association had posted nearly 68,000 public notices to the site. Citizens can search each state separately in the database. They also can word search the database manually at no charge, or subscribe to the Public Notice Smart Search and have notices important to them or their company sent automatically to their e-mail address. The Arizona Press Association set up that site in 1999.

The New Jersey Press Association asked why the legislature

would spend money on a less-effective site when it hosts one that is free. A bill approved by the state assembly in June 2004 allows government agencies to place public notices on the Internet instead of publishing them in newspapers.

The bill was "delayed quite mercifully by the state of affairs, quite literally, in New Jersey politics," Parker said in an e-mail in June 2006, when the governor's surprise resignation forced the Senate president, who was scheduled to introduce the bill in the Senate, to serve as acting governor for 18 months. Everyone seems to be holding his or her breath, according to Parker.

The proposed bill was reintroduced in the 2006 legislative session, said O'Brien, but doesn't seem to have a lot of support.

"Having said that, they are so broke in Trenton that they are capable of doing anything," O'Brien said. "Time will tell."

In a letter to the governor in June 2004 before he resigned, the NJPA put forth six arguments why community newspapers are the best vehicle for informing the public. Those points against posting public notices solely on the Internet — which the press association labeled "an idea whose time has not come," included:

(1) Public notices are already on the Web — Public notices are available at one convenient site, njpublicnotices.com. Why burden government with added costs? After they are published in New Jersey newspapers, notices are uploaded to this site and are searchable by county, municipality, newspaper, subject, etc. This site, created and financed entirely by the newspaper industry, is endorsed by groups across the state, including the State League of Municipalities.

(2) Newspaper readership vs. Internet usage — In New Jersey, newspaper readership far outpaces Internet usage. A statewide survey in 2003 by American Opinion Research showed that more than 90 percent of New Jerseyans read their local newspaper. Figures regarding household Internet access vary, but they don't match newspaper readership in any community. There is also a digital divide in New Jersey. Studies also show that Internet access is not evenly spread among all demographics. Lower-income households and minorities lag far behind other demographic groups in Internet access.

(3) "Internet only" posting diminishes accessibility, readability — There is no comparison to having public notices packaged in a mainstream product containing relevant, useful and timely community information (news, sports, grocery ads, classifieds, etc.) delivered to your doorstep or mailbox to trying to access public notices through a computer (turning on the computer, dialing an ISP, remembering a specific URL to find the site and scrolling through a computer screen just to see if a public notice has appeared). The Internet only makes sense as a back-up or additional medium.

(4) Security compromises authenticity — The Internet remains subject to hacking and manipulation. Internet hackers have compromised even the most secure Web sites. Important government information could be lost forever with the click of a mouse. Publication of a public notice in print is permanent — a verifiable, bonafide record of that public notice.

(5) Cost savings of Internet posting a myth — Some have assumed that posting public notices on the Internet is far less costly than print advertising. The costs of running and properly maintaining and updating a reliable Web site costs thousands of dollars. Loading material, putting it in the right places, building in adequate security, search engines, archiving and constant updating all cost money. Incidentally, most municipalities spend more on copy paper for their copiers than they do on public notices (far less than 1 percent of their annual budget). Remember, many notices (sheriff sales, zoning

notices, etc.) are “pass through” charges, ultimately paid for by the members of the public involved in the action.

(6) Verification of publication would be lost — Do we really want government in the business of having sole responsibility and control over the posting of its own public notices? When a newspaper publishes a public notice, in effect the newspaper is acting in the role of a third-party verifier or auditor of the notice. The newspaper is responsible for typesetting and preparing the notice for print and is responsible for signing a sworn affidavit of publication for every public notice published. Once the legal notice has been published in print, it’s permanent. Allowing local governments to put notices on the Web rather than publish them in the newspaper removes those critical verification and auditing roles. The stability of newspapers as a medium for public notices is unquestioned. For decades — centuries — in the United States, newspapers, which have met government-set publication requirements, have been able to guarantee citizens reliable access to vital information about their government. The Internet is all about change and instability. Is this where we want to put the most important messages of government?

Another site for public notices from newspapers is www.mypublicnotices.com. Set up in collaboration with participating newspapers, the site provides online access to public notices from across the United States. States with participating newspapers are California, Connecticut, Massachusetts, Pennsylvania, Idaho, Indiana, Maine, New Hampshire, North Carolina, Vermont and Washington.

Working with government entities on publishing public notices

Do newspapers have to remind local governments to publish notices required by law? A majority (64.3 percent) of those taking the survey said “no.” But those who did say “yes” provided numerous examples.

“Actually, all the time,” said Stan Stamper, owner/publisher of the *Hugo Daily News* in Oklahoma. “The county fails to publish commissioners’ proceedings in accordance with state law. We have called this to the attention of the county DA on numerous occasions, and the situation improves for a brief time. City government frequently comes in ‘panicked’ and needs a legal in the next edition well after deadline. We always accommodate them unless it is impossible. Schools frequently request ‘news articles’ on publication of federally mandated lunchroom or Indian program legals.”

Kevin Noland, publisher of the weekly *Gyp Hill Premiere* in Medicine Lodge, Kan., reported an incident of an attorney for a telephone company printing a franchise agreement in a competing newspaper in his city.

“We were the official publication and reminded the city,” Noland said. “The city forced the attorney to reprint the franchise agreement.”

Ray Lokey, publisher of the weekly *Johnston County Capital-Democrat* in Tishomingo, Okla., cited a similar example. Lokey said a small school district’s solicitation for bids notice was published in another newspaper outside the county.

John Fisher, publisher of the weekly *Montgomery Standard* in Montgomery City, Mo., said he frequently reminds city officials about the requirement to publish their annual financial statement,

pointing out to the city clerk that she can be charged with a misdemeanor each day after it’s due that it doesn’t appear in the newspaper.

“They don’t seem to care,” Fisher said. “Lawyers point out that case law says no one can complain unless they have a special interest. I’m about the only one and don’t want to start that fight — just want them to follow the law.”

Uninformed government officials can often put cities and counties in a predicament with bad advice. Steve Booher, publisher of the weekly *Cherokee Messenger & Republican* in Cherokee, Okla., said his county was told by a state official that a notice on a sales tax election needed to be published only once. Another time, Booher said, the same state official advised the county that it did not have to publish an “estimate of needs” prior to meeting to discuss and vote on the county budget.

Cindy Sheets, editor of *The Perkins Journal*, a weekly in Perkins, Okla., said administrators for both the city commission and school board did not understand how to comply with public notice statutes. Her newspaper simply explains the statute and provides a copy of it to remedy the situation, she said.

An unidentified representative of The Pulse Legal Publications in Kansas City, Mo., said in the survey that the city of Kansas City, Mo., is required to print a list of delinquent city taxes in counties other than first class.

“I called to remind them it had to be printed by a certain date,” the respondent wrote. “They informed me they weren’t publishing it that year — or any year since — because it wasn’t in the budget.”

An unidentified employee of the Buffalo, N.Y., *Law Journal*, which gets most of its revenue from public notices, said city officials decided a couple of years ago that they were not going to use the *Law Journal* or other area newspapers to publish foreclosures. Instead, they used an in-house publication and the Web. The newspaper usually runs a story every year on the foreclosure notices.

“After reviewing current law with them and meeting with their corporation counsel, they decided to use the *Law Journal* but not another newspaper, as required,” the respondent wrote. “One of the sales is now being challenged.”

Red Serfoss, editor/publisher of the *Clinton Daily News* in Oklahoma, said his community’s library board was seeking bids for a new building and didn’t realize it had to publish the request for bids until his newspaper staff reminded the board.

Barb Walter, managing editor of the weekly *Hennessey Clipper* in Hennessey, Okla., said officials in her area need reminders to publish notices on elections, budgets and bids.

In Tecumseh, Okla., Gloria Trotter, publisher of the weekly *Countywide News*, said the county is required to publish the payroll annually in February.

“We’ve had to remind them more than once — and they’re grateful,” Trotter said.

When C.F. David became editor of *The Boise City News*, a weekly in Oklahoma, he reminded officials in his community of public notice requirements. He also sent each public entity a copy of the open meetings and open records act.

JoAnne Harper, publisher of *The Neodesha Derrick*, a weekly in Neodesha, Kan., said the county treasurer didn’t think the quarterly report publication included her.

