



Kathleen A. Kirby

Partner



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Kathy represents media clients, including major radio and television group owners and programming networks, on a host of business and transactional issues as well as regulatory matters before the Federal Communications Commission (FCC). She has additional expertise in newsgathering, content regulation, and First Amendment issues. Regularly rated by *Chambers USA* as one of Washington, DC's "Leading Lawyers" in her field, Kathy is commended for "her work on First Amendment and FCC matters" and her "responsiveness and proactive approach" (2013). She is praised for being "highly intelligent, knowledgeable, and articulate," (2014) and is acknowledged for her "superior subject expertise, commitment to her clients, and great connections within the industry" (2010). Kathy co-chairs the Telecom, Media & Technology Practice, and serves on the firm's two governance committees, the Executive Committee and the Management Committee.

Representative Matters

- Advises clients on media transactions, including compliance with FCC ownership and attribution rules.
- Counsels clients and manages responses to FCC enforcement investigations including negotiation of consent decrees.
- Assists clients with drafting and negotiating network affiliation, retransmission consent and distribution agreements, syndicated programming, and other program licensing agreements.
- Assists clients with business and legal issues associated with digital and online distribution platforms, including content licensing, copyright, defamation, and political advertising.

Practice Areas

Telecom, Media & Technology
Content Licensing and Distribution
Digital Trade
Media

Credentials

Education

J.D., Columbus School of Law, The Catholic University of America; Dean's Scholar
B.S., University of Virginia

Law Journals

Executive Editor, *Catholic University Law Review*

Bar and Court Memberships

District of Columbia Bar
U.S. Courts of Appeals for the Third, Ninth, and District of Columbia Circuits

- Advises broadcast clients on FCC regulatory compliance, including rules governing indecency, political advertising, children's programming, closed captioning, Equal Employment Opportunity (EEO), license renewal, and reporting requirements.
- Counsels clients on rulemaking and legislative initiatives impacting the media.
- Counsels clients on newsgathering issues, including privacy, libel, audio-visual coverage of courtroom proceedings, access, fair use, and reporters' privilege.
- Drafts FCC comments and congressional testimony.

Professional Experience

- Broadcasters Foundation of America, General Counsel & Secretary (2021-Present)
- Library of American Broadcasting Foundation, General Counsel (2021-Present)
- Radio Television Digital News Association, General Counsel (1994-Present)
- Former radio broadcaster with extensive experience in news, operations, sales, and marketing

Affiliations

- American Bar Association (ABA), Forum on Communications Law
 - Governing Committee (2015-Present)
 - National Co-Chair, Women in Communications Law Committee (2010-2012)
- District of Columbia Bar, Arts, Entertainment and Sports Law Section, Media Law Committee
- Federal Communications Bar Association (FCBA)
 - President-Elect (2023 - Present)
 - Treasurer (2022-2023)
 - Assistant Secretary (2021-2022)
 - Member, Executive Committee (2018-Present)
 - Chair, FCBA Foundation Board of Trustees (2016-2017)
 - Treasurer and Chair-Elect, FCBA Foundation Board of Trustees (2015-2016)
 - Chair, Mass Media Practice Committee (2014-2015)
 - Co-Chair, Continuing Legal Education Committee (2013-2014)
 - Co-Chair, Video Programming & Distribution Committee (2011-2013)
 - Co-Chair, Mass Media Practice Committee (2009-2011)
- The Media Institute, The Madison Project Steering Committee and First Amendment Advisory Council

- Vice-Chair, Board of Directors, Student Press Law Center (SPLC) (2001-2007)

Recognitions

- Listed by *Chambers USA* as one of “America’s Leading Lawyers for Business” in Media & Entertainment: Regulatory (2007-2023) and in Telecom, Broadcast & Satellite (2023)
- Named by *Law360* as a Telecommunications MVP (2020)
- Included in *The Best Lawyers in America* directory for Media Law (2019-2022, 2024), Communications Law (2023-2024), and First Amendment Law (2022-2024)
- Named by *The Legal 500 US* a “leading lawyer” (2018-2023) and recognized in Telecom and Broadcast: Regulatory (2015-2018) and recognized in Telecom and Broadcast: Transactional (2015-2023)
- Named one of DC’s “Top 50 Women Lawyers” (2012-2013, 2020) and “Super Lawyers” (2011-2020, 2022-2023) for First Amendment/Media/Advertising by *Super Lawyers* magazine
- Recognized as one of the country’s top 75 “Outstanding Women Lawyers” by *The National Law Journal* (2015)
- FCBA Distinguished Service Award (2018)
- Radio Television Digital News Foundation First Amendment Leadership Award (2015)
- Named one of “Washington’s Top Lawyers” by *Washingtonian* magazine (2015, 2017, 2022)
- Radio-Television News Directors Association’s Rob Downey Citation (2008)
- Inductee, National Freedom of Information Act Hall of Fame