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Public Relations in Litigation Support

By Joe Howie

Joe_Howie

We try to cover all aspects of litigation support in *ALSP Update*, and public relations (PR) is one important aspect that often goes on largely behind-the-scenes. This article describes what PR is, how it fits with advertising, marketing and sales and provides a look at some of the PR agencies operating in the litigation support market. If you're associated with a vendor or law firm, this may be of interest to you to help promote your organization's services. In any event, it will hopefully shed some insight into how much the content you read came to be written.

At the outset, I'd like to thank the PR professionals who provided background on the industry and their agencies for this article:

- Boardroom Communications, Caren Berg, senior vice president
- Edge Legal Marketing, Amy Juers, founder/CEO and Carolyn Depko director of media relations
- Lois Paul & Partners, Bill McLaughlin, executive vice president
- Sterling Communications, Kevin Pedraja, vice president

In its simplest terms, public relations involves getting a company or its products, services or key employees mentioned in articles, blogs, conferences, tweets, or other "non-paid" advertisements. The mention could be in content authored or presented by someone else or presented by or under the byline of someone associated with the company.

The rationale for devoting effort to PR is that these "non-paid" mentions are more credible and hence more persuasive to potential customers than paid advertisements. They can present the company or its key people as being thought leaders in some critical area.

The drawback to PR is that, unlike advertising, the company does not control the timing of the when the content is released and the content will typically be reviewed and edited by the publisher.

For example, some publications have editorial calendars that are established a year ahead of time and may only feature e-Discovery once a year. Your company may have some great new innovation that slashes costs by 70 percent but if you come out with the product the month after the e-Discovery issue of a particular publication comes out, you may have a tough time getting an article about your innovation in that publication for another 11 months. For those types of reasons, PR is best thought of as a mid to long-term process and the expectation going in should be that it will take time to achieve results. The upside to the delayed results characteristic of PR is that once a company achieves success it becomes a sort of barrier to entry to competitors – name recognition is something that is very expensive to purchase overnight.

PR campaigns ought to have goals and timelines of at least six months. The goal could be simply to improve name recognition for the company or its products/services. Over time the goal could be to drive traffic on the company website or to have the intended audience initiate contact with the company for a specific product or service.

I like to use the Strategic Selling model (from a book of that name by Miller and Heiman) as a framework for analyzing how to achieve PR goals. Miller and Heiman define a "strategic" sale as one that involves many types of decision makers in the buying organization and that typically takes place over a period of multiple contacts over time. This is in contrast to many consumer sales that involve a single decision maker where the sale is concluded in one interaction, e.g. buying a pair of slacks in a store.

They describe four types of buying influences:

- **Economic buyers** who can contractually commit on behalf of the purchasing company and authorize a check to be cut.
- **User buyers** who will actually be the ones using the goods or services.
- **Technical buyers** who will determine if the goods or services meet the technical needs of

the purchaser.

- **Coaches** — people who have some insight into or influence with the purchasing organization and are willing to help you make the sale (could be an economic buyer, user buyer or coach).

The main point of Strategic Selling is to realize that not having the user and technical buyers on your side could result in one of them in essence vetoing the purchase from you, or perhaps worse, sabotaging how well your product or service is used or implemented — sellers want to make sure that each of the buying influences is on board and sees a personal win for themselves when their organization buys from your company.

Miller and Heiman recommend mapping out who all those influences are for major sales and explicitly considering how favorable each influencer is to your offering.

