

MEDIA RELATIONS

Media relations should not be considered synonymous with public relations. In fact, media relations are one small part of a comprehensive public relations effort that may include public information pamphlets, fee arbitration, law-related education, and all of the other things bar associations do to serve and educate the public. The quality of media coverage of the Courts and of our legal system varies widely, affording the bar both an opportunity and the obligation to interact more fully with the news media.

WHAT'S NEWS?

The short answer to the question of what is newsworthy is, "Whatever an editor or news assignment director says it is." This may seem like a flip answer, but in the final analysis, it is this person in a newsroom who decides what is printed or included in a newscast.

You should understand what happens to your press release as it arrives, along with perhaps 50 - 100 other releases, at the city desk of a newspaper, or at the news assignment desk at a radio or television station. The release gets a once-over glance to see if any local names are mentioned; the headline and the first paragraph get scanned; and the release is headed for one of three places: (a) the assignment file for that day, (b) a "futures file" for consideration the following week, or (c) the trash can. The editor probably will spend no longer than 20 - 30 seconds reading your carefully drafted release before deciding if it is of interest. The decision is based on the perceived interests of the news audience, and the obligation to inform the public.

If your release catches the eye of the editor and is assigned to a reporter, there are a number of things that might happen next. If the release is simple and straightforward, it may simply be used as it is, possibly with the last paragraph or two lopped off because of space limitations. More likely, it will be rewritten - a process that might require the reporter to call the contact listed in the release for clarification or further information. If it is considered to be a major story, the reporter also might contact other sources to bring other perspectives to the story.

How to "Make News"

Some of the opportunities a bar association has to "make news" include:

- the election of officers;
- bar meetings at which prominent speakers are addressing substantive topics;

- the announcement of new bar public service programs, or a progress report on existing programs;
- the bar association's evaluation of judicial candidates;
- decisions of a bar association committee or governing board on matters of public concern;
- practical advice about consumer issues on which the bar has special expertise; (for example: "Steps to Take if your Tax Return is Audited;" "The Legal Aspects of Hiring a Contractor for Home Improvements;" "The Legal Considerations in Buying a Condominium").
- bar association positions on state and federal legislative proposals;
- bar association positions on issues affecting the justice system; (for example: the exclusionary rule, the funding of legal aid, cameras in courtrooms).

Identifying the news within a bar association is a never-ending process, but the more difficult part of the task is getting the news out in a way that both informs the public and serves the goals of the association.

HOW TO COMMUNICATE WITH THE MEDIA

The following suggestions are aimed at assisting bar associations to communicate through the mass media. Of course, the ideal situation is for the association to employ a full-time public relations professional with responsibility for media contacts. But for those bar associations who will address the task on their own, the following suggestions are made:

News Releases

The time-honored way of communicating with the media - the news release - is still preferred. (See "Samples" at the end of this Chapter.) The best way to alert the media about news is to send a written release, containing the basic *who, what, when, where and why*. But there are a few things to remember about written releases:

- Date the release at the top, and put the name and phone number of a person to contact for further information.
- Double-space the release, using only one side of the page.

- In the first paragraph, put the most important information in brief, factual sentences. Use succeeding paragraphs to provide more complete information and other details.
- Be as complete as necessary to explain the story, but discard information that is important only to the bar association, or to a small number of people.
- If opinions are expressed, put them in quotes, and attribute them to an appropriate source, such as the president of the association.

DEALING WITH REPORTERS

When a reporter calls seeking information, ask what kind of deadline he or she is on. That lets you know if you will have time to collect your thoughts and call back if necessary.

In answer to a question from a reporter, there are three acceptable answers:

- 1) I know, and I can tell you.
- 2) I know, but I can't tell you.
- 3) I don't know.

Answering with a gruff "no comment" is invariably a mistake. If that answer is printed, it gives the reader the impression of guilt. It also encourages the reporter to dig deeper in the belief that a coverup is underway. If you have no comment to make, say so, and explain why - the information is not available; the information is protected by the attorney-client relationship; you are not 100% sure of the information, and don't want to mislead, etc.

If a reporter asks you a question and you don't know the answer, offer to get the information and call the reporter back, if appropriate. And if you make that promise, be sure to keep it, and to call back in a timely fashion.

