

**APPLYING POWER RELATIONS THEORY TO UNDERSTAND THE  
RELATIONSHIP BETWEEN PUBLIC RELATIONS PRACTITIONERS AND  
IN-HOUSE COUNSEL DURING A CRISIS**

by

JUDITH BROWN

(Under the Direction of Bryan Reber)

**ABSTRACT**

The research examines the amount of influence and the relationship between the legal and PR departments during the three stages of crises: pre-crisis, crisis and post-crisis evaluation. The research shows that practitioners do not follow the exact model of gaining influence outlined by the power relations theory. Practitioners use individual influence resources to gain influence instead of relational influence resources.

The research finds that public relations practitioners do have a significant amount of influence, yet their influence did depend largely on the specific crisis situation. More often than not, crisis management is not handled entirely by legal or PR, but rather it is a collaborative effort.

**INDEX WORDS:** Crisis, Public Relations Practitioners and Lawyers, Crisis Management, Power relations theory

APPLYING POWER RELATIONS THEORY TO UNDERSTAND THE RELATIONSHIP  
BETWEEN PUBLIC RELATIONS PRACTITIONERS AND  
IN-HOUSE COUNSEL DURING A CRISIS

by

JUDITH BROWN

B.S., University of Florida, 2006

A Thesis Submitted to the Graduate Faculty of The  
University of Georgia in Partial Fulfillment of the Requirements for the Degree

MASTER OF ARTS

ATHENS, GEORGIA

2008

© 2008

Judith Brown

All Rights Reserved

APPLYING POWER RELATIONS THEORY TO UNDERSTAND THE RELATIONSHIP  
BETWEEN PUBLIC RELATIONS PRACTITIONERS AND  
IN-HOUSE COUNSEL DURING A CRISIS

by

Judith Brown

Major Professor: Bryan Reber

Committee: Lynne Sallot  
Wendy Macias

Electronic Version Approved:

Maureen Grasso  
Dean of the Graduate School  
The University of Georgia  
May 2008

## **ACKNOWLEDGEMENTS**

I would first like to thank my thesis committee, Dr. Wendy Macias, Dr. Lynne Sallot and especially, Dr. Bryan Reber. I sincerely appreciate each of their efforts in ensuring the success of this project. I especially thank Dr. Reber's time, commitment, and patience during this process. He has been a valuable asset to see the completion of this project through.

I would also like to thank family, friends, classmates and former classmates for their constant encouragement and willingness to help in any way to help me to complete my thesis. I am also very appreciative of my former classmate and mentor as well as current classmates for helping me to complete this document by answering my questions or just offering encouraging words throughout the semester.

## TABLE OF CONTENTS

	Page
<b>ACKNOWLEDGEMENTS</b> .....	iv
<b>LIST OF TABLES</b> .....	viii
<b>CHAPTER</b>	
<b>1 INTRODUCTION</b> .....	1
<b>2 LITERATURE REVIEW</b> .....	3
<i>Why Public Relations Practitioners and In-House Counsel?</i> .....	3
<i>Why Should PR Practitioners be Influential?</i> .....	8
<b>3 THEORETICAL FOUNDATION</b> .....	11
<i>Power in Power Relations Theory</i> .....	14
<i>Power-Over Relations</i> .....	15
<i>Power-To Relations</i> .....	18
<i>Power-With Relations</i> .....	20
<i>Power-Relations: A Model</i> .....	20
<i>Structural Influence</i> .....	21
<i>Relational Influence</i> .....	21
<i>Individual Influence</i> .....	22
<i>Other Forms of Influence</i> .....	22
<i>Influence (Alpha) Tactics</i> .....	23
<i>Research Questions</i> .....	24

<b>4</b>	<b>METHODOLOGY</b> .....	25
	<i>The Sample: Public Relations Practitioners</i> .....	26
	<i>The Sample: In-House Lawyers</i> .....	26
	<i>Interview Protocol</i> .....	27
	<i>The Interview Method</i> .....	28
	<i>Retrieving PR Sample</i> .....	29
	<i>Retrieving Lawyer’s Sample</i> .....	30
	<i>Interview Questions</i> .....	31
<b>5</b>	<b>RESULTS</b> .....	32
	<i>Demographics</i> .....	32
	<i>Examining PR Practitioners and Power-With Relations</i> .....	33
	<i>The Relationship between PR Practitioners and Lawyers</i> .....	36
	<i>Relationship Development before a Crisis</i> .....	37
	<i>PR Practitioners during the Pre-Crisis Planning Stage</i> .....	39
	<i>PR Practitioners’ Influence during the Crisis</i> .....	43
	<i>Public Relations Strategies Used to Manage Crises</i> .....	50
	<i>How the Company Manages Crises</i> .....	56
	<i>PR Practitioners’ Influence during Post-Crisis Evaluation</i> .....	57
	<i>PR’s Role during the Three Stages of Crisis</i> .....	61
	<i>PR Gaining Influence to Manage Crises</i> .....	62
	<i>Examining Lawyers: Relationship with PR Practitioners</i> .....	65
	<i>Examining Relationships before and during Crises</i> .....	67
	<i>Legal’s Role during the Three Stages of Crisis</i> .....	68

<b>6</b>	<b>DISCUSSION AND IMPLICATIONS</b> .....	70
	<i>Validity and Reliability</i> .....	80
<b>7</b>	<b>LIMITATIONS</b> .....	81
<b>8</b>	<b>CONCLUSION</b> .....	83
	<b>REFERENCES</b> .....	85
	<b>APPENDIX</b> .....	89
	<b>A Interview Protocol</b> .....	89
	<b>B Interview Questions: PR</b> .....	91
	<b>C Interview Questions: Legal</b> .....	92
	<b>D First E-mail Solicitation</b> .....	93
	<b>E E-mail Solicitation: Thank You</b> .....	93
	<b>F E-mail Solicitation: Confirmation</b> .....	93

## LIST OF TABLES

	Page
Table 1.0: PR Practitioners & Power-with Relations .....	94
Table 1.1: Examples of Power-with Relations .....	94
Table 2.0: Relationship during Crises.....	95
Table 3.0: Role of PR before a Crisis According to PR .....	96
Table 3.1: Role of PR before a Crisis According to Lawyers .....	97
Table 3.2: Role of Legal before a Crisis According to Lawyers .....	98
Table 3.3: Role of Legal before a Crisis According to PR .....	99
Table 4.0: Role of PR during a Crisis According to PR.....	100
Table 4.1: Role of PR after a Crisis According to PR .....	102
Table 4.2: Role of PR during a Crisis According to Legal.....	104
Table 4.3: Role of Legal during a Crisis According to Legal.....	106
Table 4.4: Role of Legal after a Crisis According to Legal.....	107
Table 4.5: Role of Legal during a Crisis According to PR.....	108
Table 4.6: Legal after a Crisis According to PR.....	110
Table 5.0: Strategies to Gain & Maintain a Relationship According to Legal.....	111
Table 5.1: The Relationship between Legal and PR According to Legal.....	112
Table 5.2: Description of Legal and PR during a Crisis According to Legal.....	113
Table 6.0: Public Relations Strategies According to PR .....	114
Table 7.0: Legal Communication Strategies According to PR.....	115

Table 8.0: How the Company Manages Crises According to PR.....	116
Table 9.0: Ideal Role of PR According to PR.....	118
Table 10.0: Legal Communication Strategies According to Legal.....	119
Table 11.0: PR Strategies According to Legal.....	120
Table 12.0: How the Company Manages Crises According to Legal.....	121
Table 13.0: Ideal Role of Legal According to Legal .....	122
Table 14.0: Demographics: Legal.....	123
Table 14.1: Demographics: PR.....	123

## **CHAPTER 1: INTRODUCTION**

This study examines the relationship between in-house legal counsel and public relations practitioners during a crisis. This includes pre-crisis, during the crisis and post-crisis plans and strategies. The focus of the research examines the amount of influence each department holds during these three stages. This thesis analyzes the research conducted on the relationship between public relations practitioners and lawyers and examines why public relations practitioners should be highly influential and a member of the dominant coalition. Berger and Reber's (2006) power relations theory is then examined together with other theories and research on which power relations concepts are established.

This research is important because for a crisis situation to be handled correctly, it is essential that the public relations practitioner have a substantial influence within the company. According to J.E. Grunig (1992), public relations strategies can help an organization or business build relationships with primary publics to minimize the possibility of a crisis (J.E. Grunig, 1992). According to Fitzpatrick and Rubin (1995), public relations strategies are more effective than legal strategies because they result in stronger relationships with primary publics. This relationship can improve the overall reputation of the company and therefore have a positive impact on revenue and profits (Fitzpatrick & Rubin, 1995).

This research benefits the public relations profession by determining the amount of influence obtained by practitioners during crisis management. By having a realistic

perception of their power and influence during each stage of a crisis, public relations practitioners can determine the amount of influence that is held and develop strategies to increase it, if necessary. Lee, Jares and Heath (1999) conducted research that concluded that public relations professionals do possess a great amount of influence during and after a crisis, yet called for more research to be conducted to determine whether this was an emerging trend. Fitzpatrick and Rubin (1995) also conducted research on legal and public relations strategies used during a crisis. According to the results, legal strategies are used two-thirds of the time when responding to allegations. This may seem like a disconcerting number to public relations practitioners, yet the purpose of this research is to suggest that more in-depth research be used to determine whether this study truly reflects the influence of in-house legal counsel. Understanding the amount of influence currently held by public relations practitioners can lead to a more influential role in crisis communication and crisis management. According to Fitzpatrick and Rubin (1995), public relations strategies should be used because they can create a more beneficial relationship with the public for a longer period of time. Legal strategies tend to be short-sighted and potentially costly to the organization's reputation (Fitzpatrick & Rubin, 1995)

The current research on in-house counsel and public relations practitioners does not conclude which department maintains the most influence during a crisis. Yet, there is research that examines their relationship during a crisis. More research is needed to conclude the amount of influence held by public relations practitioners during a crisis as compared to in-house counsel.

## **CHAPTER 2: LITERATURE REVIEW**

### ***Why Public Relations Practitioners and In-House Counsel?***

The relationship between public relations practitioners and in-house lawyers is complex. Both professions are important to a corporation, but the goals and objectives of the departments are different. Public relations professionals believe that lawyers do not understand the importance of a positive public image. On the other hand, lawyers claim that public relations practitioners are unaware of the legal issues, such as possible litigation, that can arise from a company disseminating too much information to primary publics (Reber, Cropp & Cameron, 2001).

The purpose of researching the relationship between in-house legal counsel and public relations practitioners is to manage the relationship more effectively. By understanding the strengths and weaknesses of the relationship, practitioners can work together efficiently to meet a common goal. Another purpose for researching the relationship between lawyers and PR practitioners is to better understand the relationship between organizations and their publics. Intra-organizational and interpersonal relationships play an important role in managing stakeholders and other components of the communications structure (Ferguson, 1984).

The relationship between the communications and legal departments becomes even more important during a crisis situation. Due to the possible litigation as well as damage to a corporation's credibility, both departments are essential in properly handling a crisis situation. Both departments play an important role in disseminating messages and

in implementing strategies that decrease possible liability as well as improving trust and maintaining a healthy relationship with primary publics and stakeholders.

The complexity of the relationship can be seen in the different strategies each department uses to manage a crisis. As stated above, lawyers use strategies that do not support corporate transparency. Public relations practitioners' strategies and tactics often include key messages and constant communication. Reber et al. (2001) stated that the relationship between PR practitioners and in-house legal counsel can become more divisive during a crisis situation as compared to a normal work environment. Because the dynamics of the relationship can change, it becomes important to study why and how best to mediate the situation before an issue or crisis occurs.

The importance for the two departments to work together is essential during a crisis (Reber et al. 2001). Birch (1994) recommended that lawyers and public relations practitioners both be involved during a crisis. This will allow each department to properly explain its role and the importance of that role to effectively minimize the situation (Reber et al., 2001; Birch, 1994). This can be done by each department explaining its strategies and the goals and objectives that meet by utilizing them. This will allow each department to become more knowledgeable about the other and therefore be able to work better together.

Both public relations and in-house legal counsel contribute to the efficiency of crisis management. Communication professionals believe in being open with the public including the media. The transparency strategy favorably affects public opinion and increases credibility. Although this tactic increases the amount of liability if the situation

were to turn into a law suit, many corporate leaders believe in transparency when managing a crisis (Martinelli & Briggs, 1998).

Lawyers also have a great deal of influence when managing a crisis. One of a lawyer's primary concerns is that the company does not make a statement that could prove detrimental in a court proceeding. Any communication that is disseminated should be approved by the legal team to ensure that the company does not admit legal responsibility (Martinelli & Briggs, 1998).

Based on the aforementioned research, the Crisis Management Group, public relations firm Weber Shandwick, and Dorsey and Whitney Attorneys at law, recommend the following strategies:

- (1) Involve communications counsel in determining action and involve legal counsel in determining messages
- (2) craft communications that show compassion and accept an accurate amount of responsibility.
- (3) choose advisors who have credible expertise and the ability to communicate key messages;
- (4) optimize the use of the communications counsel while minimizing the risk of privilege waiver,
- (5) respond quickly to the media with key messages about the company's goals and practice;
- (6) respond appropriately to legal issues while avoiding the appearance of stonewalling,
- (7) train spokespersons, executives and customer contacts to deliver key messages; and
- (8) assure that the organization's crisis communications stand the test of time (Crisis Management Group; Martinelli & Briggs, 1998, p. 445).

Fitzpatrick and Rubin (1995) also provides a model for public relations practitioners and in-house legal counsel to work efficiently. Mixed strategies are defined as the communication and legal strategies used during a crisis. The purpose is to improve the reputation of the corporation while at the same time not making the company legally liable during a lawsuit. These strategies include: (1) diverting media and public attention away from the accusations, (2) proclaiming outrage toward the incident or person responsible for the crisis while not taking substantive action, (3) disseminating messages that state the problem that has caused the crisis is solved or the person responsible is leaving the company (Fitzpatrick & Rubin, 1995).

Although these departments have different goals in mind, Frankel (1995) stated that the synergy between communication departments and the legal team is growing. He stated that lawyers are beginning to realize the importance of not staying silent through a crisis, yet communicating with stakeholders through the media. He also stated that when an organization is involved in a legal matter, the public relations practitioner can protect the image and reputation among key stakeholders (Frankel, 1995).

For the public relations practitioner to gain a maximum amount of influence during a crisis, the practitioner must understand legal terminology and concepts. It is also important for PR practitioners to develop and maintain a relationship with in-house legal counsel. By understanding the law and taking advantage of the relationship between the two departments, PR practitioners will be able to become more involved in the crisis management process, thus gaining more power and influence within the corporation (Frankel, 1995).

We know that legal and communications departments are different, but Hoger and Swem researched and analyzed why. According to Hoger and Swem (2000) the differences between the legal and communications departments fall under four categories: “understanding of time and timing, traditions and strategies, audience relationships and approaches to message construction” (p.425).

The category of “understanding of time” refers to the best time, based on the opinions of each profession, when to respond to a crisis. Lawyers are prone to respond based on the previous statutes that have been established by previous cases. The public relations professional as well as lawyers will respond based on what is best for the organization and its future which usually means making appropriate responses publicly and quickly. Hoger and Swem stated:

“The lawyer fears the action that is communication and the PR specialist fears the inaction that comes with no communication” (p. 429).

