Featuring:

The First Amendment in the Crossfire
Protecting Journalists and Free Speech when Police and Protesters Collide

You Watch Us, We Watch You
Assessing the Effects of Emerging Surveillance Technologies

Running the Newsgathering Gauntlet
Navigating Government Obstacles and Demands for Information

Scene on the Street
Avoiding Intellectual Property Pitfalls when Documenting Civil Unrest

Rush to Judgment
Breaking Big News about a Crisis without all the Facts

Rules of Engagement:
Journalists, Police and the Daze of Disorder
First Amendment Implications of Ferguson and Its Aftermath
Friday April 17, 2015 | 8:00 a.m. - 4:15 p.m.
InterContinental Hotel at the Plaza | Kansas City, Missouri

Bonus Session:
Thursday, April 16 | 4 p.m. - 5:45 p.m.
Risk Mitigation for a Newsroom in Crisis
Limiting exposure for media operations and journalists in harm’s way through disaster planning and insurance

Sponsors - The Kansas City Metropolitan Bar Association Media Law Committee; University of Kansas School of Law

Contributors - AXIS Insurance; CNA; Larry Worrall; Landon Rowland, Lead Bank; Lathrop & Gage LLP; OneBeacon Professional Insurance; Katten Muchin Ronseman LLP; Levine Sullivan Koch & Schulz LLP; Holland & Knight LLP; Media, Privacy and Advertising Law Committee of the Tort Trial and Insurance Practice Section of the ABA; Satterlee Stephens Burke & Burke LLP; Fox Rothschild LLP

Coordinated by - University of Kansas Continuing Education

Registration and program information:
http://law.ku.edu/media-law-seminar
Email kuce@ku.edu | Phone toll-free 877-404-5823 or 785-864-5823
Program Overview

Uninhibited news coverage of confrontations between police and citizens is instrumental in protecting civil rights. This year’s seminar will explore the constitutional conflicts that arise when reporters cover clashes between protesters and law enforcement. In the Midwestern suburb of Ferguson, Missouri, demonstrators, police and journalists converged in the streets throughout 2014 in response to the death of an African-American teen, Michael Brown. Protesters were suppressed as they voiced their dismay, anger and frustration with the justice system. A number of journalists were threatened, jailed and gassed as they reported upon the demonstrations. Business was lost and burned, and police were criticized either for not doing enough, or for using excessive force to maintain law and order. As the media spotlighted deaths of even more African-American men in encounters with white police officers, the protests spread, stirring controversy about the U.S. justice system.

National experts will discuss issues that arise when basic freedoms collide with police action. Were First Amendment rights violated by curfews and mass arrests? Should safety and public welfare concerns outweigh the constitutional rights of assembly and free speech? What advice should counsel give to media clients who cover conflicts between demonstrators and police? Do body cameras and drones protect civil rights or violate privacy rights? During the lunch program, three dynamic speakers will bring their unique perspectives in a candid discussion about the First Amendment, race and the justice system.

A free session on Thursday afternoon on risk mitigation for news organizations will be offered for attendees who are registered for the Friday program. The many perils faced today include responding to a cyber-attack, rescuing an Ebola-stricken colleague, negotiating with terrorists for the release of a kidnapped colleague, or covering the aftermath of an earthquake, F-5 tornado or a Category 5 hurricane. Experts will discuss how to minimize exposure from man-made and environmental threats through business continuity planning and risk management, including the placement of insurance. Two hours of Insurance Continuing Education Credits are available in Kansas (Missouri pending) for insurance professionals attending this informative session.

CLE & Insurance CE Credit

A total of 10 CLE credit hours (2 hours for Thursday’s panel and 8 hours, including 1 hour of ethics, for Friday’s seminar) have been approved by the Kansas CLE Commission, as well as in Missouri, New York and California. The seminar support staff will provide on-site assistance to attendees who plan to apply for CLE credit from other jurisdictions. Also, we are seeking approval from both Kansas and Missouri Insurance Departments for 2 hours of CE for Thursday’s “Risk Mitigation for a Newsroom in Crisis” session. Certificates will be issued after the seminar for insurance documentation.

Lodging

Rooms have been reserved at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Mo., until 5 p.m., March 16, 2015. After that date, room availability and rate cannot be guaranteed. Make reservations by calling 866-856-9717, or register online at www.kansascityic.com. To receive the special seminar rate of $184, mention that you will be attending The University of Kansas Media and the Law Seminar. A $10 daily valet parking rate is available. Participants commuting to the seminar for insurance professionals attending this informative session.