“We set her straight, though,” said Harper, who said her newspaper has published public notices since 1883.

In Salt Lake City, Bonnie Miller, publisher of the weekly *Intermountain Commercial Record*, said she has told county officials that the newspaper in which they publish delinquent tax sale notices is not qualified. “But,” Miller added, “they do it anyway.”

A similar situation exists along the Oregon coast, where Kathleen Newton owns and publishes two newspapers, the *Tillamook Headlight-Herald* and the *Lincoln City News Guard*.

“Some small, special districts often don’t know the law regarding who is authorized to print legals in Oregon,” Newton explained. “Some continue to print them in the shopper because uninformed lawyers tell them it is OK. In small towns, it’s hard to fight that without making enemies.”

Willis Mahannah, editor of the weekly *West Point News* in Nebraska, said it seems that technology has outpaced statutes pertaining to some legals, such as budget hearing notices and sample ballots.

The effect of losing public notice revenue is difficult to measure, Mahannah said. “It’s more than just the loss of notice revenue,” he said. “There’s a lot of information in the notices, and if that information is no longer in the paper, do some subscribers quit buying?”

Newspapers base stories on printed public notices

According to the survey, more than 63 percent of the newspapers have carried stories based on a public notice in the past couple of years.

Faith Wylie, publisher of the weekly *Oologah Lake Leader* in Oologah, Okla., said her newspaper has occasionally written stories based on public notices in other newspapers in the county.

“One way to try to sneak things through is to publish the notice in a town on the other side of the county,” Wylie said.

Steve Booher, publisher of the weekly *Cherokee Messenger & Republican* in Cherokee, Okla., said a nearby community didn’t meet legal notice requirements before a bond election.

“The bond issue narrowly passed,” Booher said, “only to discover the election was invalid because of the lack of proper notification to the public through a legal notice. I used it in my column.”

In Council Grove, Kan., Craig McNeal, publisher of the *Council Grove Republican*, publishes a paragraph item with each court public notice his newspaper carries. McNeal said he was advised to do that years ago by a member of a legislative committee before the state press association appeared to seek a rate increase. The legislature set legal rates in those earlier years, McNeal said, adding that he also frequently uses information from budgets, ordinances and election notices for stories in his five-day-a-week paper.

In Minneapolis, Kan., publisher John Wilson puts headlines on his legal notices in the weekly *Minneapolis Messenger* to call attention to them and to provide a quick reference to the subject of the notices. Wilson said he picked up that suggestion at a state press convention a couple of years ago when fears about public notices moving to the Internet were discussed at the state level.

Deborah Steele Hazen, editor/publisher of *The Clatskanie Chief*, a weekly in Clatskanie, Ore., said her paper has been carrying public notices since state requirements have been in effect. Hazen said her paper’s regular news coverage benefits both the public and government officials.

“There have been times when local city governments, school dis-

tricts, fire districts, etc., have forgotten to send us a legal notice on a meeting we knew was taking place, because we actively report on those meetings,” Hazen said. “So we called them up and reminded them.”

Hazen said her newspaper publishes numerous stories relating to public notices, “prompted in part by receiving the legal notice and in part because we are aware of the issue already through our consistent, ongoing coverage of the government body in question.”

Rhonda Humble, publisher of *Tri-County Newspapers* in Gardner, Kan., has been battling officials in one of the school districts her newspapers cover in nearby Spring Hill. The school district published a notice of its annual budget hearing in a neighboring newspaper, not in the community’s newspaper, the *Spring Hill New Era*.

Humble said school district officials apparently were upset with her newspaper’s coverage, citing “inaccuracies and/or an imbalance of information.” But, the publisher added, no one from the superintendent’s office or school board had ever called or written the newspaper to complain.

Humble said it was the board’s prerogative to publish the notice in another paper. But, she added, the patrons of the school district were the losers and should be asking why. An earlier community survey showed that just 3 percent of the city’s 100,000-plus residents get information from the out-of-town paper, Humble wrote in an editorial. *The Spring Hill New Era* has been the community’s newspaper since 1883, Humble said, and is the longest continually published and locally owned newspaper in Johnson County, the largest and fastest-growing county in Kansas.

One patron of the school district, in a letter that ran in Humble’s newspaper, asked why the school district would try to publish the notice in another newspaper. “Could it be that they are attempting to hide the legal notices from us?” the writer asked.

Keeping public notices in papers vital to communities they cover

Proponents of moving public notices to the Internet — primarily those who work in or represent governmental entities — argue that the newspaper industry is fighting that change solely for economic reasons. While it is true that public notice revenue can be significant for community newspapers, almost half of those responding to the online survey posted by the Public Notice Resource Center say that figure is 5 percent or less of their total annual revenue.

What this survey points out — and what has been stated by those in the newspaper industry and citizens alike — is that it is vital to carry notices of government workings where people are more likely to seek and find them: in their community newspapers. Posting public notices only on the Internet does not guarantee that they will be found, let alone seen and read. In addition, recent surveys show that while circulation of major dailies has been declining, circulation among community newspapers is increasing.

Newspapers and state press associations also have taken the initiative (37 percent, according to the survey) to post the public notices they carry on their Web sites. Most (65 percent) do not charge extra for this service. Nearly 75 percent of those responding to the survey also said they would be willing to upload their public notices to a central Web site, provided they could keep the printed version in their newspapers. Another 5 percent of the respondents said they already do that.

Citizens continue to rely on their community newspapers for

important information about the everyday workings of their government, particularly at the local level. That includes public notices, which contain vital information that is disseminated to the public independently verified as being published and securely archived.

Paul McMasters, ombudsman of the First Amendment Center in Arlington, Va., wrote recently that government has never been comfortable with too much public access to information. The political impulse, McMasters said, is to control information, not share it.

“The more secretive a government, of course, the most estranged it becomes from democratic principles and traditions,” McMasters wrote. “And the less it benefits from the wisdom, experience, enterprise, ingenuity and support of its citizens.”

As one Kansan wrote in a letter to his community newspaper, “Think of all the stuff they (government and elected officials) can fly by us if no one ever sees the legal notices. They can tax us until kingdom come, and we wouldn’t know it until the tax bill is in the mailbox!”

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Public access to public notices: *Should the Internet replace official journals?*

By Gene Murray

A national study — conducted by the University of Missouri for the National Newspaper Association in 2006 — found that although the number of daily newspapers has shrunk from 1,700 in 1950 to fewer than 1,500 today, the number of non-daily newspapers has risen to about 7,000. Readership of non-daily newspapers has more than doubled since 1965. Local community newspapers are the primary source of information, both news and advertising, about local communities — by a 3-1 margin.

Respondents said that their primary source of information about local communities is:

- 50 percent: local newspaper
- 16 percent: television
- 9 percent: radio
- 2 percent: Internet

(The rest say they get their local information from friends, relatives, co-workers, “others,” or they “don’t know.”)

Seventy-five percent said they read public notices. The survey was conducted by the University of Missouri School of Journalism for the National Newspaper Association (NNA) (Steffens, 2006).

Since colonial days, newspapers have printed official notices from governmental organizations to provide citizens with information to make well-informed decisions and to know how the government is spending tax money. Government agencies have selected official journals to publish notices to make the information easily accessible at a relatively inexpensive cost.

Public notices are presented to the entire public, generally in a widely circulated newspaper, the official journal. Definitions of official journals vary, but official journals must adhere to certain standards in order to be “official.” Each state has legal definitions, requirements and laws regarding official journals and public notices. In small towns, public notices — dealing, as they do, with real property that is close by, business transactions in the immediate area, and people who are neighbors — are well read. In the big cities, with numerous newspapers on the racks, the chances of a legal advertisement being seen by someone who would act upon it if he or she saw it are minimized. Publishing an official journal can have a considerable effect on a publisher’s income. Income from public notices usually ranges from 5 to 15 percent of the publication’s total income (Erwin, 2006). However, there are exceptions, such as the publisher of a small weekly tabloid in Louisiana who said legal advertising helped save his publication (Hayes, 2005).

However, in recent years the Internet has posed a threat to that income. Some government bodies have proposed replacing official newspapers with Internet postings, possibly by the government agencies themselves. Some newspaper publishers have considered the online legal notices extensions of newspapers. That raises the question: Will postings on the Internet replace newspapers as official

journals?

