

Helping Journalists Get The Story Right

When a reporter calls to write about a client, many lawyers fear that the press will get the story all wrong. But rather than gripe about the press' mistakes, lawyers can ethically take simple steps to ensure accuracy in stories and enhance the public's understanding of the legal system. Here are some tips:

First, Follow the Rules. The Rules of Professional Conduct and other court rules govern communication with the media. For instance, Local Rule 4.10 of the Middle District of Florida restricts what an attorney can say about a criminal case. Before opening your mouth, re-read the rules and follow them.

Know the Reporter. Some journalists are conscientious, hard-working, and smart. Some are not. Read the journalist's clips, and ask colleagues about them. Cultivate journalists who build long-term relationships with the Bar.

Lawyers can ethically take steps to ensure accuracy and promote public understanding of the law.

Call Back Immediately. To influence a story's direction, reach a reporter early in the process. You build instant credibility simply by being easy to reach.

Keep It Simple. Speak to a journalist like you would address a jury. Do not talk down to reporters, but do not assume that they know substantive law either.

If Possible, Provide Documents. Provide reporters with relevant motions or pleadings. Reporters can access these records from the clerk, but many will not have time to get them. They will appreciate your assistance.

Answer Questions That Should Be Asked. Journalists are often afraid to admit that they know little about a subject. If you sense that a journalist

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does not understand the issue, ask him or her to summarize what you have said. Answer questions that should be asked but are not.

No Surprises. Tell the reporter you do not want to be surprised by any angle of the story. You want to confront the other side head on.

Be Available Later. Most journalists will not see holes in reporting until after deadline. A journalist trying to answer a question at 8 p.m. often makes mistakes. Be available at night. Taking a late call also lets you preview the story.

Do Not Mislead. You will get caught, and your credibility will not recover. If you cannot answer a reporter's question, simply say so.

Be a Guide. Good journalists cultivate sources who serve as guides. Journalists depend on these guides for most of their stories, and they protect these sources. Helping a journalist navigate the legal system also builds credibility and improves the quality of reporting on the law.

Fix Mistakes. Politely ask reporters to correct factual errors in a story, but do not seek a correction to argue over the "angle" of a piece. Fixing mistakes makes journalists more careful next time.

Follow-up. Give reporters constructive feedback. Journalists crave recognition but do not often get it.

Appeal to Editors. If you find that a journalist is unreasonable or incompetent, someone else in his or her news organization probably shares your opinion. Speaking to an editor may not fix your immediate problem, but it will impact the reporter over time. If the problem persists, go to another news organization.



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