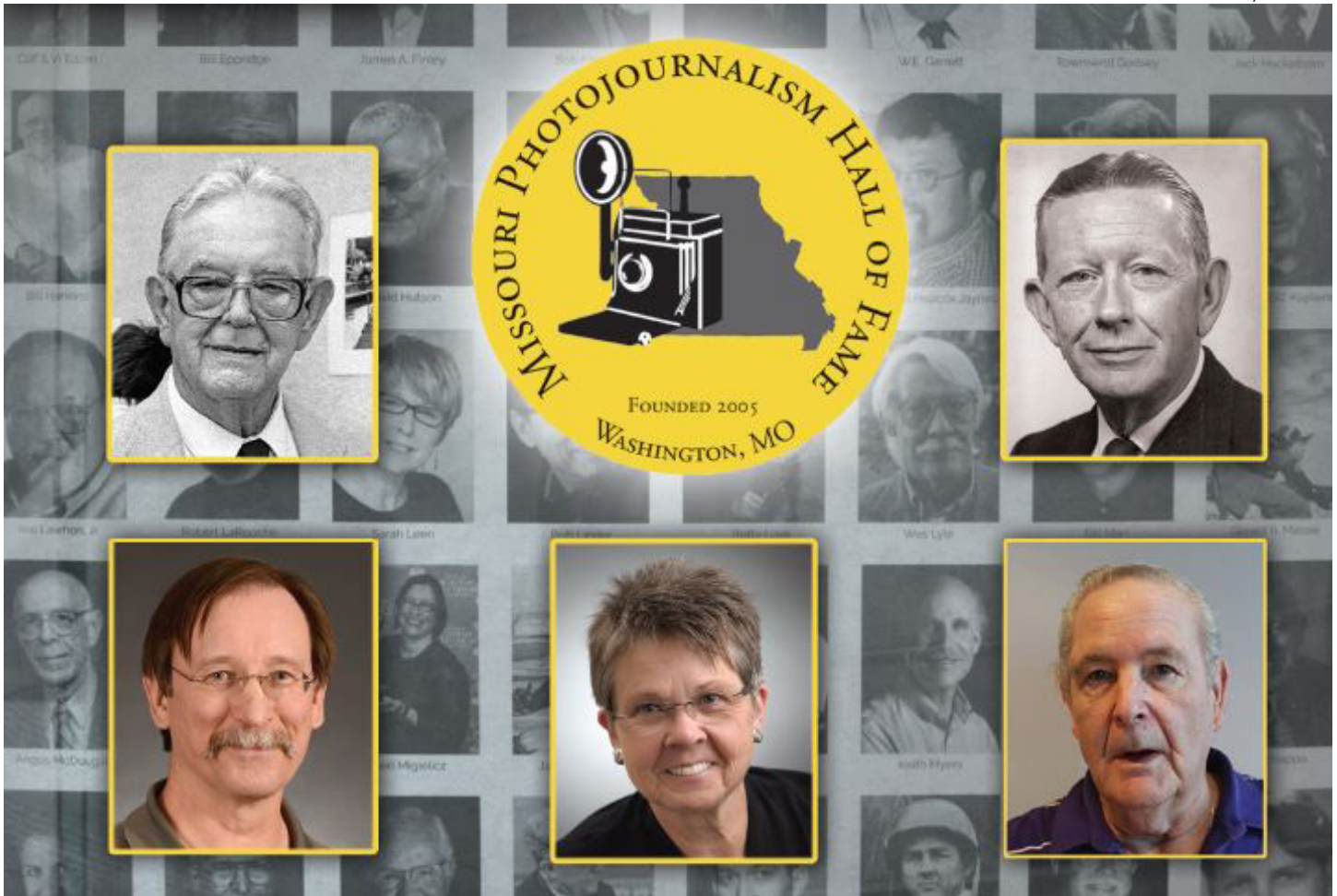




Missouri Press Association Bulletin

No. 1342 — 18 October, 2017



Five will join Photojournalism Hall of Fame

From MPA Staff

The Missouri Photojournalism Hall of Fame in Columbia will induct five award-winning photojournalist and teachers of photography and journalism on Thursday.

