

Due process requires effective notice to be placed in an independent source.



An independent authority is necessary to protect the legitimacy of the notice and to keep

the public informed. Government notices provide transparency about how a government is

spending taxpayer dollars and ensure credibility, which will be greatly diminished if the government is posting information about its activities only on its own government website, where experts say readership is very low.

Authentication of electronic documents is still in its infancy.

Even with current advances in technology, it is difficult to authenticate a notice on a website in a cost-effective manner. All levels of government, including the judiciary and the legislatures, have struggled with this issue because authentication technology — like public keys or digital signatures — is costly and hard to maintain. Legislators and elections officials acknowledged that e-Voting cannot yet be a reality because of a lack of knowledge and comfort about the software options available. Public notice faces identical challenges. But the printed page avoids these problems.

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The point of public notice is to get information out in an accessible medium where people can trust its authenticity and look back at it later to make sure the law and process were followed. The Internet is not yet up to the challenge.

People simply do not look at government websites.

According to the most recent data available by the Pew Research Center, only 13% of adult Internet users visit a local, state or federal government website on a typical day. The Census Bureau finds that 30% of Americans do not use the Internet at all, even though half of these people have a computer in their home.



Government websites are not free.

Even for established government websites, personnel need to be available to update and maintain content. Additionally, money must be spent to pay for electricity and bandwidth to run the site

as well as costs for IT and security personnel required to monitor against any problems. During the 2013 shutdown of the federal government, many agency websites, as well as social media accounts and other online communication systems, were taken down “due to the lapse in federal government funding.” When that happens, the entire history of transactions can be lost.

Newspapers and their websites offer the best of both worlds: the agility of the Internet and the authenticity, high readership and trustworthiness of print. Newspaper public notices are the tried and true method of informing the public. That is where the public expects to find notices.

People read newspapers, in print and online.

Recent studies show that the public still turns to newspapers for news and information. Eight in 10 (80%) of U.S. adults who are online access newspaper digital content in a typical month. In America’s smaller communities, 78% of people say they rely on community newspapers for local news and information.

Government websites are not user friendly.

Often these websites are convoluted and uninformative. Visitors to the site often go for a singular purpose and do not browse around for additional information. Further, many citizens, especially those in rural communities, cannot use electronic resources to complete many government transactions that would often bring someone to a government website, such as tax returns.



Government websites can also just disappear.

The touted Obama administration site recovery.gov, for example, was set up to enable citizens to track federal recovery dollars. But the agency has terminated a contract that supports the site and will itself be shuttered soon. The website will vanish.



Government websites are prone to attack by hackers.

It is not a question of if, but rather a question of when information will be compromised.

Examples of government websites that have fallen victim to hackers are abundant at the federal, state and local level. The vulnerability of government websites is further compromised by the inability to recover quickly if disaster strikes. A study by MeriTalk finds that only 8% of federal IT executives could recover 100% of their data in the event of a catastrophe.