

PUBLIC RELATIONS: A PRACTICAL APPROACH FOR LAW FIRMS

Karen Schwartzman
Principal
Polaris Public Relations
(617) 437-9990 Kschwartzman@PolarisPR.net

Casey Stengel once said, “*I have no experience with that sort of thing, and all of it has been bad.*”

I don't think he was talking about public relations for law firms, but he might as well have been.

Whether you're talking about proactive p.r. – to help draw attention to the firm and so, to grow the business – or crisis management p.r. -- involving protection against unwanted publicity -- law firms are notorious for being bad public relations clients.

They're also almost always unhappy ones.

I'm here to tell you that it doesn't have to be this way and to:

- give you a few clues about how your firm can be among the exceptions,
- help you think through the public relations function as it relates to your firm, and
- tell you how to get the most out of your relationship with a p.r. firm, should you *have one* or need to hire one.

For those who are already working with a p.r. firm, maybe my comments will encourage you to revisit the relationship and the way you work with them. And for those who might see a need to engage a p.r. firm, I'm going to set forth some basic principles that should guide your thinking as you bring a team on board.

Step one is to know that the difference between professionals who help you *handle crises* and those who *promote* your firm is as significant as the difference between trouble and smooth sailing. This means if your firm needs someone to defend it, hire an experienced crisis manager. Alternatively, if there's nothing to defend against and you're looking for proactive publicity – more akin to marketing – bring on the best proactive p.r. team your money can buy.

Whatever you do, don't make the mistake of thinking that p.r. is p.r. and that offense and defense are interchangeable.

And don't pay for crisis management expertise and overhead if what you really need is something more akin to a sales force.

The Offense:

An effective public relations program for a law firm requires first and foremost buy-in from the top. To the extent that so many law firm / p.r. firm relationships sour – you can usually chalk it up to:

- Lack of serious commitment on the part of management,
- Lack of understanding of what p.r. for a law firm really is,
- Unrealistic expectations,
- A sense that once you hire a p.r. firm, you can sit back, wait for the phone to ring and watch your business grow,
- Bad chemistry – and, a necessary corollary to bad chemistry,
- Disrespect.

The truth is that effective p.r. for a law firm goes *well beyond* what a public relations firm alone can be expected to deliver. It requires a substantial *in-house* commitment, the least of which is the monthly retainer you pay to the outside firm.

And yet certain components of any public relations program fall squarely on the shoulders of your public relations firm and can proceed with or without heavy involvement by members of the firm.

Beyond that, since there really are significant differences among public relations firms, whom you choose to support you in this way is an important decision. I'm going to suggest the criteria you should rely on to evaluate different firms so that you select the firm that can not only best meet your objectives, but as important, work within your culture.

And finally -- how you work with the firm you select will in large part determine whether the firm can succeed on your behalf. You'll find here some advice about how to build and maintain a positive working relationship with your public relations firm.

1. Settle on your objectives.

Start by setting aside everything you've come to expect – or assume you can expect -- from a p.r. firm and ask yourself, "What's the point? What are we really trying to accomplish?"

Only then can you manage your own firm's expectations of what an outside p.r. firm might be expected to achieve, accept responsibility for your own share of the work, and then work with your consultant as partners, leveraging your respective strengths to meet your goals.

Standard public relations activities of a hired p.r. firm can help a law firm on any of several fronts. They can:

- Maintain / improve your image among your peers
- Increase your brand recognition, and
- Help bring in *new* clients and cross-sell multiple services to *existing* clients

Public Relations can also be instrumental in

- Building employee morale or helping with employee retention or recruitment; and
- Building a reservoir of good will – useful as a hedge against future criticism

A good public relations firm can certainly help you with any and all of these many objectives typically thought to be public relations driven. But even the best p.r. firm can do only so much – and how much depends entirely on the degree to which the partners of the firm participate.

Let's assume, for example, that your chief overall objective is business development. And for most – my guess is that that's the case. Your p.r. firm should be able to provide support in this area, but business development demands internal leadership and participation. And success will depend in large part on the degree to which your partners and associates understand, accept, and embrace their roles as participants in the process -- as opposed to hopeful bystanders.

In my experience, the most important thing to figure out as you begin to think about public relations is whether the partners are serious about it – serious enough to devote their own time and ideas to ensure its success.

And this is because half-hearted attempts at p.r. don't work.

If you want to assess your firm's commitment to p.r. and its readiness to accept its responsibility for the success of this partnership, you might ask yourself the following:

Does your firm offer training to young associates -- to teach them more effective marketing skills?