Another category that examines the differences between each profession is “traditions and strategies.” Under this category, the authors are examining the origins of each profession and how this relates to the ways in which they respond to a crisis. The legal profession has a strong history and receives a three-year training that occurs after a four-year program. Public relations specialists usually come from numerous backgrounds and specialties. The authors noted that the profession itself does not have the status that has been obtained by the legal profession (Hoger & Swem, 2000).

The third category is “audience relationships.” Although each profession serves its primary audience, both professions prioritize and communicate with audiences differently. A lawyer’s main audiences are other lawyers, judges and other members of

the legal system. A practitioner's primary audience varies from internal to external stakeholders. The messages that are used to communicate to this public are also more likely to be under more interpretation and revision (Hoger & Swem, 2000).

The final category is "approaches to message construction." Based on research conducted by Hoger and Swem (2000), both professionals must be aware of the law and ensure that the messages that are constructed are in fact true. Yet, the lawyer includes information that is legally accurate to ensure that the client or organization is protected from any prosecution. The public relations practitioner will use language that is easy to understand and is persuasive (Hoger & Swem, 2000).

### ***Why Should PR Practitioners be Influential?***

For crises to be handled efficiently, it is best for public relations practitioners to have substantial influence. According to Fitzpatrick and Rubin, legal strategies are short-sighted and potentially costly to the organization. The strategies that Fitzpatrick (1995) suggests in her study are (1) investigate the allegations, (2) state the company policy concerning the particular issue or situation, (3) be candid with publics including the news media, (4) voluntarily admit that a problem does exist if it applies, and (5) announce and implement corrective action (Fitzpatrick & Rubin, 1995).

According to Fitzpatrick and Rubin's research, corporations use legal strategies more than traditional public relations strategies during a crisis (Fitzpatrick & Rubin, 1995). This research was conducted using content analysis of thirty-nine newspaper articles reporting on sexual harassment cases in major corporations. Although this research provided insight into the public relations field, additional research is needed to

clearly determine the influence obtained by corporate lawyers and public relations practitioners.

Public relations strategies are the most effective during a crisis because these strategies improve the corporation's image to primary publics. Early response is important during a crisis because it limits the damage to a company's reputation. "Prompt, open responses minimize damage potential" (Brody, 1991, p. 189 as cited in Benoit, 2004, p.263). The symbolic approach theory, developed by Allen and Caillouet is used to examine the importance of public relations in managing the effects of a company's reputation after a crisis situation. The first component of the theory states that crisis situations threaten a corporation's image and therefore one of the goals of crisis management is to protect and repair a damaged image (Allen & Caillouet, 1994; Benoit, 1995). The second component of the theory is that the circumstances of the crisis influence the communication strategies of the crisis manager (Benoit, 1995; Benson, 1998; Coombs, 1995; Hobbs, 1995). The fact that the crisis manager must understand the importance of image means that a manager must be a public relations or communications professional.

As aforementioned, public relations practitioners should be influential during a crisis. Yet, the likelihood increases if they are a member of the dominant coalition or, colloquially phrased, "have a seat at the table." This means that PR practitioners are more likely to act as "powerful managers...exerting influence over decision making and establishing cooperative relationships with legal counterparts in the process of crisis management" (Dozier, 1984, p. 253). This is based on J.E. Grunig's Organizational Excellence theory. According to Wisenblit (1989), a company's crisis management team

is headed by the chief executive officer or president, director or vice president of public relations and other employees in the company. Although Wisenblit concluded that the person in charge of public relations is an essential component of the team, it is still unclear as to the amount of influence this person holds in the company (Wisenblit, 1989).

Lee, Jares and Heath (1999) also discussed the term legal encroachment. It is defined as the act of an attorney making a communication decision for the company. The authors found that legal encroachment was common before a crisis, yet during and after the crisis top management relied on communications management for advice (Lee, Jares, Heath, 1999). In order for legal encroachment not to take place, public relations professionals must achieve a certain amount of power within the organization and understand legal terminology and concepts.

Although it is essential for public relations practitioners to be influential in a crisis situation, communications professionals should have at least a basic understanding of the law (Fitzpatrick, 1996). Based on Fitzpatrick's research, practitioners who lack knowledge of important legal concepts could be placing their corporation as well as themselves in danger of litigation. The research also found that public relations practitioners who understand important legal terms are least likely to experience legal encroachment (Fitzpatrick, 1996).

### **CHAPTER 3: THEORETICAL FOUNDATION**

There have been numerous academics and professionals who believe public relations professionals do not have enough power to adequately influence the strategy and direction of their organization (Berger & Reber, 2006). Berger and Reber created the power relations theory to increase the amount of power and influence held by professionals. This study will now examine other scholars' research on the subject of power and influence within the public relations field.

Based on the research conducted by numerous scholars, public relations professionals must be members of the dominant coalition to achieve power within an organization. Power is defined as the "capacity of one social position to set the conditions under which other social positions must perform" (Hage & Aiken, 1970, p. 19). J.E. Grunig (1992) defined power as "the relative position the public relations department occupies within the organizational structure" (p. 485).

Roles theory is another model that examines the power dynamic within the field of public relations. There are two distinct professionals within the public relations field, which both wield different levels of power: the technician and the manager. Dozier (1983) stated that managers are public relations professionals who determine the policies of the department and are held accountable for the successes and failures within a communications department. These individuals are also viewed by other members of the organization as public relations experts. Technicians are professionals who are responsible for disseminating the communication materials that support the manager's

goals and objectives. These materials include press releases, media advisories, etc. (Dozier, 1983). Research states that most PR practitioners are managers and technicians, yet those professionals who exhibit more of the manager role and responsibilities are the most powerful and influential within an organization.

Roles theory states that a professional's amount of power will depend on that person's role within the organization and the decision-making process. Those professionals who make administrative decisions and are in charge of operational tasks such as budgets and timelines will yield little intra-organizational power. Professionals who make strategic decisions such as environmental scanning and policy decisions are more likely to maintain high intra-organizational power (Dozier, 1986; J.E. Grunig, 1990; Lauzen, 1992).

Strategic contingencies theory, developed by Hickson, Hinings, Lee, Schneck and Pennings (1971), also states that power resides in those professionals who are in the manager role. There are three factors that determine interdepartmental power. *Centrality* is when the department's activities and programs are linked into the goals and objectives of the organization. Centrality occurs when those professionals who lead these departments are involved in the decision-making process (Hickson et al., 1971; Lauzen, 1992). Another component of the theory is the substitutability of the field. This is the lack of ability for a department to provide specialized skills, products or services that an individual will not be able to receive elsewhere. Public relations is a substitutable field. Numerous public relations professionals are not trained and do not have specialized skills (Hickson, 1971; Lauzen, 1992). Based on a study conducted by J.E. Grunig, numerous practitioners do not have a public relations/communications background (Grunig, 1976;

Lauzen, 1992). The final component of the theory is *Uncertainty*, “the lack of information about future events, so that alternatives and their outcomes are unpredictable” (Hickson et al., 1971 p. 219). Professionals who reduce the amount of uncertainty within their organization possess the most amount of power within the organization (Hickson et al., 1971).

Scholars have researched the authority and power within an organization as well as with an individual. Wilcox and Cameron (2006) examined the level of authority within an organization. Advisory, compulsory-advisory, concurring and command are four components of authority within corporations. Advisory occurs when management is not able to make recommendations. Compulsory-advisory occurs when management is required to hear recommendations. Concurring happens when several individuals within the corporation must agree to proceed with a task. Finally, command happens when an individual or group of people force another group or individual into deciding on a particular task. Managers who concur are those who maintain the most power within an organization (Wilcox & Cameron, 2006; Serini, 1993).

Adding to the body of knowledge on power and public relations, Berger and Reber (2006) created the power relations theory. The purpose of the theory is to increase the amount of influence and power public relations professionals hold within organizations. They state:

We focus on influence (the use of power) and how professionals can develop, mobilize, and use it to become more active, effective, and ethical agents in organizational decision making. We believe that individual professionals can increase their influence if they become more politically

astute, employ more diverse influence resources and tactics, and exert greater political will in organizational arenas where decisions are shaped through power relations (Berger & Reber, 2006, p. 2)

This particular theory is the most appropriate due to the fact that it states that it is important for public relations practitioners to be a part of the dominant coalition. Berger (2005) states, “public relations managers...must be part of the dominant coalition if they are to favorably influence organizational choices, ideology and practices” (p. 8; Daugherty (2001). Power relations theory will now be examined in greater detail.

### ***Power in Power Relations Theory***

Power, as it relates to this particular theory, is the capacity that allows individuals to get something done or to motivate others to do what you have asked of them. Influence is the utilization of that power (Berger & Reber, 2006). This is an important component of gaining influence within public relations because by having a large amount of influence within a company, the public relations practitioner can advise and have an impact in the strategic decision making surrounding a crisis. Power or “gaining a seat at the decision-making table” is also considered one of the most important issues facing public relations, according to Berger and Reber (2006).

According to Berger (2005), the theory is comprised of three different components: power-over relations, power-with and power-to relations. Power-over is defined as dominance where decision making is characterized by control, instrumentalism and self-interest. Power-with public relations reflects an empowerment model where dialogue, inclusion and shared power guide decision making. Power-to

relations represent the actions that attempt to counter the dominant power within an organization.

### *Power-Over Relations*

As aforementioned, power-over relations is about control and self-interest. Hardy and Clegg (1996) described power-over relations as a top-down management model where power is equated with the structures that dominate particular interests. Mumby (1997,) describes power over relations as the “non-coercive domination through which subordinated groups actively consent to and support belief systems and structures of power relations that do not necessarily serve...those group’s interests (p. 344).”

Under the power-over relations system, PR is seen as an influential variable in only advancing the organization’s goals and objectives. The power-over relations does not take into account the company’s diverse publics and audiences. Because public relations practitioners are meant to be a voice for the people as well as the company, professionals are not taking charge of their own roles and profession. Therefore, they are still only doing what the dominant coalition tells them to do (Berger & Reber, 2006, p. 69).

The result of power-over relations is resistance. Resistance takes place when the person who is left without power uses other forms of power to gain that power and/or influence back or to increase their power and/or influence (Berger & Reber, 2006, p. 54). The practitioner can gain or increase their power by using power-with and power-to relations.

### *Resistance Roles*

Researchers have begun to determine how public relations practitioners gain influence through resistance. Knowles and Linn (2004) define resistance as a reaction against change (Knowles & Linn, 2004; Berger & Reber, 2006). Berger and Reber used the term under two processes: resistance as process and resistance as motivation. The resistance as process occurs when public relations practitioners use influence strategies to go against those persons who use power-over relations. The influence strategies used are commonly accepted within the organization and are more diplomatic. Practitioners use the motivational aspect of resistance to drive themselves to go against organizational policies and actions that pigeon hole public relations practitioners into acting only on behalf of the best interest of the company, not its publics. In order for public relations professionals to resist those who exhibit the power-over relations form of influence, they participate in three kinds of resistance: advocacy, dissent and activism (Berger & Reber, 2006, p. 54).

### *Advocacy*

Advocacy is the act of representing an individual, organization or idea and at the same time persuading a target audience to look favorably on that individual, organization or idea (Edgett, 2002; Berger & Reber, 2006). Advocacy is the foundation of public relations and occurs every day. Whether PR professionals are pitching an idea to the news media about a company's products or services or writing talking points on a crisis, advocacy is the cornerstone of public relations. Based on Berger and Reber's research, advocacy is examined through an internal communications perspective. The authors state that when a PR professional states their point of view on a particular issue or subject or

argues against another professional's point of view, then those arguments are a form of resistance (Berger & Reber, 2006). Yet, members of the dominant coalition only widely accept arguments that place the organization first. Other arguments that only benefit the target audience over the interests of the company are not looked favorably upon by members of the dominant coalition (Berger & Reber, 2006, p. 56).

In order to advocate with the most amount of influence, public relations practitioners must be active members of the dominant coalition. The PR professional within the company must have a voice in organizational strategies and tactics. Once the PR professional has that voice, they can then participate in two-way symmetrical communication, a form of public relations that benefits the organization and its publics equally (Berger & Reber, 2006, p. 56).

### *Dissent*

Dissent, a feeling of disconnectedness with one's company is also a form of resistance in public relations. Dissent can occur because of different ethical views, policy decisions and other organizational actions and inactions. Those who dissent can go about expressing that dissent by informing a boss or other authority in the company about their concerns. This kind of dissent is called direct or articulated (Kassing, 1997; Berger & Reber, 2006, p. 57).

Two other forms of dissent are antagonistic, which means that although an individual believes that it would not be acceptable to speak about their dissent, they do believe they have some protection against recourse from the dominant coalition or other employees such as their position within the company and relationships developed with senior level employees. Displaced dissent occurs when employees believe that their

dissent will cause retaliation (Kassing, 1997; Berger & Reber, 2006, p. 57). This form of dissent is most often shared with people who work outside the organization. Instead of challenging the organizational policies within the company, the dissenter is left to “vent” their frustrations with family and friends. As a result, the issue or problem is not resolved and the employee can become complacent (Kassing, 1997; Berger & Reber, 2006, p. 58).

### *Activism and Activist Approaches*

Activism occurs when groups or organizations attempt to influence public policy, organizational policies and social values through action (L.A. Grunig, 1992b; M.F. Smith, 1997; Berger & Reber, 2006, p. 59). This relates to the study because for public relations practitioners to become more influential, some scholars are pushing for public relations practitioners to become activists in their own right (Berger, 2005; Holtzhausen, 2000; Holtzhausen & Veto, 2002; Mickey, 2003; Berger & Reber, 2006, p. 60). Scholars suggest that public relations professionals become activists by increasing the resources for public relations programs; scholars believe that public relations practitioners should work within their organizations to make public relations ethical by working for the community and the organization.

The two remaining kinds of power relations will now be discussed in greater detail. They are: power to and power with.

### ***Power-To Relations***

Power-to relations strategies occur when PR practitioners “push back” against resistance using dissent and activism approaches. In the power-to relations system, public relations is a political variable that competes with other departments and organizational functions for power and influence. Power-to relations strategies are most aligned with

Omega Approaches to gain influence (Berger & Reber, 2006, p. 69). Omega approaches are not used as commonly as Alpha approaches and are not as organizationally acceptable. Omega strategies include leaking information to the press or other influential publics. The purpose for leaking information may be to gain influence concerning a specific action taken by the company that the PR professional believes is inappropriate. Another strategy is planting rumors in the organization's "grapevine." The purpose for using this particular strategy is to show the dominant coalition that there are issues that need their immediate attention. Planting questions or stonewalling are other Omega strategies used by public relations practitioners. Public relations professionals will sometimes plant questions with other employees or community members during meetings with the dominant coalition. Planting questions ensures that the dominant coalition will have to at least be aware of issues that they may not have thought were important. Stonewalling occurs when the public relations practitioner thwarts a particular action or event for the good of the company. Berger and Reber (2006) provide an example of stonewalling. A public relations professional believed that a news reporter wanted to meet with the company officials and write a story that would be unfavorable. The dominant coalition believed that the news article would be positive. When speaking with the company officials, the PR professional said that the reporter was not available. Vice versa when speaking with the reporter, the PR practitioner said the company official could not meet. After several weeks, the reporter went to another company and produced a story that was indeed unfavorable (Berger & Reber, 2006, pp. 152-153).

