Media and the Law 2008

Friday • April 18, 2008 • Kansas City, Missouri
InterContinental Kansas City at the Plaza

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REGISTER NOW!

“This is always a super conference. It is also a great opportunity to share ideas among top practitioners in the field. Not to be missed.”
Susan Grogan Faller, Frost Brown Todd, LLC, Cincinnati, Ohio

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“My information on the participant roster. Please include my information on the participant roster.

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Fourth Estate or Fifth Wheel?
Government Curbs on Free Speech

Friday April 18, 2008
InterContinental Kansas City at the Plaza
Kansas City, Missouri

Featuring:

- Valerie Plame Wilson
- Ambassador Joseph Wilson
- Judith Miller
- The Hon. Deanell Reece Tacha, Chief Judge, U.S. Court of Appeals for the 10th Circuit
- The Hon. Laura D. Stith, Chief Justice, Supreme Court of Missouri
- Ted Rall, President, American Association of Editorial Cartoonists

Schedule Includes:

- Judicial Canons as Vehicles to Curtail Speech
- Celebrities and the Right of Publicity
- Executive Branch Constraints on Free Speech
- When Judges Sue the Media
- Is a Reporter’s Privilege Really Necessary?

Sponsors: The Kansas City Metropolitan Bar Association Media Law Committee; the ABA TIPS Media, Privacy and Defamation Law Committee; and University of Kansas School of Law

Contributors: Media/Professional Insurance, The Kansas City Star, First Media Insurance Specialists, Inc., and Universal Press Syndicate

Coordinated by: University of Kansas Continuing Education

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In 1988, Thomas Carlyle wrote in: “Burke said there were Three Estates in Parliament; but, in the Reporters’ Gallery yonder, there sat a Fourth Estate more important far than they all. It is not a figure of speech, or a witty saying; it is a literal fact,—very momentous to us in this case. It is a very grand fact, I say often, is equivalent to Democracy: invent Writing, Democracy inevitable.” This august notion of media as the “Fourth Estate” is a foundational tenet of the Bill of Rights borne out by the likes of New York Times v. Sullivan and its progeny. But has the media fallen (or cast itself) from grace? Media critics increasingly eschew Carlyle’s lofty characterization of the media, viewing the media instead as plagued by bias, spin, slant, and unfairness driven largely by private interests and commercial motives rather than the overall public good. Has the media morphed from Fourth Estate to fifth wheel, justifiably subject to restraint and censure because of a failure to police itself against private interests? This year’s seminar, on Friday, April 18, 2008, will focus on this core issue.

KANSAS CITY ATTRACTIONS

Thinking of enjoying the weekend in Kansas City after the seminar? Attractions include:

• Country Club Plaza — Across the street from the InterContinental Kansas City at the Plaza, the 15-block district is one of Kansas City’s popular retail, dining and entertainment destinations. Visit www.countryclubplaza.com
• For additional information on Kansas City events, visit www.kansascity.com

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Program Accessibility
We accommodate persons with disabilities. Please call 785-864-5023 or mark the space on the registration form, and a KU Continuing Education representative will contact you to discuss your needs. To ensure accommodation, please register at least two weeks before the start of the Media and the Law Seminar. The University of Kansas is committed to providing programs and activities to all persons, regardless of race, religion, color, national origin, ancestry, sex, age, disability, and veteran status. In addition, university policies prohibit discrimination on the basis of sexual orientation, marital status, and parental status.

Refund and Cancellation Policy
A full refund of registration fees, less a $50 administrative fee, will be available if requested in writing and received by April 11, 2008. No refunds will be made after that date. A $30 fee also will be charged for returned checks. (Please note that if you fail to cancel by the deadline and do not attend, you are still responsible for payment.) KU Continuing Education reserves the right to cancel the Media and the Law Seminar and return all fees in the event of insufficient registration. The liability of the University of Kansas is limited to the registration fee. The University of Kansas will not be responsible for any losses incurred by registrants, including but not limited to airline cancellation charges or hotel deposits.

Registration
8:00 a.m. Welcome
Pat Groskong, Chair, Media & the Law Committee, Assistant Vice President, Media/Professional Insurance, Kansas City, Mo.
Seminar Moderator: Michael Avery
8:15 a.m. The Resident Clip
Lori Harfenist, Producer and Host of The Resident, New York, N.Y.
In her Web show, The Resident (www.theresident.net), Harfenist investigates topics from the benign to the apocalyptic, often with fruitfully planted in cheek, a la John Steinbeck as a TV reporter or a TV show, which earned her place in the First Amendment universe. For our seminar, Harfenist will present a 5-minute clip before each panel, focused on the legal issues. The clips will be posted on Harfenist’s Web site, as well as YouTube.

