

Publications and Website Advisory Committee

Minutes for the meeting held at 4:30 p.m. on December 11, 2006 in Lansing

In attendance: Fred Baker, David Cohen, Francine Cullari, John Juroszek, and Joe Kimble

By phone: Beth Baergen, Steve Dunn, Jason Hanselman, Jan McMillan, Fred Melamed, Ron Melamed, John Runyan, and John Tatum

Also in attendance: Nancy Brown, Elizabeth Lyon, Linda Novak, and Janet Welch

Excused: Gerard Mantese, Gary Maveal, and Steve Savickas

The committee approved the minutes from the September 25, 2006 meeting.

1. State Bar web server update

John Tatum told the committee about a second meeting with ZenaComp, a medium-sized web firm in Farmington Hills that responded to the Bar's RFP for hosting its web server. The next step is to determine the exact size of the State Bar's website and how much backup is required. The Bar could save a fair amount of money having ZenaComp host its server, but it will have to spend conversion dollars to get there. John will present ZenaComp's proposal to the Board of Commissioners at the January board meeting. Once the Bar has a complete backup of the server currently located in Oregon, the conversion process can begin, probably in the first quarter. The Bar's website would likely be down one or two days during a weekend to allow for testing, but members can be alerted in advance and this can be scheduled to minimize disruption.

2. Request from Janet Welch and Elizabeth Lyon to have a "Lawyers as Legislators" mini theme issue every two years and a full theme issue every four years

Elizabeth Lyon (later joined by Janet Welch) shared with the committee the positive feedback the State Bar Governmental Relations Division received from legislators about the March 2005 "Lawyers as Legislators" theme issue of the *Bar Journal*, which included a composite cover photo of lawyers serving in the Michigan legislature. The Governmental Relations staff felt that the theme issue strengthened the relationship between the State Bar and the legislature, and the composite photo created a sense of camaraderie among the lawyer-legislators. Because *Keller* restricts the State Bar's political activities (e.g., can't endorse candidates or create a political action committee), featuring legislators on the cover and in the *Bar Journal* is seen as a useful tool for building rapport with lawyer-legislators, which is useful in gaining access and attention and garnering their support on bills on which *Keller* allows the State Bar to voice a position.

Ms. Lyon requested a mini theme issue every two years and a full theme issue every four, preferably in March, to coordinate with the election cycle. Because a Contract Law theme issue was already scheduled for March 2007, she agreed to approximately eight pages of related content in the March issue, but both she and Ms. Welch felt very strongly that a composite cover shot was essential to achieve the desired effect. She cited the fact that many lawyer-legislators displayed the framed March 2005 cover in their offices and comments by them to the effect that the lawyer-legislators deemed the publication of their photographs on the cover of the *Journal* to be among the highest honors they had been accorded in public life.

Fred Baker pointed out that the committee has resisted similar cover requests in the past, and traditionally has confined cover photos of lawyer-members to the new State Bar president each year, the inauguration of lawyer-governors, and the occasion of Frank Kelley having achieved the status of the longest serving state attorney general. The committee's agenda for the *Bar Journal* may not be the same as that of the Bar's Governmental Relations Division because we need to avoid setting a precedent for converting the magazine's cover into a vanity page. Several other committee members expressed concerns, including the precedent that would be set by allowing a legislator photo cover in March 2007 to bump the theme scheduled for that

month from the cover, and the inevitable repetition that will occur with the publication of such frequent themes and mini themes every two years, which would allow some legislators to appear on multiple covers. Members also questioned whether the Governmental Relations staff could point to any measurable gain attributable to publication of a lawyer-legislator cover and theme issue. Francine Cullari suggested providing the legislators with an inside color page, or a “second cover,” which could still be framed and displayed.