### ***Power-With Relations***

Power-with relations refers to “shared power and collaborative decision making” (Berger & Reber, 2006, p. 68; Kanter, 1997; Rakow, 1989). In the power-with relations system, public relations is used as a way to gain an interactive, interpersonal relational perspective with others. The purpose of public relations under this particular system is to gain mutually beneficial relationships with target audiences. Power-with relations is most aligned with alpha tactics, which will be examined in further detail near the end of this section (Berger & Reber, 2006, p. 69).

### ***Power Relations: A Model***

According to Berger and Reber (2006), “organizational decisions and actual public relations practices are defined and structured through these systems of power relations and the political outcomes emerging from them” (p. 71). Given this assertion, politics and organizational power relations are driven by social and political influences. Each of these influences will be described in detail.

Social system forces are the influences placed on the organization by its own culture, structure, history, hierarchy, policies, practices and procedures. As a result, the values of the organization may transcend to the community through its public relations initiatives. The organizational system and the social system can both be examples of external political influencers as well as internal political influencers. External refers to those outside organizations or target audiences who have an influence in the organization’s economic success, actions and communications. Examples are customers, suppliers and media organizations. The internal influencers are the employees who have an active role in the organization’s vision and strategies (Berger & Reber, 2006, p.71).

### ***Structural Influence***

As stated above, influence is the act of using power to get a task done. There are three types of influences, individual influence resources, structural influence resources and relational influence resources (Berger & Reber, 2006). Structural influence resources are influences gained from hierarchical positions in the organization, membership and location in committees and other decision-making groups. These resources also include formal authority, policies, tasks and project assignments (Berger & Reber, 2006).

Structural influence does have the potential to become organizationally institutionalized. This means companies enact policies, protocols and rules that are implemented because it had always been done a particular way. An example of an organization institutionalizing a policy is when a Vice President of Human Resources reviews press releases and other communications materials because it simply had always been done that way (Berger & Reber, 2006, pp. 78-79).

### ***Relational Influence***

Relational influence resources are the relationships developed with those inside and outside of the organization who are a part of the dominant coalition or who have some type of authority. The source of relational influence is networking; developing mentors and sponsors as well as organizational and social networks, coalitions and alliances with other members.

This type of influence is common with public relations professionals because it is the common belief that one can succeed by developing relationships or networking. According to research conducted by Berger and Reber (2006), half of the public relations professionals interviewed stated that one of their most valuable influence resources is

internal relationships. The benefit of these relationships is career enhancing opportunities and access to powerful people within the company. This access leads to more information about the company as well as insight into office politics, which is a professional benefit (Berger & Reber, 2006, p. 80).

### ***Individual Influence***

Individual influence resources are professional expertise and experience as well as accomplishments, performance record, and organizational knowledge. Skill sets such as problem solving, environmental scanning, conflict resolution, interpersonal communication and impression management fall under the individual influence resources (Berger & Reber, 2006, p. 78).

### ***Other Forms of Influence***

Berger and Reber also listed other forms of influence that are helpful to public relations practitioners. Political, informational and systematic influences are also considered common influences by many academics and professionals. Political influence occurs when the PR professional determines their own roles, goals, issues and terms of employment through communicating with other professionals (Edelman, 1964; Ferris et al., 1989; German, 1995, Spicer, 1997). Two researchers, Brass and Burkhardt (1993) stated that when a professional masters political strategy, it can compensate for a lack of resources.

Another strategy that researchers consider influential is the utilization of information. Information includes material information about a company's performance and strategies. Political information includes information about other professionals in your organization, agendas and organizational processes (Berger & Reber, 2006, p. 80).

Systematic resources refer to “professional organizations and associated codes, standards, established measures of professional value and reputation” (Berger & Reber 2006, p. 81). An example of systematic power resources is new communication and information technology such as blogs. This provides professionals alternative media outlets to communicate with target audiences. This gives these professionals an advantage over other PR practitioners (Berger & Reber, 2006, p. 81).

### ***Influence (Alpha) Tactics***

As aforementioned, public relations practitioners use many influence strategies to gain and maintain influence in their organizations. Based on the research conducted by Berger and Reber (2006), many of the tactics used are called Alpha tactics. Alpha tactics are those tactics that are commonly accepted in the organization. Alpha tactics include explaining the reason or logic behind a specific request. Rationalizing was the most used alpha tactic in the study. Public relations practitioners stated the best way to frame an idea was to do so with simplicity, hard data and logical persuasion (Berger & Reber, 2006, p. 107).

Other tactics include a direct request and a compromise or favor along with the request. Other tactics that are not commonly used included manipulating information, expressing anger and threatening (Berger & Reber, 2006, p.108).

Other forms of Alpha tactics are coalition and alliance building and assertiveness and persistence. An example of coalition building is bringing groups together on a particular issue that the PR professional believes in or making alliances with those members of the dominant coalition so that the public relations professional can eventually be more involved in the dominant group and then have some decision making ability. The

last major Alpha tactic is assertiveness and persistence. This tactic is used depending on the public relations practitioner's personality as well as their position within the company. The tactic is most commonly used to push or back an organizational policy or action (Berger & Reber, 2006, p.108).

Based on the aforementioned research, the following research questions will be used to determine the amount of influence public relations practitioners and in-house lawyers hold during a crisis.

### ***Research Questions***

#### *Public Relations Research Questions*

RQ 1: Do public relations practitioners use *power with* relations to gain and maintain a relationship before a crisis?

RQ 2: Do public relations practitioners use *relational influence resources* to gain and maintain a relationship during a crisis?

RQ 3: How much influence do public relations practitioners have during the crisis planning stages?

RQ 4: How much influence do public relations professionals have during and after a crisis?

RQ 5: Do public relations professionals use *relational influence resources* to gain influence to manage crises?

#### *Legal Research Questions*

RQ1: Do legal professionals use *power with* relations to gain and maintain a relationship before a crisis?

RQ2: Do legal professionals use *relational influence resources* to gain and maintain a relationship during a crisis?

## **CHAPTER 4: METHODOLOGY**

To effectively research the question of which department has the most influence during a crisis, the method of in-depth interviews was used. The methodology of in-depth interviews was chosen to get more information on a particular crisis as well as respondents' insights into how each one's relationship with their legal or public relations counterpart functions. The researcher interviewed sixteen public relations practitioners and eleven corporate lawyers. A combination of convenience and snowball sampling was used to obtain the names of the public relations professionals and in-house lawyers. Although convenience sampling is not the best option for research, given the sample needed for the study as well as the limited resources available to obtain that sample, convenience sampling was selected as the most acceptable sampling model. More information about how the sample was obtained is included below.

A convenience sample is a form of purposive sampling. The research is more focused which allows the researcher to examine the themes and issues relevant to a specific group of people (Erlandson, Harris, Skipper & Allen, 1993). In this particular instance, the researcher is studying issues relevant to public relations practitioners and corporate lawyers during a crisis. Because a purposive sampling allows the researcher to determine what subjects should be used for the research and what subjects to eliminate from the research, the researcher chose the following sample of public relations professionals and lawyers to participate in the study. Only public relations professionals who work with lawyers at least some of the time and who have experience with or

knowledge of organizational crises were interviewed for the study. Also, only in-house lawyers who worked with public relations professionals at least some of time were chosen for this study. In-house lawyers also had to have experience with or knowledge of organizational crises.

### ***The Sample: Public Relations Practitioners***

There were sixteen public relations practitioners interviewed for the study. Most of the public relations practitioners who were interviewed work in medium-to-large sized companies. These public relations professionals were targeted and preferred, because they were more likely to interact with corporate lawyers on a regular basis. The public relations practitioners interviewed worked in a variety of fields. The companies focused on consumer goods, the quick service restaurant industry, the banking industry, utility companies, pharmaceuticals, real estate, technology, beverage companies, television companies and metal production. One participant worked in a large agency and another acted as a communications consultant for medium-to-large sized corporations that specialized in utility services. Each public relations professional worked with in-house lawyers at least some of the time, were involved in a crisis at least one time in their careers or had knowledge of organizational crises. Most public relations practitioners practiced in Georgia. Two practiced in New York and one in Toronto, Canada.

### ***The Sample: In-House Lawyers***

There were eleven in-house attorneys interviewed for the study. Most of the corporate lawyers who were interviewed work in medium-to-large sized companies. In-house attorneys who worked in medium-to-large sized companies were preferred, because they were more likely to interact with public relations professionals on a regular

basis. The corporate lawyers worked in a variety of industries including financial services, banking, aviation, media corporations, a beverage company, a flooring company, cosmetics and a home supply company. Each lawyer worked with public relations professionals at least some of the time, was involved in a crisis at least one time in their professional careers or had knowledge of organizational crises. All of the lawyers interviewed practiced in Georgia.

### *Interview Protocol*

The interview protocol began with a brief introduction of the research and the issues and questions the researcher was attempting to address. At the beginning of the document, the researcher stated that the research was attempting to determine the relationship between public relations practitioners and general counsel, how communications decisions are made during crises and why those decisions are made. The researcher then asked whether the respondent would be willing to answer questions on the aforementioned topics. The researcher requested permission to record the conversation at the beginning of the interview and made clear that the interview and its contents would be confidential. The researcher also provided the standard IRB elements of informed consent (i.e., the interview would not cause any discomfort and there would be no risk to the respondent; they could end their participation at any time during the interview without consequence) The respondent also read aloud perceived benefits of the research to the individual as well as to the public relations and legal professions in general. The researcher's contact information and the contact (phone number and e-mail) for the University of Georgia's Institutional Review Board was also provided. Please see Appendix for further details.

### *The Interview Method*

All interviews except for one were conducted over the phone. Over-the-phone interviews were conducted because of convenience and the limited amount of time available to complete the number of interviews needed for the research. One face-to-face interview was conducted at the convenience of the interviewee. The interviews were tape recorded. This method ensured that everything the respondent said was captured as well as provided a way for the researcher to go back and analyze the interview verbatim.

Once the interview was complete, the researcher transcribed the interview. Each interview was about four to six pages in length, single-spaced in a Microsoft Word document. The names of the company and individual employees were omitted in the transcription. Each interview was transcribed verbatim except for the omitted company and employee names.

The analysis of the transcription was done by printing out each transcript and analyzing each question of each interview one at a time. Each question and response was summarized in a table format. Each participant's transcript was labeled, P.R1-P.R.16 (public relations) and L.C.1-L.C.11 (legal counsel). This allowed the researcher to organize the materials more efficiently. The researcher analyzed the document by searching for common themes between the lawyers, common themes between the public relations practitioners and the differences between the two professions' common responses.

### *Retrieving PR Sample*

Public relations practitioners were the easier of the two groups with which to schedule interviews. Although the professionals had time commitments and busy work schedules, more professionals were willing to participate in the study compared to their legal counterparts. This may have been because of their ties to the Grady College as well as their relationships with members of the researcher's committee. Yet, there were some who were unable to participate because of their lack of experience managing organizational crises as well as their lack of experience working with in-house attorneys.

#### *Public Relations Society of America*

The administrator of the Georgia Chapter of the Public Relations Society of America was contacted to request a paragraph be placed in the organization's weekly electronic newsletter. The administrator posted the request for three weeks. The Georgia Chapter of PRSA has more than 850 members. Interested members responded and were interviewed. Once the interview was complete, the researcher received names and contact information of other professionals (both PR practitioners and in-house lawyers) who may be interested in participating in the research. The names provided were contacted and interviewed if they were willing to participate and fulfilled the research requirements.

#### *Grady College Alumni and Advisory boards*

The researcher also requested the contact information of the Grady College of Journalism and Mass Communication Alumni and Advisory board members. A college administrator contacted the members of the advisory board requesting their participation. Those professionals who were interested in participating in the research were then contacted and interviewed. Once these members were interviewed, the researcher asked

whether there are other professionals who may be interested in participating in the research. The names provided were contacted and interviewed if they were willing to participate and met the research requirements.

### *Retrieving Lawyer's Sample*

In-house lawyers were the more difficult of the two groups to identify and interview. The researcher was particularly limited by the lawyers' unwillingness to speak about crisis issues within their company. Another issue was finding attorneys who met the sampling standards. Some lawyers who expressed interest either did not have experience working with public relations practitioners or did not have experience managing organizational crises.

#### *University of Georgia Law School*

Most of the in-house lawyers interviewed for the study are alumni of the University of Georgia's law school. The researcher contacted the Communications Manager at the law school requesting an e-mail be sent to all law school alumni who worked in medium to large corporations. A message was posted to the alumni listserv inviting their participation in the research. Those expressing interest were interviewed. Once the interview was complete, the researcher received the names and contact information of other professionals (both PR practitioners and lawyers) who may be interested in participating in the research.

#### *The Association of Corporate Counsel*

The researcher contacted the administrator of the Georgia Chapter of the ACC. The researcher requested that an e-mail be sent to the members of the Georgia Chapter. The administrator sent an e-mail request to the Board of Directors for the Georgia ACC

chapter. One professional responded and was interviewed. The other board members stated that their companies would not allow participation or they did not feel comfortable participating in the research given the crisis focus.

### *Interview Questions*

The researcher followed a specific pattern of interview questions and did not deviate often. Sometimes the researcher requested clarification on certain topics and experiences the respondent described. Yet, overall the researcher followed a strict interview guideline. The researcher began the interview with broad questions. The first two questions were “What is a typical day like for you?” This allows the interviewee to open up to the interviewer as well as provide the interviewer with important information about the respondent’s general role in their company. As the interview progressed, questions became specific to their relationship with legal counsel or PR practitioners as well as their role during a crisis.

Some of the different forms of questions utilized during the interview were experience/behavior questions. Opinion/value questions were also utilized in the study. Knowledge questions were also used during the interview. The final questions of the survey included demographic questions. The respondents were asked their educational background, how long they have been working in their respective fields and finally their race and ethnicity was recorded. Please refer to the appendix for the full interview protocol.

## CHAPTER 5: RESULTS

### *Demographics*

Sixteen public relations practitioners were interviewed. They had an average of fifteen years of experience. The most experience was over thirty years; the least amount of experience was four and a half years. The professionals worked in their respective companies for an average nine years. The highest number of years reported at their respective companies was twenty-five, the lowest was one year. All of the PR professionals had a Bachelor's degree, most in communications or a related field. Seven professionals earned a Master's degree in communication or business. One earned a Ph.D. in education. There were two African American women PR practitioners. The remainder of the sample was white professionals; seven white women and nine white men. The interviews took about thirty minutes to conduct.

The eleven lawyer participants had an average experience of twenty-five years. The highest number of years of experience was 33. The lowest number of years of experience was nine. The average number of years spent at their perspective companies was 14. The highest number of years spent at the respective company was 28. The lowest number of years spent at the organization was four and a half. All participants were white. There were three females in the study and eight males. (Please see Table 14.0 and 14.1 in Appendix for further details).

### *Examining PR Practitioners and Power-With Relations*

Fifteen out of the sixteen research participants do use *power-with* relations to gain and maintain a relationship with in-house lawyers before a crisis. One respondent stated that *power-over* relations was used to gain and maintain a strong relationship with corporate attorneys. *Power-with* relations, as described above, is when public relations is used to gain an interactive, interpersonal relational perspective with others within the company. *Power-with categories*

Five categories of power-with relations arose from the interviews. Nine of the sixteen respondents stated that **mutual understanding and responsiveness** is the best way for public relations practitioners to gain and maintain a strong relationship with in-house attorneys. By mutual understanding the respondents meant that it is important for lawyers to understand the role and significance of the public relations functions and for the public relations practitioners to understand the importance of the lawyer's function within the organization. One public relations practitioner who is the vice president of public relations for a large quick service restaurant company stated that the relationship "relies heavily on mutual respect." The practitioner went on to say:

Legal counsel needs to understand the role of communications or the PR practitioner...there are different values brought to the table by the public relations or communications team and vice versa communication and PR needs to understand that legal's sole purpose is to prevent any kind of legal ramifications.

