



TAKING CONTROL OF REPUTATION MANAGEMENT: FOR ATTORNEYS





A crisis is any event or occurrence that has the ability to make a significant and negative impact on a client's organization, and the work it does. This kind of event could potentially affect an organization's financial stability, its reputation and/or its ability to conduct business.

When a crisis hits, the attorney, as a trusted advisor, will often be the first person to whom a client will turn. Calling on experience, training and the law, an attorney's role in a crisis can be anything from "making it go away", to seeing a client through a long and difficult lawsuit. But that may not address what's happening along the way to the business' reputation. Companies can win in court, but lose in the court of public opinion. And once a company's reputation is destroyed, rebuilding it can require a serious investment of corporate dollars over long periods of time.

Today, no organization is immune from the intense scrutiny of the media. The 24-hour news cycle, the effects of Sarbanes-Oxley and the faster-than-a-speeding-bullet nature of the Internet have compounded the need for speed when responding to the public's reaction to a crisis.

Experienced attorneys know that there are two kinds of crises:

1. **One-Time Events** – These are emergencies that suddenly disrupt operations and attract unwanted attention. For example, a disgruntled employee who returns with a chip on his shoulder and a gun in his hand.
2. **Slow-Growing Situations** – These are chronic, but less immediate problems that can bloom into full-blown crises if left unattended. They are the most dangerous to an organization's reputation. Why? Because when they finally erupt, they are compounded by accusations that the organization "should have known" what was going on and dealt with it before it reached crisis stage. Most crises (75 percent) fall into this category. The Ford/Firestone SUV roll-over fiasco is a good example.

In both cases, it is clear that far-thinking attorneys will make sure their clients understand the value of their reputation and the need to spot a crisis in its earliest stages. They need to prepare a reaction before it becomes necessary, and respond in a timely manner, particularly if the issue becomes public.

In our 25 years of experience working with attorneys and their clients, we've seen that the most successful outcomes occur when attorneys and PR people work together to get clients fair and accurate treatment, retain their reputations and return to business as quickly as possible. Whether planning before a crisis or responding at the onset, the focus remains on the future success of a client's organization.





A public relations crisis provides the opportunity to look really bad; or really good in front of a lot of people. That's because stakeholders, customers, employees and the public in general, all judge the character of organizations by their reaction in a time of crisis.

The Crisis Plan

Not surprisingly, research indicates that while many organizations have an operational crisis plan or procedures manual, less than one-fifth of large corporations have procedures in place for dealing with the public face of a crisis. In fact, the executives in most corporations are usually reluctant to identify a potential crisis before they see it on the front page of the paper or on the blogosphere. They respond too late, forget about communicating with stakeholders, and then spend months or even years, recovering their companies' good names after the crisis has passed.

Developing a "Reputation Crisis Management Plan" beforehand should be standard operating procedure for every organization. Such a plan provides guidelines to follow when responding publicly to a crisis situation. While every crisis is unique, this basic plan gives an organization a set of procedures to follow, while creating a public response that befits their values and brand. So, instead of struggling with "what do we do now?" when a crisis hits, those with a plan can focus on how to balance the legal issues involved while staying true to their principles and safeguarding the reputation of their brand.

In addition to helping organizations respond rapidly and responsibly in a crisis, this type of plan also helps mitigate the legal impact of a situation, making it a win-win for all.

A Reputation Crisis Management Plan should be created with input from the attorney plus key leaders of the organization to identify potentially damaging situations. We suggest that the Plan include the following general categories:

- General company policy guidelines for communicating in a crisis that are in line with client's business strategy, vision and principles;
- Internal leadership team and 24-hour contact information;
- Procedures for handling inquiries from reporters (include a tracking log, location of a media center if needed);
- How to handle inquiries and posts from bloggers;
- Access to the plan, including backup electronic copies and online passwords;
- A plan for developing communication vehicles for stakeholders, employees, members of the Board, volunteers and vendors;
- Crisis spotting – a list of potential negative situations that could erupt in the future;





- Steps for conducting a post-crisis evaluation and refinement of the process;
- Steps to help restore the organization's reputation and status within the community.

When we create this type of plan for our clients, we also include media training and message development for key communicators. We advise that legal counsel be part of the process of preparing in-house executives for interviews and that this process including on-camera interview simulations, creation of key talking points and performing question and answer drills.

Reputation Crisis Management

Like a medical crisis, there is a "golden hour" after a negative event that can change the outcome forever. Dell computer, for example, has a policy of responding to any negative blog posting within 24 hours. Companies that move into action within the shortest possible timeframe, guided by legal counsel, have a much better chance of protecting their business, employees and the public while securing their future success. Unfortunately, most miss the boat because they are caught in a web of confusion during this critical stage. A well-prepared crisis plan will help organizations take appropriate action immediately so they are ensured of the best possible outcome.

No one likes living through a crisis. But circling the wagons and pretending it will never happen is not the answer. Nor is ignoring a potentially damaging situation, hoping it will go away. Taking control early will enable your clients to demonstrate their true character and get back to business as usual.