

Plan Now to Attend Forum's Conference

GUYLYN CUMMINS

I am very excited to be chair of the ABA Forum on Communications Law this coming year. I am particularly excited about the Forum's annual conference on February 5–7, 2009, at the Westin Kierland Resort in Scottsdale, Arizona. We do hope you can join us.

All of our past conferences have been tremendously successful, and we believe the upcoming conference will be exciting and thought provoking. The program will feature three plenary sessions, all of which promise to be extremely informative, interesting, and practical.

The keynote panel on Friday, February 6, will be one of our traditional historical retrospective plenary sessions, this time looking at the momentous *Westmoreland v. CBS* and *Sharon v. Time* public figure libel cases. Both cases were tried at the same time in the same courthouse twenty-five years ago. The panel also will consider whether (and why) there has been a decrease in the number of libel suits filed against the media today.

Our second panel on Friday morning will evaluate how the media covered the 2008 election, with an in-depth look at whether the criticism directed at it was valid, and whether the Internet and blogosphere have changed election reporting permanently. Given the exciting election, this promises to be one of the best panels covering this topic.

On Saturday, February 7, we will present another retrospective plenary session. It will consider the leading copyright/fair



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use case of *Harper & Row v. The Nation*, a suit which arose out of a magazine's premature publication of three hundred words from President Ford's memoirs, albeit about the key passage in the book. The panel will also discuss whether the Internet marketplace has changed the rules of fair use.

We will also offer small group workshops that are specially designed to facilitate discussion on key issues by all of our attendees. This is one of the highlights and one of the reasons lawyers find our conference to be so useful to them in their everyday practice. Our recurring workshops will again cover hot topics in libel and privacy, newsgathering, and the Internet. We will also offer six different workshops, once each, covering ethics, insurance, advertising and promotions, subpoenas, e-discovery and entertainment—all extremely timely and current topics.

Rather than a traditional keynote address, the Friday luncheon features a candid dialogue between Arizona Governor Janet Napolitano and Sue Clark-Johnson, former president of the Gannett Newspapers, chair of the Newspaper Association of America, and publisher of *The Arizona Republic*. They will discuss the respective rights and duties of public officials and the press—and share their thoughts on elevating the performance of both.

The conference is also the setting for our separate young lawyers Media Advocacy Workshop, an all-day practicum on Thursday, February 5, run by the Forum's Training and Development Committee. More information on the workshop can be found at www.abanet.org/forums/communication/home.html. If you want to participate in the Media Advocacy

Workshop, just separately register for it.

In addition, the conference will include meetings of the Forum's Women in Communications Law group, Teaching Media Law Committee, and of the TIPS Media, Privacy, and Defamation Law Committee. Clearly, this conference is the place to be in February.

Beyond the excellent substantive program, the conference affords us the opportunity we so infrequently have to spend time with our colleagues and families in an informal setting and to enjoy the golf, tennis, and other first-class facilities that will be available to us at the Westin Kierland Resort & Spa. We have arranged a variety of social activities as well as our annual competitions in golf and tennis. We are hopeful that many of your children will attend; they will again have an opportunity to be a "Libel Lawyer for a Day" and argue a case to a panel of distinguished (but kindly) judges.

The culmination of the Forum's inaugural First Amendment and Media Law Moot Court Competition will take place on Thursday, February 5. The Competition is designed primarily to expose minority law students to the Forum on Communications Law and the practice of media law. The preliminary rounds will be held in the morning and the final round will be held from 3:15 pm to 4:45 pm. Everyone is welcome to attend the final round of oral argument.

If you wish to attend, click on the ABA Forum of Communications Law brochure on the ABA website at www.abanet.org/forums/communication/home.html. We look forward to seeing you in February.

Finally, stay tuned for our upcoming events and committee projects and goals. A federal Reporter Shield Law promises to be at the top of our list of things to do. 

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