

Bench & Bar

Editorial Guidelines

The *Bench & Bar* magazine, the official publication of the Kentucky Bar Association (KBA), is published to provide members of the KBA with information that will increase their knowledge of the law, improve the practice of law, and assist in improving the quality of legal services for the citizenry. It is a bi-monthly publication, published in January, March, May, July, September and November, in a format that both edifies and entertains the reader, and keeps the Bar informed on current issues and events within the legal profession. Within the *Bench & Bar* is a section called the *Kentucky Bar News*. Its purpose is to update members on committee and section events, local bar association events, news from Kentucky law schools, KBA-sponsored continuing legal education (CLE) seminars and events, and features of potential interest to KBA members.

I. *Statement of Purpose*

In addition to the above-stated objectives, the purpose of the *Bench & Bar* magazine is to provide articles of general professional or scholarly interest as a means to enhance and enrich the legal profession. Articles, primarily written by Kentucky attorneys, judges, and legal professionals, are intended to provide the most interest and benefit to our readers. We strive to publish articles that express the ideas and views of our members and display well-reasoned analysis. While we discourage both commercial writings and clear advocacy pieces, we may choose to flavor our publications occasionally with controversial articles, and welcome such submissions as well as editorial comment. Rarely, articles on certain sensitive or social or political issues may be selected for publication to the membership for educational purposes only. However, these articles must be balanced and are restricted by the mandates of Keller v. State Bar of California, 496 U.S. 1 (1990). We encourage well-written articles pertaining to Kentucky law that are serious, yet are not dull, and are of interest to significant segments of the Bar. Frequently, articles are selected or solicited based on a predetermined area of specialty or theme; however, articles of significant interest or quality are not declined based on subject matter. Also, casual, humorous and general interest articles and artwork written about or prepared by Kentucky lawyers are welcomed.

II. *Editors*

All printed articles must have the approval of the Communications and Publications Committee (Committee) of the KBA. The Committee has regular editorial meetings whereby all proposed feature articles submitted are reviewed and discussed before they are accepted for publication or are declined. The Committee Chair serves as Editor of the *Bench & Bar*. Members of the Committee (editors) serve as the Editorial Board and volunteer to edit accepted feature articles and work with authors to revise their work in keeping with general format guidelines set out below. The Managing Editor of the *Bench & Bar* is a staff member of the KBA. The Publisher of the *Bench & Bar* is represented by the Executive Director of the KBA. Both the Managing Editor and the Publisher work closely with the Communications and Publications Committee in the publication of the *Bench & Bar*.

III. Editing of Submitted Material

Collaboration between author and the Editorial Board nearly always improves the work product, thus, all submitted material is subject to editing. This includes regular columns, guest columns, regular features, “Who, What, When & Where”, news/press releases and letters to the Editor. Regular columns and articles such as Bar Counsel’s Page and the President’s Page are edited by the Managing Editor and Bar staff working in conjunction with the Managing Editor. Material will be edited for style, clarity and accuracy and for space considerations. Some editing may involve selective omission of portions deemed by the editor to be less important than others. The Editorial Board will make every reasonable effort to inform the author of changes and to involve the author in any editing of technical, controversial or other material. However, if the author cannot be contacted regarding the editing changes, the Editor reserves the right to hold the material until a subsequent issue or to make the necessary editing changes. The Publisher and Managing Editors retain, at all times, authority regarding story placement, headlines and article scheduling.

IV. Exceptions

There are occasional cases where established guidelines may be waived and material need not satisfy all of the guidelines set forth above. Such submissions are evaluated on a case-by-case basis by the Editors, who retain responsibility for story evaluation.

V. General Format and Content

The *Bench & Bar* is published in a standard magazine format, 8 ½ x 11 inches. The number of pages varies, and will be determined by the Editor and Publisher. Generally, each issue contains three-four feature articles, as well as regular columns and departments, such as The President’s Page, Shop Talk, Ethics Opinions and the popular “Who, What, When & Where.” The magazine will be made available after publication online at the KBA website, www.kybar.org.

A. Feature Articles

Feature articles are generally subject to the following requirements:

1. Articles should be appropriately sourced, considered in judgment, and fair to the subject.
2. Articles should be previously unpublished.
3. The edification of the readers being the primary focus, articles should be in good taste, original, witty, concise and written with literary skill. Articles should be limited to 2,000 to 3,000 words in length (approximately 6-9 typed, double-spaced pages).
4. Source materials must be noted, and should be in the form of endnotes. Commentary endnotes should be limited so as not to become a separate article.
5. All articles should be typed, double spaced with standard margins, and submitted in electronic format for committee review, using any version of Microsoft Word® or WordPerfect®.
6. Printed articles are held under license by the KBA and may be reprinted with permission of the KBA.

B. General Publication Guidelines

Whether the article or other work was solicited or unsolicited for publication, the following questions should be asked by the authors prior to submitting for consideration:

1. Does the content discuss new, developing or problematic areas of the law? Does it directly impact or affect the practice of law in Kentucky?
2. Will the information help a significant number of Kentucky Bar members in their daily practices?
3. Does the article or other work discuss the topic from a lawyer's perspective or is it a policy or public advocacy piece?
4. Is there broad interest within the Bar or within a practice area of the Bar in the subject?
5. Is the topic timely?
6. Does the author(s) have the necessary expertise in the subject matter?
7. Has the subject matter been covered in the *Bench & Bar* within the last year?
8. Does the author present ideas in a balanced manner rather than presenting one side of an issue? If not, has the opposing viewpoint also been presented?
9. Does the article contain information not already covered in another publication read by Kentucky Bar members?