As early as 10 years ago, newspapers editorialized against placing public notices only on the Internet. One editorial stated: “The Internet is a wondrous, revolutionary tool for gathering information. But a glare-smearing screen and a mouse will never be a substitute for a newspaper in hand that one can feel, leaf through, mark up, and tear out of. We perceive the newspaper as indomitable, but even if we are mistaken, suffice it to say that the demise of this institution is not imminent, and surely has not come. To remove public notices from their traditional abode in newspapers and route them to a Web site would ignore the reality that the Internet, exciting as it is, does not currently enjoy the broad use and acceptance that the newspaper does” (Editorial, 1996).

The Minnesota Newspaper Association came out in opposition to legal notices on the Internet. “Readership of public notices in newspapers is strong,” the association stated. “Statewide surveys have consistently shown that more than half of all Minnesotans read public notices in their local newspapers on a continuing basis. Newspaper readers only have to go to one site for the information. It would be, to say the least, inconvenient for citizens to have to go to multiple Web sites to get all public notices.” The association pointed out that newspapers are accessible to Minnesotans at a much lower cost to citizens than access to the Internet, requiring a major initial investment in equipment and relatively high monthly access fees. Publication in a newspaper involves a relatively small cost compared to a public body’s total budget. The cost to a public body of maintaining a reliable, dependable Web site for consistent posting of public notices may well be as much or more than the cost of publication, asserted the association. The MNA stated that it should not be forgotten that the Internet is subject to hacking and manipulation which can compromise the security and credibility of public bodies’ Web sites. “To preserve reliable, dependable notice to citizens about the workings of government, public notices should continue to be published in newspapers,” the MNA argued.

The New Jersey Press Association in June 2004 in a letter to the governor argued their case to leave the posting of public notices up to newspapers and opposing a bill allowing government agencies to place public notices on the Internet instead of publishing them in newspapers. The governor resigned, and the legislation is still pending (Parker, 2006). Legal rates, as set by the state Legislature, have not been increased in New Jersey since 1983. Some of the NJPA arguments were that public notices in local newspapers are vital to the proper functioning of democratic government, newspapers are a more effective medium through which to reach the public, newspapers are more accessible to the public than the Internet, and the Internet is highly unreliable as a source for valuable information (Parker, 2004).

Newspapers offer readers a single, convenient location in which to find public notices. By contrast, allowing individual government entities to publish notices on their respective Web sites would create a myriad of different locations on the World Wide Web, wrote Parker. Placing public notices on the Internet disenfranchises many citizens,

especially the elderly, she wrote. Demographic research by Harris Interactive shows that only eight percent of all adults online are above the age of 65. Furthermore, according to a recent study by American Demographics, 78 percent of Americans over the age of 65 get their news from newspapers, while only 12 percent look to the Internet for news. These senior citizens are also among the most politically active demographics, and thus are the most likely to take advantage of public notices, Parker wrote. She added that placing public notices on the Internet disproportionately affects minority citizens. In 2000, the Department of Commerce found that White households had Internet access at levels double those of African-American and Hispanic households.

The Louisiana Press Association (LPA) in 2000 distributed a fact sheet, titled "Public Notice Advertising on the Internet." The fact sheet stated that although the Internet is cheaper, it takes thousands of hours to create and maintain even with a basic commercial web site. Governments will have to pay consultants or undertake the massive process internally. Proposals which shift public notice to the Internet in the name of cost savings in reality impose new and higher costs on citizens. The fact sheet countered the argument that the Internet is easier and more visible with: Easier for whom? Instead of subscribing to a newspaper, the public would have to access the Internet, which requires an expensive computer and costly Internet service. A significant percentage of Americans do not use the

Internet on a regular basis and the notice would be buried among Internet information.

Although one can argue that the Internet is wider reaching, newspapers are required by the government to demonstrate readership by providing a list of paid subscribers. This requirement cannot be met on the Internet. Proponents of the Internet argue that more can be published, but this could become a waste of government resources if irrelevant information is compiled and archived. Newspapers have proved to be a reliable medium for public notices, and the Internet could be insecure and vulnerable to hackers (LPA, 2000).

Some state press associations are now placing public notices on the Internet as an extension of the newspaper public notices. The Public Notice Resource Center (PNRC), founded in 2003, links to several state association Web sites, including their public notices. PNRC collects, analyzes and distributes information about public notices and informs the public of its right to know. Another consolidated database for public notices is PublicNoticeAds.com which had eight state associations listed in June 2006.

LegalNotice.org provides an online service with "quick, easy access to essential information you might not otherwise be able to track down on your own. We complement traditional legal notice advertising through partnerships with newspaper publishers, making it simple for attorneys, government agency representatives and oth

Table 1: Surveys About Public Notice Advertising

Louisiana law requires school boards, police juries, city councils and other public bodies to inform the public of their activities by publishing the results or minutes of their meetings in local newspapers in the form of public notice advertising. Here are results of two surveys for the Louisiana Press Association (LPA) and responses from 125 college students majoring in mass communication or journalism.

Question	LPA 1988 %			LPA 1998 %			Students 2000 %			Students 2006 %			
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know	
1. Have you ever read public notices?	64	29	7	71	25	3	70	23	6	62	29	1	0
2. Do you think the requirement to publish public notices helps keep local officials more honest?	68	20	14	67	21	12	60	34	6	52	34	14	
3. Do you think the requirement helps make local officials more careful about how they spend taxpayers' money?	69	22	6	70	26	5	56	39	5	53	31	16	
4. Do you think the requirement provides you with information that you would not get from other sources?	79	15	6	78	15	6	61	34	6	45	37	6	
5. Do you think the money spent on public notice advertising is well spent?	66	18	16	66	21	13	47	42	11	38	42	11	

ers to place legal notices and enabling advertisers to communicate their information to a broader audience” (LegalNotice, 2006).

A brochure from the Louisiana Press Association posed the question: “Are Public Notices Really Necessary?” Inside in bold type the answer was: “Louisianans say ‘yes!’” Results of a 1998 survey commissioned by the LPA were compared with a 1988 survey. Based on 1,000 interviews, the study showed that Louisianans read public notice advertising and say publication of such notices

- Leads to responsiveness in government.
- Keeps local officials more honest and careful with citizens’ money.
- Gives information they would not get elsewhere.
- Is money well spent.

The LPA surveys did not deal with the Internet. This researcher expanded the LPA questionnaire and surveyed mass communication/journalism students at two Louisiana universities in 2000 and again in 2006. It was assumed that college students would be more familiar with the Internet than would citizens at large. This researcher briefly explained public notices/legal advertising before the students answered the questionnaires. The survey instrument administered to the students included a question asking if the students were from Louisiana or out of state.

Three additional questions that were not on the LPA survey were added:

- Would you read public notice advertising on the Internet?
- If you read public notices on the Internet, would you also read them in a newspaper?
- Do you think if public organizations placed their notices on the Internet that they would have satisfied the requirement to publish?

Results of the student surveys showed that about 60 percent of the students were from outside Louisiana. About 70 percent had read public notices in 2000, and that figure dropped to 61.6 percent in 2006. These figures compare to LPA’s responses of 64 and 71 percent, respectively, in 1988 and 1998.

The same number of students in 2000 and 2006 (68 of 125 or 54.4 percent) said they would read public notices on the Internet, but the percentages of “don’t know” rose from 6.4 to 12 percent. The number of students who would read public notices on the Internet and in a newspaper dropped from 76 (60.8 percent) to 50 (40 percent). The number of positive responses concerning organizations satisfying their requirement to publish rose from 55 (44 percent) in 2000 to 75 (60 percent) in 2006.

Table 1 on page 10 shows the comparisons of the two LPA surveys and two student surveys, and responses to both student surveys are shown in **Tables 2 and 3** on page 11 & 12.

Summary and conclusions

Public notices are traditional, essential parts of newspapers’ roles, dating to colonial days. The Internet is a new technological device for delivery of information. Newspapers are accessible, portable and low cost. Many people do not have access to the Internet or do not want to read public notices on the Internet. There are more “cons” than “pros” for placing public notices on the Internet.

Recommendation: Keep public notice advertising in newspapers and offer them on the Internet as a supplement. If the local community insists on having the ads on the Internet, let the newspapers remain the responsible, independent publishers, not the government.