This will be the 13th group of inductees since the founding of the Hall of Fame in 2005. Inductees are Art Phillips of Florissant; Rita Reed of Columbia; Jim McCarty of Union; the late Garland D. Fronabarger of Cape Girardeau; and the late Wilson Hicks.

Photographs made by the inductees will be on display during the 4 p.m. ceremony and reception in the Palmer Room at the Reynolds Journalism Institute on the University of Missouri campus in Columbia. Those photographs will join the Hall of Fame's collection of work by inductees.

The Photojournalism Hall of Fame was founded at the urging of Bill Miller Sr., publisher of the *Washington Missourian*

twice-weekly newspaper, to recognize outstanding contributors to visual communication with ties to Missouri. Miller's father and a brother have been inducted into the Hall of Fame.

Information about the Photojournalism Hall of Fame and previous inductees can be seen at photojournalismhalloffame.org

Inductees are chosen based on the following criteria:

- Outstanding photojournalism achievement.
- Long-term photography for a Missouri publication or other journalism outlet.
- Leadership in education.
- Technical innovations.
- Ethical values and integrity.
- Contributions to community.

Contact Melody Bezenek at 573-449-4167 to learn how your donation can support the Photojournalism Hall of Fame.



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It Can Wait deadline is Oct. 25

Statewide winners will be announced in early November

From MPA Staff

For the fifth year in a row, the Missouri Press Association (MPA), local Missouri newspapers and AT&T are hosting the It Can Wait editorial contest to raise awareness about the dangers of smartphone-related driving distractions. The contest began on September 25 and is open to middle school and high school students from across Missouri.

Deadline for local entries is Oct. 25, after which they should be forwarded to Missouri Press to be judged for the statewide contest.

This year's It Can Wait editorial contest is open to students enrolled in any Missouri public or private middle school or high school. Local newspapers have the option to host local contests and will determine which entries the MPA will consider for the statewide prize. The MPA will select two statewide winners and each will receive a cash prize – \$1,000 for the winning high school entry and \$500 for the winning middle school entry.

A reminder of the contest details, including the timeline for entries, is below.

Missouri Press Association It Can Wait® Op-Ed Contest

The National Safety Council estimates that texting while driving is involved in 200,000+ vehicle crashes each year, often causing injuries and deaths and new research shows that as many as 7-in-10 people may engage in smartphone activities while driving despite knowing the risks.

The Missouri Press Association (MPA), local newspapers and AT&T will sponsor and challenge Missouri middle school and high school students across the state to write an editorial or opinion column **about the dangers of smartphone driving distractions.**

- The piece will explore the following question: "How can you convince drivers, friends, and family to stop this dangerous habit?"
- The piece will highlight the consequences of engaging in smartphone activities like texting, using social media and taking pictures while driving.
- The piece must include the following call to action, "Take the pledge to never drive distracted at ItCanWait.com."



Who can participate in this contest?

The contest is open to all students enrolled in any Missouri public or private middle school and high school.

How are entries to be submitted?

Each local newspaper can establish if entries are to be emailed, mailed or hand delivered.

Who will judge this contest?

Local newspapers will first determine the local winners of both the middle school and high school categories* and send to mmaassen@socket.net at the MPA office. The MPA will then determine the statewide winners.

What is the prize for the statewide winners of both the middle and high school categories?

Statewide winners will be awarded: \$1,000 prize for the high school category; and \$500 prize for the middle school category. Statewide winners will also receive a tour of the MU School of Journalism and the MPA Office as well as a dinner with the leadership of AT&T, the MPA and their local newspaper publisher.