C. Who, What, When & Where

As a courtesy to KBA members, the *Bench & Bar* provides, at no charge, a separate column announcing lawyer relocations, promotions and other news of attorney members. Subjects must be members of the Kentucky Bar. Professional photos may be run with the announcements at a charge of \$10 per photo. Photos will not be returned.

D. Letters to the Editor

The *Bench & Bar* welcomes and encourages letters to the Editor. An individual's opinion on an important legal topic, as well as a dialogue among bar members, as voiced in a civil exchange of public letters, are valuable to the membership of the Kentucky Bar Association. Letters to the Editor must address some topic of law, or legal practice or professional life and activities. They must not contain language constituting an attack upon an individual, group or organization, as opposed to an idea, and may not promote individual products, services or political candidates. Guidelines designed to set a standard for acceptable material are noted under the **Statement of Purpose**.

1. Letters must be addressed directly "To the Editor of the *Bench & Bar*." No reprints of letters addressed to other publications, to other individuals, or "to whom it may concern," will be considered for publication.

2. Preference will be given to letters in response to other letters to the Editor, or articles or columns recently published in the *Bench & Bar*.

3. Letters must be signed. No unsigned or anonymous letters will be printed. The Editor may waive this requirement in rare circumstances, if such waiver is requested and deemed warranted in the sole discretion of the Editor.

4. Letters from KBA members receive priority for publication in the next available issue. Letters from non-KBA members are published if space permits. Letters to the Editor may be edited for grammar, style, clarity or length, or to remove or alter language or information deemed unsuitable or inappropriate for publication. Profane or obscene language will under no circumstances be accepted.

The *Bench & Bar* strives to print as many letters as possible. Therefore, brevity is important, and preference will be given to letters that are 250 words or fewer. The Editor reserves the right to select or withhold letters for publication, and to edit any and all letters chosen for publication.

E. Continuing Legal Education Information

Coverage of CLE seminars sponsored by the KBA, or sections and committees of the KBA, is provided on a space-available basis. The *Bench & Bar* does not provide coverage of non-KBA CLE activities.

Display and classified advertising may be purchased in the *Bench & Bar* to publicize non-KBA CLE activities.

F. Artwork, Photographs and Illustrations

Original artwork including photographs, cartoons and illustrations are gladly accepted, but their use is not guaranteed. The *Bench and Bar* does not pay for artwork. Unless copyrighted by the artist and permission granted to the KBA for use, publication of the artwork results in a license agreement with the KBA and may be reprinted with permission of the KBA.

VII. Compensation

The KBA will not compensate for any unsolicited or solicited articles, published or unpublished artwork, photographs, illustrations, poetry or creative writing, unless agreed upon between the sender of the material and the Publisher.

VIII. Copyright Privileges

All material published by the Kentucky Bar Association is copyrighted. Unless other arrangement is made between the editor and author(s), all materials published remain the property of the KBA and the author consents to the right of the KBA to copyright the work. Except by the author under the terms of the license agreement referenced in Section V(A)(6), the material may be reprinted only with the permission of the KBA.

IX. Story/Article Development

The Editorial Board is responsible for development of story ideas and articles in the *Bench & Bar*. Final authority to accept or reject any item submitted for publication is retained by the Editorial Board and the Publisher.

X. Advertising Policies

Advertising is sold to KBA members and to advertisers in the general public as well. Except where noted, all advertising policies and pricing apply to KBA members and non-members equally.

A. Refusal of Advertising

The *Bench & Bar* will not publish employment announcements for employers who do not offer equal employment opportunities. Advertisers in the publications are subject to the requirement that they may not discriminate on the basis of race, color, religion, sex, national origin, handicap, family status or sexual orientation.

The *Bench and Bar* will not publish advertising placed by a non-KBA member private individual seeking to employ an attorney for a specific legal matter. Instead, private individuals seeking an attorney will be referred to the various local bar associations and lawyer referral services providing contact information to the KBA.

The *Bench & Bar* will not publish advertising containing language or images constituting an attack upon an individual, group or organization. The KBA, for the mutual protection of its publications, advertisers and readers reserves the right to revise or reject any advertisement that it, in its sole judgment and discretion, considers to be objectionable or offensive in subject matter, illustration or phraseology, or that it considers false, deceptive or misleading. Ads will not be printed that do not carry the advertiser's name in the ad copy. Political advertising is not accepted.

Space is available on a first-come, first-served basis.

Lawyer advertising must comply with the Kentucky Rules of Professional Conduct and the Attorneys' Advertising Commission (AAC) regulations. That includes the requirement that the ad be submitted to the AAC with the appropriate fee, if any, and the ad must include the disclaimer "THIS IS AN ADVERTISEMENT."

The *Bench & Bar* will not publish an advertisement for legal services to the public unless the submitting attorney certifies he has complied with the requirements of submission to the Attorneys' Advertising Commission, and other applicable rules and regulations at SCR 3.130 (7.01-7.50).

B. Spotlight Advertising

Spotlight Advertisements are available for purchase by both KBA members and non-members. A \$10 discount is offered to KBA members. One-year insertions paid in advance will receive a 15% discount.

C. Display Advertising

Display advertising is available for purchase by both KBA members and non-members.

XI. Subscriptions and Circulation

The Kentucky *Bench & Bar* is mailed, emailed or provided online through the KBA website to all active and emeritus members of the KBA. Members may not remove their names from the subscription list. Access to the general public is provided free of charge through the KBA website's online publication. Subscriptions are available to non-KBA members at the rate of \$20 per year, which includes 6 issues of the *Bench & Bar*.

For rates, deadlines and further information, contact the Kentucky Bar Association Communications Department at (502) 564-3795.

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