

# Work together to identify, fix problems

In the next few weeks, members of the Kansas City Metropolitan Bar Association who are involved in a media law practice are planning to host a breakfast for members of the media in our five-county area and for judges within the five-county area, federal, state and local. It's an event we've held for about five years. We think it has contributed to good will among those parties over this period and well worth the investment to encourage open conversation.

It started due to a controversy over a television reporter showing up, unexpectedly, at the home door of a local judge to discuss a case. That had happened just a short time after another television cameraperson filmed members of a jury panel walking from the courthouse to their cars after a controversial criminal trial. Those were not high-points in media-court relations in Kansas City.

This Kansas City ongoing event is similar to an idea that was encouraged a few years ago when the American Bar Association held a symposium for members of the media and the judiciary across the state in a day-long program in Columbia. One of the suggestions that came out of those small-group meetings was for members of the media periodically to "take a judge for coffee" or lunch, or in some way just find time to sit down with a local judge, get to know each other informally and encourage conversation about the judicial system in the community and the role of the newspaper in covering the courts.

There are so many issues that would be good for discussion when you sit down with your local judge. Local courts are constantly struggling with increased case load and limited budgets. In some cases, local judges are struggling just as we are with technology changes. Sometimes issues like "access levels" can create confusion in terms of what is visible to you as a reporter on your local access computer for Casenet documents. These are all good topics to discuss when you are not on a deadline or faced with a record you cannot access.

Many members ask me when reporters are going to be given access to Casenet similar to what lawyers have. A few years ago, it seemed like that possibility might just be around the corner. But as time has passed and budgets continue tightening, it seems less imminent than it once did. The judiciary remains highly concerned about protecting jurors, both from "personal exploration outside the courtroom" of facts beyond the scope of what is presented to them within the framework of court rules for their consideration in deciding the case and in terms of protecting their personal safety from persons who might choose to threaten them for having done their civic duty. Reporters recognize the importance of the jury system and the need to ensure the safety of those called to serve but also recognize the need to keep the trial court system in full public view and scrutiny to ensure that the public continues to support the court system as one free from outside influences.

In Kansas City, the judiciary has suggested that we discuss at this upcoming breakfast what they see as diminishing coverage of the judicial system due to a reduction in the number of reporters assigned to cover the courts. Our largest metro daily has faced staff cutbacks, like all other metro dailies around the country. Far too often, readers in Kansas City are finding stories about trials in the paper being written from a press release from the County Prosecuting Attorney's office. Reporters who used to make the courthouse a part of their daily "beat"

now are rarely in the building.

But there are other similar concerns across the state. In the last year, there was one instance where a reporter obtained confidential court information in a manner that circumvented a court order closing a courtroom. In another instance, a newspaper and a prosecuting attorney found a case file that had disappeared from the Casenet system, only to reappear when those two parties started inquiring about it. The friction arising from such situations takes significant time to dissipate. The judge involved in the confidential court hearing acknowledged that he wanted the ensuing discussion to be "an opportunity

for education – a teachable moment...." That is the best outcome of any such discussion.

Find time to have that "cup of coffee" with a local judge, and also with a local Chamber representative, with your Mayor and with the Sheriff, for starters. Share your challenges with them and find out what they wish you did better.

As newspapers across the state look for ways to build community, these one-on-one discussions can be helpful not only in building rapport but also in training staff as to what community leaders can provide to them as they gather news.

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**Jean Maneke,**  
is MPA's Legal Hotline attorney.  
Contact her at (816) 753-9000;  
jmaneke@manekelaw.com.