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ATTORNEYS AT LAW

Read All About It (Or Not):

Legal Publication Requirements in a Digital Age

Presenters



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Stephanie Smith brings a wealth of hands-on municipal government experience to her role helping cities navigate the myriad of ever-changing election laws. Stephanie served as city clerk for the cities of Murrieta and Lake Forest. A Master Municipal Clerk, Stephanie has more than three decades of experience in municipal government.

Objectives Today



1. Identify key statutory requirements under GC §§6000–6027
2. Verify and maintain a valid 'newspaper of general circulation' (NGC)
3. Recognize risks of non-compliance
4. Explore safe innovations like dual publication or policy updates
5. Anticipate future legislative modernization efforts

About Us



12

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250

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130+

YEARS OF SERVICE

Best Best & Krieger serves as a trusted partner and strategist to public and private sector clients across the nation. With offices spanning from coast to coast, the firm's attorneys provide innovative legal solutions and cost-effective representation, working to protect and advance clients' interests at every turn. BB&K is recognized for decades of groundbreaking successes, loyal service, and a culture of inclusion and respect.

“Headlines” vs. #Hashtags

- Residents read phones, not classifieds
- Statutes haven't caught up
- You're stuck between compliance and communication

What The Law Actually Says

- GC §§6000–6027 define newspaper of general circulation
- Excludes 'throwaway' or free papers (§6001)
- Must be established, printed, and published locally (§§6002–6004.5)
- Can qualify via §6008 (alternative criteria)
- Requires judicial adjudication (§6020–6027)



Adjudication: The Golden Ticket

Think of it as a business license for your newspaper. No decree – no validity.

KEY FACTS:

Must have a court decree (§6027)

Check County Superior Court records

Keep decree and case number on file

Reverify annually — status can lapse



Where Agencies Get Burned

- Newspaper lost NGC status
- Wrong geographic jurisdiction
- Digital-only edition used
- Missed interval or timing rule
- Posting on a website instead of the paper

Mini Hypothetical



“Your local newspaper just folded. You have three pending hearing notices.”

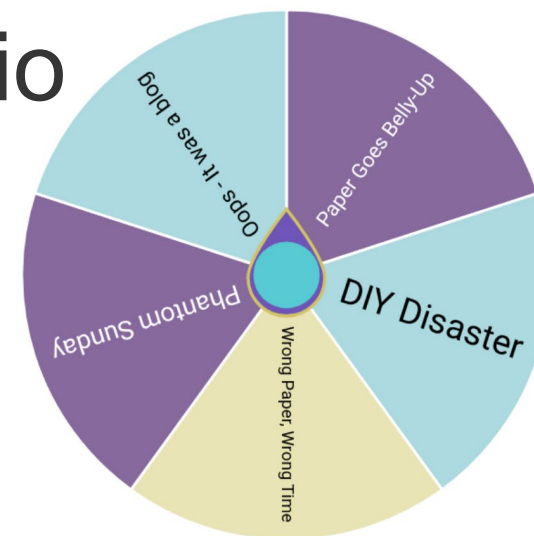
What do you do first?

Spin the Publication Wheel of Doom

Volunteer spins to reveal a scenario

Group votes: Legal or not?

Discuss risk, fix, and pro tip



Spin the Publication Wheel of Doom

- Paper Goes Belly-Up – Paper folds mid-noticing period
- DIY Disaster – Council wants to use HOA newsletter
- Wrong Paper, Wrong Time – Notice runs in paper that lost status
- Phantom Sunday – Sunday edition is digital-only
- Oops... It Was a Blog – Intern posts notice online

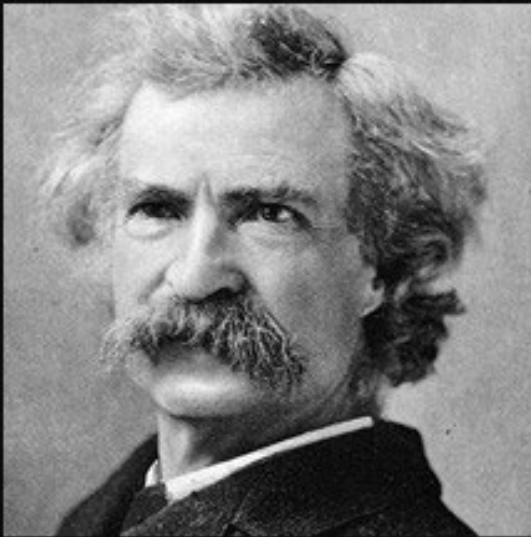
Case Law You Can Quote



- In re Paradise News Press – defines standards for general circulation
- In re Covina Argus-Citizen – losing qualification voids status
- In re San Diego Commerce – contests & adjudication challenges

Traditions vs. Requirements

- Multiple runs $\neq$ required (with exceptions)
- Old habits $\neq$ legal compliance
- Online-only $\neq$ valid publication



If you don't read the newspaper,
you're uninformed. If you read
the newspaper, you're
mis-informed.

