



# Make yourself famous. . . or “famouser”

*Wooing the media can bring great rewards, but first understand the rules of the game.*



Wilson

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In no particular order: F. Lee Bailey, Marvin Belli, Johnnie Cochran, Racehorse Haines, Alan Dershowitz, Eliot Spitzer, Mark Geragos, Gloria Allred, Thomas Mesereau.

These are the attorneys who get the best cases. Because they get (or got) the best cases, they are the ones with a long list of big verdicts and other courtroom heroics. They are all good and maybe in some cases also lucky, but the bottom line is that they know how to bring it home.

Every one of them also knows that no matter how good they are as attorneys, if no one hears or cares about their courtroom successes, they will not continue to get the good cases.

These attorneys become legends by understanding the media and giving the media what it needs and wants. They carefully craft the image they allow to be shown to the public. They dedicate the same level of investment in the media that they make into climbing the rungs of the various bar associations because they know what they will get in return.

What will they get? If you are thinking “fame,” that’s the wrong answer. I would wager not one of these folks cares about fame for fame’s sake. The

answer is much simpler. The legends get more cases and better cases. And with that comes the ability to put pressure on the defense for a better settlement, on the prosecutor for a better plea, etc.

You, too, can learn how to be “media-friendly,” and thereby increase your business and improve the quality of cases that come in your door. If you are looking to increase your attorney-to-attorney referrals, write an article — or six — for various legal publications such as Plaintiff. These publications have circulations in the thousands. That means your byline is seen by thousands of attorneys who can refer business.

To the general press, you might put out a press release when you have filed a noteworthy case. By making yourself known to the press, a reporter is more likely to call asking for a statement about a particular issue. If you’re contacting the media, don’t forget about online news services and popular blogs.

### The media rules

- *Always tell the truth*

If you say it, it must be the truth. No, you cannot wiggle the truth. As an old radio newsman told me when I started in this business 25 years ago, “Your integrity is like your virginity;



once you lose it, you never get it back.” That’s not to say you just blurt the truth out. There are ways of saying the truth that make it more or less powerful, but it’s always the truth.

• ***Make yourself accessible.***

Two of the lawyers I represent are both charismatic, brilliant men with outstanding track records. One of them calls reporters back during breaks in court; the other makes a reporter wait four days while he finishes a trial and then says he can’t talk until the day after the trial is over or until he has time to look over the case. The first lawyer is frequently seen, heard and read in the news. His phone rings with potential clients who saw him in the news and with other journalists who found his previous articles on Google. By the time the second one calls back, it is past the journalist’s deadline and he has no need for the interview anymore. Guess which lawyer that journalist will not call again. True, there will be times you absolutely cannot or do not want to comment on a case or issue, but those times are rare. Just politely explain why you can’t comment, and invite the reporter to call you again.

• ***Make time***

This rule is similar but different from the one above. Attorneys are always busy. No matter how many cases they have, there is always something to do. Unfortunately, many attorneys forget that everybody else is also busy. The media is not going to report your news on your timetable.

Here’s an example: Recently, a reporter with a major Southern California public television station was approached by one of those conservative tort reform organizations. The tort reformer was promoting the idea that suits against the county cost the taxpayers some astronomical sum. The reporter and I had worked together before, so he called me. Though I am not being paid by any particular client, I am going to do my

best to help this reporter put this story together. I want him to consider me a source that produces, which means I’ll be the first one he calls when he has a legal story.

To make the story work, the reporter will interview the tort reform people and “my” lawyer, and he needs someone who will talk on-camera who has brought a suit against the county. For two weeks, “my” lawyer and I scour the county, begging other lawyers to help us. Those who might be able to help say they do not have the time. Now let’s see, we have a reporter willing to write a fair story about tort reform and “frivolous” lawsuits, and “our” side cannot take the time to make this happen. Granted, it was only one story, but attitudes of the people — jury pools — are built story by story.

• ***Know your audience***

Every issue has many sides and many elements. If you want your story heard, figure out what your audience wants to know. If you understand your audience’s concerns, then you can respond to those concerns.

For instance, if you are being interviewed for a medical malpractice article about doctors and the story is for a business publication, you might address the financial aspects of medical malpractice.

Similarly, if a case you are handling hits the news, figure out what segment of the general public is likely most interested in it so that during the news interview you can position the case in terms those readers and viewers can empathize with.

• ***Have a Point of View***

Have a point of view. As an attorney, this should not be difficult for you. When you are called by the press for an interview, know where you want the interview to go. Know what results you want. A journalist rarely comes into a story with it already written in his or her head. Contrary to what you may hear, in almost all cases the story comes after the facts (yes, there are

rogue journalists who never recognize a fact if it does not fit their preconceived notions, but they really are exceptions).

It is your job to make sure they get the facts, and they can’t all come from you. Give them other contacts to help them “get” the story. The more you connect them to your resources, the more likely the story will come out to your satisfaction.

• ***Illustrate your interviews***

The media will likely use only a few sentences from your interview in their stories. Write down three points that will answer your audience’s concerns, and practice what you are going to say. Talk over the subject matter with others. The more you discuss it, the more refined your argument will be. Think of Benjamin Franklin, Will Rogers, Mae West. They talked in what we now call sound bites. Develop lines, or sound bites, that you will use.

Paint a picture in the reader’s mind by using short stories to illustrate your point. The reader may not remember how much money Ford saved by not replacing some thingamajig in the Pinto. But everyone remembers, to Ford’s eternal chagrin, the story.

If you are working with television, remember they need visuals. Do you have B-roll (uncut video) or can you give them a photograph of the wronged client? What can you best use to visually tell your story?

• ***Have supplemental materials ready to send***

If you are doing case publicity, this means having a stamped copy of the complaint, in a form the journalist can use, and any supporting documentation you can give them, ready. Offer to give more, if you can. Do they want a picture? Can you send them some backup research you might have? And send it at once, or at least as soon as possible.

• ***There is no such thing as “off-the-record”***

You have neither the media’s sophistication nor the knowledge of the



OCTOBER 2007

individual reporter to trust that anything is “off the record.” Just assume that anything you say may be used. If you do not want it used, do not say it.

Finally, remember that the media is not your enemy. It is just another juror. Now, go forth and be seen and heard.

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