Another common response was **communication**. Six of the public relations practitioners who responded stated **communication** is the most important aspect of

gaining and maintaining a strong relationship with corporate lawyers. An account executive of a large public relations agency stated that it is important for public relations practitioners to keep corporate lawyers “in the loop.” The public relations practitioners further explained that when the PR office was working on the project or writing a document, it is effective to ensure that the legal department is at least aware of the task being completed. The professional also stated that it was good for the PR department to initiate requests for certain assignments to be looked over or approved by the legal department.

Other categories were **leadership from the top** (two of sixteen), **interpersonal relationships** (two of sixteen) and **collaboration** (two of sixteen). When the public relations practitioners responded with leadership from the top, they explained the importance of the chief executive officer or president of the company understanding the value of public relations. Because the CEO or president understands the value of public relations, the attitude will “permeate” into the work environment thus improving the relationship between corporate counsel and public relations practitioners.

Another response was **interpersonal relationships** between the members of the legal department and the members of the communications department. The vice president of communications for a large beverage company stated that it was because of the long term relationship with the lawyers in his company that his relationship was strong. The professional added that because he has been an employee for the company for about sixteen years, he had developed an interpersonal relationship with the legal team in his company. Therefore, it strengthened their relationship both before and during a crisis.

The final response was **collaboration** between the public relations professionals and legal team. The former vice president of communications for a broadcasting company stated that the legal team reviewed all communication that was disseminated to external publics. The professional stated that it was not looked upon as holding up the communications efforts, but instead being a part of the system to ensure that the company is protected legally. Another public relations professional stated that the two departments meeting on a regular basis also strengthened the relationship. An assistant director of communications for a real estate company, stated that the legal department and the public relations departments meet to discuss company policies and issues on a regular basis. The professional explained:

We actually have meetings...we have several subsidiary companies that are under our flagship. The company I work for is the main company, which is residential and commercial real estate...we have a mortgage company, we have an insurance company, and a title company...we address issues that have to do with all three of those things and just because they are in the room it is a necessity to talk to them about what is going on in other elements of the company so we are in regular contact with them.

All of the aforementioned strategies are an example of *power-with* relations strategies. According to the *power relations* theory, power-with relations is one of the most efficient strategies to ensure that public relations practitioners have a strong relationship with other employees within the company as well as eventually gain

influence within the corporation (Please see Table 1.0 and 1.1 in Appendix for further details)

### *The Relationship between PR Practitioners and Lawyers*

The research also showed that corporate lawyers and public relations have a collaborative relationship. This makes developing a relationship between the two functions easier. A common description of the corporate lawyer by the public relations practitioner was one of consultant and reviewers for communications materials that are disseminated to external audiences. Many public relations practitioners stated that it was the responsibility of the corporate lawyer to ensure that public relations messages complied with the law and that they could not be seen as legally damaging. PR professionals also stated that they worked closely with the corporate lawyers to ensure the positive image of the company, as well as develop and create company policy to manage organizational crises.

A director of media relations for a large media company stated, “both PR and legal have a seat at the table...our response to crisis...usually involves a consensus based on concerns...that would address legal vulnerability...and...consumer concerns, so that the reputation of the company is...best preserved.”

The public relations practitioners described the relationship as cooperative and integrated. The cooperative relationship was most likely developed when key messages had to be created to address company policy issues. For example, the vice president of communications for a large bank stated that when the company had to file for the FCC or another similar business deal, the lawyers and public relations practitioners worked very

closely together to ensure that external publics understood the language. (Please see Appendix for further details).

### *Relationship Development before a Crisis*

According to research participants, public relations practitioners do not utilize relational resources to gain and maintain a relationship with in-house attorneys during a crisis. Nine of the sixteen PR practitioners stated that the relationship between public relations professionals and corporate lawyers does not change a great deal during a crisis. They stated that it was important to establish a strong relationship before a crisis to sustain a strong relationship during the crisis. Many practitioners said the dynamic of the relationship changed only because of the hectic time schedule.

The director of media relations for a large media company said, “Usually in a crisis, everything is fast paced...but in my experience...the working relationships...usually happens pretty much the same, meaning give and take and the interests are not always opposing.” The vice president of public relations for a quick service restaurant company said:

The dynamic of the relationship would change during a crisis only if you don't have a day to day relationship in the first place. In my situations, I sit on the senior management team with general counsel so we deal with each other constantly, day in and day out, on a number of issues. So in a crisis situation, it is just a standard course of business for the two of us. We get together, we gather our facts, we sit down, we talk about the approach and we go through it.

The practitioner went on to say that if the public relations and legal departments do not understand how one another manages tasks before a crisis, then it poorly affects the relationship during the crisis. The professional said that if you don't have a collaborative relationship then the departments will spend time talking through issues that should have been settled before the crisis thus not managing the situation as efficiently as possible.

Two public relations professionals said that the dynamic of the relationship does change because the legal department wants to have more influence during the crisis. A manager for U.S. corporate communications for a pharmaceutical company said that depending on the issue, the legal team drives the messaging and the public relations team is limited in what it can say. An example of this type of crisis is technical or legal. Four PR professionals said that it would depend on the nature of the crisis to determine whether the relationship changes. If it's a crisis surrounding a legal issue, then the lawyers will take the lead on messaging and strategy. If it's a crisis that is more reputational, then the communications department will take control. The director of internal communication for a real estate company said,

Depending on what the crisis is, it's going to depend on whether your risks are more legal or your risks are more reputational. And depending on which way the risks line up depends on who needs to take the lead. So if the risk in the situation is not so much legal, but can be very reputational maybe you have not done anything legally wrong but the image to the public is really bad, then the PR people have to take the lead. Now if the risks are more legal, say you have done something wrong, the reputation

may be badly damaged too. But if the risks are really legal issues, then maybe the lawyers take the lead.

The PR practitioners did not provide any information on how to gain and maintain a relationship during a crisis or information on how to increase that influence in a crisis. They largely depend on the relationship that was established before the crisis (Please see Appendix for further details).

### *PR Practitioners during the Pre-Crisis Planning Stage*

Eleven of the sixteen PR professionals stated that during the pre-crisis planning stages, they were actively involved or led the process of developing the communications plan. The communications plan, according to respondents, includes the development of key messages, determining the audiences that would receive those messages and determining the media that would be contacted; two respondents stated that their respective companies actually have a test run of different crises. The vice president of corporate affairs for a company that produces metal stated, “We have a system set up in place that we...test run at least once quarterly.” A senior account executive to a major agency, described in detail her role during the pre-crisis planning stage:

I basically develop crisis plans and so what that involves is...going through and thinking of the different situations that could happen and within those different situations breaking it down by a play by play, minute by minute sometimes of what is going to go on. Who calls who? Where does the crisis center meet? What time do we need to be there? People need to book travel, where they need to get it or when they need to be on the plane...very, very detailed, step by step kind of an at-a-glance

crisis response check list. Then we also go through and we develop a holding statement for the media for all these different situations. We also develop a letter for various stakeholders in that company and then we develop...key messages for each situation that could happen. And sometimes...it's only a couple of situations that you see and other times there could be five or six. It's very important that we feel like when we're planning for a crisis for a client that is at risk that we give them the best at a glance...because...when something happens people just start running a thousand different ways and...it's always nice to have something very organized and outlined...and very laid out for them to see.

Developing crisis management plans is an indication that the public relations practitioners are more influential in crisis planning, because they are developing the messages and determining the audiences that will be contacted during the crisis. Based on the response by the lawyers, which will be described in more detail later, their role in crisis planning was an advisory role to the public relations practitioners (Please see Appendix for further details).

#### *Corporate Lawyer's Responses*

Corporate lawyers did have similar responses to the public relations practitioners. Four lawyers stated that the public relations professional is responsible for generating key messages, determining who should speak with the media, creating questions and working with the lawyers to generate responses in common language. The senior attorney for a major flooring company, stated that the job of public relations practitioners is "to gather data from the company about what is important to the company and then to come up with

the message.” The attorney went on to state that the public relations practitioners should “know the media outlets and perhaps those activists groups depending on what the crisis is.”

Three lawyers stated that it was important for public relations professionals to be knowledgeable of the company, its assets and other organizational knowledge to properly handle the crisis situation. A managing attorney for a large oil company stated that when a crisis occurs, it is the responsibility of the public relations practitioner to be aware of the company and its properties so that other members of the crisis team do not have to tell the public relations practitioner basic information. The PR practitioner’s responsibility is to understand the specifics of the incident.

Two lawyers stated the public relations practitioners do not have an active role in managing pre-crisis planning. These lawyers said that PR professionals are more active during the actual crisis and begin planning the strategies then. One lawyer, the vice president of new business commercialization said:

The PR person is giving advice, trying to be proactive, trying to...prevent a crisis from happening, but other than that, not actively involved in pre-crisis planning. I think both...PR and legal are pretty much brought in, in an active way, once the crisis has happened.

When comparing the influence of public relations practitioners to those of corporate lawyers, it is important to include what the lawyer’s role during a crisis is as well as the perceived role by the public relations practitioners. Three of the eleven lawyers stated that they do crisis drills and trainings. Because pre-crisis planning is not as common as it should be in crisis management strategies, this particular piece of

information was very interesting because they participate in practice drills and trainings.

The crisis drills included mock exercises and media workshops.

The managing attorney for a major oil company explained:

We do a good bit of training, we do table top drills, we do some drilling training within the legal group about what our role is, about what our function is, the kinds of questions we should be asking...the kinds of advice to be giving from the very beginning about the control of documents, and some of the basic legal issues that always come up. We're trying to maintain...some controls of all the documentation that's being done. We also have a book, that keeps on getting bigger, but it's got a lot of useful information in it for lawyers. It's got names and numbers of outside law firms. We also have a Web site that we can get into with law firms from different topics.

A general counsel for a major bank corporation was the only participant who stated the legal department does not participate in pre-crisis planning. The lawyer explained: "You're obviously...planning for a crisis that is emerging...not something that you think might happen... We're not sitting here and trying to plan on...what happened if... The PR people would be there and say okay...eventually this is going to become public."

This practitioner, according to this research, is in the minority. More corporations are planning and strategizing about their risks and the crises that could affect their companies. Strategizing before the crisis takes place increases the likelihood that the company will be able to manage the crisis more efficiently and quickly.

The most common role, as described by the legal team is that of advisor. Seven of the eleven lawyers stated they were advisors to public relations professionals and other functions within the company before the crisis occurred. This includes reviewing pre-crisis planning documents and company procedures to ensure the company is legally compliant. A vice president of new commercial development for a large beverage company stated “I would be...advising business people...which hopefully would be preventative...[making sure] they’re [compliant] with applicable laws and regulations and...complies with third parties.” (Please see Appendix for further details).

### ***PR Practitioners’ Influence during the Crisis***

A common response among the respondents was: it depends. Many of the public relations practitioners interviewed stated that their role during the crisis depended on the nature of the crisis. If it was a crisis that had obviously more of a media interest, then they stated their role would be larger. If it was a crisis that was more technically focused, the lawyers would have a bigger role. Yet, there were some common responses regardless of the nature of the crisis.

The most common response was tracking the messaging and relationship between the company and the different audiences, particularly the media. Ten of the sixteen participants stated they interact with media on a regular basis during a crisis. This interaction included acting as the liaison between the company and the media as well as acting as the spokesperson. The community relations manager for a large energy company stated,

If I were the key person in charge of the crisis...my responsibility would be to direct the communications team and serve as a member of the

oversight team to make sure that communications was being handled correctly, that media was being updated and that we were staying in contact with our...governmental officials, local state...people were being kept informed..., that the...corporate headquarters...was being kept informed.

Five of the sixteen professionals stated that they were in some type of management role during the crisis. An account supervisor, who specializes in crisis for a major agency stated that it was her responsibility to manage the crisis for the clients of the firm. A vice president of public relations for a quick service restaurant corporation describes herself as the point of contact and stated that all information is being funneled to her during the crisis. Therefore, she determines, along with the corporate lawyers, what strategies the communications department should use to manage the crisis. An assistant director of public relations for a real estate company stated that she acts as an advisor to stakeholders and decision makers about what should be said to the media and other publics during the crisis. The professional explained:

...as the PR person, there has been a trend just between corporate America and consumer perceptions recently that everything is spin and nothing is truth. And I think it is my obligation to negate that. The best way to negate that is to advise the stakeholders and decision makers within our company how to be genuine and transparent and that is very difficult to do in a crisis. This is where people typically want to lock down and close down on information. I have to be the standard bearer to impress upon

them how important it is that even if it's bad news that they have to be up front and they have to be transparent.

An executive vice president of corporate affairs for a company that produces metal, stated that she is the chairperson of the crisis committee and ultimately determines the communications strategies used by the company to manage crises (Please see Appendix for further details).

#### *Corporate Lawyers' Influence during the Crisis*

Another interesting dynamic to the study was when the legal team was asked about the role of the public relations practitioner during the crisis. The researcher wanted to determine what legal perceived to be PR's role to help determine the amount of influence held by the communications department. Seven of the eleven lawyers interviewed stated that the PR professionals are the "face" of the organization. The professionals went on to say that the PR professionals act as the spokesperson for the company and handles public statements; handles all media relations strategies and responds to media inquiries.

The vice president of new business commercialization for a major beverage company described the PR professional's position: "Well, obviously the PR person is...often the spokesperson for the company...[when] there needs to be a public statement or...there are media inquiries."

Five of the sixteen lawyers also stated that the public relations practitioners have access and act as advisors to the senior management of the company. A general counsel for a large plastics company stated that the public relations professional in the company is "responsible for strategizing in conjunction with the senior management team, in some

cases, [the] CEO.” Two corporate lawyers mentioned another important function of public relations during the crisis. This function was to be “the voice of the consumer” and to “make sure you are” doing things that the “outside world” deems appropriate. The same lawyer, the vice president of new business commercialization said:

I think the PR person also serves as...the voice of the consumer. When I'm thinking about consumer-related, again I go back to a product quality issue, which is our most typical kind of crisis management event. I think the PR person's role, and to the lesser extent the lawyer's role, is to sort of see the event through the eyes of the consumer and be the advocate of the consumer...within the company. And to sort of say what, not just what the company is legally required to do here, what should the company do... What do consumers expect from the company? I think that's an important role of the PR person.

The lawyer's response makes it appear as though he is knowledgeable about the role of public relations and how to practice PR using a two-way symmetrical strategy.

The public relations practitioners were asked about how they perceived the role of legal during a crisis. Nine of the sixteen respondents stated that the responsibility of legal was to protect the company from legal damage. The nine respondents stated that it was the responsibility of the legal department to review all pre-crisis planning documents to ensure that they are compliant with the law. The account supervisor for a large agency stated that it was the responsibility of legal to review all pre-crisis materials for the clients. The public relations professional explained:

This client I was telling you that was being investigated by some governmental agencies, our legal counsel...has been in all of the media trainings. He's seen all of the documents. They even edited our final crisis plan... They also are on all conference calls...that involves anything when we talk about a subpoena or anything like that just to make sure that we're getting ready legal counsel as well... They will serve as our right hand folks on our team.