Some firms bring in outside consultants from time to time to train staff in effective marketing skills, or to be better presenters. Some teach lawyers how to make more effective use of client or prospect entertainment opportunities, teaching them to refrain from expounding on the litany of services the firm can deliver and, instead, to listen for signs of opportunity. Basically, these professionals teach people to focus on what might work for the client, rather than what works for them.

Does your firm require your associates and partners to spend time on client development – and then compensate them for it?

Some firms require every associate to produce an annual and formal business plan indicating which prospects they will target, what non-profit boards they will join, and in what other ways they will contribute to client development.

All lawyers are awarded a certain number of hours of billable time each year for this kind of marketing, but they must account for the time and they must use it.

Does the firm consider the time a lawyer spends teaching the firm's public relations team about his or her practice to be billed time – or are attorneys in effect penalized for spending time this way?

How do the lawyers feel about the time they spend educating others about their practices?

Do they view this as time well spent, or do they resent it as a distraction and a waste of time? If they see it as a waste of time, you've either got the wrong p.r. team (which I'll discuss later) – or you have partners and associates who – for whatever reason – haven't bought in to the program – or don't understand that they are responsible not only for servicing current clients – but in helping the firm bring in new ones.

More often than not, lawyers view p.r. to be someone else's job -- the job of the marketing department, working in conjunction with a p.r. consultant.

Yet whenever p.r. consultants have to fight for attention from partners and associates -- wherever law firm policies and practices endorse the "not my job" attitude, public relations efforts are uninspired, frustrating, and are doomed to disappoint.

To sum up on this point, your marketing department and the public relations firm you engage need to know that the firm values public relations as key to the success of the business and that it puts a premium on their work. And this message needs to be drilled down from the top, should be repeated often, and should be obvious from other policies and practices of the firm which support this kind of thinking.

2. Whether your firm is ready to *really* commit itself and put in the time – you can still move ahead and make progress – as there's plenty of activity you can reasonably expect from an outside firm that's not inextricably tied to internal participation.

Any good public relations firm can and will:

- publicize your successes through news releases;
- place by-lined columns you or they draft in relevant trade journals;
- create and pitch profile stories about your most distinguished partners;
- create, maintain, and distribute an updated media kit (containing fact sheets, bios, etc.)
- work with your Webmaster to maintain an advanced Website;

- send pitch letters introducing practice specialists to beat reporters;
- set up one-on-one luncheons or roundtable discussions with journalists for key partners around hot topics;
- identify and book speaking opportunities for key partners – before key audiences;
- maintain a media database (indicating who covers what by practice area; industry, geography, etc.);
- conduct media training, if needed; and
- monitor press coverage to take advantage of interest shown by reporters who cover related subjects.

You should also expect any public relations firm to be able to provide periodic proactive plans that offer new ideas to meet revised objectives as well as monthly reports to that allow you to measure their performance in some quantifiable way.

3. Evaluating public relations competition.

While there are certain basics that you can expect from any reputable public relations firm, excellence is hard to come by. So you need to shop around and know how to recognize excellence when you see it. Look for excellence in content. But even more important – especially in your profession, you have to evaluate for chemistry.

Often, when public relations professionals are asked about public relations, they talk about getting press clips – and only press clips. When they compete for new business, they tend to bring a stack of clips the size of the Hancock Tower to highlight the number of stories that have appeared in trade publications as a result of their contacts.

No doubt generating and placing stories, getting you quoted, and placing your by-lined columns in the legal trades should be a piece of your public relations campaign, but it's only a piece – and its value is limited.

Stories by – or about – your partners in law trade publications will increase visibility and stature among your peers; and they may help with employee morale; and they may help with recruitment – and so they are an important component of your overall public relations campaign.

But if you want to use public relations to grow your business and to develop client relationships, bear in mind that these stories do next to nothing for business development. Your firm's clients and prospects don't read law publications. And lawyers – to the extent that they *do* read these publications – don't send work to the competition.

You should select a firm that demonstrates that it can think outside the box – and uses other tools and strategies to communicate comprehensively.

For example, look favorably on those who suggest that you:

- Use direct mail to existing clients to publicize your firm's successes or cross sell competence in other practice areas
- Use a client e-mail distribution channel to alert your clients to new developments in law that would affect their businesses
- Learn about and take advantage of the numerous speaking opportunities there are for lawyers to become better known not so much to other lawyers, but to business groups and other centers of influence like chambers of commerce, or trade groups

Look favorably on a public relations firm that suggests that you:

- Commit yourselves to internal, as well as external communications such as all-staff memoranda, town meetings, newsletters, and staff outings. It's intuitive, but many people forget that an organization's employees are its best sales force. The more they know, the more they sell.
- Take advantage of other client relationships they have to your benefit.