The nature of the relationship between corporate counsel and outside counsel, the significance of the litigation, the relative dollar value of the purchase and the allocation of roles within law firms will impact exactly who these buying influences are in specific cases, but in general the buying influences could be thought of as follows:

Type Buying Influence	**Roles typically fulfilled by one or more:**
Economic Buyer	In-house counsel, lead trial counsel, litigation support manager, paralegal manager
User Buyer	Associate, paralegal, litigation support analyst
Technical Buyer	IT director, litigation support manager, paralegal manager
Coach	Any of the above plus: Other attorneys, paralegals or other employees at the firm (e.g. administrator) Other vendors with complementary products or just other products People who are active in associations of one of the above type of roles

When mapping out a PR campaign it’s useful to consider for a specific product or service, which of the buying influences are most critical and what’s the best way to reach them in a world of finite resources. For example there are well over a million lawyers in the U.S. and few companies need to reach all of them. Each of the types of buying influencers has its own associations, publications, bloggers and writers. Well-placed articles and content can make strategic sales easier by building awareness and acceptance on the part of all of the buying influences.

Different PR agencies bring different types of expertise and contacts to their engagements. Here are several agencies I interviewed for this article, along with some comments and advice they offered:

Edge Legal Marketing. Edge Legal Marketing is based in Minneapolis with employees in various offices across the U.S. As its name implies, Edge Legal Marketing specializes in legal marketing and has built relationships with many key players in the field, e.g. Edge provides virtual press rooms for LegalTech and the Masters Conference and provides PR services to Women in eDiscovery. Amy Juers, the founder and CEO, had her start in legal marketing with Quorum and went on to work with LegalVoice, Inc. When LegalVoice dissolved in December 2006, Edge Legal Marketing was formed and many of the staff and partners continued offering PR and full-service marketing via Edge Legal Marketing. Here are some comments and suggestions on PR from my interview of Amy Juers and Carolyn Depko:

- **Geographical Location**. Don’t restrict yourself to agencies in your particular locale. It’s important to have an agency that already has existing relationships with writers and editors you are interested in targeting so you don’t have to pay your agency to spend the time necessary to build those relationships. For example, Edge has had UK, Indian and Australian clients that we’ve worked very effectively for. There are a relatively small handful of agencies who know the legal industry and using such an agency will get you the results you want to see a lot faster.

- **Industry Knowledge**. When selecting a PR agency, make sure they understand the industry – for example, do they know what Peer-to-Peer is or what ALSP is?

- **Type Deliverables**. You should have an idea of what type of deliverables you want and then match those needs against what a particular agency has delivered or is capable of delivering. For example, do you want to roll out a new product at LegalTech, do you want a full marketing makeover including web site, marketing collateral and presentations? Not every agency has experience with such deliverables.

- **Measuring Results**. Depending on the specific goals of a PR campaign, it can be difficult to directly measure its success, other than through “pick ups” or references to a company in articles or blogs. Measuring Web site traffic can give good insight into how visible the company is becoming. An agency with a solid, consistent set of reports should be able to show results and PR campaign success.

- **Electronic Media / Social Media**. Media such as blogs, electronic newsletters, Twitter and LinkedIn can provide a much quicker payback for PR efforts compared to traditional print media. The important thing is to know if your target audience is paying attention to and participating in the media outlets you are working with.

- **Case Studies**. The most effective PR is in the form of case studies by actual clients — buyers are much more influenced by what their peers are doing.

- **Credibility**. The legal industry is relatively small and it's important not to burn any bridges. When an article is promised to an editor, deliver on time and on spec.

- **Representative Legal Clients**. Edge Legal Marketing has a variety of clients including technology, service and consulting companies.

Sterling Communications. Based in Silicon Valley and Seattle, Sterling specializes in PR for high-technology companies including hardware and software companies. Here are some comments from Kevin Pedraja:

- **Social Media Networks**. Blogs, Facebook, Twitter, MySpace and other social media networks represent major opportunities and challenges. For companies they represent another way to reach customers directly without having to go through third-party media. It's a real change in business to business communications.

- **Consistency**. One thing you want to have is consistency across all forms of communications — to be telling a consistent story with a consistent theme in all of your advertising and other marketing.

- **Conflicts**. We have a clear policy against representing two companies who are direct competitors — there's a limited amount of space in media and we don't want to have to be in the position of having to decide which client to push for a particular opportunity.

