

16th Annual
Charles L. Weltner
Freedom of Information Banquet



The Carter Center
Global Access to Information Program

Hosted by the Georgia First Amendment Foundation
Oct. 19, 2017 • Emory Conference Center • Atlanta

Previous Weltner Award Winners



Hunstein



Lewis



Sears



Isakson



Barnes

2016 Motion Picture Association of America

2015 Sam Olens, Georgia Attorney General

2014 Georgia Judicial Qualifications Commission

2013 Carol Hunstein, Chief Justice, Georgia Supreme Court

2012 John Lewis, Representative, United States Congress

2011 Vernon Keenan, Director Georgia Bureau of Investigation

2010 Mike Luckovich, Atlanta Journal-Constitution

2009 Leah Ward Sears, former Chief Justice,
Georgia Supreme Court

2008 Michael Bowers, former Attorney General of Georgia, and
Jim Houston, retired from the Columbus Ledger-Enquirer

2007 Marvin H. Shoob, Judge, United States
District Court for the Northern District of Georgia

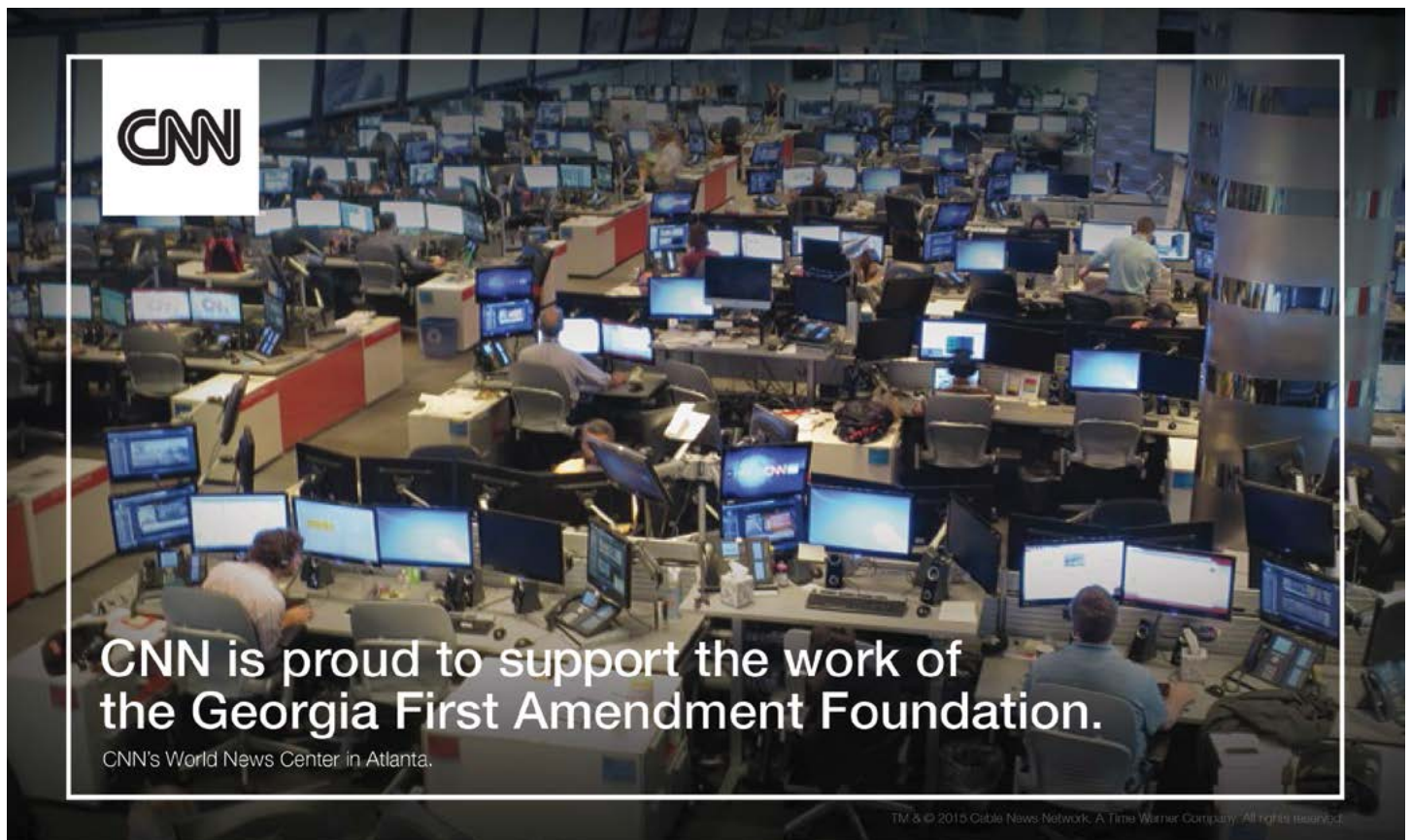
2006 Johnny Isakson, Senator, United States Congress