Contest Schedule:

September 19, 2017	AT&T announces 5 th annual contest
September 25, 2017	Contest begins <ul style="list-style-type: none"> • Announced by local newspapers in paper and/or directly with schools
October 25, 2017	Contest ends at the local level <ul style="list-style-type: none"> • Local winners announced by local newspapers and forwarded to MPA Office
November 8, 2017	Contest ends at statewide level with local winners sent to MPA <ul style="list-style-type: none"> • Deadline for local newspapers to send winners' submissions to MPA Office
November 15, 2017	Contest ends with final statewide winner announced



*Local Newspapers may set their own prizes for local winners if they so choose. Local winning entries may be published by local newspapers and the statewide winning entry will be made available to member papers to publish at their discretion.



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From the Convention

Public notice panel shows support for newspapers' role

By Matthew Barba

Missouri Press News

During Missouri Press Association's 151st Annual Convention, four state legislators voiced their support for the role Missouri newspapers play in keeping the public informed and government accountable through the public notice process.

Part of a panel discussing public notices in newspapers, the four panelists included state Senators Mike Cunningham and Jay Wasson, and Representatives Lyndall Fraker and Crystal Quade.

Moderated by Liz Irwin, publisher of Missouri Lawyers Weekly, much of the panel's discussion focused on newspapers' independent role as a third party in the public notice process, the accessibility of notices in print and online, and the permanence of notices published in print versus on the internet.

One of newspapers' strongest arguments for keeping public notices in printed publications has always been the third-party oversight afforded by the publication process. Newspapers must furnish an affidavit stating the notice was published as required, a system of oversight that would be lost if the system is changed to allow online publishing.

Quade said she thinks third-party oversight is beneficial to the public's understanding of how the government operates.

"I value the third party listing of all the things we're discussing," Quade said. "You know, of course, I want the public to trust government and for all of our government officials to be accountable enough to do the jobs that we're supposed to do. If we're trying to find somebody, and government officials put it in the newspaper to try to find the heirs of somebody deceased, by mandating it to a third party, then we are actually proving to the public that we're doing our due diligence as a government to find the folks that we're trying to find if that's the avenue that we're looking at for those notices.

"If we remove [newspapers] and make it solely under government oversight in



State legislators on the public notice panel during Missouri Press Association's 151st Annual Convention and Trade Show last month in Springfield answer questions from member newspapers and moderator Liz Irwin (not shown). Panelists include, from left, Rep. Lyndall Fraker, Sens. Jay Wasson and Mike Cunningham, and Rep. Crystal Quade. Dave Marner, editor of the *Gasconade County Republican* in Owensville, takes pictures of the panel.

terms of reaching out to the folks we're trying to find, we could potentially run into the fact that the government simply isn't doing so. Without having a third-party person or group there to ensure that the rules are being followed in that way, we could potentially run into some nefarious things that could be going wrong. By having a third party group posting it, we're ensuring that the public is getting the information that they're supposed to," Quade said.

In discussing the issue of posting public notices to a website, Irwin asked the panelists if new laws would treat such postings differently than the existing law does for newspapers. Currently, Missouri law requires a newspaper to have been published continuously for three years before it can be eligible to run public notices, a requirement which Irwin said results in a "stable and reliable messenger" for the communities being served.

"I think you can easily make the case that we would be treating them differently," Wasson said. "I still go back to the accessibility part. The question ... about Millennials, I get it, they don't read newspapers, but I don't think Millennials would go to that website either. No Millennial I know is going to go to some government website to see what is on that darn thing, I just don't see that happening."

If you have all this on a website, you're simply going to get the announcement. Whereas in newspaper, you're going to get an editorial, 'should they, shouldn't

they,' what went on at the county meeting about this, and then you can bet your sweet bippy the next week that you're going to get [several] letters to the editor about it. That's never going to happen on the internet," Wasson said.

Irwin explained that many newspapers are already posting public notices online. She posited that the next step for legislators could be to change the law to require notices be put in both print and online.

Fraker said discussion of public notice publication will go through iterations before lawmakers approve changes that affect the taxpayers the notices are meant to serve.

"You've got to remember, this past year there were 1,850-some bills filed and I think 125 approximately actually went to the governor's desk," Fraker said. "There's a lot of time spent on issues that maybe some day they will be relevant, but in my opinion, this issue that we're talking about, it's day isn't here yet."

