



What To Say When The Hammer Drops

Spreading the bad news requires 'difficult' strategic discussions

By DOUGLAS S. MALAN

These days, law firm public relations have become a lot more difficult.

It's no longer announcements about new offices, new practice groups and civic projects. There are layoffs, salary cuts and law firm dissolutions that command more attention.

And how to go about releasing that news—or not releasing that news—differs widely from one law firm to another. With blogs and web sites dedicated to covering the legal industry, keeping bad news under wraps is a much greater challenge. Even traditional media, such as weekly newspapers like the *Law Tribune*, have the ability to disseminate news immediately.

As a result, "crisis management has become a bigger part of our business," said Andrea Obston, who owns a marketing company in Bloomfield. "[The media] are going to find out. All of [lawyers'] training is to avoid anything to do with the press, but as I tell them, they'll write the story with or without your input. It's a difficult conversation to have with a law firm. They want desperately for [the bad news] to go under the radar."

The past several weeks have provided an opportunity to learn how certain law firms handle the information that they'd rather not share with the public.

Firms such as Wiggin and Dana, Pepe & Hazard and Shipman & Goodwin have terminated a combined 66 lawyers and staffers since the beginning of the year. All of them sent out a prepared statement about the number of cuts after contacted by a reporter and then declined to comment further on the matter.

Obston, who handles media relations for



Gary Lewis

Bloomfield marketing professional Andrea Obston said in the process of discussing bad news with the media and employees, law firms often overlook an extremely important group—their clients.

Pepe & Hazard, said this is the preferred method for law firms. "I see no reason to blast out a press release on it," said Obston, but "the quicker you get to the story, the quicker it goes away."

Jill Mastrianni, chief marketing officer at Shipman & Goodwin, said one of the main points in damage control is to "be honest about the number of people affected." Mastrianni said reporting the facts of the layoffs while being respectful to those affected is the best course.

And "don't issue a press release," she noted. "This is not a public relations opportunity."

'Be Transparent'

Robinson & Cole took a different tack last month. The firm actually alerted the media with a public announcement that 30 employees would be fired across its North-east offices, mainly in Hartford and Stamford. Managing partner John B. Lynch Jr. was open to further discussion when contacted by the media.

"We wanted to make the news public through a press release" after informing employees, Lynch said in an interview on April 1. "We try to be transparent."

But not always. Last week, Robinson & Cole confirmed that existing and incoming associates and counsel were taking a

\$10,000 salary cut effective immediately. Discussions about such a strategy were held in late March, before Lynch said in an interview the economic situation that led to the layoffs wouldn't affect incoming associates. Last week, Lynch declined comment on the salary cuts and on questions about the start date for those new associates.

Day Pitney confirmed in a telephone conversation in February that it laid off 66 staffers firmwide, including 31 in Connecticut, but the firm released nothing officially. When contacted, national firms Bingham McCutchen and Edwards Angell Palmer & Dodge provided copies of internal memos that announced cuts and then provided additional information about affected practice areas and office locations, which included Connecticut.

Dechert, on the other hand, was mum about the local impact of its fifth and most recent round of layoffs since March 2008. Turns out, one associate in the Hartford-based finance and real estate group was part of the 125 employees let go firmwide last month.

Fred Rackmil, president of New York-based public relations firm Rackmil Associates, said law firms often turn inward to discuss bad-news strategy.

"It's so uncomfortable for firms that they don't bring in actual PR people to discuss

how to handle it," said Rackmil, who represents law firms around the country, including Connecticut. "Strategically, some firms try to go in the shadow of another law firm's announcement."

That hasn't been difficult the past 12 months as bad news has been rampant in the industry. Rackmil added that some firms wait to release the news late in the day on Friday to

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minimize traditional press coverage.

Still, the proliferation of blogs usually keeps the news active.

"I think firms are very aware of that," Rackmil said. "I think they just shrug their shoulders and say there's not much they can do about it."

'The Nightmare'

Then there's the Pillsbury Winthrop Shaw Pittman way of announcing layoffs. In February, a high-ranking partner of the AmLaw 100 firm was overheard talking loudly on his cell phone during a train ride that the firm planned to ax dozens of lawyers and mentioning specific names.

Another passenger alerted the blog Above the Law, which confirmed the accuracy of the tip and then broke the story.

"In my world, that would be the nightmare. That's crisis at its best," said Gina Carriuolo, director of marketing for Edwards Angell Palmer & Dodge. "Our internal communication is the most important thing. [Pillsbury] probably lost some

ground with morale among lawyers" after that train incident.

When dealing with the media and employee communications, clients are often overlooked at the peril of the firm, said Obston, the Bloomfield marketing professional.

That stems from law firm officials feeling guilty about their decisions and not wanting to discuss reality, she said.

Often, there's a "lack of willingness to step up" and acknowledge difficult times, Obston noted. "You owe the large clients a phone call. It's not going to be fun, but you owe it to them. You need to put yourself in the shoes of the clients and ask what are they concerned about." ■