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How YOU Can Be the Attorney Reporters Call

THE GUIDE TO INTRODUCING YOURSELF AS A SOURCE TO THE MEDIA

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How **YOU** Can Be the Attorney Reporters Call

The Guide to Introducing Yourself as a Source to the Media

When you see an attorney with a similar practice quoted in the news, do you think: *Why did the reporter speak to her and not me? I'm so much smarter.*

The answer is: Reporters call the people they know. They don't call someone they have never heard of.

Why would they call you if they do not know what you might say or the topics on which you might have insights?

In this e-book, you will get *step-by-step guidance* on how to present yourself to a reporter as an authoritative source on a compelling business issue that the publication's readers need to know more about, now.

“ *Reporters call the people they know. They don't call someone they have never heard of.* ”

Reporters face tremendous pressure to publish their stories quickly. When you make it easy for journalists to locate you as an attorney available for comment on key issues, you increase your chances of being the attorney who gets the phone call and gets quoted.

The universe of media opportunities may be divided in three groups based on sensitivity to time: **evergreen**, which is irrespective of date; **planned date** and **highly time-sensitive**. The tools to be used in each circumstance are similar: **Executive Media Profile** and **Pitch Letter**.

1. Evergreen:

There are innumerable opportunities to comment to reporters regarding ongoing business and legal issues: intellectual property, bankruptcy, tax, labor and employment, among others.

Reporters at publications with an industry specialization also seek legal insights regarding regulation, legislation and trends, whether in pharmaceuticals, financial services, telecommunications or energy.

Of course, personal legal matters may arise at any time: real estate, trusts and estates, personal injury and matrimonial law.

1. a. Executive Media Profile

To introduce yourself as a credible source for comment, draft an **Executive Media Profile**. Unlike a press release, resume or speaker bio, an Executive Media Profile establishes credentials and answers the essential questions of a skeptical reporter. *Why YOU?* and *Why NOW?*

Your profile will present insights that will help the readers of that publication **SAVE TIME, SAVE MONEY or MAKE MORE MONEY**. You must also indicate why this topic is important, starting today and going forward. An Executive Media Profile focuses on several hot issues that reporters are not granting much attention and presents your new perspective.

First, summarize **three areas where you are most knowledgeable** and narrow the niche: perhaps hotels and shopping centers for foreign investors or complex IP issues faced by alternative energy venture capitalists. In three sentences and no more than six lines, mention a few themes. Omit references to any degrees, clerkship and prior corporate titles, unless they are directly relevant to a specific and/or current situation. For example, if you are a *former Wall Street compliance officer*, you may mention availability to *comment on an insider trading case*.

“ *An Executive Media Profile establishes credentials and answers WHY YOU? and WHY NOW?* ”

(Executive Media Profile, continued)

Next, **assemble three to five timely issues** that resonate with the readers of the publication. This **bullet-format list** may address the bottom-line impact of regulatory changes, trends in corporate consolidation or the state of the IPO market. These topics will probably have a direct effect on sales, operations, finances and so on.

Each idea is listed on one line and demonstrates that you understand what keeps executives and readers up at night. Brevity rules here; you'll have time to provide more depth and nuance during a subsequent conversation or interview.

To help you formulate some ideas, you may consult the **Appendix** for big picture questions that are suggestive of trends.

Include a quote of two or three sentences with a meaty insight, as an example of what you might say in an interview.

Finally, at the top of the page, clearly state your **contact information**, making it readily accessible: Name, partner at law firm name, e-mail address and direct phone number.

Speaking at the Law Firm Media Professionals meeting in New York in March 2015, Bill Donahue, IP reporter at *Law 360*, asked for “a 50-word explanation of what an attorney knows about a subject to determine whether it is worth calling the attorney.”

That reporter’s request confirms that an Executive Media Profile is the approach that journalists prefer.

Following Donahue’s 50 words as a guideline, **keep the bio, bullets and quote under 250 words in total**, similar to the sample Executive Media Profile in the Appendix.

An attorney specializing in bankruptcy had clients in the airline industry. I used an Executive Media Profile to introduce her to a reporter at Reuters who followed airline companies. Their 45- minute casual interview over coffee led to an article in which she was quoted extensively, as was an industry analyst, regarding the business prospects for airline companies. The newswire story was picked up in numerous print publications worldwide. Her phone began to ring.

“ *a 50-word explanation . . . to determine whether it is worth calling (the attorney).* ”

1. b. Pitch Letter

A **Pitch Letter** identifies a single topic, then provides a few bullet points. It expresses interest in an interview, or in possibly writing an authored article, known as a byline.