Cunningham added that it is on newspaper publishers to keep publications viable in their respective communities.

"It's up to you all to keep your papers viable, to keep people interested and keep people reading, and there's nothing we can do about that," Cunningham said. "If subscriptions are dropping, then you all have to pick that up. If it gets where it's not economically feasible to publish these notices because you don't have readers, there's nothing we can do about that."



Maneke law column

In matters of public record law

Your calls to the hotline are great sources of column ideas. Often, what one person asks is a question other reporters in the state have. So this month, let's look at two of those questions in depth.

First, let's look at the Missouri State Highway Patrol Public Records Request form. As you know, there is **NO** requirement that a public record request be put in writing (an oral request carries the same weight as a written request). But putting it in writing does allow you to prove what you asked for and when you asked for it. Similarly, there is no need to explain, generally, **WHY** you are making a records request – the reason you want information doesn't change the public body's duty to provide it to you.

Still, this Patrol record form specifically asks "Reason for Request" and notes that you are required to answer the question. And there's a simple answer you should always put in that box. Your answer should be "For public safety. See 18 USC 2721 (b) (14)."

Perhaps the reason for this question is that if you are a family member or attorney, among others, you may be entitled to get unredacted copies of accident reports, because the Highway Patrol is permitted in certain circumstances to redact certain information from its accident reports. So, perhaps the Patrol is seeking to determine if you are entitled to an unredacted report. But still, in answering this question, you don't need to detail the journalistic purpose for your request.

The second question was asked more frequently when the grand jury was

convened in St. Louis over activities in Ferguson. What are the rules regarding grand jury activities? What can a reporter access from a grand jury?

A grand jury in state court begins with a traditional call to citizens to report for jury duty. Citizens report to the courthouse and 12 persons are selected. But rather than serving for only a few days as in most regular trials, grand jurors generally are scheduled to serve a term of three to six months. Their role is to investigate criminal actions and determine if charges should be filed. Nine of the 12 jurors must vote in favor of the determination. (Note: Federal grand juries in Missouri are comprised of 16 to 23 members who serve up to 18 months, and for an indictment to issue, 12 votes in favor are required.)

The activities of the grand jury are not open to the public, and jurors and witnesses take an oath to keep confidential the proceedings, on penalty of being charged with a crime. (However, there is U.S. Supreme Court case law suggesting it may not be permissible to prohibit witnesses from ever disclosing their testimony before a grand jury, due to First Amendment considerations. And certainly there's no prohibition of a witness talking to the media prior to a grand jury appearance.)

Persons who are investigated by a grand jury are not allowed to be present to hear testimony against them. The prosecuting attorney acts as an advisor to the grand jurors, but cannot be present during deliberations and votes. The prosecutor often serves to guide the grand jury, but jurors have the power to select other persons to appear

and testify. Proceedings are generally not recorded or transcribed, although a Missouri Court of Appeals has held that minutes of a grand jury at times may be disclosed. And of special note is that in the case of the Ferguson grand jury, the prosecuting attorney was persuaded that his file and grand jury transcripts were investigative records of an "inactive" case, therefore subject to access under the Sunshine law.

The general rules of evidence don't apply before a grand jury, so there are no limitations as to what may be presented as evidence. And a grand jury may grant a witness immunity from prosecution in return for compelling his or her testimony in regard to a matter.

Once a determination is reached that charges should be pursued, the case is bound over to the circuit court. If probable cause is found, the indictment is called a "true bill." If no probable cause is found, the determination is called a "no true bill." It is not unusual for indictments to be kept confidential until the suspect is in custody.

This process is a substitute for the prosecuting attorney presenting evidence in a preliminary hearing in court open to the public that the defendant may attend with counsel, cross-examine witnesses and attempt to persuade a judge that there is not sufficient evidence to warrant binding the defendant over to trial.

