

# Koster plans extensive sunshine law training

## Promote programs in your area

The last few weeks have been busy ones in regard to Missouri's sunshine law. You will read elsewhere in this magazine about the upcoming organizational meeting of the Missouri Sunshine Coalition in Columbia on March 12. I hope each of you will make every effort to attend, and if you cannot come, that you'll at least send in your membership dues to be an initial member of the group. We are one of the few states in the nation not to have such a group in place already, and I am so excited to finally have this happening.

It's too early to be able to tell you exactly what role this group will play in the future, but in many states, groups like this provide needed support for the principles of open government and open records. Citizens can coalesce behind such an organization to show the strength in numbers of those who believe that open government is the best kind of government.

Meanwhile, I've had the privilege of hearing Attorney General Chris Koster talk twice about his plans for staffing his office and serving as the key state official for enforcing the sunshine law. He has struggled in these first few weeks, because many of the attorneys who served in this function under Jay Nixon have left for jobs in the executive branch as Gov. Nixon appointees or on his staff.

Koster said he lost about 70 of the 400 employees in his office to this phenomena, and he's been busy hiring replacements. But he has indicated plans for a strong presence in terms of sunshine law education activities. He reports he has hired a staff person whose

sole job will be to travel the state giving training programs on the law. Whereas Nixon's office gave about 30 such seminars a year, Koster intends to do 150 to 170 programs a year, he said. "We can keep people aware of what the laws are in the state," he commented to those attending Day at the Capitol last month.

All we can do is wait to see what his track record is on the issue. I know the person he is hiring is not a lawyer, and I think sometimes the technicalities of the questions that are asked at sunshine law seminars require the expertise of a lawyer to give a correct answer, but perhaps this person can be adequately trained to give the correct answers.

After all, if a layman cannot understand the law well enough to teach others, how can we expect our local government officials to understand the law? If it is as easy to understand as we want to believe, then we have to assume an ordinary citizen should be able to master the law well enough to present it.

Also, I hope Koster will realize that these programs need to be more than 30 minutes in length, which he suggested at one point. Going through the law takes more than 30 minutes, if a presenter is doing it justice. Just reading it aloud would take someone more than 30 minutes, and that might be the best use of the time for some of the public officials we see whom we wonder if they've ever even cracked the cover of their book!

Finally, I encourage each of you, if you hear about such meetings in your area, to publicize them for members of public bodies who need to attend. This is a major educational undertaking by



Jean Maneke, MPA's Legal Hotline attorney, can be reached at (816) 753-9000, [jmaneke@manekelaw.com](mailto:jmaneke@manekelaw.com).

Koster, and I wish him much success. I think ultimately this can only help us as we seek to educate public bodies as to the law.

And now, to change the subject, one last warning to your advertising departments about the use of trademarks in advertising.

I understand the NCAA's host committee in Kansas City is sending out letters to businesses on the western side of the state warning them that advertising is going to be carefully scrutinized during the second round of the basketball tournament being held there in late March. They are being cautioned again that there is a whole list of words trademarked by the NCAA that cannot be used in advertising.

Those words now include the following: NCAA, N C A A Championships, Road to the Final Four, The Road Ends Here (are you kidding me, Jean says!), 65

Teams .... One Dream, And Then There Were Four, Champions Play Here, Championship City, Elite Eight, Elite 8, Final 4, F4, Final Four Friday, Final Four and The Final Four.

News stories and headlines for news stories using those words are fine. Advertising for local merchants using those terms is subject to claims of trademark infringement. You as the newspaper running the ad could have some liability.

Forewarned is Forearmed. (Is that on the list?)

*Advertising for local merchants using the NCAA's tournament terms is subject to claims of trademark infringement.*