Because of the multiple concerns expressed, and the evident importance of the proposal to Ms. Welch and Ms. Lyon, Joe Kimble suggested, and the committee agreed, that a separate meeting should be scheduled to discuss how best to accommodate and address all of the implications of the proposal. Fred B. formed an ad hoc committee, consisting of Fred B., Francine, Joe, and John Runyan, who will meet with Ms. Lyon and Ms. Welch (or her successor) at a later date to discuss the proposal further. In the meantime, the committee agreed to allow a composite photo of lawyer-legislators on the March 2007 cover, but decided to switch the March Contract Law and May general issues, so that the Contract Law issue could include theme-related cover art.

3. Discussion of revised theme issue editor guidelines

Because the *Bar Journal* is not peer-reviewed, the committee agreed that it is the authors’ responsibility to verify the substance of citations and correct problems; however, theme issue editors should raise any concerns with authors and ask authors to correct citations that look wrong. Linda Novak will revise the theme issue editor guidelines accordingly and post them on the PWAC members-only page for theme issue editors to use going forward. Concerning John Juroszek’s inquiry about the status of hiring an intern to check citations, Ms. Welch indicated that the intern position would be posted.

4. HeinOnline follow-up discussion

Fred B. stated that Kevin Marmion’s e-mail response indicates HeinOnline doesn’t have any problems with the issues Fred raised in his follow-up e-mail (Fred provided both e-mails in the 12/11/06 agenda to the committee). Given the fact that we don’t have copyright waivers from most authors before 2000, Fred will follow up with Kevin Marmion with the proposal that we provide only issues published in 2000 and later.

5. Theme issue reports and scheduling of new theme issues

Before the meeting, Fred B. forwarded an e-mail from Gerard Mantese, indicating that Gerard and Ron Melamed have five articles lined up for the 2007 Contract Law theme issue.

Fred B. volunteered to serve as theme issue editor for the September 2007 ACES theme issue, which had been assigned to former PWAC member Yashmyn Jackson.

Steve Dunn reported that he hadn’t received a list of articles from Kimberly Reed Thompson, the section liaison for the October 2007 Criminal Law theme issue. Given that the October cover introduces the new State Bar president each year, Fred B. will contact Gerard about switching the December 2007 Probate & Estate theme issue with the October 2007 Criminal Law theme issue to allow us to include prisoners’ artwork on the cover of the Criminal Law issue. Going forward, we will try to schedule a general issue for October.

Per Francine’s suggestion, a Malpractice theme issue was scheduled for August 2008. Fred B. will contact the Negligence Law Section chairperson to invite the section to address malpractice issues.

In response to the Antitrust, Franchising & Trade Regulation Section’s request for a theme issue, one was scheduled for September 2008.

John Runyan stated that he would check with the Labor and Employment Law Section to see if they are interested in a 2008 theme issue.

6. Discussion of book review guidelines

The committee decided to continue considering book reviews written by any member of the State Bar, and that Linda would determine if any should be reviewed by the article review committee. Also, members may suggest books to be reviewed.

Linda read Gary Maveal's report, indicating that he is working on a review of *The History of Michigan Law* and would finish it during the holiday break. Fred B. volunteered to read *Death's Door: The Truth Behind Michigan's Largest Mass Murder* for a potential book review.

7. Proposal to publish regular column on family law issues

The committee rejected a proposal from John Mayoue to publish in the *Bar Journal* a regular column on family law issues, citing a lack of space and interest and the possible perception of free advertising for Mr. Mayoue. Linda will convey the committee's decision to Mr. Mayoue.

8. Update on editing of State Bar brochures

Fred Melamed stated that he is working on his brochure. No other status reports were given.

9. Other matters

Before the meeting, Fred B. forwarded an e-mail nominating Linda Watson, a partner at Cox Hodgman & Giarmarco PC, to the committee. Because the e-mail was sent under the name of Brenda Ren, an office manager at Mantese & Associates, there was some concern that the nomination did not come from Gerard. The nomination was not formally approved at the meeting, but Fred B. will confirm his belief that the nomination was Gerard's, and merely forwarded by his office manager, and then act on it accordingly.

Adjournment at 6:16 p.m.