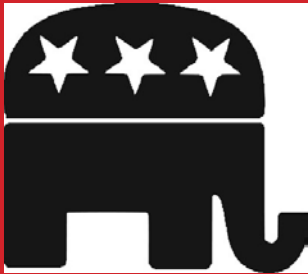


**Is YOUR
Newspaper
Ready for
Election 2008?**



**Election Tips
provided by
YOUR
Missouri Press
Association**

Election checklist for Missouri newspapers

As we prepare for another election season, Missouri Press Association has created a checklist for newspapers and how to handle political advertising.

First, newspapers do not have to accept any ads, any political ads, allow politicians access to their news columns, or run letters-to-the-editor.

Second, state and local election requirements for political advertising maintain ads for candidates and ballot committees must contain an identification statement that says, "Paid for by the Mary Jones for Dogcatcher Committee." The statement should name a person, or a registered campaign group, and give a contact name and address. If an ad is placed by a group of individuals, it needs to say paid for by a group of individuals -- for contact information, contact John Doe at address.

Third, federal election advertising requirements (for President, U.S. Senate, U.S. Representative) differ from state law. (see http://www.fec.gov/pages/brochures/notices.shtml#what_is)

Fourth, you can't charge higher rates for political ads than you would charge other advertisers for the same space under similar conditions. Also, you shouldn't offer or charge different rates for different candidates. The difference between the regular rate and the lower rate will be viewed as an in kind political contribution. Offering lower rates to some candidates and not others could put you in violation of Campaign Finance Laws. You can offer volume discounts as long as the volume discount is offered to all candidates.

Fifth, watch for last-minute changes designed to take advantage of your deadlines. Weekly papers with early deadlines are particularly vulnerable.

Sixth, political advertisers want their ad copy to be kept confidential prior to publication in the newspaper. However, newspapers must do their best to ensure the accuracy of the assertions in the ad. The newspaper is responsible for everything it publishes. To that end, if you have a question as to where the information, or allegation, in the ad came from call the campaign placing the ad and ask them for their source of information so you can cite the ad. Technically, a newspaper's obligations probably end with statements that are clearly false or that the newspaper feels might be false. In such cases, the paper may be required to do some additional investigation.

**As an added precaution, you could talk to the newsroom. Reporters generally know a lot about the candidates they are covering. If you do this however, make sure the newsroom understands the content of the ad is confidential until published. Several political ad experts have complained about their ads floating around the newsroom and the failure of a newspaper to maintain confidentiality until the ad is published as reason for not running newspaper advertising.

Seventh, you are responsible for the content of any political ad you publish and candidates may sue the newspaper rather than the opposing candidate when a mistake is made.

Remember, you are allowed to editorially favor one candidate over another or by running ads for one candidate and none for the other. Equal time rules do not apply to newspapers. But if you do let candidates advertise, the ad rate for the candidate must be the same as for a regular advertiser. Any reduction in rate may be treated as an in kind campaign contribution. Likewise, if you run ads for more than one candidate, all candidates must be treated equally.

If you have any further legal questions about publishing political ads please contact Jean Maneke at (816) 753-9000 or by email at jmaneke@manekelaw.com.