



Where is Our Firm's Media Policy?

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How many times have you had this conversation?

Big Firm Attorney: "I was quoted in the Wall Street Journal last week. Can you put that on the website?"

You: "Really. We didn't know that. When did you have the interview? And what was it about?"

A: "A few weeks ago. We talked about the antitrust lawsuit against Communications Company X."

You: "Uh, we do corporate work for Company X. They're our client."

A: "I didn't know that."

You: "Unfortunately, they also don't like us talking about them, even if we aren't working on their specific matter. We're going to need to call and apologize to them."

A: "Can you do that?"

Law firms are so big today and represent so many clients that it's inevitable that individual partners won't know each and every client the firm represents. In fact, for attorneys at 2,000-lawyer firms, it's virtually impossible to know. And that's why we recommend that every firm – even those with just a dozen or so attorneys – has a written Media Policy that every attorney (and staff person) must follow.

Yet, lots of firms don't have media policies. There may be many excuses, but the usual reason is that they never got around to it.

Why not? It's really easy to do. A Media Policy can be very succinct and straightforward.

For example: You must do a conflict check before talking with the media. You need to ask if you are the right person to be talking about the firm's internal business. And you need to know if this publication is appropriate for the firm. (What if it's a blog that consistently bashes firms like yours?)

A few years back, a colleague at a 900-lawyer law firm came up with a clever way to promote her firm's Media Policy. She placed a 4x7 laminated card on the desk of every attorney, secretary, paralegal and receptionist. Entitled, "What To Do When A Reporter Calls," it included 10 short bullet point items about the things everyone needs to do when the media calls.

And that little card worked great, especially when attorneys and staff were getting cold calls from reporters about controversial firm news.

When media calls came in, attorneys were advised to ask the reporter a few simple questions, such as the reporter's deadline, the article topic and the publication. Armed with those answers, the marketing or PR departments can vet those opportunities, usually within 30 minutes. And that's often quick enough for most reporter deadlines. If the firm needs to issue a statement, then the marketing and PR department can handle that, too.

By taking those steps, you can avoid those dreaded conversations. "I didn't know that that was a pay-for-play." Or, "You mean I shouldn't have talked about the firm's merger plans? Or, "I didn't know that we signed a confidentiality agreement in that case."

Efficiency, risk reduction and targeted messaging: that's why we have marketing and PR departments in the first place.