



THE STRATEGIC CASE FOR GOING PUBLIC

When, Why, and How Media Moves the Needle

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WHY ARE WE HERE?

- Media relations is one of the most powerful tools in plaintiff litigation strategy — **and one of the most misunderstood.**



WHY ARE WE HERE?

- **“Media relations” is how you shape the public narrative around a case, and includes:**
 - Responding to reporter inquiries
 - Drafting statements
 - Placing op-eds
 - Proactively pitching stories that serve clients and your legal strategy



WHY ARE WE HERE?

- Bad media moments/engagement are hard to recover from; good ones can change the trajectory of a case.
- It is important for the plaintiffs bar to engage with the media – **your voice is essential to moving the needle forward.**



WHY ARE WE HERE?

- Corporate defendants have robust communications teams and crisis PR firms working to control how a case is perceived from day one.
- **If you are not proactively driving the narrative, you're giving them a head start.** Media relations is how the plaintiff's bar gets ahead of the spin and ensures the public hears from the people who were actually harmed – and the advocates who help them pursue justice.



BUILDING A MEDIA STRATEGY THAT SERVES THE LEGAL STRATEGY

Media is never the goal — it is a tool. The legal strategy always leads.

Media Strategy Framework:

**Goal → Objective → Strategy → Audience →
Messaging & Tactics → Results**

BUILDING A MEDIA STRATEGY THAT SERVES THE LEGAL STRATEGY

- **Goal: the broad outcome you want to achieve**
 - *Example: Raise public awareness about a widespread product liability issue*
- **Objective: a specific, measurable milestone toward that goal**
 - *Example: Secure 3 national media placements by Q3*
- **Strategy: the overarching approach to get there**
 - *Example: Leverage case milestones to create news hooks*
- **Tactic: the specific activity you execute**
 - *Example: Pitch Reuters on filing day; offer exclusive CNN interview with plaintiff*

BUILDING A MEDIA STRATEGY THAT SERVES THE LEGAL STRATEGY

When to go public (and when not to):

- Not every case is media-ready; **not every milestone is a news hook**
- "Why now?" is a non-negotiable question. **If you can't answer it, the case isn't ready for media**
- Media timing must be **coordinated with legal strategy**, especially around filings, hearings, and settlement windows

FINDING YOUR SOUNDBITE: DISTILLING COMPLEX CASES INTO CLEAR, QUOTABLE LANGUAGE

- Reporters don't report legal theories — they report human stories
- What makes a story newsworthy: conflict, negative impact, human interest, timeliness
- Message development process:
 - Pull relevant facts and build a timeline
 - Identify the key narrative — what story do we want to tell?
 - Align with the client on focus and priorities
 - Anticipate tough or hostile questions



FINDING YOUR SOUNDBITE: DISTILLING COMPLEX CASES INTO CLEAR, QUOTABLE LANGUAGE

- What strong key messages look like:
 - **Clear:** no jargon, no legalese
 - **Short:** one to two sentences max
 - Every message should be **tied to the objective** and advance the goal
 - **Repeatable:** anyone can say it naturally, under pressure
 - **Quotable:** a reporter could pull it directly into a story
- **The soundbite test: can a non-lawyer understand it in <10 seconds?**



STAYING ON MESSAGE:

HOW TO AVOID SAYING MORE THAN YOU MEAN TO

- Ground rules — **always clarify terms** before speaking with a reporter:
 - **On the record:** can be quoted and attributed by name (the default)
 - **On background:** can be published but not attributed to you by name
 - **Off the record:** cannot be published or used in any form; must be agreed before the conversation begins
 - **"No comment":** avoid at all costs (ex. "No comment." versus "[XYZ] could not be reached for comment.")

STAYING ON MESSAGE:

HOW TO AVOID SAYING MORE THAN YOU MEAN TO

- Reporters are professional interviewers — **they are not your friend**
 - Their sole job is to get the story
 - They may have their own agenda
 - They are under constant deadline pressure
 - The interview is never over until you hang up the phone or walk out the door

STAYING ON MESSAGE:

HOW TO AVOID SAYING MORE THAN YOU MEAN TO

- Discipline in practice:
 - Don't fill silence; stop talking when you've answered the question
 - Avoid jargon, pronouns when describing corporations/institutions, and speculation
 - Never say anything you wouldn't want on the front page
 - "Off the record" doesn't exist until you establish it
- Best practice: If unsure how to answer a tough question, let the reporter know you'll get back to them — never “wing” it.