The vice president of public relations for a major quick service restaurant company, stated:

...there is a member slot for them on the crisis management team, and they are typically reviewing the plans to ensure..., from a legal perspective, we have covered all our bases... But other than that...they don't have an integral function [during] pre-planning.

Public relations professionals also said the corporate lawyers only participate in organizational crises once an incident has occurred. Two PR professionals stated that legal is not involved in crisis planning at all unless the crisis directly affects the company legally. For example, if the company was in a legal dispute, then the legal team would be the team driving the crisis response. Another public relations practitioner said the legal team is not involved in a crisis until they know what exactly the legal issues could be. For example, the internal communications manager for a real estate company, explained the role of corporate lawyers:

They are primary at the table as always...depending on what the crisis issue is...If it's a...legal issue, if it's financial fraud or something, they are

going to be much more involved than the PR people... Now if it's a product recall, they are probably...involved, but not as involved as the PR people are.

Corporate lawyers were also asked about their role during a crisis. This was done so that the researcher could get another perspective of the PR and legal functions in a company and their roles during the crisis. Ten of the eleven corporate lawyers interviewed stated that they are responsible for giving advice to the crisis management team on how best to protect the company from legal issues. They also stated that they review all documents that are disseminated internally and externally to the company's various audiences. The group vice president and general counsel for a corporation that produces plastic further explained their role:

I am going to be involved in all e-mails, written communications, review of all documents...clearly, I am probably going to be speaking one on one with the corporate communications department as well as with my affected business unit to get their input on the situation and the disclosure. And I'm going to...act as the liaison...for my business unit to the corporate communications team.

Two attorneys, out of the eleven, stated they were a member of the senior management team. The privacy counsel for a large media company stated, My role is to be the central decision maker and coordinator of the crisis team. He went on to explain:

I am the one who the people report into with facts, everyone including PR. Each one has their role and their authority and my role is to be the centralized...focal point. If the PR person has a point of view about

whether for instance we should proactively go to the media or not...as a team we talk about that. The PR person would be the one who would make that decision. My role is to coordinate everything and if somebody is making what I would think was a bad decision then it's my job to challenge that.

Based on the aforementioned responses, it appears that public relations professionals do have influence within their respective companies. Yet, it is important to increase that influence. Five of the sixteen professionals stated that they have some sort of management role and access to the senior management team. Five of the eleven lawyers interviewed said the same. Based on these results, the communications department should have more influence during the crisis to ensure that the crisis is managed efficiently.

The researcher also wanted to compare the influence of the general counsel with those of PR professionals. It appears that their influence levels, based on their responses concerning their roles during the crisis, are about the same. Both the public relations practitioner and the lawyer do have influence over their particular areas of expertise. The PR professionals give advice and manage communication strategies with outside publics, especially the media. The corporate lawyer's main goal is to protect the company from legal damage during the crisis. Both functions appear to be able to fulfill their responsibilities well (Please see Appendix for further details).

### *Public Relations Strategies Used to Manage Crises*

The public relations strategies used during a crisis will now be examined to help determine the amount of influence held by the public relations practitioners. Seven public relations professionals said that the public relations strategies used in their companies to manage crises are openness, honesty and transparency. Three public relations practitioners said it was important to implement proactive strategies to manage a crisis effectively. An account supervisor for a major global agency explained:

[if] we know something is on the horizon that may cause a little bit of...a bump in the normal daily routine, we will go ahead and plan a marketing or community outreach program... [For example] holding a recycling day for a community [when] you are bringing in a chemical plant on the river.

Four public relations professionals said that an important strategy was timeliness. The professionals said it is important to get out essential information as soon as possible to all relevant publics. Another strategy is understanding the consumers and communicating with the consumers based on their needs and concerns during the crisis. Four PR professionals said this was an important strategy to implement. The vice president of communications for a large beverage company, said that it is important to determine what publics would be affected and then create communications to address their concerns. The public relations manager for an energy company said it was important to put yourself in the shoes of your publics. The director of internal communication for a real estate company, went into further detail:

You have to take all of your constituents into view when you are working on a crisis. You can not just focus on consumers and not focus on your

employee, or employees and not on consumers or leave out government officials or any other group that can help or hurt your situation. So you have to look at all constituents. I think that's really important.

This was another example of two-way communication that is being used to handle a crisis. Another important strategy was to develop a crisis plan or some sort of plan of action to handle the crisis before it actually occurred. The same practitioner also went into further detail about having a crisis plan:

It's important to have plans in place about whose going to do the talking and what your strategy is going to be. Is it going to be the CEO? Is it going to be the communications person? Is it going to be a subject matter expert? And that may very well obviously depend on what the situation is, who you've got media trained and that kind of thing. So you think about that information before hand [and] those things ought to go easier... You know strategies are so much dependent on the situation and although you can't plan for every situation, you do know depending on what your business is where your risks are.

A senior level communications professional said it was important to be a part of business planning before the crisis by developing relationships with key executives and general counsel before the crisis so that it would be easier to work together during the actual crisis. The professional for the banking corporation said,

The strategy would be to be involved with business continuity planning, having the relationships with the executives and counsel so we're brought into a situation early, and we have a seat at the table, if you will. In

understanding the problem and trying to frame the issue from our perspective, the PR perspective. (Please see Appendix for further details).

*Public Relations Strategies According to Lawyers*

The corporate lawyers were also asked about the public relations strategies used in their companies. Six lawyers said that the public relations strategies used during a crisis are transparency, honesty or accuracy. A group vice president and general counsel of a plastics company said, "...first and foremost to accurately disclose and report it [the crisis] to our shareholder base and the media." The vice president of new business and commercialization for a large beverage company said,

I think that...PR would take the lead in communicating...with the media and external constituencies on a crisis. I think...our company's strategy on crisis situations is that we need to react quickly. We need to be pro-active, and we need to be as transparent as possible under the circumstances.

One lawyer did respond to the question in a stereotypical legal fashion. The general counsel for a large corporate bank said that although the messages should be accurate, truthful and fast, if something bad did happen, then it is better not to say anything about the situation and wait for the situation to go away. He said legal does have the final say in what messages are disseminated even though the decision has to be justified.

Based on the responses by public relations practitioners and legal counsel, the strategies of timeliness, transparency and honesty are commonly utilized during crisis management. This indicates that public relations professionals do have at least some

influence in their corporations when dealing with crisis management. (Please see Appendix for further details).

*Communication Strategies According to PR Practitioners*

Five public relations professionals said that the communication strategies disseminated by lawyers are driven by their desire to minimize legal damage. For example, the public relations manager for an energy company said that the general counsel wants more general information disseminated to the publics. The public relations manager for an energy company said:

They're not as broad typically in their communication as others might be. For example, they may recommend a less specific answer than other communications people would just because attorneys are often aware of the risk, liabilities that come with specific statements. They would rather us not give specific details or specific information that could later be used in harmful ways against the company.

The director of internal communication for a large corporation that produces food products said,

Most people would say they never want to say anything and there are a lot of times they will push for that...but...attorneys are seeing the need to mitigate reputation damages in the publics.

The professional goes on to say that the corporate lawyers prefer written statements rather than public interviews to ensure that the messages are more controlled.

Four public relations practitioners said the communication strategies used during a crisis are created with the input from both the legal and communications departments. This yields more open and honest communications and messages during a crisis.

The vice president of public relations for a quick service restaurant company said:

Legal counsel and I are very much in line with the strategy of open and honest...communication and messaging. We do have our debates about word choice in some situations...and that's why I think it's so important that you have a relationship beyond just a crisis situation. I have learned that when he wants to change a word in my statement or series of words or statements it's not just to play editor but there really is a legal ramification for some of the word choice that I've made... We both understand and respect the messaging that the other brings to the table and we just work collaboratively to come up with a statement that we both feel good about that meets our objective of getting our position and our message out there.

Two professionals did respond with opposite extremes. The account supervisor for a major agency said the legal department makes the final decision of what strategies are implemented during a crisis. The executive vice president of corporate affairs for a large company that produces metal said that the strategies are completely guided by the communications team.

#### *Communication Strategies According to Corporate Lawyers*

The communications strategies implemented according to legal confirmed some of the points made by public relations respondents. Four of the eleven lawyers said they

do not drive the communication decisions at all. The group vice president and general counsel of a company that produces plastic said:

Typically, we don't drive communications strategy in my company.

Typically we are somewhat reactive. Now again there may be a situation in which...say a regulatory issue, that we actually are driving the strategy, but even in those cases, I look at us more as an advisor with a very critical, but also very finite role rather than someone who is driving the overall disclosure strategy.

The lawyers said it was best for the PR professionals to determine what strategies should be used to manage crises in the company. Two lawyers responded by saying that the messages are driven by the legal department. The general counsel for a large banking corporation said:

Sometimes the strategy would be if you have something bad, take your hit on the first day and say as little as possible and hope the thing just goes away. I think our PR people would generally conclude that ....it's not good to get into public debates about things... You're just not going to win an argument with the media, so why bother?

Two lawyers said that they actually work with the PR professionals to create messages and strategies. A managing attorney for a large oil company said it is important to be truthful and communicate using simple language. He also said it is important to work with the public relations department to create and disseminate the messages. He described it as "a joint effort."

From the legal perspective, it appears that public relations professionals have influence over the strategies implemented within the company. Yet, it is still important for this influence to increase. It is important that the legal department is implementing and/or working to implement strategies that are in the best interests of the corporations' publics including the media. (Please see Appendix for further details).

### *How the Company Manages Crises*

Ten of the sixteen public relations practitioners said that there is a team that comes together to manage crises. Although, it usually depends on the particular crisis as to what function is directly involved, public relations is always involved in this team effort of strategizing and managing crises. At the same time, all legal professionals reported using a team system as well. Legal is also always a representative during crisis management meetings. The leader of the team will depend on the particular crisis. If the crisis is more legal in nature, then legal will have more control over crisis management. If the crisis weighs heavily on a company's reputation, then public relations will drive the messaging.

The vice president of public relations for a fast food restaurant corporation, explained:

I think it depends on the degree of the crisis. For lower tier crises, typically the first person that is contacted is...the person that deals most directly with...restaurants and that follows up to me in the public relations office. And then I take that information and work with the operation's team and go to legal when I have all the facts. We determine the best approach and then we circle back around and share it as necessary...with

whomever needs to be communicated to. For a larger crisis, then we definitely start to bring in various members of our business units. We bring in the COO, the CEO as necessary... We would bring them into the discussion in terms of sharing with them what our recommended approach would be and what their role would and should be. (Please see Appendix for further details).

### ***PR Practitioners' Influence during Post-Crisis Evaluation***

The second portion of the question asks about the influence of public relations practitioners after the crisis, meaning during post-crisis evaluation. The main themes of the section will now be discussed based on the public relations practitioners' perspective concerning their own role during this particular stage.

An owner of a public relations agency that serves medium to large clients, stated that during the post-crisis evaluation, he had the most influence of all the crisis stages.

The practitioner explained:

I would be most in lead during that role... That's really where they would turn to me and I would really kind of have the floor...I would go through with my client...the good and bad of how we responded and how well we prepared...how we handled everything... We would say we did all we could...we were prepared, we did a good job or we didn't do all we could, we dropped the ball here and, in reality, we didn't perform well and then, worse, the perception is we didn't perform well...in post evaluation. I really take the lead to examine both of those components in reviewing reality and the perception...

Eleven of the sixteen public relations practitioners stated that they participate in meetings with representatives from other functions to discuss the strategies that were utilized and ways that they could improve for the next crisis. The director of communications for a large beverage company stated,

We do everything on a cross functional basis....commonly, we do an after action shortly after any crisis in which we get the group back together; we go over what went right, what went wrong...try to...create best practices that we can put in place for the next time.

Six of the sixteen public relations practitioners stated that reviewing the media or other external publics was also a part of the post-crisis evaluation stage. The professionals stated they determined if the messages that the company disseminated were picked up by the media, determined what messages resonated with the audience and determined what the general attitude of the audience was once the crisis was over. (Please see Appendix for further details).

*Post-Crisis Evaluation: Corporate Lawyers*

The perception of public relations strategies by corporate lawyers was very similar to the roles the PR professionals described. Five of the eleven lawyers stated that the responsibility of the public relations practitioner was to determine what strategies and policies should be approved and then take the steps to improve them. A senior attorney for a credit company stated that post-crisis evaluation is a cooperative function. The public relations practitioners and the other executive team will determine how we handled the crisis and what we can do differently and better the next time, he said.

Another interesting response from the attorneys was that the public relations practitioners will continue to manage the crisis once it is officially over. The managing attorney for a large oil company stated that the public relations professionals continue to update their messages, Q&A's and continues to be aware of the status of the company so that they can continuously speak with the press. This response was particularly interesting because it shows that the effects of a crisis are always present within a company and it should be something that is always managed.

The research will now examine the lawyer's role during the post-crisis evaluation so that the public relations' and legal's influence during post-crisis evaluation can be more thoroughly examined.

Three of the eleven corporate lawyers stated that they either do not have a post-crisis evaluation procedure or that the legal team does not participate at all during the process. Three other legal professionals stated that their role was very light and they were only used as a resource for more information about legal liability during the crisis and their specific role during the situation. The remaining five professionals stated that they actively participate in the post-crisis evaluation meetings. They participated in analyzing what happened during the crisis and ways to improve the policies and strategies for the next incident. The managing attorney for a large oil company stated that her responsibility was to gather information from members of the legal group who were involved with the crisis. The members of the department would meet and determine what went well, what could have been better, and what additional resources should have been brought in.

The role of legal according to public relations practitioners will now be examined. Four of the sixteen public relations practitioners stated that legal did not have any role or could not speak on their role during post-crisis evaluation. Three of the public relations practitioners stated that legal was responsible for reviewing documents during the post-crisis evaluation stage. The documents ranged from crisis plans that were changed after the crisis was over to a report that is submitted to the leadership of the company to summarize the crisis management procedures. Eight of the sixteen PR professionals answered that legal's responsibility was to participate in de-briefing meetings with other members of the crisis management team. They were to advise everyone on how to protect the company during crises and what could have been done better. A community relations manager for an energy company stated it was important to make sure the lawyers have a chance to review what went on during the crisis and critique the policies and procedures and find ways to do better. The professional also said that the lawyers take the reputation of the company into account, not simply the legal perspective.

The director of communications for a large media company stated that the lawyers in his company evaluate the legal exposure and determine whether there is any vulnerability from a legal perspective that would impact the company. This was an interesting response because the response is very similar to what public relations would look for concerning perception and image.

Based on the responses by both public relations professionals and legal counsel, public relations professionals have a substantial amount of influence during a crisis, yet so do their legal counterparts. The public relations professionals are the ones more likely to drive this particular stage of the process while legal's role is still one of advisor. Yet,

the advisor role is very influential in most organizations. (Please see Appendix for further details).

### *PR's Role during the Three Stages of Crisis*

Fifteen of the sixteen public relations practitioners interviewed believe they should be an integral part of crisis management on all levels. The vice president of public relations for a quick service restaurant company stated that an outside company should be involved in the post-crisis management stage. The professional explains: Public relations should play an integral part in all steps, most importantly during pre-crisis planning and the actual crisis. Post crisis evaluation should be done by an outside company.