2005 Norman Fletcher, former Chief Justice,
Supreme Court of Georgia

2004 Roy Barnes, former Governor of Georgia

2003 Thurbert Baker, former Attorney General of Georgia

2002 Eason Jordan, former CNN Chief news executive and
president of newsgathering



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Tonight's Agenda

Welcome and Recognition of Special Guests

Hyde Post, Founding President, Georgia First Amendment Foundation

Opening Remarks: GFAF's Essential Mission

Shawn McIntosh, President, Georgia First Amendment Foundation

Presentation of Open Government Hero Award

*Tribute to the late Fulton County Superior Court Judge Stephanie B. Manis
The Honorable Mark H. Cohen, U.S. District Judge*

Introduction of Keynote Speaker

*Carter Center Chief Executive Officer Mary Ann Peters,
former U.S. ambassador to Bangladesh*

Keynote Speech: The Fundamental Right to Information

Carter Center Global Access to Information Program Director Laura Neuman

Presentation of 2017 Weltner Freedom of Information Award

Accepted by The Carter Center Global Access to Information Program

Closing

Acknowledgements

The Georgia First Amendment Foundation thanks the following sponsors for their support of the 2017 Weltner Freedom of Information Banquet and GFAF's mission:

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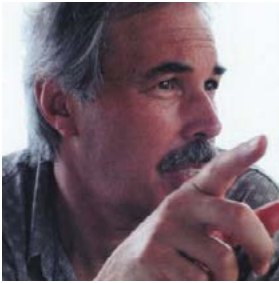
KB Media

Thank you to our board members (see Page 10) for their service to our mission. Thanks, also, to Carolyn Carlson, Amanda Bailey Casey, Becky Cesario, Lenora Kopkin, Mike Luckovich, John McCosh, Silvia Newman, Casey Sykes and Nydia Tisdale for their contributions to the success of our banquet.

About the Weltner Freedom of Information Award

Our award is named for Charles L. Weltner, a former chief justice of the Georgia Supreme Court who championed freedom of information and ethics in state government. Our annual Weltner Banquet provides financial support for the foundation's focused and essential mission: fighting for free speech, government transparency and access to public meetings, proceedings and records in Georgia.

Meet our speakers



Hyde Post is a founder and past president of the Georgia First Amendment Foundation. He's also a board member and former president of the nonprofit National Freedom of Information Coalition. His work as a digital consultant and freelance writer and editor follows many years in media. From 2009-2013, Post oversaw media strategy for News Distribution Network, a digital video aggregation and distribution company in Atlanta. In his long career at *The Atlanta Journal-Constitution*, Post helped grow *ajc.com* into an organization of more than 75 staffers and annual revenues over \$25 million. He also was a reporter, projects editor and assistant managing editor. Projects he edited or directed earned major awards, including Pulitzer Prizes for investigative and explanatory reporting.



Shawn McIntosh is president of the board of directors for the Georgia First Amendment Foundation. As deputy managing editor at *The Atlanta Journal-Constitution* and *ajc.com*, McIntosh oversees investigative reporting and data journalism. She also guides the newsroom on First Amendment matters relating to government transparency and public meetings and records. During her career, McIntosh has edited award-winning projects and investigations at several newspapers including the *AJC*, *The Dallas Morning News* and *USA TODAY*, and served as top editor of *The Clarion-Ledger* in Jackson, Mississippi. McIntosh served 14 years on the board of Investigative Reporters and Editors, the nation's largest journalism training organization and has trained hundreds of journalists in using public records for reporting.



