

## FROM THE CHAIR

RICHARD M. GOEHLER

Life is good—especially when you are spending a few days of it in Key Largo in February.

By all accounts, our 12th Annual Conference in Key Largo, and the 10th Annual Media Advocacy Workshop that preceded it, turned out to be a big success.

The program began on Thursday, February 10, with the Media Advocacy Workshop. Kudos to Laurie Michelson and her Training & Development Committee for another outstanding workshop. I would strongly urge all of you to think about recommending next year's workshop to all of our junior colleagues and associates. This one-day workshop continues to be a great opportunity for our junior colleagues to get "on your feet" training and feedback from our faculty—the deans of our media and communications bar.

Consistent with our prior years' annual conferences, this year's plenary sessions and "hot topics" workshops in Key Largo were simply outstanding. All three of our plenary sessions were packed to capacity, and the feedback from the facilitators for the hot topics workshops reflected strong and interested participation by the attendees. Our annual conference planning committee of Jerry Birenz, Barbara Wall, Kelli Sager, George Freeman, and Teresa Ucock clearly did an outstanding job again this year. Those attending the conference also commented very favorably on the accommodations, facilities, food, and service—and the February Florida weather—provided by the management and staff of the Ocean Reef Club.

On Friday evening, our Women in Communications Law Committee hosted another excellent reception and meeting program moderated by Committee Co-Chair Stephanie Abrutyn. The WIC business meeting consisted of a panel discus-

sion on building successful professional relationships. The panelists included Barbara Wall, Sherrese Smith, Katherine Bolger, Carol LoCicero, and Laura Prather. Thanks to Stephanie and her panel for an outstanding program.

Keeping with the theme that our members should "work hard and play hard" at these annual conferences, Jerry Birenz was able to pull off a big hit in Key Largo with the first-ever Forum snorkeling and diving trip. The Saturday afternoon outing turned out to be so popular that we ended up chartering a second boat to accommodate the seventy-nine members and their guests who were interested in snorkeling and diving.

The Forum's annual business meeting for the membership resulted in overwhelming support for the report of the Nominating Committee and the election of Guylyn Cummins, a partner at Shepard Mullin in San Diego, to the position of Chair-Elect. Guylyn will take over as Chair of the Forum in August of 2008. Elected to three-year terms on our Governing Committee were Kurt Wimmer, general counsel at Gannett; Pilar Johnson, in-house counsel for Turner's Cartoon Network; and Maya Windholz, in-house counsel at NBC Universal—West Coast. We are looking forward to Guylyn's continued good works on behalf of the Forum and to welcoming Kurt, Pilar, and Maya to the Forum Governing Board.

### Coming Events

Personally, I was very pleased with the Governing Committee and Division Chairs' meeting which we conducted at the Ocean Reef Club on February 8. As I reported in my last Chair's Column, our Forum programs and publications continue to provide excellent member value. Our upcoming programs should prove to be no exception.

On March 22, we presented our 2nd Annual Data Privacy Conference in Washington, D.C. Jenell Trigg and Jon Avilla planned another very informative program again this year. See page 12 for details on how to order DVDs.

Our 26th Annual "Representing Your Local Broadcaster" program, which the Forum jointly presents with the National Association of Broadcasters and the Federal Communications Bar Association, will be held in Las Vegas at The Bellagio on April 15, 2007. This year's program theme is "Journey to the Legal Center of the New Media World." Our planning committee, led by Guylyn Cummins, has worked hard to put together a practical seminar of daily issues facing broadcast lawyers. This year we will look at the major issues facing our communications industry from a unique perspective. We have staffed panels on regulatory compliance, advertising, privacy, newsgathering, and intellectual property. The luncheon program features timely discussion of the ongoing battle over indecency, the FCC, and the courts. See page 23 for details. Please make your plans now to join us.

Cori Ulrich and Chuck Tobin gave an excellent presentation to the Board on the status and development of our new teleseminar initiative. We anticipate that we will launch this new initiative with two to three "hot topic" teleseminars in 2007. Initial suggestions for topics for our teleseminars have included CDA § 230 immunity; *Boehner v. McDermott*; and international topics, including jurisdiction, copyright and libel, to provide a tie-in with our *Journal of International Media & Entertainment Law*. Watch for details as they develop.

### Moot Court for Minority Students

The Governing Board also voted to approve a proposal presented by Seth Berlin and his colleague, Jeanette Melendez Bead, to explore an exciting new diversity initiative—a First Amendment moot court competition for minority law students. A planning committee is being formed to continue to explore this initiative. Forum members who are interested in assisting with this diversity initiative and/or participating on our exploratory committee are urged to contact Seth or Jeanette.

In addition to working through an agenda full of action items at our meet-

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ing in Key Largo, the Governing Committee and Division Chairs were busy prior to arriving in Florida dealing with opposition to a resolution proposed by the ABA Commission on Effective Criminal Sanctions – ABA Resolution 103D. Part IV of the Resolution (103D) included a recommendation that action be taken to “ensure that only law enforcement agencies have access to records of closed criminal cases that do not result in a conviction.” The resolution was presented to the ABA House of Delegates for consideration during its Mid-Year Meeting in Miami, which just happened to coincide with the dates of our Annual Conference in Florida. We were able to mobilize the Forum Governing Committee and Division Chairs to join with the ABA Section of Litigation First Amendment & Media Litigation

Committee, the Reporters Committee for Freedom of the Press, and the Coalition of Journalists for Open Government in opposing the resolution on the grounds that such legislation establishing such a presumption (of closure) was contrary to public policy and would be subject to serious constitutional challenge. Ultimately, the drafters of proposed Resolution 103D removed the offending provision from the resolution. All the relevant documents concerning the resolution and the coordinated opposition will be posted on our website.

Next year’s Annual Conference, our 13th Annual Conference, returns to the Boca Raton Resort & Beach Club on February 14–16, 2008. The Planning Committee expects to get to work soon, so please do not hesitate to provide any input on program ideas and workshop topics.