Finally, it is interesting to note that some experts think that this means a grand jury case is weaker than a preliminary hearing case because using the grand jury blocks the ability of the defendant to persuade the court that the evidence is insufficient to proceed with prosecution.

"There is no requirement that a public record request be put in writing (an oral request carries the same weight)."



Many more judges needed for Michigan Press newspaper contest

Less than half of needed number of judges have signed up; names needed by end of October

Each year, Missouri Press Association trades with another state to judge one another's contest.

Michigan Press Association members volunteered their time and resources to judge the Better Newspaper Contest this year and it's our turn to return the favor!

It's very important that we get an ample amount of judges in order to keep each judge's work load to a minimum.

Michigan Press Association's contest entries will be ready for us to judge starting mid-November.

If you are willing to take a few categories, please let us know! Send judges' names and email addresses, along with the types of entries you would like to judge to kwilliams@socket.net.

Category examples are editorial, photography, sports writing, websites and advertising.

'All the news that's fit to exhibit'

Historic newspaper exhibit recently opened at UMSL

By Rebecca Rego Barry
Fine Books & Magazines

The St. Louis Mercantile Library at UMSL opened earlier this week an exhibit devoted to historic newspapers. Headlines of History: Historic Newspapers of St. Louis and the World Through the Centuries at the St. Louis Mercantile Library Association is the third in a planned tetralogy of exhibitions building to the 175th anniversary of the St. Louis Mercantile Library, a membership library that is, according to its website, "the oldest library west of the Mississippi."

The library's special collections contain more than one hundred historical newspaper titles and include

the newspaper and printing morgue of the St. Louis Globe Democrat. This exhibition focuses on the library's important newspaper holdings and features such items as the first known issue of the Missouri Gazette, the oldest newspaper printed west of the Mississippi, and an issue of the Pennsylvania Ledger from July 13, 1776 marking the first printing of the Declaration of Independence in a newspaper.

A national symposium tentatively scheduled for Saturday, Feb. 17, 2018, titled "From Franklin to Pulitzer; Pioneer Newspapers and News Pioneers," will complement the exhibition, which runs through September 2019.

What's new at your organization?

The Reynolds Journalism Institute at the Missouri School of Journalism has launched a Q&A series featuring innovation and experimentation taking place in newsrooms and ad agencies. RJI is looking for folks who would be willing to be interviewed for the series and share what they're learning.

What kinds of projects is RJI looking for? The sky is the limit. Are you using a new technology like AR/VR, Periscope or drones? Maybe you've found a new

way of interacting or engaging with your audience — online or in person. If it's new, different and worth sharing, we'd like to hear about it.

Check out the series on RJI's website. If RJI has already written about the technology you're using, feel free to submit your project anyway. Not all learning experiences are the same.

Fill out RJI's question and answer survey at www.rjionline.org/forms/whats_new_qa



CALENDAR 2017

October

19 — Photojournalism Hall of Fame, Reynolds Journalism Institute, Columbia

25 — Local It Can Wait Essay Contest Ends

November

8 — Statewide It Can Wait Contest Winners Announced

NIE Calendar

Newspapers In Education has great features to offer for the remainder of the first semester of the 2017-18 school year.

If you have something you would like to see covered, please send an email to Helen Headrick, hheadrick@socket.net. Download codes are in bold italics for each entry.

OCTOBER

- Famous Missouri Journalist series highlighting 9 Missouri journalists and MPA. Featured journalists are Field, Bluford, Charles, Twain, Keeley, Pulitzer, Williams, Cronkite, Switzer and the MPA. (***mojournalists***)

- Missouri History through the Art in Our Capitol – 7-part series highlights the rich treasures inside our State Capitol, including an introduction to the art, Indians, mining, railroads, steamboats, capitols and Civil War. (***moart12***)

NOVEMBER

- Veterans Day Nov. 11. We have two features to offer for Veterans Day. Honoring our Veterans (***veterans***) and Honoring Our Flag (***usflag***)

DECEMBER

- Bill of Rights Day Dec. 15. Three features for Bill of Rights Day, quarter-page and half-pages. (***rights***)

Register your online copyright by Dec. 31



Digital copies of public notices

Send your digital newspaper to NewzGroup

You want to see who you have listed at the copyright office as your agent for receipt of copyright violation notices. The contact information for that person must also be listed on your website.