Mark H. Cohen has served as U.S. District Judge for the Northern District of Georgia since 2014. From 1999 to 2014, he worked at the Atlanta law firm of Troutman Sanders LLP, becoming a partner in 2001. He worked for Georgia Gov. Zell Miller, from 1995 to 1999, serving as executive counsel and executive secretary. Before that, he served as chief state administrative law judge and managed the newly created Office of State Administrative Hearings in Georgia. From 1981 to 1994, he worked in the Georgia Attorney General's Office. There, with his mentor Stephanie B. Manis, he represented state agencies in federal and state litigation and encouraged their continued march toward operating in the sunshine. He began his career as a law clerk to U.S. Magistrate Judge Joel M. Feldman for the Northern District of Georgia, from 1979 to 1981. Cohen received a law degree in 1979 from Emory University School of Law after graduating magna cum laude from the university in 1976.



Mary Ann Peters has been The Carter Center's chief executive officer since 2014. She provides vision and leadership for the center and oversees all program implementation and operations. Peters was provost of the U.S. Naval War College from 2008 to 2014 and previously served as dean of academics at the College of International and Security Studies at the George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany. Before becoming dean of the college, she served as associate director for international liaison at the Marshall Center. Peters spent more than 30 years as a career diplomat with the U.S. Department of State and served as U.S. ambassador to Bangladesh from 2000 to 2003. From 1995 to 1997, she served in the White House as director for European and Canadian affairs at the National Security Council, where she worked on the diplomatic and security aspects of the search for peace in Northern Ireland. Peters is a member of the Council on Foreign Relations and Women in International Security.



Laura Neuman is director of the Global Access to Information Program. She directs and implements Carter Center transparency and good-governance programming, including projects in Latin America, Africa and China. Neuman developed the innovative access to information

implementation assessment tool and the recent women and the right of access to information project. She serves as a member of the International School of Transparency, the Transparency Advisory Group and as an advisory member of the Open Democracy Advice Centre and Freedominfo.org. She has consulted with the World Bank, Inter-American Development Bank and a number of governments. As part of her transparency work, she served as executive secretary for the Carter Center's Council for Ethical Business Practices. Neuman also has led and participated in international election monitoring missions throughout the Western Hemisphere. Before joining The Carter Center in 1999, she was senior staff attorney for senior law at Legal Action of Wisconsin. She is a 1993 graduate of the University of Wisconsin Law School.



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Open Government Hero: The late Judge Stephanie B. Manis

The 2017 recipient of the Georgia First Amendment Foundation's Open Government Hero Award is the late Fulton County Superior Court Judge Stephanie B. Manis, who died Dec. 17 at the age of 76. She was an unwavering advocate of open records and open meetings during her years in the Office of the Georgia Attorney General and on the bench.

Manis graduated in 1977 from Emory Law School at a time when the women's movement was opening doors into law that had been shut before. She had entered law school at 34, while raising three children. She was part of a cohort of women in the law school who included the late Fulton County Superior Court Judge Elizabeth E. Long, as well as Fulton County Senior Judge Alice D. Bonner, Fulton State Court Judge Brenda H. Cole and retired Sutherland Asbill & Brennan partner Judith A. O'Brien.

Manis followed Long by one year out of law school and into a clerk position at the Georgia Supreme Court. Manis served for two years as a clerk to Supreme Court Justice Harold Hill Jr.

Then she worked 16 years in the Georgia Office of the Attorney General, first under Arthur Bolton, whom she described as a mentor in a 2016 interview with the Daily Report,, then under Michael Bowers. She was deputy attorney general from 1988 to 1995.

