ABA Open Meeting Policy

The ABA has a policy, adopted in 1979, that encourages media coverage of its programs and events. A subsequent policy, adopted in 1991, reaffirmed this:

“In accordance with the Association’s policy on open meetings, programs should be open to the media for purposes of news and public affairs, although the sponsoring entity may impose restrictions to minimize disruptions or distractions or to conduct business sessions of a confidential nature. The Association retains the rights to its intellectual property. Media may make fair use of taped materials for criticism, comment or news reporting. Subsequent commercial use of the content of any program is prohibited without the express written permission of the ABA. Media should receive complementary sets of whatever printed materials are necessary to help them provide informed coverage. Relations at meal functions are generally smoother if meals are provided to news people; but, if this is not financially feasible, media still should be admitted just to cover the program.”

What this means is that meetings are open to all representatives of the media, except for executive/business sessions. No ABA entity is permitted to enter into a contract with a speaker or other participant that restricts media coverage.

Speakers need to know about this, as some – not many, but some – don’t want to be on camera, or think their remarks should be off the record. The policy may be explained using the following language that we highly recommend for your first letter to an invited speaker:

“Consistent with the ABA’s Open Meeting Policy, all ABA programs are open to the news media, including C-SPAN and other television cameras, and are “on the record.” If you think this policy will cause any problems for you, please get in touch with (section contact) right away.”

If the policy is a problem for the speaker, call your Media Relations liaison.

In addition, the Office of General Counsel has prepared language for contracts or agreements with speakers.

Our policy provides for audio and videotaping of content for news and public affairs programming, including C-SPAN. It does not include videotaping for commercial purposes.