



Crisis Communications

Jaffe Associates was founded in 1978 by Jay Jaffe, a pioneer in the legal services marketing field who was recognized as one of the industry's first law firm marketers. Today, the Jaffe name remains synonymous with legal PR, branding and marketing. For almost 40 years, we have been helping law firms large and small, lawyers, legal associations, and service providers to the legal industry promote their brands and grow their bottom lines with strategic and creative marketing and public relations solutions. Our team of senior-level consultants, all of whom work in a virtual environment, and many of whom formerly worked in law firms themselves, span the country, allowing us to provide services no matter where our clients, or their markets of interest, are located.

We know that change is inevitable in today's business and branding landscape. To stay ahead, Jaffe constantly changes the way we communicate and do business, so we can help our clients adapt to today's business challenges. We listen to our clients, and we advise on and execute the adjustments that are necessary to align with their needs. We pride ourselves on looking at every project, client and task as a new opportunity, never using a cookie-cutter approach and enabling us to be very flexible in how we work together.

Law Firm Crisis Management

When potentially damaging news threatens your law firm, Jaffe's team of highly experienced crisis communicators is there to help. We have developed effective response strategies for all kinds of crises, from partner defections and allegations of misconduct to pending litigation. We also regularly assist law firms in their clients' crisis situations. Our crisis management professionals provide media training as well as monitoring so you know where public perception stands.

Media Relations

Media relations is at the heart of our work for clients and includes public relations strategy consulting, media pitching, media training, crisis communications, social media consulting, content marketing solutions, SEO strategy, speaker placements and other services.



Crisis Communications

Crisis communications tactics include, but are not limited to:

- Developing key messages and press materials, which may include pitches, press releases, holding statements, fact sheets, biographies, photos, and other media relations tools.
- Performing strategic planning regarding messaging, timing and methods for interacting with the press and potential implications.
- Providing ongoing media training for spokesperson(s) to ensure comfort with the interview process, consistency with messaging and the ability to form compelling responses to challenging interview questions.
- Assessing and advising on the news value of each development to various media audiences and determination / identification of appropriate channels of distribution.
- Developing a Questions & Answers document to prepare for press interaction and to refine messaging for the spokesperson(s).
- Distributing statement to key media outlets/reporters as needed, proactively or in response to specific media queries.
- Managing, coordinating and following up on interviews as needed, and providing resulting news coverage.

Why Jaffe

Jaffe is comprehensive: Jaffe is a full-service PR, branding and marketing agency devoted exclusively to the needs of law firms. Our services include:

- Public relations, including rankings and lists
- Marketing
- Branding
- Business development
- Creative services from branding to website design
- Social media consulting
- Content marketing and SEO strategy
- Digital media and website development
- Leadership and management consulting

Jaffe gets results: We specialize in law firm and attorney brand management and communications. It's at the heart of our work for our clients. Jaffe is a marketing trendsetter and go-to resource for media that seek law firm news and legal sources. We have strong relationships with key business, legal and trade reporters at the major national, regional and local media outlets.

What Jaffe can do for you

- Develop comprehensive crisis communications plan.
- Prepare and advise on internal communications protocols.
- Manage and implement a strategic media relations approach.

Jaffe is award-winning: We have been honored and recognized by others for our outstanding work and abilities. *The National Law Journal* has repeatedly named Jaffe as one of the legal industry's top consultants for law firm public relations, marketing and branding, social media and business development coaching. Jaffe has also won multiple Legal Marketing Association Your Honor Awards and a Ragan and *PR Daily Ace Agency Award*. In addition, Jaffe has been honored with many regional awards, and several of our consultants are named to *Lawdragon's Top 100 Consultants list*.

Jaffe is ethical: For nearly 40 years, Jaffe has represented many of the largest law firms, as well as smaller boutique firms and legal associations, assisting lawyers, business executives and marketing professionals. Our clients depend on us to learn their firm's businesses and to respect ethical boundaries in our access to their sensitive and critical information. We commit ourselves to confidentiality agreements with our clients and have never given any law firm a reason to question this.

Jaffe measures results: We set benchmarks at the start of a program that will yield positive reputation and referral builders, including media placements (quotes and bylines), rankings improvements and website traffic. It is critical that our partnership include regularly scheduled assessments of performance and achievement, usually done at quarterly intervals. These meetings should be used to review our original benchmarks against actual results, discuss your satisfaction with our process and modify any plans as needed.

