



Crisis Communication Tips for Today's Highly Connected World

Learn how lawyers can help clients navigate communication challenges. And no, “No comment” doesn’t cut it, but planning with a prepared response can go a long way in the court of public opinion.

BY MARK YONTZ

When something goes wrong and your client falls under the intense glare of the public spotlight, it should come as no surprise that a crisis creates a stressful environment for everyone involved. How a client responds can be a defining moment with long-term effects if not managed properly. This is especially the case when it comes to communicating with key audiences, internally and externally.

No matter a client’s current communication practices, most people instinctively recognize that getting their message out clearly and consistently is important during a crisis. Accomplishing this, though, requires an understanding of the realities of any crisis and how a narrative can be shaped by several different factors.

Here are some tips on how lawyers can help clients navigate a future crisis from a communications standpoint and ensure they are not putting themselves in legal jeopardy.

Control What You Can Control

Usually, something becomes a crisis because it is unexpected. For example, a client might know that a workplace accident, natural disaster, chemical spill, factory fire, or other event is possible, but they don’t know when or where an event might happen, so having total control is impossible or limited, at best. However, what can be controlled is preparing and drafting a possible response. There are important operational actions that must be taken in response to any crisis, but people will also scrutinize and make judgments based on what is said, when it is said, and how it is said. Much of what they think (that is, their net impression) will be based on the client’s communication-related reaction or lack thereof.

This is why responding to all crises in a professional manner, with clear, concise, and

consistent messaging that is vetted by legal counsel, is a good strategy. However, even if a client does all the right things, no one can control what people think or feel about them or the situation. This includes what the media says about them.

Key Lessons: Words matter, especially in a crisis, when many different audiences – both internal and external – are scrutinizing every move. Given this, being deliberate and strategic in what a client communicates and how they do it is vital because this is how the client will be judged in the court of public opinion. In short, address the crisis by showing care and concern, take responsibility when appropriate, demonstrate cooperation, describe actions that have been taken, and move the narrative forward.



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Also, do not get distracted by “noise” from individuals or audiences – especially on social media – that are not a priority. Control what can be controlled but understand that not everyone will be on the client’s side, no matter what the client says or does.

Two Words to Avoid

While there are several important audiences that clients need to pay attention to when dealing with a crisis, the media is one that tends to create the most stress.

Picture this: A client is facing a throng of reporters shouting out questions. Cameras are rolling and there is a tense energy in the air. A reporter thrusts a microphone in the client’s face and says, “What do you have to say about the serious accusations made against you and your company?” With a stressed look, the client says, “No comment,” and walks away.

While made-for-TV scenarios like this do not happen all that often, there will likely be tough (and legitimate) questions asked during a time of crisis. And, in today’s environment, they are just as likely to come from an email inquiry, phone call, or social media post, so being prepared and ready to answer tough questions with more than just “No comment” is an important communication strategy.

Why You Should Not Say “No Comment”

Less is usually more, as people commonly want to overshare information in a crisis. However, “no comment” does not provide enough information and can leave things open to interpretation and misunderstanding. Given this, “no comment” is rarely (if ever) a good response, because the client comes across as lacking transparency and conviction. This response

also creates a math problem. A short non-answer means reporters must fill more airtime or column inches because they were provided with nothing of substance or only the opposite point of view from other sources. In short, you do not want reporters to fill that time and space with whatever they want. The goal is to have them use something – even if brief – that accurately communicates the client’s position and provides the reporter with a quotable soundbite. It is better to be in the story with the client’s words than not at all.

Choose Your Words Carefully

When “no comment” (or silence) is not an option, there are ways for clients to respond without painting themselves into a corner from a public relations or legal standpoint. Using the same question from the earlier scenario (“What do you have to say about the serious accusations made against you and your company?”), here are two options worth considering:

- **Option #1:** “This is currently a legal matter, so I want to respect the process. I am unable to say anything else at this time, but we look forward to sharing our side of the story when the time is right.”

- **Option #2:** “This is a sensitive and serious matter that is getting our full attention. While we are still in the investigation phase of this situation, we plan to defend ourselves against these accusations.”

Both options tell the questioner the client hears what they are asking and acknowledges the situation, but the client is choosing – for whatever reason – not to engage in a back-and-forth right now. Simply put, the client has provided a thoughtful, short, intelligent answer without revealing any details and has given the questioner something they can use in their reporting.

Key Lessons: A flawed strategy is thinking that “no comment” – or just ignoring the media altogether – is going to get the client off the hook and

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divert everyone's attention elsewhere. Instead, offer thoughtful, articulate responses to the media's questions, even if the client does not say anything definitive. Better yet, develop a written holding statement that can be shared with reporters anytime a question or request for an interview is received. This can serve as the "official statement" that can be updated and adapted, as needed. It also eliminates the stress and potential hazards of doing interviews or any type of press conference. There is a time and place for these interactions but using a general holding statement will usually be more than adequate early on.

Preparation Is Key

In our highly connected world, where news can spread very quickly, companies and organizations must be prepared to deal with a wide variety of potential risks to their operations, market share, brand, and reputation. Just as a lawyer would recommend appropriate and ongoing legal counsel, here are some things lawyers can encourage clients to do now to be better prepared for the next crisis.

- **Make a Plan.** While many crises are unforeseen, some can be anticipated, so it helps to have a well-constructed crisis communication plan as a resource. The names of key team members who would be involved in the development of internal and external communications should be included in the plan, along with those whose insight would be valued during crisis-related discussions. By having a predetermined roster of key players identified upfront, valuable time can be spent dealing with the situation and executing decisions, as opposed to taking precious time to figure out who should be involved.

- **Determine Policies.** Before any crisis occurs, clients should engage in thoughtful, internal discussions regarding their communication approach. This will provide them with

guideposts and an agreed-upon strategy ahead of time.

- **Assign Responsibilities.** Clients should make sure each member of their crisis response team has clearly defined roles and expectations. Informed and properly prepared team members will be able to move swiftly, work more efficiently, and meet expectations.

- **Seek Outside Expertise.** Outside experts can sometimes provide the perspective, guidance, and deliverables needed to navigate a crisis more effectively. Using outside counsel can also help clients identify and see things in a different light, as well as provide them with objective, critical feedback on what others might be seeing or hearing.

- **Practice Helps.** Having a plan and policies in place is good, as is making sure key people are well prepared and trained to do the necessary work when a crisis arises. One way to ensure this is to practice annually. Work through "what if" scenarios and make sure

everyone on the team understands what to do and when to do it based on various crisis situations.

Final Thoughts

Crises of any kind pose challenges and create circumstances that can have lasting effects on people and organizations. Given this, controlling a crisis should not be the goal. Instead, striving to manage the situation is probably more attainable when considering all the possible variables. There may be instances when everything lines up and works in a client's favor, so they feel in control. But not all crises transpire in a predictable manner; there is always something that makes each crisis unique and challenging. This is why being prepared to react and respond, as well as having a good plan and strategies already established, are important for any organization, from both a legal and a communications standpoint. **WL**

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