Industry trade publications are especially interested in sources who write articles that address hot topics and give examples of case studies. Readers can learn a lesson from another company's experience and apply it to their own business.

Because publications have varied preferences for article length, *anywhere from 500 to 2,500 words*, it is best to **offer an outline** and then write the article to the prescribed length. Writing an article prior to submission inevitably entails cosmetic or substantial editing to achieve the required word count.

An attorney at a law firm published a client alert that discussed a then-new regulation to conceal credit card numbers on cash register receipts. It cited recent class action suits that had been filed against national retailers and restaurants that had violated this regulation. Using a Pitch Letter, I contacted editors of industry-specific monthly publications; I suggested the attorney as source for an interview or as author of article on the subject.

This led to articles of 500-900 words in *Chain Store Age*, *Convenience Store News* and *Supermarket News* that showcased his in-depth knowledge of the topic and offered business executives in those retail markets specific action steps to avoid similar litigation.

(Pitch Letter, continued)

Consider including a client or other contact who may offer insights on the subject. The reporter who receives a pitch letter with a timely topic, reference to an attorney and a referral to a business professional – all in one package – may find it hard to resist this easy-to-interview-and-write opportunity.

2. Planned Date

A review of the calendar may yield ideas and issues to discuss with reporters. Certain events are scheduled on an annual, biennial or quadrennial basis, such as trade shows, Congressional elections, the Olympics and the US presidential election. Other events have known dates: expiration of union contracts and effective dates to comply with legal and regulatory requirements. The end of the calendar or fiscal year and the start of the new year may be a time to predict what lies ahead for the industry. The **Appendix** offers suggestive questions to generate topics.

2. a. Corporate Transaction

When a publicly held company consummates an acquisition, merger or divestiture, it must issue a press release to inform stockholders and investors of the change in the company's operations and prospects for

“ *Many media opportunities are . . . evergreen, irrespective of date; others have a planned date or are time-sensitive.* **”**

(Corporate Transaction, continued)

profitability. Usually, there is an especially noteworthy aspect to the deal: the configuration of the transaction, the financing or the resulting entity. Prepare to contact reporters *immediately after the deal is announced* by the client company. A note, highlighting the most interesting feature of the deal, may piggy-back on or even include the client's press release, which the journalists may have received earlier.

2. b. Litigation

When you are preparing to file a complaint, think like a defendant: Who do they wish might not see this news item? That reader becomes your target audience. Litigation by your firm is an appropriate occasion to use a **Press Release** to announce that the complaint has been filed at the courthouse.

Draft a press release that outlines the basic premise for the case. Include a quote where you succinctly crystalize the wrong committed and how the litigation will correct it. Save the stamped complaint electronically as a PDF document, post it on an inaccessible page of the website and include a link to it in the press release. Now reporters on a non-legal beat may easily review the document, if they do not know how to log into the court's e-file. Use a press release distribution service to email the press release to the media in the industry and geographic area most likely to be interested in the case. You should also directly reach out to reporters at relevant publications to ensure they receive the press release and the complaint plus, of course, to speak with them about the case. This is time-sensitive.

(Litigation, continued)

On behalf of an attorney litigating a sexual harassment case in the cable television industry in 2014, I composed and distributed a **Press Release** with a link to the complaint. I also contacted editors at key industry publications regarding the case. *Broadcasting & Cable*, a leading online trade publication, published a story around 1:00 pm that day and by 5:00 pm, an attorney for the defendants had contacted the plaintiff's lawyer. Perhaps the news story was seen by executives who worked at companies that advertised on the cable network; they may have become concerned about the case and voiced their displeasure to the network.

3. Time-Sensitive

Whether or not you have been introduced to reporters as a credible source, you may wish to capitalize on an impending court or regulatory decision, some active litigation or news about a company that everyone is watching.

Using the **Executive Media Profile** or **Pitch Letter** format, your incisive quote will address the current situation, and speculate on next steps or what the possible impact may be for companies or an individual in that court case or business situation. You should address several possible outcomes, such as the likelihood of Scenario A and Scenario B.

“ *Who does the defendant wish
might NOT see this news item?* ”

(Time-Sensitive, continued)

When Lehman Brothers was on the verge of financial collapse in September 2008, its executives and legal counsel considered segregating the firm's assets and depositing the most toxic ones in a separate entity. I introduced an attorney to reporters; he had been General Counsel of a bank that undergone this *good bank, bad bank* process. His interviews generated substantial quotes in articles in *The New York Times*, *The Wall Street Journal* and *Bloomberg News* discussing the process and the prospect of this approach to re-configure Lehman.

