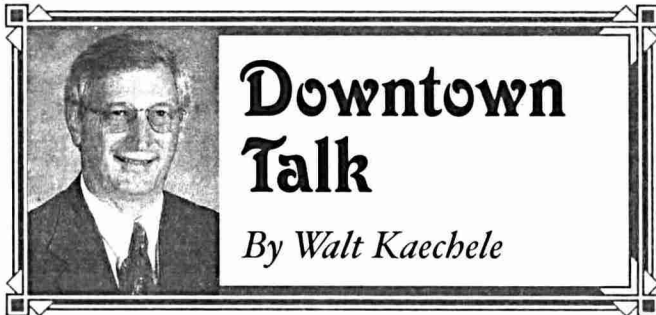


Public notices need to be in the newspaper



The state is constantly looking for ways to save themselves some money and help the local municipalities as well. Sometimes these good intentions are like throwing the baby out with the water.

One of these situations came up recently and it has been a recurring theme for the past decade: what to do with public notices?

Every governmental body is supposed to post and publish all their notices for the citizens they serve to view. There are time frames for which each notice is supposed to be posted and published and other regulations to make sure the public is informed about what the local government is doing. This posting and publishing of notices are part of our democratic principles called checks and balances. The government has to do its business in view of the public. However, organizations representing some elected officials are again asking to have public notices posted and published only on the Web and not in newspapers. This is supposed to be a more cost-effective way to notify the public, but is it really?

My wife, Cheryl, as the National Newspaper Association president has already addressed this issue in March at a symposium on the status

of newspapers at Western Michigan University and Wednesday, May 12, she planned to testify in Lansing on public notices again. In part, this is what she said at those meetings,

“There is another type of advertising that appears in newspapers that is one of the basics for democracy—legal advertising, as it is known in the trade, or by its better name: public notices.

“Although not a large part of newspaper revenues, it is an important part as it serves more than one function. Primarily, it lets the public know when government actions will affect them, such as election notices, meeting notices, tax rate adjustments and the like. And second, it provides a watchdog service over government when notices must be published in an independent publication.”

Today state legislators have introduced a six-bill package that says posting a notice will be sufficient if it is in the office of the city, township, village or county clerk and at least in one of the following:

- the municipality’s Web site,
- the Web site of a newspaper,
- on a public education and government channel broadcast in the municipality.

Publishing in this manner

would effectively remove any checks and balances currently in place. This is what using a newspaper does for safe guarding the public’s right to know, as my wife put in her speech at WMU.

“Currently the ink on paper method provides an affidavit of publication from an independent source as well as physical proof. That affidavit may be an obscure tool, but it is a time-honored due process mechanism that assures the courts, as well as the historical record, that the notice is a true copy. It hasn’t been altered, deleted or, in this new age, hacked into and converted into a whole new meaning.

“Also, providing such proof of publication online is out of reach for many people who either do not have a computer or do not have broadband access and the Internet is still highly suspect as an element of due process. Once a notice is published in a newspaper, there’s no going back—no hacking, no deliberate changing something if a mistake is noted. The newspaper can provide exactly what the notice said. The record is permanent.”

She noted further, in her talk, that newspapers are a “push” medium, meaning a person sees the notice as they read and the Internet is a “pull” technology, meaning a person has to search to find the notice on line.

She also said a public notice is part of the three-legged stool of accountability: public records, public meetings and public notices.

These are all features of our democracy to keep our government units transparent and open to the public. We need to keep public notices in newspapers, the watchdog of a democracy.