Responses from two surveys of 125 college journalism/mass communication students compared favorably with two surveys conducted for the Louisiana Press Association on four of five questions. However, when asked: “Do you think the money spent on public notice advertising is well spent?” 62 percent of the students said “no” in 2006. These students are citizens who are becoming taxpayers. Some of them will work for newspapers and could become owners and publishers. These students were shown some public notices before they answered the questionnaire.

Concerning the Internet questions in 2006, a majority said they would read public notices on the Internet. Also half of the students said if they read them on the Internet they also would read them in the newspaper. Sixty of the students said they thought placing notices on the Internet would satisfy the requirement to publish.

Table 2
Survey of College Students About Public Notice Advertising (2000)

Louisiana law requires school boards, police juries, city councils and other public bodies to inform the public of their activities by publishing the results or minutes of their meetings in local newspapers in the form of public notice advertising. The purpose of this survey is to determine if you read public notices and your opinions about them.

Please circle your responses.

1. Your student status: in state **72 (57.6%)** out of state **53 (42.4%)**
2. Have you ever read public notices in a newspaper?
Yes **88 (70.4%)** No **29 (23.2%)** Don’t know **8 (6.4%)**
3. Do you think the requirement to publish public notices helps keep local officials more honest?
Yes **75 (60%)** No **42 (33.6%)** Don’t know **8 (6.4%)**
4. Do you think the requirement helps make local officials more careful about how they spend taxpayers’ money?
Yes **70 (56%)** No **49 (39.2%)** Don’t know **6 (4.8%)**
5. Do you think the requirement provides you with information that you would not get from other sources?
Yes **76 (60.8%)** No **42 (33.7%)** Don’t know **7 (5.6%)**
6. Do you think the money spent on public notice advertising is well spent?
Yes **59 (47.2%)** No **52 (41.6%)** Don’t know **14 (11.2%)**
7. Would you read public notice advertising on the Internet?
Yes **68 (54.4%)** No **49 (39.2%)** Don’t know **8 (6.4%)**
8. If you read public notices on the Internet, would you also read them in a newspaper?
Yes **76 (60.8%)** No **34 (27.2%)** Don’t know **15 (12%)**
9. Do you think if public organizations placed their notices on the Internet that they would have satisfied the requirement to publish?
Yes **55 (44%)** No **62 (49.6%)** Don’t know **8 (6.4%)**

Recommendations: Mass communication and journalism programs should teach about public notices in their programs. Newspapers should indoctrinate readers, especially younger ones, about the importance of public notices.

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Table 3

Survey of College Students About Public Notice Advertising (2006)

Louisiana law requires school boards, police juries, city councils and other public bodies to inform the public of their activities by publishing the results or minutes of their meetings in local newspapers in the form of public notice advertising. The purpose of this survey is to determine if you read public notices and your opinions about them.

Please circle your responses.

Please circle your responses.

1. Your student status: in state **75 (60%)** out of state **50 (40%)**
2. Have you ever read public notices in a newspaper?
Yes **77 (61.6%)** No **36 (28.8%)** Don't know **12 (9.6%)**
3. Do you think the requirement to publish public notices helps keep local officials more honest?
Yes **65 (52%)** No **42 (33.6%)** Don't know **18 (14.4%)**
4. Do you think the requirement helps make local officials more careful about how they spend taxpayers' money?
Yes **66 (52.8%)** No **39 (31.2%)** Don't know **20 (16%)**
5. Do you think the requirement provides you with information that you would not get from other sources?
Yes **56 (44.8%)** No **46 (36.8%)** Don't know **23 (5.6%)**
6. Do you think the money spent on public notice advertising is well spent?
Yes **48 (38.4%)** No **62 (41.6%)** Don't know **14 (11.2%)**
7. Would you read public notice advertising on the Internet?
Yes **68 (54.4%)** No **42 (33.6%)** Don't know **15 (12%)**
8. If you read public notices on the Internet, would you also read them in a newspaper?
Yes **50 (40%)** No **50 (40%)** Don't know **25 (20%)**
9. Do you think if public organizations placed their notices on the Internet that they would have satisfied the requirement to publish?
Yes **75 (60%)** No **40 (32%)** Don't know **10 (8%)**

Hold that obit!

The report of our death has been greatly exaggerated

By Jock Lauterer

Introduction

Doom and gloom media pundits have been moaning and groaning about the disappearing American newspaper reader for years now — most notably Phil Meyer's 2004 book, *The Vanishing Newspaper*. Meyer calls the newspapers' demise "a death spiral." And if that doesn't get your attention, he goes so far as to project the last newspaper's publication date as April 2043.

While such dramatics may sex-up a title and sell books, it does not fairly represent the entire American newspaper spectrum. Hence our apology to Mark Twain, who, upon reading his own obituary mistakenly published when he was abroad, said famously: "The reports of my death have been greatly exaggerated."

Hold that obit. Community newspapers are alive and well.

The doom and gloomers have blinders on. They are failing to look beyond the beltways, into the suburbs, out into the burgeoning exurbs and small towns where community weeklies are not just surviving but thriving.

Media negativists also overlook the dramatic growth in their own urban backyards where urban alternative weeklies and ethnic papers, particularly Spanish-language community newspapers, are starting up and growing to beat the band.

After examining circulation figures of my state's 189 community newspapers over the last 21 years and crunching the numbers, we find that the majority of the weeklies (including semi and tri-weeklies) are not vanishing at all, but growing. Repeat: growing.

What do these successful weekly publishers know that the major metro daily folks don't know? What are weeklies doing right that the major metro dailies are doing wrong — or failing to do?

Community papers are keepers

When the news came down earlier this year that McClatchy Co. was buying newspaper giant Knight Ridder, media pundits on the newspaper deathwatch mournfully trumpeted the event as further evidence of the inevitable demise of an antique form of communication.

But the transaction has a different ring to me.

As director of the University's project for community newspapers and a former co-founding editor/publisher of two community papers, I'm struck by an overlooked fact.

In addition to their 32 dailies, Knight Ridder included at least 24 community newspapers (defined as weeklies, twice-weeklies and tri-weeklies). And McClatchy (in its pre-KR iteration) owned at least 17 community newspapers. According to the *Sacramento Business Journal*, the new McClatchy will own upwards to "roughly 50 non-dailies."

Why is this important? Because the newer, bigger McClatchy

surprised many when they announced plans to shed 12 of their newly acquired papers. But here's the news that didn't surprise me: The dozen papers that were sold were all big dailies, while McClatchy planned to keep *all of their so-called "little" papers*.

And why is that?

In the words of UNC-CH journalism associate professor Frank Fee, "because they're the ones making money."

Local, local, local

What is it about community papers that make them so viable? Consider the comments of cowboy poet and columnist Baxter Black, who wrote the following in a column titled, "Why I Love My Hometown Paper," (a weekly in San Pedro, Ariz.): "Small-town papers often thrive because CNN or the *New York Times* are not going to scoop them for coverage of the 'VFW Fish Fry' or 'Bridge Construction Delay' or boys and girls playing basketball, receiving scholarships, graduating, getting married or going off to war..."

"I think of local papers as the last refuge of unfiltered America — a running documentary of the warts and triumphs of Real People — unfettered by the Spin and Bias and the Opaque Polish of today's Homogenized Journalism.

"It is the difference between Homemade Bread and Pop Tarts."

Such a difference has not gone unnoticed.

"Thousands of community papers are thriving and gaining in circulation even as the big boys decline," writes Alabama community newspaper editor John W. Stevenson in the January edition of *Publishers' Auxiliary*, the journal of the National Newspaper Association, a trade group with 2,600 small newspaper members.

"People today, as in previous years, are hungry to know about what is happening locally," writes Stevenson, who is also the NNA membership chair. "They know their hometown paper is where they'll find the news they want."

Stevenson concludes, "There will always be those who say newspapers are on the way out. But from what I've seen lately, I've never been more optimistic about their future."

Others agree. "Local is the thing," Bob Scaife, Newspaper Association of America vice president for smaller market newspapers, told *Reuters* writer Paul Thomasch this summer. "People want more local news, they want to hear about what is happening with their community."

In his *Reuters* story "Small Towns Are Bright Spots for Newspapers" (June 8, 2006) Thomasch also quotes Mary Junck, CEO of Lee Enterprises, which owns 58 papers, as saying it is the smaller ones — like the *Waterloo Courier* in Iowa or the *Missoulian* in Montana — that perform best.