Complete the online registration form to file this information with the U.S. Copyright Office. Effective in December 2016, that office will no longer accept paper copies of these notices. From now on, that information will only be accepted through their online portal and effective December 31, 2017, only the registrations done through the online system will be considered valid.

You can find more information about this portal and system at <https://www.copyright.gov/dmca-directory/> and to file a registration, you will need to create a login account (see the right hand side of the website). To reiterate, you will have to do this before the end of 2017 to protect your rights under the Digital Millennium Copyright Act.

From Mark Maassen
MPA Executive Director

One issue that was brought up during this year's session of the Missouri state legislature is the timeliness of the postings of public notices to our statewide website.

NewzGroup is the company that is archiving our legal ads and public notices.

If at all possible, please send your newspaper digitally to them. This will help get your newspaper's legal notices up on our statewide site more quickly.

The statewide site can be found here: mopublicnotices.com

We have been promoting this website to our state legislators in hopes that it will answer their questions regarding why public notices need to be moved to a website but that is maintained by a neutral third-party, such as a newspaper.

At Missouri Press, we are already

doing that! And we have been for seven years!

Listed below is contact information for Lee Brooks, who is with NewzGroup and is helping us update our list of newspapers uploading their digital copies to the public notice website:

Ian Buchanan
ibuchanan@newzgroup.com
 Phone: 573-424-6841
 Toll Free: 800-474-1111

Public notice ads

The Missouri Press Association has a series of Public Notice ads available that help inform your readership about the importance of keeping public notices in the newspaper.

These ads are available in color and black-and-white online here: mopress.com/public-notices

Other Public Notice resources, such as a searchable database and index of legal requirements, are also available through the MPA website.

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Upcoming NIE serial story

Serialized story for 2018 is 'A Polar Bear's Tale'

Kali, a polar bear cub, made news across the country when he was just a few months old. Rescued after hunters shot his mother, Kali quickly became famous.

Polar bears are known to regularly travel long distances but Kali may take the record. He was born near Alaska's northwest coast, rode on an ATV to the town of Point Lay, and has had three plane trips; to Anchorage, Alaska, Buffalo, New York and finally to St. Louis.

This January, Missouri Press is offering newspapers the opportunity to publish a free 8-chapter serialized story entitled "Kali: A Polar Bear's Tale."

This heartwarming tale takes a small orphaned cub from one adventure to another as he grows and learns how to be a polar bear.

Each chapter in this 8-chapter story includes a newspaper activity. A companion teacher guide will be available to distribute to teachers or post on your newspaper's website.

"Kali: A Polar Bear's Tale" is produced by the Missouri Press Foundation and available to newspapers at no cost through a special partnership between NNA and MPF from Jan. 1 through June 30, 2018.

This is the 10th year that Missouri Press has partnered with the National Newspaper Association to offer a free serialized story through the Reading Across America campaign. The goal is to have young readers across the nation reading inside their community newspapers in 2018.

A preview of the first chapter can be seen below.

If your newspaper is interested in participating in the Reading Across America project and publishing the serialized story, visit mopress.com/nie-serial-stories to get the download code.

CHAPTER ONE OF EIGHT



KALI

A Polar Bear's Tale

AUTHOR: CAROLYN MUELLER KELLY | ILLUSTRATOR: JEREMY PATTON

Finding Kali

It was cold that day as March always is so high above the Arctic Circle. Snow still blanketed the ground, but the thin light of early spring allowed James a better visibility to look for caribou or any large animal--anything he could hunt and bring back to his village.