Chemistry

Once you have a sense that the firm can think outside of the box, you need to evaluate for chemistry.

Your in-house marketing director may have the *most* interaction with your p.r. firm, but you should expect public relations counsel to work directly with *every* member of the firm. There's nothing more important than chemistry when it comes to finding the right p.r. team for a law firm. Nothing.

Unlike selecting a brain surgeon who might have steady hands but no bedside manner – arguably irrelevant to the result -- chemistry drives p.r.

There are several steps you can take to check the chemistry:

- Watch out for bait and switch. When you hire the firm, make sure you know who, specifically, will be working on your account. No different from a law firm, who works on your account is just as important as the firm they work for.
- Evaluate every member of the team for general public relations experience, relevant experience, and professional reputation. And consider incorporating a clause into the contract that would renegotiate the terms of your contract if a key member of the team moves off the account.

- Ask for a client list from each of the firms under consideration and the latitude to make your own choices for reference checking. When you check references, make sure you ask specifically about the individuals with whom you'll be working. What is their comfort level with sophisticated concepts and the language of law?
- Ask for press references as well. Talk to reporters who cover law to ensure that those assigned to your account are viewed to be credible, ethical, and responsive. Coverage that is discretionary – and most of the news about your firm will be – is basically payback for past performance. A reporter who needs a quote from an expert on intellectual property law has a dozen to choose from. If he or she knows and respects your account representative, the chances that your partner will be quoted will go up significantly.
- Check for conflicts. Your public relations firm should not be doing proactive public relations work for any other law firm. Since reporters often decide what to cover based on who's doing the pitching, to the extent that your account representative is pitching law-related stories for a competing firm, he's doing so at your expense. If the reporter covers a competitor's story today as a favor to your public relations firm, he's not going to feel compelled to cover your story tomorrow, especially if the request comes from the same individual.

Beyond that, while a firm is working for you, they should be willing to disclose the names of any clients they take on whose interests might in any way conflict with those of your firm or your clients. Basically, you have a right to know if your public relations counsel is being pulled in any direction other than yours.

4. So let's suppose you've finally got your p.r. firm on board. Let's suppose you've gotten buy-in and a promise of full support from the partners, settled on objectives, evaluated the competition, and hired a firm. What can and should you expect?

If you and your partners are doing your part, expect and demand excellence. The public relations firm you hire should convince you that they believe in you. They should have a campaign mentality and should treat you as if you are their cause.

As you assess their commitment, try to discern what motivates them to do a good job. Are they working hard because they think you deserve it – because they really think you offer higher quality legal services than any other firm? Or are they doing what they have to do to get paid?

If the former, reward them with high – and public -- praise, and give them more of your time, and more opportunities to do the job even more effectively.

If the latter, take a second look to make sure your firm is really pulling its weight. If you're still not satisfied, say so. Don't settle. After all, it's your reputation that's at stake. Mess with reputation and you'll need to bring on your defense.

DEFENSE

Public relations defense – or crisis management -- is an entirely different discipline from proactive p.r., requiring a whole different set of skills and expertise.

Consider these differences in circumstance, and you'll find easier to understand why someone who's capable in the offense department is not necessarily your best choice for defense.

In a crisis:

- Your managing partner and his or her management committee are definitely paying attention, and they're fully engaged.
- They're also usually under considerable stress.
- They're worried about their own backsides, even as they worry about the firm – so their loyalties are necessarily divided.

In a crisis, you don't get to choose the reporter who's on your tail. He or she has chosen you.

You don't have all the time in the world. You have till the reporter's deadline, period.

You get one shot to make your case, so a crisis is no time for learning on the job.

A strong reputation for honesty and integrity in your p.r. consultant trumps his or her sales skills.

Similarly, self confidence and ability and willingness to push back trump creativity.

A good crisis manager understands the importance of internal as well as external communication and knows that employees are more likely to believe what they read in a newspaper than what you tell them. And so, a good crisis manager uses the press to send messages internally, as well as externally.

Finally, a seasoned crisis manager knows from experience that today's news is tomorrow's fish wrap, and so can more effectively put things in perspective – and help a client to deal with the problem – and then -- move on.