It is essential for the company to have a strategy and approach to dealing with the media. Concerning pre-crisis planning, PR is very important with messages and making sure the company's position is clearly understood.

The former vice president of public relations for a media company stated that although public relations should be an influential, vocal part of the senior management team, they may not have to be in charge all of the time. But it is essential to have a collaborative effort. Everyone should be responsible for their specialty. He goes on to give an example:

Me, as a public relations person, I am going to know best what needs to be said to the media, I am going to know what needs to be said to our various publics. The lawyers are going to know what needs to be said from a legal standpoint. Please see Appendix for further details).

### *PR Gaining Influence to Manage Crises*

Six of the sixteen public relations practitioners stated that their influence should be increased to manage organizational crises; all six stated that individual influence resources were used to gain that influence, not relational influence resources. Yet, a more encouraging figure was that ten out of the sixteen respondents stated that there was no need to gain influence during a crisis. Those ten practitioners stated that their respective organizations had already established a great amount of influence for public relations practitioners during a crisis.

The individual influence resources are a component of the power relations theory. Individual influence resources are experience, knowledge of the organization, and professional expertise that allow public relations practitioners to gain influence within organizations. Relationship influence resources are the interpersonal relationships both in the working and social environment that is developed with members of the dominant coalition. Public relations practitioners use these strategies to gain influence within their organization during a crisis. Relational influence resources were thought to be the most common for public relations practitioners and so the researchers hypothesized that PR professionals would use these same tactics to increase influence to manage crises. Yet, based on the results, individual influence resources are much more common.

The corporate vice president of corporate affairs for a company that produces metal is the head of the committee which oversee all organizational crises. The professional stated the legal department's strategies had to fall in line with the strategies established by the communications department. Another respondent, the vice president of public relations for a major broadcasting company, stated that "the communications

department is very well respected and one that is seen to play an important role in crisis communication.” A public relations manager for an energy company said, “In our company, I don’t really feel like we have to campaign to hold a stronger influence. We already have a pretty well established one and are conscientious of it and try to maintain it.”

The remaining six participants stated that the public relations function should increase the amount of influence in the company during times of crisis. All of the ways in which the respondents went about increasing influence was through individual influence resource strategies described in the power relations theory. A common response by PR practitioners was the ability to show a record of excellence and the ability to prove the worth of public relations to the dominant coalition within the organization. A corporate communications manager for a pharmaceutical company said:

I found in my experience that the way you gain more influence is through a track record. The more you are able to demonstrate your worth and value and gain that respect and trust of your colleagues, the more you’re able to grow that role so you show that you are able to manage something and the next time something happens, people start looking to you for direction and helping manage the crisis or leading it.

An assistant director of communications for a real estate company said, You have to show the value of what you bring to the table... Monitor your media tracking. Reinforce internally that you have an impact and so you being at the table when the decisions are made helps you to increase the company’s image.

The owner of a communications consulting firm, stated that it was because of his Ph.D. that he is able to receive a greater amount of influence. The professional said, "...my Ph.D. in the field has gained me tremendous influence in the industry... It's showing a level of credentials...and professionalism."

#### *Corporate Lawyers and Influence During Crises*

Eight of the eleven lawyers interviewed believe they have enough influence in their company during a crisis. The group vice president and general counsel of a corporation that produces plastic, explained:

We are adequately in the loop when it comes to crisis management...I think the lawyers have a good bit of influence and control. When it comes to the disclosure strategy around the crisis, I think the lawyers are appropriately in an advisory position.

Three lawyers do believe it is important to increase the amount of influence they hold in their company. The senior attorney for a company that produces metal said it is important to establish yourself with the management in the company and continue to give good advice on the small things. A managing attorney for a large oil company said it is important to continuously prove yourself and do better when the company has openly made mistakes in the past. These are examples of influence resources. The lawyers are depending on a positive track record to increase their influence.

The fact that three of the eleven lawyers said they needed to increase influence compared to ten of the sixteen shows that public relations practitioners still have to increase the amount of influence they hold during a crisis. (Please see Appendix for further details).

*Examining Lawyers: Relationship with PR Practitioners*

According to the legal counsel that participated in the survey, five of the eleven participants stated that it was important for public relations practitioners and legal counsel to understand and respect each other's role if they want to gain and maintain a strong relationship in general. The assistant general counsel for a major airline said:

The lawyers try to understand more about the news cycles and...the timing constraints that PR people are under. They [PR professionals] don't really understand the laws surrounding communications especially for a public company. I am involved from time to time doing education sessions for the communications people here.

The lawyer's story is an excellent example of two departments trying to understand more about each other to foster a more positive relationship.

Five of the eleven lawyers stated that it is important for the two departments to work together to foster a strong relationship. A senior attorney focusing her response to a crisis situation stated that the legal team should be working with the public relations practitioners before a crisis hits. They are only brought in once the crisis has occurred which can complicate the crisis procedures and therefore the relationship can suffer. She explained:

...the company ought to have a PR presence just generally to develop good will in the market place of public opinion...so that when a crisis hits, you are not having to educate an outside PR person on what it is that your company stands for...

The managing attorney for a major oil company explained her relationship with PR practitioners:

Typically, we coordinate with our...PR group...on press releases, on issues that might actually be raised in the press, so that we have Q&A's and "as if" statements... We coordinate strategy on specific issues that are...important to the company..., which has both public relations as well as legal import. So we coordinate. We will sometimes draft position papers, sometimes we will draft...our company's response to specific legislation or rule making that are being promulgated in Washington or elsewhere. So that's how we interact.

Three lawyers of eleven said it was good to get to know the public relations practitioners outside of work to build a positive personal as well as work relationship. A senior attorney for a credit company said:

Spend time with one another. Get to know one another in a non-professional setting. I would say a cup of coffee before work or lunch or something like that. Something one on one and definitely more relaxed... Get a sense of where each other comes from, what their background is. That can foster a more positive relationship.

This relationship results in trust, which is another common strategy for gaining and maintaining a strong relationship. Two lawyers cited trust as the biggest issue among public relations practitioners and lawyers. Spending more time with members of the opposite department can help to strengthen trust.

Based on their responses, lawyers do use power-with relations to gain and maintain a relationship with the corporate communications department before a crisis. They do believe that it is important to understand each other's roles and functions to handle organizational issues and complete tasks. (Please see Appendix for further details).

### *Examining Relationships before and during Crises*

The corporate attorneys were first asked about their relationship with public relations practitioners in general. They were then asked if the dynamic of the relationship changed during the crisis.

Corporate lawyers all described an overall positive relationship with the public relations practitioners in their company. All stated that they work with the public relations department at least some of the time; five of the respondents said they work closely or on a regular basis with the communications department. All eleven of the respondents stated they work with the public relations team to meet corporate goals and objectives. The departments work hand in hand to address issues, both legal and PR together. A managing attorney for a large oil company said the attorneys and communication department worked together to write and approve press releases, Q&As and other communications materials. The lawyer also said they brainstorm strategies for specific issues that are important to the company such as new legislation.

Seven corporate lawyers stated the relationship itself doesn't change, just the intensity of the relationship. They said the communication between the two departments and the time to make decisions goes much faster than usual. The lawyers also spoke on the fact that the members of the two departments interact more frequently than usual

which adds another dynamic to the relationship. The assistant general counsel for a major airline said, “Decisions have to be made more quickly and there is a heightened risk involved... People have shorter tempers and it’s a lot more difficult.”

Two corporate lawyers said that public relations professionals have more influence before a crisis, but once a crisis occurred, they lose their influence. A senior attorney for a metal producing company said, “During a non-crisis situation, the PR group has more leverage; more power because that is what they do is put out messages. During a crisis situation, counsel has to have the power because the ramifications, the stakes, are higher and they have much more legal focus on what is happening.”

According to the aforementioned responses about how to gain and maintain a relationship with the public relations practitioners, the legal professionals use structural influence resources to gain and maintain a relationship with the PR professionals in their companies. This could be seen in their tasks that they were trying to get accomplished in the midst of fostering a strong relationship. Every lawyer spoke about assignments that had to get done with the assistance of legal as well as addressing some sort of corporate issue or policy. Legal also did use relational influence resources. This could be seen with their desire to foster a personal relationship that could be used to create trust and a better work relationship. (Please see Appendix for further details).

### ***Legal’s Role during the Three Stages of Crisis***

All eleven corporate lawyers said it is important to protect the company legally at all stages of the crisis. Some explained that they can alert people to specific legal issues before they arise. Another lawyer said they are effective at disseminating documents on company procedures that can protect the organization. One also said that they are an

important part of being involved once a company has made a legal mistake. They are effective at diffusing the situation to prevent the situation from becoming worse in the future.

The group vice president and general counsel for a company that produces plastic products, explained the role of the lawyer in all three stages:

I think the role of the lawyer during crisis planning should be focused on areas of risk surrounding his company that can be mitigated and avoided through appropriate planning, policy, procedures, education... With respect to the disclosure of the crisis..., I think the lawyer has to be...advising as to whether the disclosure complies with the law... With respect to the post-crisis situations, I think the lawyer has to absolutely play a role in helping examine what went wrong, why did it go wrong..., is it something we can help or is it something that we can never have prevented or mitigated? (Please see Table 13.0 in Appendix for further details).

## **CHAPTER 6: DISCUSSION AND IMPLICATIONS**

This research shows that public relations professionals do use power-with relations to gain and maintain a strong relationship with the legal team before a crisis. PR professionals use communication, strategies to gain respect and mutual understanding for the profession, as well as interpersonal relationships and collaboration on different projects to strengthen their relationships with corporate lawyers.

The second research question asked whether public relations practitioners are utilizing relational influence strategies to gain and maintain a relationship during the crisis. Based on the responses by the PR professionals, the relationship does not change during a crisis, there are simply more time constraints that both departments must work with. The majority of the participants said that it was important to maintain a relationship before a crisis to have an effective relationship during the crisis.

The third question addressed the amount of influence held by public relations practitioners during a crisis. Based on the public relations practitioners' responses, this particular function is most likely to be led or highly influenced by the communications department. Lawyers were most likely to be advisory during this particular stage of the crisis.

The fourth question asked about the amount of influence held by public relations practitioners during and after the crisis. Public relations professionals do have influence including creating the messages and driving the strategies during the crisis. Yet, there is still more influence that could be gained during crises. Lawyers do have a large amount

of influence during the crisis. They are an integral part of determining what messages should be disseminated. During the post-crisis evaluation, the public relations department appears to have a greater amount of influence. It is the team that is monitoring the results of the crisis. Lawyers only act as advisors in this particular stage.

Based on the results of the research, public relations practitioners do not follow the precise model established by the power relations theory when managing organizational crises. The power relations theory states that PR practitioners use relational influence resources to gain and maintain influence. During a crisis, these respondents suggested that this is not the case. The public relations practitioners use individual influence resources to increase the influence needed to manage organizational crises. The reason why public relations practitioners may use the individual influence resources is because during a crisis, lawyers will want to take the lead on determining what is communicated in the company. An organizational crisis could cost the corporation millions of dollars. The lawyers and other members of the dominant coalition do not want to take any chances by being too transparent or too honest. They want to prevent liability. Because the lawyers may push for more stereotypical legal communication strategies, the public relations practitioners have to “prove” their worth by showing the members of the dominant coalition why the company should want to follow standard public relations strategies. Their worth cannot be proven and their influence increased strictly because of a good relationship with the legal department. It comes down to an “it’s not personal, only business” kind of relationship.

Public relations professionals do follow the power-with relations model to establish relationships with corporate lawyers when a crisis is not occurring. The

professionals believe in working with the legal counsel to better understand each other's roles, working together to meet organizational goals and increased communication before and after a crisis. Professionals do not generally use power-to and power-over relations and therefore do not have a lot of resistance. This may be the case because corporate lawyers *want* to work with public relations practitioners to complete tasks and meet corporate goals. Lawyers understand more and more the importance of PR influence when communicating with key organizational publics. They realize that this, too, helps the organization safeguard the bottom line. And so because the lawyers are willing to strengthen the relationship with public relations practitioners, there is no need to push back against their authority when they are not in a crisis situation.

Another research finding that was aligned with the results of this particular study is that lawyers commonly use the legal strategies established by Fitzpatrick in her research of public relations practitioners and corporate lawyers. Corporate lawyers try to minimize the communication that is disseminated to the public. Lawyers in this particular study believe it is important to protect the company legally first, but also to manage and improve the image of a corporation during a crisis. It appears that they play a very careful balancing act of legal protection and improved image. These findings are also an example of Frankel's opinion that the relationship between PR practitioners and lawyers is steadily improving. Frankel (1995) states that lawyers are also trying to manage the reputation of the company as well as protect the organization from legal liability. The results of this particular research shows that lawyers are continuing to move into that direction.

Is it possible for public relations practitioners to not want more influence? Based on these results, sometimes, this is the case. Communications professionals do not want

to be completely in control of the messaging and strategy during a crisis. They want a strong voice that is influential in the company, not simply just a seat at the executive's table. They do not mind corporate lawyers controlling the strategies when they believe it is necessary. So does this affect the public relations practitioners having a significant amount of influence? It may. This research suggests that the relationship between legal counsel and public relations practitioners during a crisis is complex. So much of the relationship depends on the industry, the situation, as well as the particular culture of the organization. More research has to be conducted to address this issue.

The public relations industry should be moving forward to become true experts in crisis communication, public relations strategies and communications law. This will make public relations professionals more marketable and influential no matter the industry or crisis situation. For example, if a company were to be going through what they deem strictly a legal crisis, the public relations practitioners with expertise in the aforementioned areas would be able to still have an educated, strategic opinion to add to the discussion.

So how do practitioners become influential by increasing their expertise in crisis communication, public relations strategies, and communications law if they are already a practitioner and do not plan on going back to school? They should take advantage of the research and strategic publications provided by the Public Relations Society of America, specifically their local chapter. This is particularly important for those practitioners who do not have degrees in communication or related fields.

What can be done to increase the amount of expertise before public relations practitioners enter the field? This can be done by changing the requirements and

curriculum in public relations academic programs across the country. For example, internships are highly encouraged, but not required, in numerous departments. Despite the fact that the professional commissions on education have recommended internships for public relations students, it still is not a requirement in many, if not most, programs (e.g., “Commission on Public Relations Education”). Nevertheless, it is important to continue to encourage commission guidelines such as internships and applicable career training. It is important for academic departments that teach journalism, mass communication, public relations and advertising to focus on the skills as well as the theory of the field. The skills that should be focused on include writing, strategic planning and AP style. Internships sometime during the academic term should be either required or “highly encouraged,” meaning that the department offers some sort of compensation such as offering the internship as academic credit.

Another effective tactic is for journalism and communications departments to offer courses that concentrate on the importance of influence, in general as well as in a crisis situation. The departments should also offer courses about the strategies and tactics communications professionals use when attempting to gain and maintain that influence. This tactic will broaden the knowledge of power relations and influence to mass communication students and professionals thus helping to increase the overall influence held by professionals.

Public relations practitioners should also be more knowledgeable about legal terminology. According to Frankel (1995), having a greater understanding of the law and legal terminology would heighten PR professionals’ chances of becoming more influential during a crisis and gaining that “seat at the table.” Public relations

practitioners should at least become more knowledgeable about laws and regulations related to the communications field as well financial reporting and regulations and laws affecting the practitioners' specific industry. If the public relations practitioner does not know the key legal issues about their particular field, the professionals should at least have the basic knowledge to know when and how to research key issues that may affect their company and its operations. One lawyer actually said it would improve the relationship if the communications department were to understand more about the law because it would keep the legal department from having to explain key legal issues.