Conclusion

Finally, be alert that not every call from a reporter is an opportunity for a positive interaction. When you receive an unanticipated phone call from a reporter, especially one who may know something you do not, or who may wish to ask questions about something you are not yet prepared to discuss, use this script and share it with your colleagues and clients:

“I'd really like to talk with you, but I have someone in my office now. If you would please give me your name and number, I'll call you back in a half hour. And, in case I need to gather any specific information, please let me know what you'd like to discuss, so that I can be more helpful to you.”

(Conclusion, continued)

This approach allows you to call the reporter when you are ready. You will have time to take a breath, learn more about the situation from staff or from the client, gather relevant data and prepare your memorable quote.

Alternatively, you'll have time to draft a statement that is **responsive** to the reporter's question, but **not newsworthy or quotable**.

Do NOT say NO COMMENT.

There's little benefit, and possibly a negative impression, when a news story says, "The law firm representing company ABC had no comment," or "An attorney at the law firm did not return a reporter's phone call."

If there is a reason that you cannot comment, such as client confidentiality, proprietary information or a company or law firm policy, then offer that reason and repeat it as often as it takes to politely end the interview.



(Conclusion, continued)

Reporters call the people they know.

They rarely call an attorney they have never heard of.

If it's likely that an attorney will be quoted in a news story, **YOU** may become that source by preparing and distributing an appropriate **Executive Media Profile** or **Pitch Letter** so **YOU** will be the attorney reporters call.

READY TO *INTRODUCE* YOURSELF?

Contact Janet Falk for a **FREE** 30-minute consultation so **YOU** can be the one reporters call.

Invite Janet Falk to conduct a **one-hour private workshop** on Media Relations for a minimum of six professionals, similar to sessions given at the New York City Bar Association, New York County Lawyers Association and New Jersey State Bar Association. As host you attend for FREE; all others pay a fee. No travel expenses in the New York City area.

Janet Falk of Falk Communications and Research provides Media Relations and Marketing Communications services to law firms, business owners, consultants and nonprofits.

Contact her at **212.677.5770** or **Janet@JanetLFalk.com**.

Read more tips when you **subscribe** to her monthly newsletter.

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APPENDIX

Executive Media Profile

Pitch Letter

Big Picture Questions

Sample Executive Media Profile

First Lastname, partner, Law Firm LLP, 212-555-1234, name@lawfirm.com

First Lastname is a partner in the City/State office of Law Firm. She/He has extensive experience in litigation of specific industry, representing companies in federal and state courts throughout State (and State). In addition, s/he has represented clients in complex litigation matters including contract law, general commercial disputes and product liability, such as the defense of automotive companies.

Experience in litigation in specific industry market:

- Product Liability

- Environmental clean-up cost claims against clients

- Consumer fraud and class action suits

Trends on the Horizon/Upcoming Hot Topics:

- An issue that should be getting more news coverage and requires sophisticated understanding to simplify technical aspects

- A new regulation that requires companies to change operations

- How the law regarding this topic will affect businesses

“The top companies in the specific industry are gearing up for the implementation of Regulation ABC, well before the implementation date. This allows the operations team sufficient lead time to test all systems and the marketing group to prepare for customer feedback.”

To speak with Name, please contact Assistant or Public Relations Consultant at phone or email.

Sample Pitch Letter

Dear Name of Editor,

As you review the outlook for the specific sector, I may be a good source.

I have worked in the specific industry since 2000 and recently spoke at the Major Conference (or have another noteworthy accomplishment).

Companies in the specific industry sector now face increased challenges:

- Important consideration that will affect many companies;
- Another trend that will impact businesses;
- Some people are not aware that this topic is also a factor.

I am ready to share my perspective in an article for your readers. I look forward to hearing from you to learn your interest in an article, the word count and the deadline for submission.

If you would like to discuss this further, my email and phone are below.

Regards.

Name

Big Picture Questions

1. Look at the companies in a specific industry

- Who's growing — and how?
- Will consolidation continue, slow down or accelerate?

2. Check the financial environment

- What is the mix of bank loans, activity in the capital markets, venture capital and non-traditional loans financing growth?
- How will changes in interest rates and currency affect sales/operations?

3. Name the legal issues and other challenges

- When will newly enacted regulations kick in? How will they affect the industry?
- How have companies implemented best practices based on the litigation and mis-steps of their peers?
- How are companies addressing privacy and security issues?

4. The Big Picture

- What other issues should companies address?
- Which surprising players are likely to emerge?