

A Practical Guide to **LITIGATION AND CRISIS MANAGEMENT COMMUNICATION**

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- ✓ Provide practical guidance for when a City should consider speaking.
- ✓ Clarify who should speak to the media and under what circumstances.
- ✓ Developing protocols for Cities in critical incident cases.
- ✓ Identifying the risks of ill-timed or ill-considered communications.
- ✓ Offer specific talking points.

When Should the City Consider Speaking?



Will this statement help the City provide necessary information to protect public safety, or maintain essential public confidence?

Considerations Prior To Making A Statement

Legal Considerations

**Public Statements as
Admissions**

Pending Litigation

**Ongoing
Investigations**

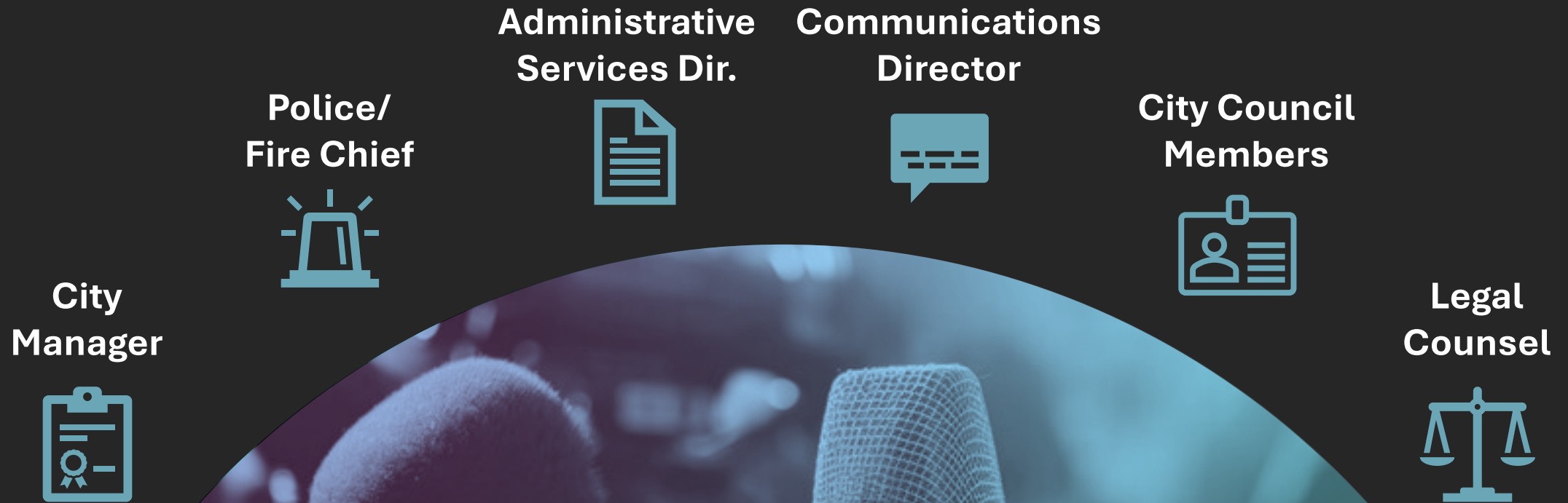
**Personnel
Matters**

**Will it be 100% true,
100% of the time?**

Who Should Speak to the Media During a Crisis or Litigation?



POTENTIAL SPOKESPERSONS



Developing Communications Protocols

Chain of command

**Approval
processes**

**Holding
statements**

**Social media
guidelines**

**Coordination with
legal counsel**

**Routing rules for elected
officials and staff**

Best Practices and Talking Points for City Council Members

Avoid speculation or discussing liability.

Refer all inquiries to designated spokesperson.

Stick to prepared talking points.

Protect confidential information.

Consult City Manager/City Attorney before responding.

Best Practices for Media Communications During Litigation

**Avoid discussing fault,
liability, evidence,
settlement, or
discipline.**

**Use neutral
language.**

**Emphasize
process.**

Ill-Timed or Ill-Considered Communications

Risk of inaccurate or misleading communications.

Privacy and confidentiality exposure.

Interference with Investigations.

Violation of privileged communications.

Public record compliance risk.

Creation of adverse evidence.

Personal and organizational legal exposure.

TALKING POINTS

“Our thoughts are with everyone affected...”

“The City does not comment on pending litigation...”

“Personnel matters are confidential...”

“The incident is under review...”

*Please refer to specific talking points reflected in Attachment A to our paper.

PHRASES TO AVOID

Admissions of fault

Comments on settlement likelihood

Statements about employee wrongdoing

CONCLUSION

Crisis and litigation communication is a risk management tool when used properly.

Unified, disciplined messaging protects the City and maintains public trust.