

The Story's Already Been Told:

How News Reporting Can Impact Defense and Trial Strategy

1. Identify early on whether your matter may incur increased scrutiny and attention due to public profile or news reporting or other media coverage.
2. Align with potential “team members” that may assist in combating against news coverage or media scrutiny, such as public relations professionals, subject matter experts, and attorneys.
3. Use the resources of the team to best determine legal strategy given the news reporting or media coverage. Will the media coverage influence defense positions or strategies? Impact discovery efforts? Impact witness identification or preparation? Potentially impact the jury?
4. Develop a strategy early on to mitigate the news coverage or media’s impact on the case.
5. Consider how media exposure may impact the ability to resolve the case through settlement, impact the perception of the client at trial, or influence trial strategy.

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