Never tell a reporter something *off the record* unless:

- 1) You have a well-established relationship with the reporter that leads you to trust the reporter;
- 2) You can bear to see the information in print without being mortified.

Reporters (and editors) prefer to see information "on the record," and attributed to a named source. Sometimes, in the interest of obtaining information, a reporter will take it "off the record" or "not for attribution." But it is a risky business for the source, and the best rule, if you're likely to lose sleep over such things, is to provide only the information you can stand behind.

DEVELOPING GOOD MEDIA RELATIONS

Good media relations depend upon many factors, and take time to develop, but you can't go wrong if you abide by the following suggestions:

- Be responsive when media questions come in. If you can provide the information, do it in a timely fashion.
- Develop a "nose for news" so that you recognize what is and is not a story in your organization.
- If you have news to release, treat all media equally; send a release to all appropriate media. (See "Resources" at the end of this Chapter.)
- If a reporter comes to you seeking information that makes a good story, let the reporter have the story without leaking it to other media. Unless you are contacted by other media, wait until the initial story appears before spreading it around.
- Be business-like and courteous to media representatives, and don't presume they are adversaries. If a relationship with a reporter turns adversarial, try to determine the cause. Make sure that you have behaved in a professional manner, and remember that journalism's basket has "bad apples" as well.

Media-Bar Battles

For a variety of reasons, it is true that the bar and the media sometimes find themselves on opposite sides of public issues. When a negative story or criticism is leveled at the bar, there is no pat answer for how the bar should respond. One old proverb about dealing with the media cautions, "Never argue with someone who buys ink by the barrel."

Nevertheless, there are often benefits to responding that transcend the question of who gets in the last word. For one thing, it may be important reinforcement for the members of the bar to see their own viewpoints expressed publicly by the association. For another, many readers assume that an accusation which goes unchallenged is probably true.

When a critical story or editorial appears, no one person should decide whether to respond and what the response should be. For instance, a bar president should consult with the other officers or knowledgeable bar members to obtain various viewpoints. The response should be well-reasoned and to the point. As in all dealings with media, the bar officer should use non-legal language, keeping in mind that the object is to communicate clearly with the public. Responses can be more effective using logical arguments based on facts or figures.

If the bar is responding to an unfavorable news story, its goal should be to obtain a follow-up news story including the bar's response. If an editorial takes a position unfavorable to the bar, the response should be directed to the editor or editorial director. Newspapers will offer space for letters to the editor, or, on important topics, may allow space for an "op-ed" (opposite the editorial page) piece offering a different point of view. And editorializing broadcasters generally welcome equal time responses to their editorials.

Non-News Media Interaction

Aside from the breaking news story, there are many opportunities for the bar to interact with the media, including:

Regular Columns and Tapes

Brief question-and-answer columns providing general information about common legal problems are provided to daily newspapers each month. Tape recorded versions are provided to radio stations, and a videotaped version is being developed as an insert for television newscasts. These materials are used by media as a public service without charge.

News Media Guide to Sentencing Laws

A printed sheet intended for mounting on a wall is distributed to newsrooms as a reference guide to the felony classifications and possible dispositions available to a judge. The guide is updated and reprinted after each legislative session.

Editorial Visits

Bar spokesmen meet periodically with editorial boards of major media. These meetings may be for the purpose of discussing a single subject, or a whole range of bar issues. Position papers and background information on issues are provided the editorial writers in the hope that bar positions will be supported by media.

Informal Meetings with News Executives

Occasional meetings between bar officials and editors provide an opportunity for the exchange of views, and an exploration of potential areas of cooperation. Such a meeting led to the addition of media representatives on the ISBA Standing Committee on Media Law, and gave the Committee an agenda of items important to media.

Media Law Seminars

Ranging from a half-day to three days in duration, these intensive sessions provide education to media about legal issues, but more importantly, offer a forum in which lawyers, judges and journalists can learn more about each other and their respective roles in the justice system.

Media Law Handbook

Several bar associations have produced media law handbooks covering such topics as defamation, access to legal information, open meetings, structure of the court system, glossary of legal terms, etc. Loose-leaf binding permits updating.