~ Mark Twain

AZ QUOTES

What If There Is No NGC?

- GC 6042 — “Where no newspaper of general circulation is published within the jurisdiction of the officer, then the publication, notice by publication, or official advertising shall be given or made in a newspaper of general circulation published nearest thereto.”
- Ordinances – Where there is no NGC, the agency may post in three places designated by the legislative body for that purpose

Innovation WITHOUT a Lawsuit



- Dual publication (print + city site)
- Annual NGC verification policy
- Contingency clause in staff reports
- Record proof of publication consistently

Sample Policy Language



“All legally required notices shall be published in a duly adjudicated newspaper of general circulation. Supplemental online posting shall include:

‘This online posting is supplemental; the legal publication is in [Paper Name], Case No. [#####].’”

Legislative Landscape



- AB 2095 (2024) – Proposed print + online posting (VETOED)
- AB 1444 (2025) – Reintroduced, not yet enacted; would require online posting by newspaper AND state database
- Outlook: reform likely; advocacy opportunity

Advocacy Talking Points



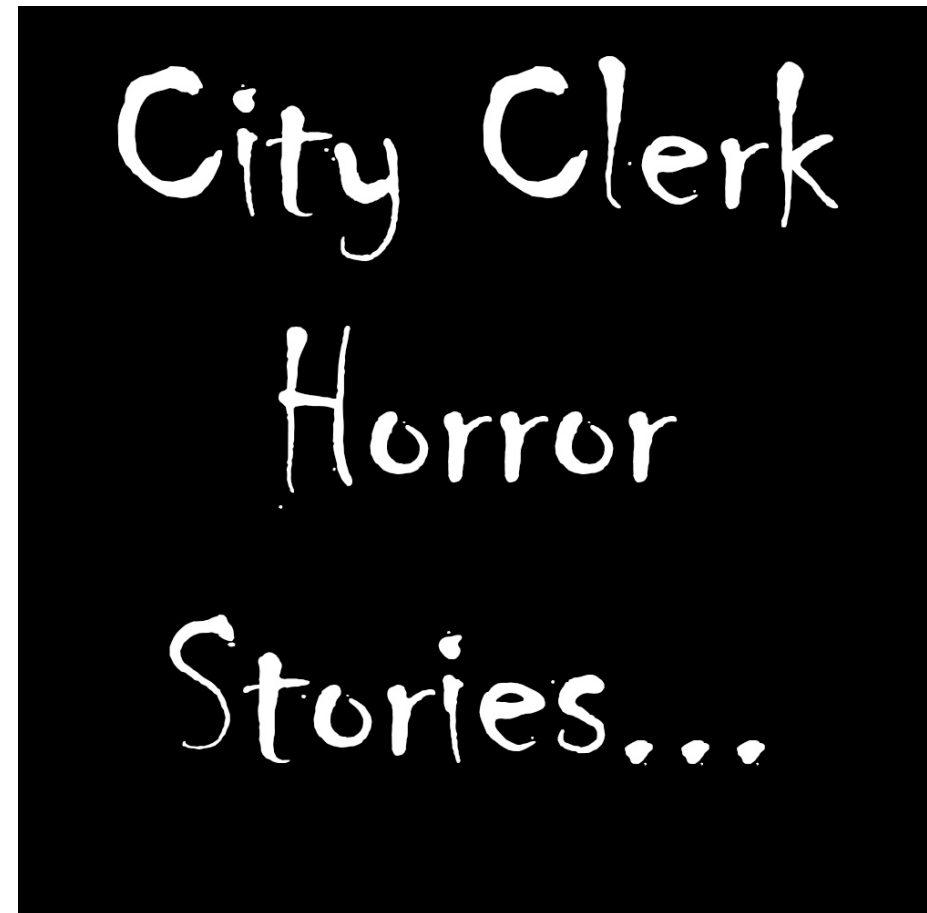
- Print-only laws are outdated and inequitable
- Reform keeps notices valid and visible
- Goal: Add print + web + public access site

Lightening Round

- A paper remains NGC forever
 - False
- Digital-only edition counts
 - False
- Blog post can substitute
 - False
- Every NGC must have decree
 - True

Horror Stories

- What was your publication nightmare?
- What did you learn from it?



Compliance Checklist

- Verify adjudication annually
- Match geography to jurisdiction
- Confirm timing requirements
- Retain proof of publication
- Have a backup paper ready

Takeaways

- Transparency + Compliance = Trust
- Know the law.
- Respect the rules.
- Push for modernization.
- Innovate + comply.



Questions?

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