HANDLING TOUGH QUESTIONS

BRIDGING, BLOCKING, AND REFRAMING IN REAL TIME

Technique	
The Pause	Report
Negative Framing	"Isn't it
Leading Questions	Questi

HANDLING TOUGH QUESTIONS

BRIDGING, BLOCKING, AND REFRAMING IN REAL TIME

- **Bridging:** transitioning from a difficult question to your key message
 - "What's most important here is..."
 - "What I can tell you is..."
 - "That's actually why we're here today..."
- **Blocking:** declining to engage with a line of questioning that doesn't serve the strategy
 - Correct the premise; redirect to what you can speak to
- **Reframing:** when you've said too much or gone off message
 - Acknowledge and pivot: "Let me be more precise about that..."
 - Always return to the key message

RECOGNIZING STRESS RESPONSES IN INTERVIEWS AND MANAGING THEM

- **High-stakes interviews trigger real physiological stress responses — in both attorneys and clients**
- Common stress responses to recognize:
 - Over-talking / difficulty stopping (nervous system in overdrive)
 - Going blank / losing access to key messages (freeze response)
 - Flat affect or emotional detachment (dissociation)
 - Anger or defensiveness (displaced fear)
 - Over-disclosure (nervous need to fill silence or establish trust)
- What's happening in the body: fight/flight/freeze activates when the stakes feel threatening — even in a media context



RECOGNIZING STRESS RESPONSES IN INTERVIEWS AND MANAGING THEM

- Managing your own stress response:
 - Preparation is the single greatest regulator — the more practiced you are, the less activated you become
 - Slow down physically: deliberate pause before answering, controlled breathing
 - Return to your anchor: "What is my one key message right now?"
 - It's okay to say: "Let me think about that for a moment"
- **Key takeaway:** Stress responses are nervous system reactions — not character flaws, not lack of preparation



PREPPING CLIENTS WITHOUT RETRAUMATIZING THEM

- Many plaintiffs are living with real trauma — visible and invisible
 - 67% of people have at least one Adverse Childhood Experience (ACE)
- Trauma affects trust, memory, communication, and how clients engage with authority
- Our job is not to diagnose or treat — **it is to communicate with awareness and care**



PREPPING CLIENTS WITHOUT RETRAUMATIZING THEM

- Trauma-informed principles for media prep:
 - Ask permission before placing clients in media-facing situations
 - Prepare clients for exactly what to expect to reduce surprise / unknown
 - Never frame a client's suffering as 'good for the case'
 - Always restore agency: "You are always in control of what you choose to share"
 - Offer choice at every decision point; never pressure a narrative
 - Slow down when a client shuts down — never push through



PREPPING CLIENTS WITHOUT RETRAUMATIZING THEM

What You See	Common M
Goes silent before interview	Reluctance or dish
Becomes angry at logistics	Irrational
Misses prep deadlines	Irresponsible



Compassion fatigue reminder: working closely with trauma-affected clients affects us too; know your own triggers and maintain boundaries

THE 4 “R’S” OF TRAUMA INFORMED PRACTICE APPLIED TO MEDIA PREP

- **Realize:** clients who have been harmed are often trauma-affected
- **Recognize:** learn to identify stress and trauma responses (silence, anger, flooding, withdrawal)
- **Respond:** adjust your communication — slow down, offer choice, reduce pressure
- **Resist:** actively prevent retraumatization at every stage of the prep process

THE FRAMEWORK: PUTTING IT ALL TOGETHER

- Media strategy is a closed loop:
 - Goal & Objective → Strategy → Audience → Messaging & Tactics → Results → Amplification
- The article being published is not the finish line — amplification extends the life of every placement
 - It is also important to fact check each article and request corrections, as needed
- After the interview: debrief with client, follow up with reporter, monitor for publication, fact check, and amplify publication





PART TWO: WORKSHOP

When, Why, and How Media Moves the Needle

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EXERCISE 1:

Good Messaging v. Bad Messaging

Case Scenario:

A national hotel chain failed to install basic security measures at a franchise property. A female guest was assaulted in a poorly lit parking garage. The guest is filing suit.

Goal: build public awareness and attract additional plaintiffs.

EXERCISE 1:

Good Messaging v. Bad Messaging

The Soundbite:

"Our client sustained significant physical and psychological injuries as a proximate result of the defendant's failure to implement adequate security protocols at the subject property."

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Legalese/confusing.

EXERCISE 1:

Good Messaging v. Bad Messaging

The Soundbite:

"[Hotel chain] knew that the lack of security measures in its parking garage was dangerous and did nothing. A woman was attacked because they chose profit over basic safety."