In most colleges and universities, it is required for journalism and mass communication students to take a legal course before they can graduate. These legal courses are usually focused on laws concerning mass communication. Yet, laws are constantly changing therefore it is the responsibility of the public relations professional to stay abreast of new laws and regulations, especially when concerning their own industry.

Another interesting aspect of the research is aligned with research conducted by Grunig (1992) which states public relations practitioners must be members of the dominant coalition to have an adequate amount of influence during a crisis. The majority of public relations practitioners in this study were members of the dominant coalition and believed they had an adequate amount of influence in their respective companies. This shows that the results align with the research conducted by and Grunig (1992). One of the reasons why PR practitioners in this sample may have more influence is because of their seniority and amount of experience. Gaining influence within a company as well as the industry in general takes time. Establishing and maintaining that influence takes quality relationships and a track record. This may have been the reason why practitioners

in the study believed it wasn't necessary to increase their influence. They have already established themselves as competent practitioners and have achieved a substantial amount of influence within their respective companies.

Other findings in the research are aligned with previous research conducted by Hoger and Swem (2000) who examined why public relations practitioners and lawyers are different in terms of crisis management. The first is the ability to understand the importance of timing during a crisis. The researchers stated that the public relations practitioner encourages the company to respond to crises as soon as possible. Yet, legal counselors want to wait until they know more information. According to the results of this study, this is still not necessarily the case. Corporate lawyers are understanding more the importance of timeliness. Many of the corporate lawyers stated that their companies issue statements in a timely manner and that it is an important public relations strategy.

Another interesting finding by Hoger and Swem (2000) was the difference in audiences of the two professions. They said that legal counsel's audience is members of the legal system, such as other lawyers and judges. The public relations' audiences are consumers, members of the community, and media. These findings align with those of the current study. Generally, corporate lawyers were not concerned about consumers or other organizational publics. They were only concerned with their perceptions of the company, but not their needs and concerns during a crisis. Many lawyers said that this is the concern of the PR practitioner, not the lawyer.

The message construction is also very different between the two parties. Lawyers push for accuracy more so than transparency. This is not to mean that public relations practitioners are not concerned with accuracy. Lawyers are more concerned with making

sure that fewer accurate statements are disseminated, while communications professionals push for messages that provide more detailed information about the situation. Corporate lawyers want to be sure that the messages distributed to the media are true so that they can be protected legally if a law suit were to be brought forth against the company.

Another component of the research that should be discussed is that of legal encroachment. If public relations practitioners are getting guidance from counsel about what can and cannot be said in a crisis situation, is that legal encroachment? One of the responsibilities of the legal department is to protect the company from legal liability. This includes working with the public relations department to help determine what messages can be disseminated to ensure that the company is legally protected. The law/PR relationship is one of “checks and balances.” Although there is a thin line between legal encroachment and collaborative work efforts, the practitioners in this particular study have crossed onto the collaborative side. Even the lawyers who said that they had final say in what PR messages are disseminated, said they still had to have a good reason. And most could not think of a situation during which the lawyers actually made the final decision. Overall, the departments work collaboratively to handle organizational crises.

According to Reber and Berger (2006) the most common ways for public relations practitioners to gain influence in an organization is through developing relationships within that organization. These relationships help them to gain influence and thus be a part of the decision making process. According to the research, public relations professionals gain those relationships by working with the other members of the organization, specifically legal. They are educating other employees on the field as well

learning more about the legal profession. PR professionals are also gaining interpersonal relationships to advance the field as well. The most important aspect of the relationship to public relations practitioners was proving that they deserved to be an integral part of the organization and the crisis management team. Interpersonal relationships are important, but providing good work and hard results is essential.

Another theme within the research is that public relations professionals stated that it depends on the crisis situation as to whether their relationship with corporate lawyers changes. The crisis situation also appears to depend on PR's role during the crisis as well as the amount of influence the department holds. This is an example of the contingency theory developed by Cameron and colleagues. Cancel, Cameron, Sallot and Mitrook (1997) state that the strategies and tactics in public relations are not based on one situation, but from a host of factors including the attitude of an organization's publics and the support from top management. These professionals state that public relations cannot be confined to simply four models of relating to the public: two-way symmetrical, public information model, two-way asymmetrical model and the publicity model, but that a host of other factors have got to be taken into account when efficiently practicing public relations (Cancel, Cameron, Sallot & Mitrook, 1997).

Based on the results of the current study, public relations practitioners should continue to develop close working relationships with the lawyers in their company before a crisis takes place. Although the interpersonal relationship should be a positive one, the message should be that public relations practitioners in the company are smart, experts in the public relations field, and aware of the laws and regulations in the communications field. This appears to be an essential part of the crisis planning stages. The actual crisis is

managed more efficiently when the two departments have already established a strong relationship before a crisis occurs. This means that the relationship has not changed and no public relations practitioner indicated that he or she uses any strategy to maintain the influence, only that these professionals manage the crisis with the relationship that had already been established before the crisis occurred.

Perhaps it is not possible to truly increase a PR professional's influence during a crisis. During a crisis, the members of the dominant coalition do not have time to sit down and understand why the PR practitioners should be a highly influential employee or member of the dominant coalition. This should have already been established beforehand.

#### *Understanding Corporate Lawyers Before and During a Crisis*

An interesting aspect concerning corporate lawyers was that before a crisis takes place the way they gain and maintain a relationship is by using *power-with* relations strategies. The way in which these professionals gain and maintain a relationship during a crisis is by using structural influence resources instead of the individual influence resources used by public relations practitioners. The reason why these legal professionals may use these strategies is because they believe that during a crisis the legal team should have the most influence. During a crisis the companies are more careful because they could have lawsuits brought against them if they are proven to be negligent or responsible for the incident in any way. The strategies that legal uses to ensure that the company is legally protected can conflict with the communication strategies. They nurture the relationship and their influence at the same time by working with public relations practitioners to get tasks done, thereby not relying solely on relational influence resources, but on completing organizational assignments and tasks. Lawyers use a

different model during a crisis, because their department is already well established in most organizations. They do not have to prove themselves during a crisis or before a crisis. It almost appears that the legal department is letting the communications department increase its influence and gain and maintain its relationship based on legal's comfort level. Yet, it is also apparent through the research that legal is gaining more understanding of the public relations function and appreciates PR's guidance and input in many crises. They still do believe that the legal team should be the most influential during a crisis. This means that public relations practitioners have to be more aggressive during a crisis to ensure that they are proving why transparent, honest messages should be disseminated to the media and other publics.

#### ***Validity and Reliability***

Reliability is "the property of a measure that consistently gives the same answer at different times" (Wimmer & Dominick, 2003, p. 450). The researcher's measure of reliability was high. To measure the reliability, the researcher created tables of the participant's responses. Based on these tables, the responses were consistent. Validity is "the degree to which a test actually measures what it purports to measure" (Wimmer & Dominick, 2003, p.452). The responses of the research participants also yielded high validity. The responses were directly aligned with the research.

External validity is "the degree to which the results of the study are generalized to other situations" (Wimmer & Dominick, 2003). The research has not reached a high amount of external validity. Because of the qualitative method of in-depth interviews, the results do not have high external validity and cannot be generalized to all PR and corporate lawyers.

## CHAPTER 7: LIMITATIONS

There were some limitations to this research. The first limitation is that interviews were conducted to retrieve research results. The qualitative research conducted here cannot be generalized to all PR and legal professionals. Yet, the research did provide depth and insight into crisis situations and the relationships between corporate lawyers and public relations practitioners.

The second limitation is that the interviews were conducted over the phone. It is better for the researcher to gather information from face-to-face interviews. It allows the researcher more insight into the interviewee's responses. Over-the-phone interviews don't permit picking up on visual and physical cues.

A third limitation is the number of professionals interviewed. The researcher would have liked to have more respondents to provide more information, insight and personal examples to the study. Higher numbers from both departments, particularly legal would have improved the study.

Another limitation is that there is a lack of ethnic diversity represented in the sample. Three of the eleven lawyers were white women, the remainder were white men. Two of the public relations practitioners were black women; there were five white women and nine white men in the sample as well. These sample demographics show a lack of insight that could have been offered by professionals coming from different ethnic backgrounds that could have enhanced the study, nevertheless saturation and redundancy in responses was reached.

Another limitation is that the respondents came from mostly one geographic area. It would have improved the study if the respondents represented different regions of the United States to help determine the differences of certain professionals based on their respective regions.

There are some positive aspects of the research. The first is that the majority of the public relations and corporate lawyers interviewed had senior positions within the company at more than fifteen years of experience in their industries. This shows that the professionals in the sample each had a wide range of knowledge in their fields.

## **CHAPTER 8: CONCLUSION**

When discussing the role of public relations practitioners and their influence during a crisis, the results show that the influence is established. The influence, like many other aspects of public relations has to be refined and increased. Five of the public relations practitioners said they are involved with managing the strategies of most crises, other practitioners said it depended on the nature of the crisis. If the crisis is a legal issue, then the legal department would take the lead role. If the crisis affected the image or reputation of a company, then the communications department would take the lead. Based on the research, it is important for the public relations team to advance its skills concerning strategy, writing, benchmarking and two-way communication. Yet, it is also important that it becomes more knowledgeable in the legal field.

The influence should be increased when compared to their legal counterparts. Corporate lawyers have a larger amount of influence over the strategies used to manage crises. Public relations practitioners are steadily proving their worth by showing how public relations tactics and strategies improve the organization's image and therefore, bottom line, specifically during the crisis. According to this research, they hold the most influence before and after the crisis while preparing the strategies and managing the post-crisis evaluation.

Suggestions for future research include studying lawyers and communications professionals from different industries. So many public relations practitioners and corporate lawyers stated that their influence and how the company managed crises

depended on their particular industry and the particular crisis situation. A larger study should be implemented that examines the influence of corporate communication professionals and corporate lawyers during different types of crisis situations and depending on the type of organization they work for.

## REFERENCES

- Allen, M. W. & Cailloet, R.H. (1994) Legitimation endeavors: Impression Management Strategies used by an organization in crisis. *Communication Monographs*, 61, 44-62
- Berger, B. (2005, January) Power over, power with, and power to relations: critical reflections on public relations, the dominant coalition and activism. *Journal of Public Relations Research.*, 17 (1), 5-28.
- Berger, B. & Reber, B (2006) *Gaining influence in public relations: the role of resistance practice*. Mahwah, New Jersey: Lawrence Erlbaum Associates.
- Benoit, W.L. (1995) *Accounts, excuses, and apologies: A theory of image restoration strategies*. Albany: State University of New York Press
- Benoit, W.L (2004). Image restoration discourse and crisis communication. In D.P. Miller & R.L. Heath (Eds.) *Responding to crisis: A rhetorical approach to crisis communication*. Mahwah, NJ: Erlbaum, pp. 263-280.
- Benson, J.A. (1998) Crisis Revisited: An analysis of the strategies used by Tylenol in the second tampering episode. *Central Studies Speech Journal*, 38, 49-66.
- Brody, R.A. (1991). *Assessing the president: The media, elite opinion, and public support*. Stanford: Stanford University Press.
- Birch, J. (1994, Spring). New factors in crisis planning and response. *Public Relations Quarterly*, 39(1), 31-34.
- Cancel, A, Cameron, G, Sallot, L, & Mitrook, M. (1997, January) It Depends: A Contingency Theory of Accommodation in Public Relations. *Journal of Public Relations Research*. 9, 31-63
- Coombs, W.T. (1995, May) Choosing the right words: the development of guidelines for the selection of the “appropriate” crisis response strategies. *Management Communication Quarterly*, 8, 447-476.
- Coombs, T.W. & Holladay, S.J. (1996) Communication and attributions in a crisis: an experimental study in crisis communication. *Journal of Public Relations Research*. 8(4), 279-295.

- Cooper, D. (1992) CEO must weight legal and public relations approaches. *Public Relations Journal*. Public Relations Society of America
- Daugherty, E.L. (2001) Public relations and social responsibility. In R.L. Heath (Ed), *Handbook of public relations* (pp. 389-401). Thousand Oaks, CA: Sage
- Dozier, D.M. (1984) Program evaluation and roles of practitioners. *Public Relations Review*, 10(2), 13-21
- Grunig, J.E. (1976) Organizations and public relations: testing a communication theory. *Journalism Monographs*, 46.
- Dozier, D.M. (1983, November) *Toward a reconciliation of "role conflict" in public relations research*. Paper presented at the meeting of the Western Communication Educators Conference, Fullerton, CA.
- Dozier, D.M. (1986, August). *The environmental scanning function of public relations practitioners and participation in management decision making*. Paper presented at the meeting of the Public Relations Division, Association for Education in Journalism and Mass Communication, Norman, OK.
- Edelman, M (1964) *The symbolic uses of politics*. Champaign: University of Illinois Press
- Erlandson, D, Harris, E, Skipper, B & Allen, S. (1993). *Doing naturalistic inquiry*. Sage Publications, Inc.
- Edgett, R (2002, January) Toward an ethical framework for advocacy in public relations. *Journal of Public Relations Research*, 14(1), 1 – 26
- Ferguson, M.A. (1984, August) Building theory in public relations: Inter-organizational relationships. Paper presented at the annual convention of the Association for Education in Journalism and Mass Communication, Gainesville, FL.
- Ferris, G.R., Feder, D.B., Chachere, J.G. & Pondy, L.R. (1989) Myths and politics in Organizational contexts. *Groups and Organizational Studies*, 14 (1), 83-103.
- Fitzpatrick, K.R. & Rubin, M.S. (1995) Public relations vs. legal strategies in organizational crisis decisions. *Public Relation Review*, 21, 21-33
- Fitzpatrick, K.R. (1996) Public relations and the law: a survey of practitioners. *Public Relations Review*, 22(1): 1-8.
- Frankel, S. (1995) In defense of lawyers. *Public Relations Strategist*, 1 (4) 24-27

- German, K.M. (1995) Critical theory in public relations inquiry. In W.N. Elwood (Ed), *Public relations inquiry as rhetorical criticism* (pp. 279-294). Westport, CT Praeger
- Grunig, J.E. (1990) Power in the public relations department. In L.A. Grunig & J.E. Grunig (Eds), *Public Relations research annual* (Vol. 2, pp. 115-156). Hillsdale, NJ: Lawrence Erlbaum Associates, Inc.
- Grunig, J.E. (1992) What is excellence in management? In J.E. Grunig (Ed.) *Excellence in public relations and communication management* (pp. 219-250). Hillsdale, NJ: Lawrence Earlbaum Associates, Inc.
- Grunig, J.E. (1992). Power in the public relations department. In J.E. Grunig (Ed.), *Excellence in public relations and communication management* (pp. 483-502). Hillsdale, NJ:
- Hage, J. & Aiken, M. (1970). *Social change in complex organizations*. New York: Random House.
- Hardy, D & Clegg, S.R. (1996) Some dare call it power. In S.R. Clegg, C. Hardy, & W.R.
- Nord (Eds.) *Handbook of organizational studies* (pp. 622-641). Thousand Oaks, CA. Sage.
- Hickson, D.J., Hinings, C.R., Lee, C.A., Schneck, R.E., & Pennings, J.M. (1971) A strategic contingencies theory of intra-organizational power. *Administrative Science Quarterly*, 16, 216-229.
- Hobbs, J.D. (1995, February) Treachery by any other name: A case study of the Toshiba public relations crisis. *Management Communication Quarterly*, 8, 323-346
- Hoger, E.A., and Swem, L.L. (2000) Public Relations and the Law in Crisis Mode: Texaco's Initial Reaction to Incriminating Tapes. *Public Relations Review* 26 (2000): 425-45.
- Holtzhausen, D.R. (2000, January) Postmodern values in public relations. *Journal of Public Relations Research*, 12, 93-114).
- Holtzhausen, D.R. & Veto, R. (2002, January) Resistance from the margins: The post-modern public relations practitioner as organizational activist. *Journal of Public Relations Research*, 14(1), 57 – 84.
- Kassing, J.W. (1997) Articulating, antagonizing and displacing: A model of employee dissent. *Communication Studies*, 48, 311 – 332.