Bar Publications to Media

Each issue of the bar journal and bar newspaper is sent to selected media as an information item. When appropriate, a news release summarizing an article of interest in the bar journal will accompany the mailings.

Law Guests on Talk Shows

Radio and television talk shows are constantly searching for topics and guests. Legal topics with speakers who are articulate are attractive to the producers of these shows. Some stations will agree to establish a regular slot for a legal topic with guests provided by the bar association. Others will accept bar guests on current topics of legal interest. (See "Resources" at the end of this Chapter.)

Mediation of Bench-Media Disputes

The ISBA Standing Committee on Media Law offers its services to informally mediate disputes arising in the courtroom between a judge and journalists. The effort, aimed at avoiding litigation in conflicts between First and Sixth Amendment rights, seeks to suggest alternative solutions acceptable to both parties.

For more information about a media relations program, contact David N. Anderson at the Illinois Bar Center, Springfield, Illinois, (217) 525-1760, or (800) 252-8908 (toll-free in Illinois).

David N. Anderson has served as Director of Public Affairs for the Illinois State Bar Association since 1974. He is responsible for supervising media relations, public information and public relations, and special projects for the ISBA. He also serves as Staff liaison to the ISBA's Committees on Public Relations and Community Involvement, and to the Section Council on Bench and Bar. Mr. Anderson is also past Chair of the Section on Communications and Public Relations of the National Association of Bar Executives. He has been a member of the faculty of the ABA Bar Leadership Institute since 1982. Previously, he worked on the news staffs and as News Director of several downstate Illinois radio stations.

TERMINOLOGY

Definition and function: Public relations is the management function which evaluates public attitudes, identifies the policies and procedures of an organization with the public interest, and executes a program of action (and communication) to earn public understanding and acceptance.

Publicity involves providing information, news and feature material about an organization or person. Publicity can be and often is linked to newsworthy events.

News release: A story, typed double-spaced, on letterhead that is sent by an organization to news media.

Deadline: The last day or time of day when a media organization will accept material for a scheduled publication or program.

Advertising is concerned chiefly with the sale of products and/or services and involves the use of paid media space or air time. Advertising may be used in the communication phase of the public relations process, not to sell an organization's product, but to create a certain image of the organization.

Marketing and product promotion are concerned directly with the distribution and sale of goods and/or services. The efforts of marketing/product promotion specialists are often directed at the same publics as those of public relations specialists.

Other terms used synonymously with P.R.: public affairs, corporate communications, internal affairs.

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The ABC's of Media Writing:

Accuracy, Brevity and Clarity

Make sure what you write is factually correct. It will add to your credibility as a writer. Check your facts. Use a dictionary or guidebooks to help you.

Keep it brief. Writers need to learn when they are being long-winded. Get to the point quickly. Watch for redundancies and repetitions. Cut out unnecessary words.

Clarity is essential. Avoid all kinds of jargon and cliches. Build smooth transitions from paragraph to paragraph. Use the active, not passive voice (by avoiding the words "is" and "was").

Use a good stylebook to help you with capitalization, abbreviation, punctuation, spelling, numerals, usage.

Develop a language sensitivity. Don't use "he" when the person could be a man or woman. Avoid gender-based titles when possible (fireman is now "fire fighter"). Be careful of stereotypes (an older woman who has never married is called a "spinster," but she may never have spun anything in her life!).

WHAT IS A PRESS RELEASE?

A news or press release is an essential tool in public relations. When writing a release, first ask yourself "IS IT NEWS?" An editor's first consideration is "Will this be of interest to my readers?" Some suggestions for interesting press releases may include: an unusual or helpful service; a successful fundraising project; a timely, trend-setting occurrence; a new office opening or relocating; additions to your staff; newly-formed partnerships; professional accomplishments; and a large business transaction or new contract.

Your press releases should be grammatically correct, concise and informative. The who, what, when, where, why and how should be contained in the first paragraph.

Names make news -- be sure to include the names of local people involved in your story and cite their experiences. Captioned black-and-white photography will enhance your story and often increases the probability of placement.

Be sure to include a contact name and phone number on the release so the editor can call you if he/she needs more information.

Also remember -- timeliness is essential.

Caution: make sure all press releases are sent to corporate and Chris Ruys for approval before sending them out.