In the Attorney General's office, Manis was a civil litigator and became an expert in the state's Open Meetings and Open Records laws. She and her colleague, Mark Cohen wrote a detailed analysis of the extensive 1988 amendments to the state's Sunshine Laws for the Mercer Law Review. The article, "Georgia's Open Records and Open Meetings Laws: A Continued March Toward Government in the Sunshine," reviewed the case law that had prompted many of the amendments and explored the implications of the changes. Their conclusion: The amendments fostered greater government transparency in Georgia.

Manis was editor-in-chief of the Georgia Bar Journal from 1993 to 1995, as well as an instructor at Emory Law School with the National Institute for Trial Advocacy.

Gov. Zell Miller appointed her to the bench as judge of the Superior Court of Fulton County, Atlanta Judicial Circuit, on May 31, 1995. She handled major criminal felony cases, civil litigation and family/domestic relation cases. In 2007, when she was 67, Manis became a senior judge.

Weltner Freedom of Information Award Recipient: Carter Center Global Access to Information Program

The Carter Center's Global Access to Information Program's guiding principle is that access to information is a fundamental human right and a multi-dimensional tool serving both governments and citizens.

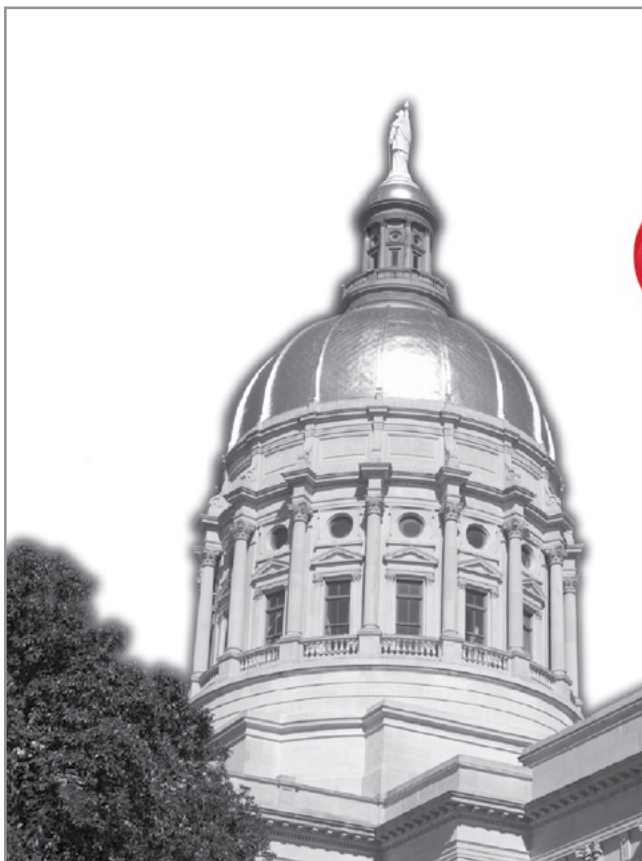
Since 1999, the program has advanced the right of access to information, working in partnership with governments and civil society groups to pass, implement and enforce access to information laws in focus countries; collaborating closely with international and regional bodies; sharing international experiences; providing technical assistance; and serving as a resource to advance the right to information around the world.

The program's results and impact include:

- Advancing the right of access to information in Jamaica, Bolivia, Nicaragua, Mali, China and Liberia. The program has provided technical assistance and advice to governments, oversight bodies and civil society to help develop and implement access to information regimes.
- Assisting government agencies in becoming more transparent and accountable and helping develop citizens' ability to access information that allows them to have meaningful input into public affairs.
- Creating the first access to information legislation implementation assessment tool, which has been tested in 11 countries.
- Developing a methodology for assessing gender-based inequities in the exercise of the right of access to information and programming to help overcome this problem.



Liberians march in a Right to Know Day parade with representatives of The Carter Center's Global Access to Information Program.



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Georgia First Amendment Foundation: What we're watching in the courts

The foundation's mission is unique, narrowly focused and essential. We spend 100 percent of our time advocating for access to public information, government transparency and free speech. We do that critical work at the General Assembly, in county and city offices across Georgia and in the courts. Here's a list of active cases all friends of the First Amendment should care about:

Is Georgia's anti-SLAPP statute enforceable in federal court?