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Crisis Management Preparedness: Are You Ready?

By Vivian Hood, published on Jaffe's blog

How ready are you to handle headlines and fallout about your law firm or your firm's clients, such as: "Partner Embezzles Millions from Firm" or "(Firm Client) Covers up Neighborhood Toxic Spill for Decades" or "Law Firm Closes Doors After Lawyers Jump Ship"? Public relations crises—both large and small, public or private—happen daily, and your readiness to manage those situations will help determine how well your firm or organization is perceived afterward.

The "Elements of Crisis Management" webinar offered by the Legal Marketing Association's Public Relations SIG provided advice for all levels of experience. Former journalists Joshua Peck, PR director at Duane Morris LLP, and Scott Sobel, president of Media & Communications Strategies Inc., were the presenters, each of whom has handled high-profile crises from all perspectives, first writing about and now defending against.

Noted Sobel, "If you are not prepared, the situation will spin out of control. In crisis planning, it is critical to create a structure that will allow for as much control as possible."

Build the Crisis Team

A crisis plan has to identify a crisis team made up of members with unique roles. Ideally, the team should include, at a minimum:

- A lawyer who oversees and has final say on all the legal implications of the crisis
- A fact-finder who is tough and high level, and will get the answers about what occurred
- A researcher who can help the team understand the media and specific reporters who are most focused on this crisis, as well as handle other research needs
- An experienced PR person
- A spokesperson who can take criticism well; is level headed, factual and eloquent; and can handle being under pressure (A good crisis spokesperson is objective, doesn't get defensive and is an experienced presenter who can speak comfortably and clearly to the public. This may not always be the CEO or managing partner.)

"The personality of the spokesperson can be the tipping point when the spotlight is on. People judge how you handle the crisis, more than the crisis itself," said Sobel.

Displays of arrogance, overconfidence about knowing the extent of the crisis, placing blame on others and saying you did nothing wrong are no-no's, according to Peck. "The spokesperson should speak boldly and confidently, but don't walk into a crisis with the attitude that you know it all when you don't."

For a crisis happening with a law firm's client, the crisis team has to have the freedom to handle what needs to be done, but must recognize that the attorney in charge of the client and the crisis at hand oversees the legal dimension. In general, legal needs take priority over PR needs, and business continuation must remain a priority.

While communications perspectives and guidance must be offered by the PR professional, the partner's decisions are final, Peck reminded participants.

Get the Facts and Communicate

Peck advised that the first thing to do when the crisis becomes known is to learn what happened. While this may seem obvious, it's not always done.

"Gather all the facts available. Understand what happened – who, why. The impression the public has may not square with reality, so dealing with both the reality and the appearance or perception of what happened are equally important parts of the crisis team's responsibility," Peck said.

"There cannot be any secrets among the team. If the team makes decisions based on false assumptions or misinformation, the crisis can be much more damaging and take longer to resolve," advised Sobel. "The longer you wait to respond, the harder it is to make up ground and establish credibility. And never disseminate information before it is verified."

Have a general holding statement ready to share that addresses what you know now, and when updates or a final resolution can be shared. It doesn't have to commit to initial facts, but it should say the facts may change as new information is uncovered. Follow up as promised.

The initial crisis communications should also include a sincere apology, if warranted, and show compassion. It should feature short, simple, declarative action statements. When the timing is appropriate, explain what will be done to prevent the issue from happening again, and, as soon as you can—with permission—begin to talk about your solution. The media want succinct, non-jargon info, and they want it quickly, said Peck and Sobel.

Plan Ahead

Thinking ahead is another important element to include in the crisis management plan.

"A reasonable goal is for the team to consider the question, 'If it goes as well as possible, in 30 days, we will have...' You should be able to identify what that needs to be, such as, we addressed the crisis, we let outside enforcement/independent assessment come in or whatever else you might want to have happen in the future. Then, get your ducks in a row to get the best possible outcome in those next 30 days," recommended Peck.

Sobel advises being flexible when executing a crisis plan; have as much structure in place as possible, but be ready to change direction quickly.

In a recent article in which Sobel wrote about the Chipotle Mexican Grill E. coli crisis, he stated, "Every kind of company is vulnerable to a business-ending crisis. It's how you prepare, how you execute plans and what you do for the long term that spells victory or defeat... If handled correctly, a crisis can be a catalyst for improvement."