Thomasch writes, "In many ways, community newspapers are still enjoying the advantages that big metropolitan dailies such as the *New York Times* or *Chicago Tribune* have lost. Readership has held up better and fewer people have defected to the Internet for news and

classified ads.”

Little wonder then that Gannett Co., long known for its devotion to the bottom line, is currently the nation’s single largest owner of weeklies (207 at last count).

Something of lasting value

Community newspapers, especially non-dailies, are insulated by many factors, including human nature. Simply, people like “hold and fold,” the portability of the paper. But it’s more than that. A local paper, if it does its job well, brings to the reader an invaluable affirmation for “back home.” In the following anecdote, we see the deep-seated value and long shelf life of a weekly thrown into sharp focus.

And the story, told in first-person, came from Gov. Mike Easley himself, in his inaugural address to the North Carolina Press Association, the very month he took office, January 2001.

Shortly after Easley was elected governor, but right before he took office, he needed some downtime to recover from the rigors of the successful election of 2000.

So he took the ferryboat from Southport in his native Brunswick County to his vacation spot at Bald Head Island.

On the way across the sound from Southport to Bald Head Island, Easley spotted the boat’s captain sitting on a copy of the local community newspaper, the *State Port Pilot*, a prize-winning weekly out of Southport.

Repeat, a weekly — and at this point, a *three-day-old* weekly.

But the news would be new to Easley; so the governor-elect asked the captain if he could borrow the paper to read during the boat trip — and the captain said “yes.”

Easley read the paper, heartened by, as he put it, “seeing all those faces and names I knew...” So, by the time the boat had gotten to the dock, the governor-elect wasn’t finished with the *State Port Pilot*.

The new governor asked the captain, “Can I keep the paper?” clearly expecting the old salt to defer...

But this is the response he got: “No,” said the captain flatly, “I haven’t finished with it yet.”

Small is beautiful

So it should come as no surprise that *Reuters* reports (June 8, 2006) that the Audit Bureau of Circulation shows smaller papers leaving major metro dailies in the dust. Writer Thomasch reports ABC’s “latest data showed weekday circulation over a six-month period fell 4.7 percent at Colorado’s *Denver Post*, but rose 2.5 percent at the *Grand Junction Sentinel*; Florida’s *Orlando Sentinel* dropped 8.3 percent but the *St. Augustine Record* rose 11.2 percent; California’s *Los Angeles Times* dropped 5.4 percent, but the *Stockton Record* rose 1.2 percent.”

Reporting on the same story, the *Wall Street Journal*’s Sarah Ellison (May 9, 2006) writes that the largest circulation drops came from major metro papers. “Big-city papers have been hurt more than those in smaller towns,” Ellison writes, “spurring some newspapers to launch niche publications...”

Ring around the metros

That’s the term former weekly newspaper publisher Kevin Schwartz uses to describe the phenomenon we are seeing in most every U.S. metro city: vital and prosperous non-dailies in the small towns, suburbs and exurbs surrounding the declining major metro daily in the center.

As I look around my state, I see this dynamic in play. The Charlotte Observer is ringed by the *Gaston Gazette*, the *Huntersville Herald*, the *Monroe Enquirer-Journal* and the *Matthews Record*. (Word is that the *Charlotte Observer* is about to launch a Matthews edition with a bureau in the upscale trendy town of Matthews.) This is not uncommon. The *Winston-Salem Journal* recently launched weekly “local” papers in Clemmons to the west and Kernersville to the east. Both towns already have prosperous weeklies, but the local big daily sees the writing on the wall and is taking the game to the ‘burbs.

In Raleigh “ring around the metro” takes on a special meaning because McClatchy owns not only the big (170,000) *News & Observer*, but also five non-dailies around the state capital: the *Chapel Hill News*, the *Cary News*, the *North Raleigh News*, the *Eastern Wake News* — and the newly-launched *Durham News*. All five weeklies are free, or are inserted into the “mother paper.”

The really big picture

From a global view, weeklies are outperforming dailies in some markets, according to the *World Press Trends 2006* report from the World Association of Newspapers. And even though U.S. daily readership was down 2.35 percent in 2005, daily newspaper circulations and ad revenues are up *worldwide*: “Global newspaper sales were up 0.56 percent over the year and had increased 6 percent over the past five years. Much of the sales growth last year was in Asia,” especially China and India.

Taking our pulse

Local news is the engine that drives circulation stability and growth. According to the 2005 Community Newspaper Readership Survey conducted by the University of Missouri for the NNA, 81 percent polled read a paper at least once a week, and of those readers, 95 percent want to see local news, including school and sports news, in their local paper. And, 95 percent said they paid for the paper.

This is significant because *paid circulation* is a dependable barometer of a paper’s health.

So what is the state of one state’s community press?

Since I am director of the Carolina Community Media Project, I ought to be able to crunch some numbers that prove my point. I did this by examining state press association directories dating back to 1985. To put North Carolina in context: of the 197 total general interest newspapers, 149 are weekly and 48 are daily. Of those 48 dailies, only eight could be called big-city dailies, with circulations in excess of 50,000. Thus, fully 96 percent of N.C. newspapers are defined as “small,” a figure that very nearly mirrors the national breakout between “big” and “small” papers.

Truth be told, dailies are in crisis. According to my findings, only *two of the 48 dailies* have shown consistent growth over the last 21 years. Both papers, the *New Bern Sun-Journal* (Freedom, 18,119) and the *Greenville Daily Reflector* (Cox, 22,678), are in high growth areas and small enough to be considered strong community (local angle first) dailies.

Three areas of growth

And where is the growth?

• **The Spanish-language press.** According to a study done by UNC-Chapel Hill honors student Michael Todd (and advised by this author), there are approximately 24 Spanish-language newspapers in

the state, while only two of them are on the radar of the mainstream press, that is to say, members of the state press association. And so, we have 22 *undocumented* weeklies out there working under the radar, so to speak. Todd, a personable fellow fluent in Spanish, acquired most of his information by persistence and word of mouth. The state's growth in this area mirrors that of the nation, where, according to the National Association of Hispanic Journalists, there are now approximately 730 Spanish language papers, up from 137 in 2004. And a caveat: The Spanish-language press is not the only undocumented ethnic press out there. My state also has several African-American, native-American and Asian weeklies that don't belong to the state press association and which you won't find listed in the *Editor & Publisher Yearbook*.

• **The Urban Alternative Weeklies.** U.S. readership rose from 7.3 million to 7.5 million between 2003-2004, according to the Association of Alternative Newsweeklies, as reported by Chas J. Hartman writing for the Web site of the Institute for Rural Journalism and Community Issues at the University of Kentucky. Such publications are often openly lefty, green, anti-growth, edgy, arts and entertainment and sometimes downright racy — like blogs on paper, if you will. A good example in my state is Asheville, where Gannett's 60,000-circulation *Citizen-Times* faces lively competition from no less than four muckraking and sometimes-gonzo publications including the *Daily Planet*, the *Global Report*, the *Tribune* and the hard-hitting investigative *Mountain Xpress*.

• **Weeklies:** In addition to the burgeoning Spanish-language and urban alternative press, the growth is in the weeklies (defined as any publication coming out less than four times a week). Of the 79 weeklies reporting circulation figures to the North Carolina Press Association over the last 21 years, 59 percent have shown growth in circulation since 1985.

Of the 59 percent which showed growth, 35 percent have shown solid, consistent growth; and 24 percent have shown peaks-and-valleys growth. (As a former editor-publisher, I can tell you, peaks-and-valleys growth ain't too shabby).

Then here are two more bits of good news: the number of North Carolina weeklies has grown by 39.25 percent. Over the past 21 years, while the number of N.C. dailies has declined by 16 percent (down from 57 to 48), the weekly ranks grew from 107 to 149, not counting the multiple undocumented urban alternative and ethnic weeklies.

Finally, here's another myth-buster: 52 percent of the state's weeklies are still independently or locally-owned.

Towards a new metric

While ink-on-paper will be around for a long time, savvy community newspaper publishers realize the value of online journalism, which allows a weekly to be a virtual local daily. Global online newspaper consumption rose 8.71 percent last year, up 200 percent over the past five years, according to the World Association of Newspapers. In my state, 94 percent of the state's 127 newspaper Web sites belong to small papers. One leader is the *Pilot* of Southern Pines, a thriving, high-quality tri-weekly published by David

Woronoff, a far-sighted young man who thinks it's time for a new metric. Woronoff says it's not enough to talk about just ink-on-paper circulation numbers any more. Publishers also must be able to cite Web numbers using "Unique Visits Per Day" as the unit of measure. So Woronoff describes the printed *Pilot* as having a circulation of 15,000, but also thepilot.com as getting 5,000 unique visits per day. So it's a matter of educating not only traditional publishers, but also state press associations, readers and especially advertisers.