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Clear, short, quotable. Establishes conflict, names the wrongdoer, puts the human story at the center.

EXERCISE 1:

Good Messaging v. Bad Messaging

The Supporting Message

"We are pursuing all available legal remedies to ensure that our client receives the full measure of compensation to which she is entitled under applicable law."

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Says nothing. Every plaintiff's attorney says this. Not quotable, not memorable, not human.

EXERCISE 1:

Good Messaging v. Bad Messaging

The Supporting Message

"We're filing this case so that what happened to our client doesn't happen to the next person who enters this parking garage."

EXERCISE 1:

Good Messaging v. Bad Messaging

The Supporting Message

"We're filing this case so that what happened to our client doesn't happen to the next person who enters this parking garage."



Forward-looking. Shows purpose beyond money. Invites the public to see themselves in the story.

DISCUSSION PROMPTS

Good Messaging v. Bad Messaging

What's the first thing you wanted to fix about the bad versions?

What makes the good versions feel risky to some attorneys — and why does that instinct work against you?

EXERCISE 2:

Working with a Reporter - Negative Framing + "The Pause"

A reporter says...

"Isn't it true that your client waited almost two years to file this lawsuit? That seems like a pretty long time."

EXERCISE 2:

Working with a Reporter - Negative Framing + The Pause

Response:

"Well, yes, there was a delay, but I want to explain that — there are statutes of limitations and discovery rules that govern when cases can be filed, and frankly the defense has been obstructing, so to characterize a two-year period as somehow problematic is really—"

EXERCISE 2:

Working with a Reporter - Negative Framing + The Pause

Response:

"Well, yes, there was a delay, but I want to explain that — there are statutes of limitations and discovery rules that govern when cases can be filed, and frankly the defense has been obstructing, so to characterize a two-year period as somehow problematic is really—"



What Happened:

Repeated the negative ("delay," "two-year period"). Got defensive.
Lost the message entirely. Gave the reporter three new angles.

EXERCISE 2:

Working with a Reporter - Negative Framing + The Pause

Response:

"What I can tell you is that my client spent those two years trying to heal. She came to us when she was ready to pursue justice. And what we found when we looked at the evidence is that [hotel chain] had complaints about this garage going back years."

EXERCISE 2:

Working with a Reporter - Negative Framing + The Pause

Response:

"What I can tell you is that my client spent those two years trying to heal. She came to us when she was ready to pursue justice. And what we found when we looked at the evidence is that [hotel chain] had complaints about this garage going back years."



What Happened:

Ignored the reporter's framing. Bridged to the client's humanity.

Pivoted to the stronger story: the defendant knew.

EXERCISE 2:

Working with a Reporter - The Hypothetical

Reporter says...

“What would you say to critics who argue that cases like this are just about extracting money from corporations?”

EXERCISE 2:

Working with a Reporter - The Hypothetical

Response

"I mean, I'd push back on that characterization. I think that's an unfair reading of what we do. Litigation serves an important function in our society and without the plaintiff's bar corporations would—"

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Working with a Reporter - The Hypothetical

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Took the bait. Arguing with "critics" no one named. Sounds defensive. Never got back to the client or the facts.

EXERCISE 2:

Working with a Reporter - The Hypothetical

Response

"I'm focused on [client's name]. She was attacked in a place she had every reason to believe was safe. This case is about making sure that doesn't happen to someone else."

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Working with a Reporter - The Hypothetical

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What Happened:

Declined the hypothetical. Returned to the human perspective.

Ended on purpose, not defensiveness.

EXERCISE 2:

Working with a Reporter - Just One More Thing

Reporter says (after wrapping)...

"Great, thanks so much. Oh — one quick thing. Is there any chance your client would be open to a settlement before this goes to trial?"

EXERCISE 2:

Working with a Reporter - Just One More Thing

Response

"I mean, every case has a settlement value, and obviously if the defendant came to the table with a serious offer we'd have a conversation, but right now our focus is on—"

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What Happened:

The interview was over. They answered a question they had no business answering. Reporter now has a quote about settlement.

EXERCISE 2:

Working with a Reporter - Just One More Thing

Response

"I don't comment on litigation strategy. Thanks for your time today."

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What Happened:

Full stop. The interview ended when they decided it ended, not when the reporter asked one more thing.

DISCUSSION PROMPTS

Working With a Reporter

Where did the bad responses feel natural or even reasonable in the moment?

What's the internal voice that makes attorneys over-explain? How do you quiet it?

What does a good bridge feel like versus a dodge — and how do you tell the difference?

OPEN FLOOR Q&A



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GET IN TOUCH



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