8:20 a.m. PANEL 1. When Judges Attack! The Implications of Defamation Actions by Judges Against the Media
Moderator: Barbara W. Wall, Vice President/Associate General Counsel, Gannett Co., McLean, Va.
The Hon. Laura Denniv Stith, Chief Justice, Supreme Court of Missouri, Jefferson City, Mo.
Michael Avery, Professor, Suffolk University Law School, Boston, Mass.
Bruce W. Sanford, Partner, Baker & Hostel, Washington, D.C.
Steven P. Mandell, Partner, Mandell Menkes, Chicago, Ill.
9:15 a.m. Q & A
9:30 a.m. The Resident Clip
9:45 a.m. PANEL 2. Right of Publicity: How Celebrities and Nobodies Try to Restrict (or Cash In on) Speech
Moderator: Steven Contopulos, Partner, Sidney & Austin, Los Angeles, Calif.
Gaylen Cummins, Partner, Sheppard Mullin, San Diego, Calif.
Berry Langberg, Partner, Stroock Stroock & Levan, Los Angeles, Calif.
10:30 a.m. Q & A
10:40 a.m. Break
11:00 a.m. The Resident Clip
11:15 a.m. PANEL 3. Ethics—Do Judges Have First Amendment Rights? Judicial Canons as Vehicles to Curtail Speech
Moderator: Mike Kautsch, Professor, University of Kansas Law School, Lawrence, Kan.
12:10 p.m. Lunch—Luncheon Address: Ted Rall
1:30 p.m. The Resident Clip
1:35 p.m. PANEL 4. Shield Rights: Is a Reporter’s Privilege Really Necessary?
Moderator: Lucy Dalglish, Executive Director, Reporters Committee for Freedom of the Press, Arlington, Va.
Judith Miller, Adjunct Fellow, Manhattan Institute (formerly of The New York Times), New York, N.Y.
Lee Levine, Partner, Levine Sullivan Koch & Schulz, Washington, D.C.

Panel 5. ‘You’ll Speak When We Tell You To Speak’: Executive Branch Constraints on Free Speech
Moderator: Brant Houston, James L. Knight Foundation Chair in Investigative and Enterprise Reporting, University of Illinois at Urbana-Champaign, Urbana, Ill. Former Executive Director, Investigative Reporters and Editors
Valerie Plame Wilson, Santa Fe, N.M., former CIA agent, author of Fair Game: My Life as a Spy, My Betrayal by the White House, and plaintiff in Wilson v. McConnell (S.D.N.Y., 2007), opposing CIA on act
Ambassador Joseph Wilson, Santa Fe, N.M., former U.S. ambassador and author of The Politics of Truth: Inside the Lies that Led to War and Betrayed My Wife’s CIA Identity: A Diplomat’s Memoir
David B. Smallman, Partner, Wollmuth, Maher & Deutsch, New York, N.Y.
4:00 p.m. Q & A
4:10 p.m. Closing Remarks
4:15 p.m. Adjourn

Beer and Wine reception sponsored by ABA TIPS, Media, Privacy and Defamation Law Committee at the InterContinental Rooftop Lounge

Lodging
A block of rooms has been reserved at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri. Telephone: (888) 656-4422. These rooms are available by room type and rate. Reservations can be made by calling 816-756-2199. To receive the special seminar rates, reservations must be made prior to March 15.

On Heroes and Hero Worship
Ted Rall

Ted Rall

Ted Rall is the president of the American Association of Editorial Cartoonists. His cartoons have appeared in more than 500 publications. He also has hosted a radio show, published three collections of cartoons, written a weekly op-ed column, and has written screenplays and graphic books. His focus is on issues important to ordinary working people, such as un- and underemployment, the environment and popular culture, but he also comments on political and social trends.

KCMBA Lawyer ................. $275
Non-KCMBA Lawyer (registration by March 21, 2008) ... $300
Non-KCMBA Lawyer (registration after March 21, 2008) ... $350
Journalist ......................... $50
Educator ................................ $50
Member of the public ........... $100
Full-time student ................. $45
Luncheon only (available after March 21, 2008; preference will be given to seminar registrants)........ $40

Vegetarian Option available. Please indicate on registration form.