Location & Parking

InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, MO. Hotel guest valet parking is $18 a day or self-park for $15 a day. Participants commuting to the seminar can park during the day at the InterContinental at no cost.

Visiting Kansas City

Thinking of enjoying the weekend in Kansas City after the seminar? Attractions include the Country Club Plaza, Westport, Crossroads Art District and the Power & Light District. For more information, visit www.visitkc.com.

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 10, 2015. No refunds will be made after that date. A $50 fee will also 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 28th Annual 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.

Luncheon Program:

**Sylvester James**

Sylvester "Sly" James became mayor of Kansas City in May 2011. Far from being a career politician, the Kansas City native spent more than 25 years practicing law, first at a prominent Kansas City firm and then at his firm, The Sly James Firm. After graduating from high school in 1969, James spent four years as a military policeman and later enrolled at Rockhurst College and then at the University of Minnesota Law School. He graduated cum laude from both schools. As mayor, his agenda has included crime reduction, education, infrastructure improvement, business attraction and building the first phase of a streetcar line through the heart of Downtown. He has become one of Kansas City’s most visible and vocal advocates. In an interview discussing his first term, James shared his views on the combination of action and attitude he has worked to engender at City Hall: “We’ve gone from kind of a doze, woo-is-me, down-in-the-mouth kind of group coming out of the recession to a group of people that says: ‘We can do that. Let’s get that done.’ … We just have to go out and do it.”

**John Eligon**

John Eligon is a veteran reporter for The New York Times currently serving as a national correspondent based in Kansas City. In his 10 years at The Times, Eligon has covered national news events from sports to courts to politics, including some of the world’s biggest stories, such as the death of Nelson Mandela. As a Midwest correspondent, he covers six states and writes about life in the heartland. Eligon is an authoritative voice on issues of race and class. When the grand jury decision was announced in Ferguson, Eligon was on the streets capturing the protests via Twitter. Born on the island of Trinidad and Tobago, Eligon moved to the United States as a child. He took to journalism early because he loved sports and was excited by the idea of covering them. After graduating from Northwestern University with degrees in journalism and German, Eligon covered sports for a year at The Detroit Free Press. He was later hired by The Times, where he covered sports before moving into news. A sports enthusiast, he has run six marathons, including the fateful 2013 Boston Marathon, and reported on the bombings after finishing the race.

**Steve Kraske**

Steve Kraske is an associate teaching professor of journalism at the University of Missouri - Kansas City, a political columnist for The Kansas City Star and has hosted “Up to Date” on KCUR, an NPR affiliate, since 2002. For almost twenty years, he worked as the full-time political correspondent for The Kansas City Star covering national, state and local campaigns. He also covered the statehouses in Topeka and Jefferson City. Before arriving in Kansas City, Kraske worked at daily newspapers in Iowa and Illinois and at United Press International in Madison, Wis. He is a graduate of the University of Wisconsin-Madison where he received a bachelor’s degree in journalism. He was also a 1992 John S. Knight Journalism Fellow at Stanford University. Kraske has won awards for his print and radio work and has appeared on NPR, CNN and Fox.

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Program Accessibility: We accommodate persons with disabilities. Please call 785-864-5823, 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 seminar. See the nondiscrimination policy above.
Thursday, April 16

4–5:45 p.m. **BONUS SESSION**® – (2 hours CE & 2 hours CLE)
Risk Management for a Newsroom in Crisis
Limiting Exposure for Media Operations and Journalists in Harm’s Way through Disaster Planning and Insurance
(A program jointly sponsored by the KC MBA and the Media, Privacy and Advertising Law Committee of ABA/TIPS)
’ Free when attending both days
**Moderator:** David B. Smallman, Partner, Jackson Walker LLP, Dallas, TX
**Panelists:** David M. Giles, Vice President, Deputy General Counsel and Chief Ethics Officer, The E.W. Scripps Company, Cincinnati, OH
Michal Gnatek, Vice President - Aerospace and Defense, Lockton Companies, Washington, D.C.
Joanne Richardson, CPCU, Media & Entertainment Practice Leader, Hiscox Partner, Hiscox USA, New York, NY
David B. Smallman, David B. Smallman, Managing Member, Smallman + Snyder Law Group, New York, NY
Kris Ketz, Morning News Anchor for KMBC-TV, Kansas City, MO