- **Measuring Success**. For new PR campaigns, success can be just the number of hits in media. With older campaigns, you could look more in depth to see if the coverage reflects the intended message or perhaps if a company was being mentioned with its competitors. There's no "one size fits all." Success will vary with the goals and the maturity of the company and the campaign. What you're looking for in a general sense is to gain mindshare with the people you care about.

- **Case Studies**. Success stories are generally the best PR content — how a client achieved success using your product or service. Unfortunately, many times law firms don't want to tell other firms what they're doing.

- **Media Relationships**. We want our clients to develop their own two-way relationships with the media. We facilitate the development of those relationships so that the media will think of our clients as resources for information on market trends, issues and news.

- **Selecting an Agency**. Meet with the actual people who will be doing the work for you. It's important to have the right chemistry as you'll be working closely together. You should have thought about what you want to get out of your PR campaign and select the agency that will do the best job in meeting your objectives.

- **Representative Legal Clients**. Daticon EED

Lois Paul & Partners. Based just outside Boston with an office in Austin, LP&P specializes in high technology, life sciences and clean energy companies. From Bill McLaughlin:

- **Value**. PR can build third-party legitimization of a company and its offerings. Articles not only create awareness, but reprints can be used very effectively in outbound marketing and sales campaigns to influence prospects and solidify relationships with existing customers.

- **Process**. The PR agency has to understand who the customer or prospect is, what they read, and from where and from whom they look to get information they'll use when making purchasing decisions. The agency also has to understand the different outlets — publications, blogs, social media — who reads them, who contributes, who defines the content. There are more companies trying to get their stories told then there is space available. PR involves finding a good fit between those two sets of considerations and establishing a dialog with publishers and editors, to deliver the information they want and need to write a story, a blog or a tweet.

- **Topics**. PR can't rely on news about a company alone. It should also entail offering opinions on current market developments or trends even if they don't directly mention the company or its products.

- **Conflicts**. LP&P firewalls teams and client information to ensure confidentiality is maintained. From a technology perspective, files and folders are secured and firewalled through access-control lists. This is important when, for example, our clients work in the same area of the EDRM.

- **PR Continuity**. PR is an ongoing process. Doing PR for two to three months and then stopping for six months is wasting money.

- **Representative Clients**. CaseCentral, StoredIQ

Communications. Boardroom is headquartered in Florida and specializes in law firms and attorneys, financial services, real estate, education and other areas. Comments and advice from Caren Berg:

- **Value**. PR is relatively inexpensive compared to direct mail or other advertising. Conventional wisdom is that PR in the form of an article builds three times the credibility of a paid ad due to the inherent third-party credibility. It is very important in business-to-business communications. The best type of PR comes from articles that are bylined by someone at the company.

- **Objectives**. At the very least you want prospective clients to have heard about the company when they're looking to buy. The cumulative effect of the PR should be to give the potential purchasers a favorable impression of the company.

- **Measuring Success**. Most companies have a good feel for how their PR campaign is working for them, typically in the form of people who tell them they've seen an article or news item on the company.

- **Duration**. A PR campaign should be at least 6 months long in order to produce meaningful results.

- **Timing**. A company should be able to handle responses before initiating a PR campaign. If done before then, it could backfire.

- **Placements**. There are two ways to get an article placed. One is to have a database of editorial calendars and see if the publication is already planning an article or issue where the company's products or services would be a good fit. The other is to call or email the editor or writer and find out what kinds of things they're looking for or suggest possible article topics.

- **Representative Clients**. IPRO

For further information:
Boardroom Communications
Edge Legal Marketing
Lois Paul & Partners
Sterling communications

Joe Howie specializes in providing written content and strategic advice for litigation support companies. He is on the editorial board of Law Technology News, an author on the EDDUpdate.com blog, Director of Metrics Development and Communications with the EDiscovery Institute and a fellow in the Council of Litigation Management. His Web site, HowieConsulting.com features a blog on the Art of War. He can be reached at Joe@HowieConsulting.com.

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