CNN has been sued by a doctor in Georgia federal district court based on CNN's investigative reports exposing a high mortality rate at a prominent Florida hospital. CNN asked the judge handling the case to dismiss it under Georgia's recently amended law intended to stop strategic litigation against public participation, or SLAPP, lawsuits. The judge denied the motion on the grounds that the Georgia statute's free speech protections do not apply in federal court. The issue is now on appeal. (CNN is a foundation sponsor.)

When private companies do public business, are citizens entitled to see the companies' records?

Years ago, Northside Hospital was created by the Fulton County Hospital Authority to assume control of the hospital and provide medical services to the citizens of the county. But Northside now takes the position that it is a private hospital that does not have to disclose to the public records about its operations. The Georgia Supreme Court will soon rule on this dispute. At issue is whether private organizations can assume control of government functions and assets but evade open government requirements.



Standing Out.

Distinction is always confined to the few. Jones Day congratulates The Carter Center's Global Access to Information Program on its receipt of the Georgia First Amendment Foundation's 2017 Charles L. Weltner Freedom of Information Award. The Carter Center's role in helping citizens worldwide exercise their fundamental right to information truly stands out.

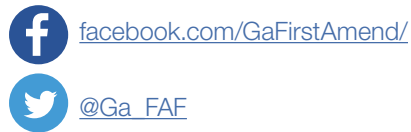


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Are Georgia courts open to non-disruptive use of personal mobile devices?

The Georgia Council of Superior Court Judges is proposing a rule that would prohibit the public from making any use of smart phones, even in a silent and non-obtrusive manner, in the state's courts. The council appears to be concerned that the availability of mobile phones and other digital recording devices makes it too easy to take video of what occurs in court, so any use should be banned.

Is a Georgia court's audio recording open to the public?

As podcasts grow into an increasingly powerful form of communication, courts are regularly facing requests for the audio recordings of criminal cases. Is an audio recording a court record that the public and media can obtain? Or are the public and media limited to written transcripts of the testimony created by a court reporter? The drama of many podcasts will turn on this issue. The Georgia Supreme Court is expected to rule soon.

Can courts issue orders to silence the discussion of criminal cases?

In the well-publicized Tara Grinstead murder trial, the court issued a sweeping gag order and then a narrower version that still stopped certain information from being disclosed by the prosecution and police. Does this cut off the flow of information from the government in a way that abridges the First Amendment? Should courts be putting the interests of the defendant above the right of the public to learn about crime in their community? The Georgia Supreme Court is expected to examine this case soon.

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and sponsor the Charles L. Weltner
Freedom of Information Award Banquet.

*We congratulate the Carter Center's Global Access to Information
Program and its dedication to citizens worldwide.*

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Appreciation for years of service

Tom Budlong and **Carolyn Carlson**, who have been members of the foundation's board of directors for more than two decades, are retiring from the board at the end of 2017. Both have been instrumental to the board's success, serving as secretary and treasurer, respectively, for many years. In addition, **Hollie Manheimer**, who served as GFAF's executive director for 21 years, stepped down from that post in May. She now is a member of the foundation's board of directors. We thank them all for their longtime dedication to the foundation's mission.



Budlong



Carlson



Manheimer

It's worth knowing.

As journalists, we fight for free speech,
government transparency and access
to public information — because
it is worth knowing what's really going on.

It's worth celebrating.

Cox Media Group Atlanta
applauds the work of the
Georgia First Amendment Foundation and
congratulates the Carter Center
and the late Judge Stephanie B. Manis.





Home of the Free

For more than 200 years, the First Amendment has served as a cornerstone of the U.S. Constitution – ensuring all Americans the right to live in a tolerant and open society.

Today, Kilpatrick Townsend is proud to join the Georgia First Amendment Foundation in saluting the **Carter Center's Global Access to Information Program**, this year's Charles L. Weltner Freedom of Information Award winner, and the late **Fulton County Superior Court Judge Stephanie B. Manis**, recipient of the Open Government Hero Award. We applaud the Foundation's efforts to guarantee open government and freedom of information to all our citizens.