Friday, April 17

8:00 a.m. **WELCOME**
Michelle Worrall Tilton, Chair, Media & the Law Committee, Media Risk Consultants, LLC, Shawnee Mission, KS
**Seminar Moderator:** Mike Kautsch, Professor, Media, Law & Technology, University of Kansas School of Law, Lawrence, KS

8:10 a.m. **PANEL 1**
The First Amendment in the Crossfire
Protecting Journalists and Free Speech when Police and Protesters Collide
**Moderator:** Mark Sableman, Partner, Thompson Coburn LLP, St. Louis, MO
**Panelists:** James Newton, Editor and Lecturer, UCLA, Los Angeles, CA
Mickey H. Osterreicher, General Counsel for the National Press Photographers Association, Of Counsel, Hiscox and Barclay LLP, Buffalo, NY
Scott Olson, Staff Photographer, Getty Images, Chicago, IL

9:00 a.m. Legal Ethics: Susan Grogan Faller, Partner, Frost Brown Todd, Cincinnati, OH
**Legal Ethics: Leonard M. Niehoff, Counsel, Honigman, Ann Arbor, MI**

9:10 a.m. Q&A

9:30 a.m. **PANEL 2**
You Watch Us, We Watch You
Assessing the Effects of Emerging Surveillance Technologies
**Moderator:** Michael Berry, Partner, Levine, Sullivan, Koch & Schultz LLP, Philadelphia, PA
**Panelists:** Ashley Messenger, Senior Associate General Counsel, NPR, Washington, DC
Ronald Miller, former police chief of Topeka and Kansas City, Kansas, Basehor, KS
Jay Stanley, Senior Policy Analyst, ACLU Project on Speech, Privacy, and Technology, Washington, DC
Bill Staples, Director, Surveillance Studies Research Center, University of Kansas, Lawrence, KS

10:20 a.m. Legal Ethics
10:30 a.m. Q&A

10:40 a.m. **PANEL 3**
Running the Newsgathering Gauntlet
Navigating Government Obstacles and Demands for Information
**Moderator:** Robin Luce-Herrmann, Partner, Butzel Long, Bloomfield Hills, MI
**Panelists:** Joseph E. Martineau, Member, Lewis Rice LLC, St. Louis, MO
Christine Wells, Associate Dean of Academic Affairs, Enoch H. Crowder Professor of Law, University of Missouri, School of Law, Columbia, MO
Dennis McCullough, Director, Public and Government Relations, The University of Kansas Hospital, Kansas City, KS
Jean Paul Bradshaw, Partner, Lathrop & Gage LLP, Kansas City, MO and former United States Attorney for the Western District of Missouri

11:00 a.m. **PANEL 4**
Scene on the Street
Avoiding Intellectual Property Pitfalls when Documenting Civil Unrest
**Moderator:** Joel Weiner, Partner, Katten Muchin Rosenman LLP, Los Angeles, CA
**Panelists:** Lou Petrich, Partner, Leopold Petrich & Smith PC, Los Angeles, CA
Peter Rienecker, Vice President, Legal Affairs, Home Box Office Inc., New York, NY
Karen Shatzkin, Partner, Shatzkin & Mayer, PC, New York, NY

11:50 a.m. Legal Ethics
Noon **Q&A**

12:10 p.m. **LUNCHEON PROGRAM**

1:30 p.m. **PANEL 5**
Avoiding Intellectual Property Pitfalls when Documenting Civil Unrest
Navigating Government Obstacles and Demands for Information
**Moderator:** Robert Bertsche, Partner, Prince Lobel Tye LLP, Boston, MA
**Panelists:** Carolyn Forrest, Vice President Legal Affairs, Fox Television Stations Inc., Atlanta, GA
Donna McGuire, Assistant City Editor, Crime and Justice, The Kansas City Star, Kansas City, MO
C. William Barrett, Partner, Esdaile, Barrett, Jacobs & Mone, Boston, MA

3:50 p.m. Legal Ethics
4:00 p.m. Q&A

4:15 p.m. Adjourn

4:30 p.m. **Cocktail Reception**
InterContinental Rooftop Lounge
**Sponsored by**
CNA
OneBeacon Professional Insurance
Larry Worrall
Each year, the University of Kansas School of Law and the Kansas City Metropolitan Bar Association Media Law Committee join to host the Media and the Law Seminar in Kansas City, along with other local events, to facilitate and encourage dialogue about the latest legal issues and developments in media, law and technology.

For more information, find us at http://law.ku.edu/media-law-seminar