Recommendations

Since it's almost impossible to fill a daily with all local news, faltering dailies should think about conversion to an all-local twice or tri-weekly publication cycle, perhaps free distribution in tabloid format.

This will not go down well with traditional daily newspaper publishers. But with daily circulations sliding, and so-called non-daily circulations building, what other conclusion can one arrive at but this?

Meanwhile, weeklies that are squatting on lame Web sites, just staking out their turf with minimal content because the Web version is not a big money-maker yet, should get off their haunches and invest in making those Web sites vital, lively, informative and up-to-date. If you build it, they will come. And while we're quoting folks, don't forget this one. The last nine words of a business: "That's The Way We've Always Done It Around Here."

Additionally, state press associations should begin compiling Web numbers for member papers (using "Unique Visits Per Day") and listing those figures alongside traditional ink-on-paper circulations in the annual directories.

Conclusions

The late Charles Kuralt, with his typical gift for the cogent, was the first journalist I ever heard use the expression "relentlessly local." And I would argue it's that local-local-local news emphasis that gives the community papers their vision, identity, franchise and future.

In the words of Pennsylvania community newspaper editor Jim Sachetti of the *Bloomsburg Press-Enterprise*, "Local? — It's the only game in town!"

So, with apologies to Mark Twain, who, upon reading his own obituary mistakenly published when he was abroad, said famously: "The reports of my death are greatly exaggerated," — **hold that obit!**

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Country weeklies offer intriguing possibilities

Condensed by **John Whalen**

Editor's note: The following article, "The Country Weekly," by Sherwood Anderson, was condensed by John Whalen from his scrapbook. The article first appeared in The Forum of April 1931.

The local country weeklies in America have become pretty dull and meaningless. They were not always that. At one time and until long after the Civil War they were very much alive. There is still life in them, there are still possibilities. To thousands of young men and women in America who are rather fed up on big city life and who object to becoming mere cogs in huge organizations they offer an opportunity.

We are hearing a good deal now days about industrialism and of how it has changed life. There has been for the last two or three generations a drift to the industrial centers, the big cities. The kind of young men in America who in former times would naturally have become small town and county seat editors — colorful fellows, full of life, with a writing hunch, perhaps (there were always plenty of that kind) taking an interest in the life immediately about them, taking an interest in politics, having their say about things — these kind of men have now, for a good many years, been leaving the small towns. They have been going away to the cities and when they have become newspaper men have gone to work on the big city dailies.

It is my notion that they have missed more than they have gained. They have taken too seriously the city propaganda. They have been told by the city men that to stay on living in the small town was to become a boob. They haven't wanted to be boobs so they have got out of the towns.

They have gone to the cities. But in the cities the tone of the newspaper has also changed. Everything has become more fixed, more static, more regimented there too. Formerly on the big city daily there were strong individualists. The great newspapers were once really, in part at least, journals of opinions. To get at just what I mean go back to our Civil War days. See how individuals stood out then. There was that queer but nevertheless powerful figure, Horace Greeley; there was the violent and colorful James Gordon Bennett. Other men of like caliber were springing up everywhere. At that time being a newspaper man was a career with infinite possibilities. The Civil War got itself fought out and the newspaper man for a time still remained strong.

But the Civil War was really fought about something besides slavery. There was something else at stake. An old life here in America, an agrarian life — a civilization such as Thomas Jefferson dreamed of, founded on the small farm and on small and localized industries — was at war with modern industrialism, and it was industrialism that triumphed.

Now as everyone now days knows, the soul of industrialism is standardization. It must be so. There is no help for it, and naturally you get out of standardization a civilization in which the effort is made to pour all people into the same mold.

And so naturally you have got your newspapers standardized also. The modern city newspaper is trying to reach constantly more and more hundreds of thousands of people, they are more and more being owned in

chains, and every year they become more and more alike. It is again a question of mass production. You have only to look at the newspapers themselves to see what I mean. From Maine to California, in every city big enough to support a daily, you will find the same comics, there are the same rather tired syndicated sport writers, the same funny men, the same wise-crackers. And all news stories are handled in much the same way. There may be some slight variations. Some newspapers report happenings in a more detailed way than others, some go in more heavily for scandal, some play up pictures.

The main, the central purpose, is bigness, and it seems to me that now, more than ever before, is a time for the young man or woman of talent who wants to have some fun out of life to let bigness go. It is time to check up a little, to stop and look about.

The point with me is that I am trying to make here a plea to thousands of young men and women in America who have an aspiration to write and who have their eyes on newspaper work as a way to get a start; for them the country press is an opportunity.

There is probably not, in the whole of our American romantic conception of life, a greater illusion than that concerning the life of the writer, and in particular the popular or successful writer... If he is popular, he has got money, hasn't he? Club women smile upon him. He has (there is no doubt of it) more opportunities to make a fool of himself than the ordinary citizen. He has leisure. He has too much leisure.

I have myself been for three years now the publisher of two county seat papers in a Virginia county of some 25,000 people. The papers are published in a town of 5,000 people, the county seat, and I bought them not because I wanted to reform anyone or change anyone in this Virginia county but because I wanted a job.

The country weekly, when it is a true country weekly, is not a newspaper at all. That should be understood. We do not compete with the daily and in our columns we constantly say to the people of the county that if they want world news, or even state news, they should take a daily. We constantly warn them not to depend upon us.

It is true that we do give to the entire news of the outside world perhaps a column a week. Mr. Jack Dempsey fought Mr. Gene Tunney — the highly cultured Mr. Tunney — out in Chicago, that time of the long count. Do you think we mentioned that in our weeklies? Not at all. If there were tomorrow a catastrophe in Spain, let us say, with 25,000 people wiped out, we might give the matter four lines in our papers, but if Mr. Jim Lane's collie dog, over by Nebo in this county, went mad and bit a child and if the dog was killed and its head was sent to Richmond and if the authorities there found true rabies and sent a treatment for the child so that it in turn need not go mad, we would have a column on that.

We would go into details about that matter, perhaps running a special article on rabies, what causes it, what are the signs of its coming on in animals, its different forms, etc. We would do that and we would be right. The child bitten by Jim Lane's dog was Charley Peter's little girl. She is a nice little thing. Everyone here knows her as they know Jim and Charley. While this treatment of the little girl is going on, Jim will be almost as anxious about the outcome as Charley himself.

The county newspaper rightly run is not a newspaper in the modern daily newspaper sense. It is in reality a kind of big weekly county letter. You will find hundreds of names in every issue of the paper. One of the ways in which a country editor can insure having a big circulation is by getting into each issue as many names as possible. Do that and you can't fail. The people will take your paper all right.

In our own country papers we have, for example, a correspondent at every crossroads in the county. We cover all of the court news, even in the country squires' courts. A country man and his neighbor have a quarrel leading to a fight over the division of corn, raised in a field on shares, and the matter is brought to a justice of the peace. We cover that. We cover deaths, births, marriages, family reunions. Now I remember very vividly what happened when I bought these papers. There was a certain amount of fear in the county. Some of the big city dailies had got wind of what I had done. Articles appeared about it in the city papers. The people here, of this county, were afraid I was going to put in some sort of innovation. They were afraid I was no longer going to try to get out their county letter that would pretty much tell everyone in the county what everyone else was doing. They were afraid I might be going to try to reform them.

I remember what a traveling salesman for a paper company said to me the first week I was here. The man was a little sorry for me. He came in. "Well," he said, patting me on the back, "cheer up, man. A man may be down but he is not out.

"I wouldn't give up if I were you," he said. "You'll get back again into the big time after a while."

You get, there is no doubt of it, in these little weekly sheets, a rather marvelous opportunity. For one thing, and from a writer's point of view, there is something very valuable. You are in touch with life. You see life in the towns and on the farms as it is carried on. You are a part of it. You have a function in the community. You are busy.