The people of Point Lay, Alaska, on the coast of the Chukchi Sea, relied on skilled substance hunters like James and others. They hunted for meat to help feed the people in their village. The meat would be given to village elders and dispersed. Hopefully there would be enough left to freeze and store for later. Food, which could be purchased for a few dollars in the lower 48 states, was very expensive here; noodles could cost \$13.00 and red or green peppers as much as \$10.00 each. The meat James brought back was important to the villager's survival.



had hunted had been large, burly males, with paws the size of dinner plates. This bear was a bit smaller, and on its stomach he saw a row of dark teats. This bear was a nursing sow. Somewhere, he thought, she has a cub.

James was crushed. He had not realized that the bear was a female, especially a nursing mother. "We've got to find the den," James said to his hunting companion. "There's a cub out here somewhere, and it won't survive for long without her."

The two men set out through the bitter wind and spring sunlight, until they saw the den. There, barely perceptible on the icy landscape, was the dark opening to the den of a polar bear.

**Ask Zoo
Keeper Carolyn**

How many cubs does a bear have at one time?

Missouri Press Classifieds: Who is looking for YOU?

FOR SALE

• **Weekly Newspaper For Sale** – Boone County, Missouri's only independent newspaper and website for sale in the fastest growing housing market in mid-Missouri. This property has positive cash flow, a solid financial track record and plenty of growth opportunities. This market's central location makes for a great opportunity to add to your group or become your own boss. Small building could be leased or purchased. Seller looking to retire, contact bruce@bocojo.com (573)289-2665. 3-30

• **North Missouri newspaper and shopper** for sale. Great potential, untapped sources of revenue. Call 660-626-6308.

HELP WANTED

NEWS AND FEATURE WRITER: *The Lebanon Daily Record*, a Monday through Saturday daily newspaper in Lebanon, Mo., has an immediate opening for a news/feature writer.

The Daily Record is a small community newspaper that covers news throughout Laclede County. Job requirements will include covering some school and government meetings, as well as seeking out and finding interesting people in the community to write feature stories about. This is a great opportunity to gain lots of newspaper experience, as you will be doing a variety of jobs and covering a variety of topics for the newspaper.

A knowledge of AP style and basic computer skills are a plus. The position will also include some photography.

Lebanon is a great community in southwest Missouri that is within driving distance of the Lake of the Ozarks, Bennett Spring State Park and Springfield.

Please send your resume and work samples to Editor Fines Massey at fmassey@lebanondailyrecord.com. No phone calls please.

SALES MANAGER: The *Centralia Fireside Guard* is seeking a sales manager to lead projects involving print and online advertising. Sales experience helpful but not necessary. We will train. Strong communication skills and self-motivation are required to build relationships to help clients build their businesses. Write about your past work history and experience and email to lmovp@lcs.net or take to the Guard office at 123 N. Allen, Centralia, MO 10-9

GENERAL REPORTER: The *Christian County Headliner News* is seeking a journalist with a passion to report news and feature stories happening in Christian County, Missouri. If you possess the skills, experience and degree befitting a weekly print and 24/7 online news publication, we want to hear from you!

Please submit your resume and writing samples to: Headliner News, attn: Tricia Chapman, P.O. Box 490, Ozark MO 65721 or email to triciac@ccheadliner.com 9-1

ADVERTISING EXECUTIVE: The *Christian County Headliner News* has a rare opening for an energetic, friendly, honest, customer service expert that is hungry for success! The perfect candidate will appreciate a team effort, but won't be afraid to make cold

calls by themselves. Our full-time position offers a salary, plus commission and bonuses.

Please submit your resume and references to: Headliner News, attn: Tricia Chapman, P.O. Box 490, Ozark MO 65721 or email to triciac@ccheadliner.com 9-1

SPORTS REPORTER: The *Harrison Daily Times* is seeking a sports reporter with a taste for action. Duties will include general sports assignments as well as feature writing assignments. Photography skills are a plus. This is a full-time position. We pride ourselves on promotion from within as opportunities arise throughout the company. We are an equal opportunity employer. Please send resume to Publisher Jim Perry, PO Box 40, Harrison, AR 72602 or email to jimp@phillipsmedia.com 8-18


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