As Law Firm Crises Make Headlines, Response Plans Take Priority

Published on Jaffe's blog

Another day, another crisis. That is what it seems like by reading the news. These days, lawyers and law firms seem to be hit with crises as often as major corporations and political figures. Think of the global cyberattack that shut down DLA Piper or the fallout affecting Marc Kasowitz's law firm after his email threats to a stranger went public. Crises can happen in any number of ways.

What Does a Crisis Look Like?

Picture any of the following scenarios happening at your firm, and ask yourself, "How would my firm respond?"

- You get a phone call late at night from firm leadership that your firm's email and file servers aren't working. Is it a server glitch or a cyberattack? You wait. A cyberattack is suspected and, soon, those fears are confirmed.
- Or another phone call late at night: Mr. Founding Partner was just arrested – for embezzlement. Talk about the worst thing a lawyer can do to ruin trust and integrity for himself and the firm.
- Your firm is hit with a lawsuit from a former employee or disgruntled former client.
- A major rainmaker or client leaves the firm, prompting others to do so, too. In the eyes of the public and the media, the firm is shrinking day by day.
- Perhaps you are dealing with a "lawyer behaving badly" situation. A high-profile lawyer had a public feud over Twitter or email with someone and now everyone knows. Or maybe he was arrested for lewd behavior or driving while intoxicated.

Each of these scenarios may be different, but they have one thing in common: crisis. When a crisis hits your firm, you need to be prepared with a crisis plan and crisis communications strategy for the firm and its leadership. The time to prepare is now, not when something bad happens.

How to Prepare for a Crisis

- 1. Have a plan:** The best time to develop your firm's crisis plan is before any crisis has hit. Think through the possible scenarios and come up with a response team for each of the scenarios you envision. The response or crisis team should include firm management from a number of different areas, depending on the issue. If it is a cyberattack, you will want to include the IT director. If it involves a firm employee, you will want HR to be involved.

The firm should have a customized crisis plan and online strategy for each of these scenarios that will determine who will communicate relevant information, depending on the circumstances. In the event of a crime, for example, others outside the firm may act as representatives for certain elements of the crisis. Key messages and media statements for each scenario should be drafted and compiled in a crisis communications manual, along with step-by-step procedures of what to do.

Spokespeople for the firm should be selected and agreed upon in advance, with firm protocol for communicating to the media shared with the rest of the leadership team and the firm. Everyone in the entire firm should know who is authorized to speak – and that no one else should do so.

- 2. Run through the plan:** The plan may seem solid in your head and on paper, but how does it hold up in real life? Create a real-life "fire drill" or crisis simulation for your firm and its leadership to ensure the plan works and that everyone knows what to do. The primary focus should not be on "getting through the simulation" but on accomplishing the firm's objectives during the crisis. Did the right messages get communicated to the right audiences and in the right way? Did those on the response team know their roles during the crisis? When everyone understands the goals of the crisis plan, they are more likely to stick to the plan, even when a crisis puts them under pressure. Remember, while the situation may be fictional, the stakes are real.
- 3. Know how to deal with the media:** Your crisis plan should make sure there is one dedicated spokesperson to communicate messages to the media. Others in the firm should know to direct media to that person so there are no conflicting reports or misinformation. That spokesperson should also know the communications parameters of what they should and should not say. "Determine what is permissible and ethical based on the advice of lawyers, guidance by government authorities and your own moral compass," said Deborah Farone, CMO at Cravath, Swaine & Moore, and a noted crisis communications expert who recently spoke on the topic of crisis communications at a recent Legal Marketing Association panel in New York.
- 4. Create a media playbook:** Create a basic playbook for dealing with the media (once vetted and approved by the appropriate parties), which should cover the details of what happened, a holding statement on what the firm is doing to address the crisis and a sincere apology if the firm is somehow at fault.

Other media scenarios you'll need to be prepared for include:

- When you don't know the answer: Calmly tell the reporter you don't know, and offer to find out if it's a reasonable request.
- When you are asked a yes or no question: Don't feel confined to their question, and provide a bridge to bring up the point you would like to make.
- When you are asked for your personal opinion: It's never about your personal opinion if you represent the firm.

Remember, if media are going to cover your law firm's crisis, they are going to cover it with or without your firm's input. But your involvement can help shape the story and improve your firm's image in the public eye. As Farone notes, sometimes when you handle a crisis well, the story runs, and dies afterward.