Why, as for that, you give the people of your county the county news in full and then there you are, you have plenty of space left. You have space in which you can say things and give others the opportunity to say things. Discussions having to do with the welfare of the whole community can be brought up and can be thrashed out. There are illuminating conversations overheard, discussions on the streets or on the courthouse steps. With a little practice the tone of life and thought in the town may be pretty sharply reflected. I admit this isn't done much in most of the county weeklies as they are now run, but it can be done. The county weekly can be a kind of forum.

The very touch the country newspaper man has with his readers and with the people about whom he writes is something no city newspaper man ever can have. Our own country print shop, here in this Virginia town, is a kind of meeting place for the whole county.

Men and women come in and go out. There are books here to be read and pictures on the walls. Now days you can get good colored prints of modern paintings at little cost. We have Van Goghs, Cézannes, Marins. People come in and stare at these, but they are interested. We run a non-profit-making lending library in a corner of the shop and people come in for books. There are political discussions, stories told, news of the county is brought in. I swear you'd be surprised. There is a workman's wife here who reads Dostoevski. We reprint stories by Chekhov and Turgenev and have even reprinted in the papers the *Book of Ruth*. People liked it.

I am writing of the opportunities that I feel are in our country papers, but they are not primarily money-making opportunities. Your country newspaper editor, if he is a good one, does everything. He has to make the paper pay, watch the business end of his venture, he has to gather news, go to trials, go to gatherings of farmers, auction sales, weddings, etc. Even at the best he won't make much money. His income will be about that of the fairly successful country lawyer or doctor. But now days, at least among some of our

younger American men and women, there is a growing feeling that the emphasis upon money-making in our civilization has been, to say the least, rather overdone. They are a little fed up on that idea. Having money is all right, but usually it costs too much in life and in living to get enough of it to make much of a show.

As for the power inherent in these country and small town papers, it is tremendous. Once it was deeply felt, but it is a good deal forgotten now. That is because so many of our country papers are in the hands of small business men. They are being run by men without imagination, with no flare for the work.

The life of the average small town is not ideal. There is a lot of petty meanness and jealousy. In every town there are gossips and penny-pinchers. Little hatreds flare up, but other things flare up too. People you did not think were nice suddenly become amazingly nice. Laughter breaks out, and that helps a lot.

The woods call, the streams and fields call. Some man is always coming in. "Look here," he says, "get away from that typewriter. The fish are biting up Willard's Creek." The point is that in this job of running a country paper there is a chance, so often altogether lost by the city man or woman, to keep somewhat in touch with nature and with what nature provides. Well, don't smile at that idea. There is a life of the fields, of animals, of the woods that means something, too. Your country editor ... can get into the fields and woods at any time in ten minutes. He knows at least something of where what he eats comes from. The more substantial things in nature do not always come to him at second hand or in cans.

The fish may not be biting up Willard's Creek, but there are things to see, things to hear, things that can go into a country paper. There has been a storm and Farmer Pete White's field of grain is laid flat to the ground. A little talk with Pete about that doesn't hurt. You get at least some sense of the precarious life the farmer leads. There is a view to be had from the top of Shower's Hill. There is something lovely in the way a gray road winds away and loses itself among distant low hills.

That also may be written about. Why not? Your reader of a country paper isn't looking for sensations. I swear that it means something to the country editor when a farmer comes in and rather reluctantly takes a (check) out of his overalls' pocket. "Say, you fellows charge too much for your danged old paper," he says.

"Still and all," he says, "I guess you'd better send her out for another year. I guess we need her. I didn't know until I read that piece you wrote in the paper how darned nice that road was that goes out to my farm."

It doesn't take a lot of money to acquire a country paper. There does not need to be a big investment. And given in any one of our states even a few dozen country editors — each of them not necessarily intent upon reform but rather alive, not frightened by every little advertiser who comes in demanding something absurd, with a somewhat decent attitude toward his community and his readers, not trying to fry any fish of his own, having in him a little plain love of life — it is, I think, amazing what might be done.

The country press of America is a job for young men and women of talent. It is a way of life and I believe, after some three years of it, that it is a good way of life. Sometimes I think that the American country press is today the biggest, the most pregnant, and the most overlooked opening there is in all American life for young men and women who would like to live and who while they are living would like to get a bit more fun and meaning out of their lives.

ISWNE member John Whalen lives in Dubuque, Iowa. He can be contacted at jaw93@mchsi.com.

The role of photos on community newspaper web sites

By Donna Hale

This study analyzed Web editions of community newspapers in Illinois to determine how the papers highlighted photographs on their Internet editions. The study examined the use of a dominant photograph on the Web homepage. More importantly, the study noted the presence or absence of photo galleries (or photo albums) on the Web and provisions for Internet users to purchase copies of photos in the galleries.

Not too many years ago, the publication of colored photographs was a luxury for community newspapers. In fact, the publication of four-colored photographs continues to be expensive for print editions of newspapers of all circulation sizes.

On the other hand, publishing photographs on Web editions of newspapers is inexpensive. On the Web it is possible to reproduce collections of colored photographs in special galleries with minimal costs. Because space on the Web is almost limitless, the cost of a photo gallery is only limited by the cost of taking the pictures and the cost of electronically editing them and inserting them in the Website.

Theoretically, the use of dominant photos on newspaper home pages, and the publication of photo galleries, should provide an incentive for Internet users to visit the Web edition. It is possible to utilize photographs to publish unique content on the Web edition and to publish many more photographs, both black and white and colored, than are published in the print edition.

Methodology

This study examined the use of photos in Web editions of 25 weekly newspapers and 25 medium-sized daily newspapers in Illinois to evaluate the use of Web photographs. All the Web editions were randomly selected.

Major daily newspapers were not included in the study because its purpose was to focus on community newspapers. An informal examination of major dailies, however, confirms that these larger enterprises, with their larger photography and editing staffs, feature dominant photos on Web home pages and publish galleries with provisions for Internet orders. This study evaluated the existence of such photo features in smaller, community newspapers.

Both weeklies and dailies were randomly selected from the Illinois listings of *Editor & Publisher International Year Book 2005*. The Web addresses of the selected Illinois newspapers were taken from the Website listing of the Illinois Press Association. In an attempt to make the sample of weeklies comparable with the dailies, most of the weeklies sampled had paid and not free circulation. Also, weeklies with less than 1,500 circulation were excluded from the study. An attempt also was made to select weeklies from a range of circulation sizes.

The resulting sample of weeklies is listed in the Appendix A in the order of circulation sizes from the smallest weekly with circulation of 1,700 to the largest with 90,000. The mean circulation for the 25 community weeklies was 10,892, and the median was 3,900. Three weeklies were under 2,000 circulation, 11 were between 2,000 and 5,000, five were between 5,000 and 10,000, two were between 10,000 and 15,000, and four exceeded 15,000.

The sample of 25 Illinois dailies is listed in Appendix B in the order of circulation sizes. The dailies ranged from a circulation of 4,600 to 47,100, with a mean of 19,648 and a median of 14,900. One daily was under 5,000 circulation, six were 5,000 to 10,000, six were 10,000 to 15,000, one was 15,000 to 20,000, two were 20,000 to 25,000, four were 21,000 to 30,000, and five exceeded 30,000.

Throughout this paper and in Appendix A and B newspapers are listed with the city or county as a prefix as part of the name.

A coding sheet was used to record basic information about the 50 sample newspapers and their Web editions. The name, city and circulation of the print and Web editions were recorded. Also it was noted if the circulation was paid or free and whether the paper was a weekly or daily.

Web editions of all newspapers were examined during April and May of 2006 to determine nine facts about the use of photographs:

- Whether the Website was sponsored exclusively by one newspaper, or by a group of newspapers.
- Whether the home page of the Web edition had a dominant news photograph that was at least one-third of a page wide or wider.
- Whether there was a reference to a photo gallery (or photo album) on the home page of the Web edition.
- Whether the photo gallery included photo credits that named the photographers.
- Whether the photo gallery included three or more photographs of the same event, indicating that the Web photo coverage exceeded that of the print edition.
- Whether the photo gallery included a provision for ordering copies of the photographs.
- The cost of an 8x10 print.
- The cost of a 5x7 print.
- Whether photos in the photo gallery include individualized cutlines with at least two words.

Findings

Most of these findings report the comparative percentages for the weekly and daily newspapers, as well as for the combined sample.

All of the dailies and all except three of the weeklies had paid circulation. (See Table 1.)

Table 1. Percent of Sampled Papers With Paid Circulation

Dailies	100
Weeklies	88
All Papers	94

Ninety-two percent of both weeklies and dailies had Web sites that served only one newspaper rather than a group of newspapers. This finding was contrary to an expectation that a larger percentage of weeklies would share a Website with other newspapers in their regional chain or group.

Most of these Web sites were similar to newspaper print editions and contained headlines, stories, photographs and ads. Some, however, were nontraditional. The Kankakee County weekly used Adobe Acrobat to publish a facsimile of the first three pages of that week's print edition. Two other weeklies, *The Jersey County Star* and the *Breeze Journal*, had Web sites devoted to general information about the newspaper, such as the history and how to subscribe, but did not publish current news content. Two other weekly Web sites, the *Oswego Ledger-Sentinel* and the *Staunton Star-Times*, published current headlines but no stories.

The Web home pages of 68 percent of weeklies, 84 percent of dailies and 76 percent of all papers featured a dominant photograph. This difference was noteworthy. But because of the small sample size, it was not statistically significant. (See Table 2.)

Table 2. Percent Web Editions With Dominant Photo on Home Page

Dailies	84
Weeklies	68
All Papers	76

The Web home pages of 56 percent of the dailies and 28 percent of the weeklies included a reference to a photo gallery. This was a statistically significant difference. In other words, twice as many dailies had this feature as weeklies. (See Table 3.) The 56 and 28 percent figures were lower than was expected. (One weekly without a gallery, the *Hoopeston Chronicle*, posted a notice on its Website that digital cameras were available for community members who wanted to photograph news events for the print edition. And one weekly had a photo gallery sponsored by a bank.) Some of the newspapers referenced archives of old news stories but no old photographs.

The visibility of the photo gallery reference varied from paper to paper. On the *Kankakee Daily Journal*, photo reprints was one of the features on the top of the home page under the heading services. Some Web sites promoted their photo galleries more than others. *The Galesburg Register Mail*, a daily, published a bright yellow box in the upper right corner of the home page, with six lines of type: Photo Reprints / Order a / top-of-the-line / reprint of a photo / published in / *The Register-Mail*. And a weekly, the *Galena Gazette*, had three separate references to photos on the home page: photo gallery, scenic photos, reprints.

Table 3. Percent of Web Editions with References to Photo Galleries

Dailies	56
Weeklies	28
All Papers	42

Only 16 percent of all weeklies and 20 percent of all dailies included photographer photo credits in photo galleries. This difference was not statistically significant. More specifically, four of the seven weeklies with galleries included photo credits, and only five of the fourteen dailies with galleries included photo credits. Thus weeklies that published galleries included photo credits a greater percentage of the time than dailies. Newspapers were missing an opportunity to improve the recognition of their photojournalists.

Table 4. Percent Photographer Photo Credits in Photo Galleries

Dailies	20
Weeklies	16
All Papers	18

Some 24 percent of weeklies and 44 percent of dailies included three or more photographs of the same event in their photo galleries, indicating that the newspapers were publishing a greater number of photographs of some events in the photo galleries than in the print edition. These percentages were not statistically significant. The breakdown for papers with photo galleries that published multiple photos of events was six of the seven weeklies with galleries, and eleven of the fourteen dailies with galleries. (See Table 5.)

Table 5. Percent Publishing Three or More Photos of the Same Event

Dailies	44
Weeklies	24
All Papers	34

If a newspaper published a photo gallery, it generally included a provision for the ordering of copies of gallery photos. As already reported, seven weeklies and fourteen dailies published galleries. Six of seven of these weeklies, and thirteen of fourteen of these dailies, included Web provisions for the ordering of reprints of the gallery photos.

Similarly, if a newspaper published a photo gallery, it generally included individualized cutlines consisting of two or more words beneath the gallery photographs. Six of the seven weeklies with galleries published such information, and ten of the fourteen dailies with galleries published such information. These differences were not statistically significant.

The mean cost of the prints in the weeklies was \$10.33 for an 8x10 and \$6.91 for a 5x7. Mean costs were substantially more in the dailies: \$15.98 for an 8x10 and \$9.28 for a 5x7. There was a considerable range in the charges. Combining the samples of weeklies and dailies, the cost of an 8x10 ranged from \$1.89 to \$27.95 with a median of \$12.99. The cost for a 5x7 ranged from 85 cents to \$16 with a median of \$8. A few papers sold even larger copies of prints. The Hancock County weekly, for instance, sold 12x18 prints for \$19.99 and 30x40 prints for \$59.99.

One weekly, the *Mason County Democrat*, indicated that photo reprints were an online exclusive, and that photo copies could only be ordered through the paper's Website.

One unusual weekly had no gallery or traditional ordering provision. But it published an ad for color reprints buried in the Web classified ad section that included reprint prices but no details on how to order. And another weekly without a gallery included a photo request check-off on the subscription form, but no details on how to order photos.

One daily, the *Alton Telegraph*, had no photo gallery or ordering provisions in its online edition. However, the paper, which had the Illinois newspaper photographer of the year in 2006, did publish an announcement on reprints in its print edition.

It was unclear how many newspapers processed their own copies of prints, and how many used a syndicated service. A number of newspapers used a service called dotphoto, and a few papers relied on myCapture and pictopia.com.

Discussion

Both weekly and daily community newspapers are failing to take advantage of the opportunities Web sites offer for highlighting photographs and photographers. And they are missing an opportunity to generate additional revenue. Part of the reason may be that many community papers lack the resources to emphasize photographs on the Website. It takes considerable time and labor to capture and post photographs on Web sites. Photography software exists which would simplify digital workflow. State press associations might consider presenting seminars on various methods to enhance Web editions through the use of photo galleries.

Appendix A: Sampled Weeklies According to Circulation

<i>Henderson County Quill</i>	1,700
<i>Trenton Sun</i>	1,800
<i>Jersey County Star</i>	1,800
<i>Galesburg Zephyr</i>	2,000
<i>Mount Prospect Times</i>	2,000
<i>Amboy News</i>	2,200
<i>Hoopeston Chronicle</i>	2,200
<i>Sullivan News Progress</i>	2,300
<i>Aledo Times Record</i>	3,300
<i>Elburn Herald</i>	3,400
<i>Staunton Star-Times</i>	3,600
<i>Mason County Democrat</i>	3,900
<i>Hancock County Journal-Pilot</i>	3,900
<i>Fulton Democrat</i>	4,000
<i>Geneseo Republic</i>	5,000
<i>Galena Gazette</i>	5,000
<i>Breese Journal</i>	6,000
<i>Pittsfield Pike Press</i>	7,800
<i>Oswego Ledger-Sentinel</i>	7,900
<i>Lombardian</i>	12,000
<i>Lanark Prairie Advocate</i>	12,400
<i>La Grange Park Suburban Life</i>	36,000
<i>Herald and the Country Market</i>	37,000
<i>Chicago Northside Inside</i>	47,000
<i>Journal and Topics Newspapers</i>	90,000

Appendix B: Sampled Dailies According to Circulation Size

<i>Harrisburg Daily Register</i>	4,600
<i>Edwardsville Intelligencer</i>	5,200
<i>Canton Daily Ledger</i>	5,400
<i>Charleston Times-Courier</i>	7,000
<i>Macomb Journal</i>	7,800
<i>Dixon Telegraph</i>	9,000
<i>DeKalb Chronicle</i>	9,000
<i>Ottawa Daily Times</i>	11,700
<i>Freeport Journal-Standard</i>	13,500
<i>Centralia Morning Standard</i>	14,300
<i>Galesburg Register-Mail</i>	14,700
<i>Jacksonville Journal Courier</i>	14,700
<i>Danville Commercial News</i>	14,900
<i>Elgin Courier News</i>	15,100
<i>Waukegan News Sun</i>	22,500
<i>Quincy Herald-Whig</i>	23,000
<i>Alton Telegraph</i>	25,900
<i>Aurora Beacon News</i>	27,200
<i>Carbondale Southern Illinoisan</i>	27,700
<i>Kankakee Journal</i>	28,300
<i>Moline Dispatch</i>	31,700
<i>Decatur Herald and Review</i>	35,000
<i>Crystal Lake Northwest Herald</i>	37,200
<i>Champaign-Urbana News-Gazette</i>	38,700
<i>Bloomington Pentagraph</i>	47,100

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