- Knowles, E.S. & Linn, J.A. (2004) *Resistance and Persuasion*. Mahwah, NJ: Lawrence Erlbaum Associates.
- Lauzen, M. (1992). Public relations roles, intra-organizational power, and encroachment. *Journal of Public Relations Research*, 4(2), 61-80
- Lee, Jares, Heath. (1999) Decision-making encroachment and cooperative relationships between public relations and legal counselors in the management of organizational crisis. *Journal of Public Relations Research*, 11(3), 243-270.
- Martinelli, K. & Briggs, W. (1998) Integrating public relations and legal responses during a crisis: the case of Odwalla, Inc. *Public Relations Review*, 24(4), 443-460.
- Mickey, T.J. (2003) *Deconstructing public relations: Public relations and criticism*.
- Mumby, D.K. (1997) The problem of hegemony: Reading Gramsci for organizational communication studies. *Western Journal of Communication*, 61(4), 343 – 375.
- Reber, B., Cropp, F., Cameron, G. (2001, July) Mythic battles: examining the lawyer-public relations counselor dynamic. *Journal of Public Relations Research* 13(3), 187-218.
- Serini, S. (1993). Influences on the power of public relations professionals in organizations: a case study. *Journal of Public Relations Research*, 5(1), 1-25.
- Smith, M.F. (1997, November). *Public relations from the bottom up: Toward a more inclusive view of public relations*. Paper presented at the meeting of the National Communication Association, Chicago.
- Spicer, C (1997) *Organizational public relations: A political perspective*. Mahwah, NJ: Lawrence Erlbaum Associates.
- The 2006 Report of the Commission on Public Relations Education (2006). The Full Commission Report. Retrieved April 17, 2008 from <http://www.commpred.org/report>
- Wilcox, D & Cameron. (2006) *Public relations strategies and tactics* (8th ed.). New York: Harper Collins.
- Wimmer, R & Dominick, J. (2003). *Mass Media Research: An Introduction*. (8<sup>th</sup> ed.) Thompson Wadsworth.
- Wisnblit, J. (1989). Crisis management planning among U.S. corporations. Empirical evidence and a proposed framework. *Advanced Management Journal*, 54, 31-41

## APPENDIX

### Appendix A: Interview Protocol

**INTRODUCTION:** Hello, my name is \_\_\_\_\_, and I am calling from the University of Georgia. I am working with a University of Georgia research team and am calling to determine the amount of influence held by public relations practitioners and general counsel during a crisis. I am interested in how the two professions interact within organizations, how communication decisions are made in the face of organizational crises, why the choices are made, and the effectiveness of these decisions. The interview will last between 30 and 60 minutes. Would you be willing to discuss these issues? (If yes) Is now a good time or should we make an appointment to speak at a more convenient time?

(If yes, then read the following)

I am required to read you the following information since this is a research project for a Masters Thesis at the University of Georgia. With your permission, I am going to tape record our conversation. (Turn on recorder.) The tape recorder is running now. Please state your name. Do I, \_\_\_\_\_, have permission to record our conversation?

*(Read informed consent).]*

This interview will take between 30 and 60 minutes to complete. During this time, you will be asked questions about the communication styles and relationship between corporate public relations practitioners and corporate lawyers.

I hereby give my consent to participate in your research. I am at least 18 years old. I understand that:

A. My participation is entirely voluntary, and I may end my participation at any time prior to the completion of the study without any consequence. If I find a question offensive or inappropriate, I understand that I may cease my participation without consequence.

B. Any information that I may give will be reported in such a way as to not obviously identify specific participants. However, I understand that the researchers cannot foresee how others will interpret the **confidential** conversations. Data will be stored securely and will be made available only to those involved with the research. **There is no anticipated risk to or discomfort of respondents.**

C. Through this research, public relations practitioners and general counsel can both benefit substantially. The research will examine the relationship between the professions, specifically from a corporate perspective. The study will provide each member of each profession research to improve their relationship. By improving the relationship between public relations practitioners and general counsel, each department can work more efficiently to complete tasks and meet corporate goals and objectives. Another benefit from this research is that professionals in both fields can better understand how to handle a crisis effectively. Understanding crisis management, from both perspectives, will help them improve a corporation's image during a crisis as well as the bottom line.\*\*\*

D. The researcher is available to answer any questions I may have regarding the study or my participation later on. If I have questions in the future, I may reach Judith Brown at (352) 262-3897 or via e-mail at broju1@uga.edu.

**If I have questions or concerns about my rights as a research participant, I may contact The Chairperson at the University of Georgia Institutional Review Board at 706-542-3199 or by e-mail irb@uga.edu.**

**Again, we are interested in how public relations practitioners and lawyers interact during a crisis, when each group has more or less influence over crisis management and how communication decisions are made, especially during times of crisis.**

## Appendix B: Interview Questions: PR

1. What is a typical day like for you?
  - a. What is an atypical day like for you?

*I now will ask you more specific questions about your relationship with the lawyers in your company and your role during a crisis.*

2. Please describe the relationship between in-house lawyers and public relations practitioners in your company. Please provide an example.
3. What do you think is the best way for in-house counsel and public relations practitioners to gain and maintain a strong relationship?
4. Does the dynamic of the relationship change during a crisis. If so, how?
5. Please describe how your company manages crises. Who are the key players in a crisis team?
6. Please describe your role in managing crises.
  - a. Please describe your role during the crisis planning stages.
  - b. Please describe your role during the crisis.
  - c. Please describe your role in managing post-crisis evaluation.
7. Please describe the role of in-house counsel in managing crises.
  - a. Please describe the role of in-house counsel during pre-crisis planning.
  - b. Please describe the role of in-house counsel during a crisis.
  - c. Please describe the role of in-house counsel during post-crisis evaluation.
8. Please describe the public relations strategies used to manage crises in your company.
9. Please describe the communication strategies used by lawyers to manage crises in your company.
10. Do you believe that it is important for public relations practitioners to increase the amount of influence they hold in your company, specifically concerning crisis management?
  - a. If so, how would you or how do you go about increasing that influence?
11. What role do you think public relations should play in crisis planning, crisis and post crisis evaluation?

*We are almost finished with the interview. I just have a few more questions.*

12. How many years have you been with the company?
13. How many years have you worked in public relations?
14. How long have you been working in your current position?
15. How many people are in your department?
16. What is your educational background?
17. Gender:
18. What is your Ethnic background?

### Appendix C: Interview Questions: Legal

1. What is a typical day like for you?
  - a. What is an atypical day like for you?

*I now will ask you more specific questions about your relationship with the public relations practitioners in your company and your role during a crisis.*

2. Please describe the relationship between in-house counsel and public relations practitioners in your company. Please provide an example.
3. What do you think is the best way for in-house counsel and public relations practitioners to gain and maintain a strong relationship?
4. Does the dynamic of the relationship change during a crisis. If so how?
5. Please describe how your company manages crises. Who are the key players in the crisis team?
6. Please describe your role in managing a crisis.
  - a. Please describe your role in crisis planning.
  - b. Please describe your role during a crisis.
  - c. Please describe your role in managing post – crisis evaluation.
7. Please describe the role of public relations practitioners during crisis planning.
  - a. Please describe the role of public relations practitioners during a crisis.
  - b. Please describe the role of public relations practitioners in managing post-crisis evaluation.
8. Please describe communication strategies lawyers use during a crises in your company.
9. Please describe the public relations strategies used to manage crises in your company.
10. Do you think it is important for lawyers to increase the amount of influence they hold in your company, specifically concerning crisis management?
  - a. If so, how would you or how do you go about increasing that influence?
11. What role do you think lawyers should play in crisis planning, crisis and post-crisis evaluation?

*We are almost finished with the interview. I just have a few more questions.*

12. How many years have you been with the company?
13. How many years have you worked in the legal profession?
14. How long have you been worked in your current position?
15. How many people are in your department?
16. What is your educational background?
17. Gender:
18. What is your Ethnic background?

#### **Appendix D: First E-mail Solicitation**

Hello,

I am a graduate student at the University of Georgia currently working on my Master's Thesis. I am studying the relationship between public relations practitioners and corporate legal counsel during a crisis. I am working directly with Dr. Bryan Reber and Dr. Lynne Sallot in order to conduct research on this topic.

I am requesting your participation in the study if you are a professional who works with the legal department in your company at least some of the time. If you are interested, please contact me at broju1@uga.edu.

Sincerely,

Judith Brown  
Master's Candidate  
Journalism and Mass Communication  
University of Georgia

#### **Appendix E: Email Solicitation: Thank You**

Hello,

Thank you for agreeing to participate in the study. Please indicate a day and time that would work for you to be interviewed.

I will confirm the appointment and call you at the scheduled date and time. If you have any questions, please let me know.

Thank you,

Judith Brown  
Master's Candidate  
Journalism and Mass Communication  
University of Georgia

#### **Appendix F: Email Solicitation: Confirmation**

Hello,

Thank you for your interest in participating in the research study. Based on your response, the interview will be held on \_\_\_\_\_ (Date) at \_\_\_\_\_ (Time).

If you have any questions concerning the study or research, please contact me at broju1@uga.edu or (352) 262-3897.

Sincerely,

Judith Brown  
Master's Candidate  
Journalism and Mass Communication  
University of Georgia

**LIST OF TABLES**

Table 1.0: PR Practitioners & Power-with Relations

PR1	Power with
PR2	Power with
PR3	Power with
PR4	Power with
PR5	Power with
PR6	Power with
PR7	Power with
PR8	Power with
PR9	Power with
PR10	Power with
PR11	Power with
PR12	Power with
PR13	Power over
PR14	Power with
PR15	Power with
PR16	Power with

Table 1.1: Examples

of Power-with Relations

<b>Responses:</b>							
	Communication	Mutual understanding & Respect	Leadership from the top	Interpersonal Relationships	Collaboration		
	PR 16	P.R. 15	P.R. 15	P.R. 12	P.R. 10		
	P.R. 14	P.R. 14		P.R. 11	P.R. 3		
	P.R 8	P.R. 13	P.R. 13				
	P.R. 7	P.R. 12					
	P.R. 5	P.R. 11					
	P.R. 1	P.R. 9					
		P.R 6					
		P.R. 4					
		P.R. 2					

Table 2.0: Relationship during Crises

Responses	P.R.1	P.R.2	P.R.3	P.R.4	P.R.5
	power with relations	power with relations (same as before)	Becomes more exhibitionous...first person to be contacted, the legal team is in the look, will draft the position paper and give it to the legal team and they will guide the final outcome...	not relational influence, depends on the crisis at hand	relationship doesn't change during a crisis
	P.R.6	P.R.7	P.R.8	P.R.9	P.R.10
	hopefully doesn't change during the crisis, but depends on the specific crisis	the relationship does change; legal counsel wants to take a bigger role during a crisis; it is up to the PR practitioner to work harder to manage that relationship	the relationship changes, messages are driven by legal depending on the nature of the crisis	Doesn't change during the crisis	depends on the specific crisis how the PR professionals gained influence or if they even had that influence.
	P.R.11	P.R.12	P.R.13	P.R.14	P.R.15
	important to have the pre-existing relationship	the relationship becomes a daily one; but no really strategies to strengthen the relationship; seems to be based on the relationship before the crisis	The relationship doesn't really change; depends on the relationship before the crisis	Not sure how the dynamic changes; will take the lead on whoever is in charge	Depends on the relationship established before the crisis
	P.R.16				
	Doesn't change during the crisis				

Table 3.0: Role of PR before a Crisis According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	Develops crisis plans; very detailed crisis response list; key messages,	Have written crisis management plan for the company; develop messages,etc	Wrote crisis management policies	Craft the wording of communications	Didn't have a role in crisis planning
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Assist the VP of communications with developing communications plans	The lead role in planning; has an updated crisis plan	A member of the crisis planning team; depending the on the crisis – then PR would or would not lead	Craft communications plans, Q&A, audiences, issues we expect to arise,	Crisis communication plan
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Helped create a crisis communications plan;	Managed the role of perception; seemed to be more strategic	Defining crises, identifying audiences, messages,	Participates in early meeting about crises	Have all the resources needed for the crises,
	<b>P.R.16</b>				
	Have a system in place; practice tests, the Emergency Crisis Management and Security person reports to her				

Table 3.1: Role of PR before a Crisis According to Lawyers

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	Very similar to what the lawyer does, Pr person is giving advice, being proactive, not actively involved with pre-crisis planning...PR and legal are brought in once a crisis happens	Be familiar with and have background information on the assets, property know specific information about the company so that they act quickly during a crisis.	Very similar to a lawyer, just makes sure that the company goes through the crisis with a positive image	Don't do a lot of pre-crisis, plan for it once it happens, PR people are determining what they are going to say to the public...the PR people are planning to put a spin on the situation	Different representatives come up and discuss what should be done and who should do...the PR professional is going to have the same opportunity to create a policy or procedure as any other representative
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Understand the issue and the operations, anticipate questions and prepare responses	Create general messages about the company for the community... know the media contacts and activists groups,	Generate policies about who is able to talk to the media, determine the flow of internal comm., determine relevant decision makers	I am not aware of what they do in that function	They come up with the questions and either generate answers or work with legal to generate answers that are "user friendly." They also create press releases that the lawyers look over
	<b>L.C.11</b>				
	They would make sure to have everything lined up so that they can respond easily and quickly when a crisis actually occurs				

Table 3.2: Role of Legal before a Crisis According to Lawyers

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	Giving advice that is preventative and would help them do the business of Coke while being compliant with the law;	Participate in crisis drills, determining the kind of advice to be giving them from the beginning; giving advice to control documents	Participate in informal trainings – how to talk to the media, no specific formal training program	Don't really do a lot of pre-crisis planning, looks at emerging problems; the crisis team delegates what function should do what...believe s you should develop crisis strategies when crisis begins	Looking ahead at different situations; offers suggestions to the PR staff on how to handle crises...as well as other business people
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Establishing a set of procedures of what to do if a crisis strikes, take old PR material and apply them to the situation at hand...following standard procedure	Develop processes and procedures for if a crisis does develop...educate the potential media contacts, develop talking points for key messages	Because of her positions, thinks out in advance what happens in a situation...and thus gives certain instructions to individuals about what they can and can not say during a crisis...important, in some situations, to control comm. with the media.	Participates in an open discussion with other members of the management team about the crisis and what to do...not actively recruited to create white papers or pen and paper strategy...	Given the nature of the business, airline...had a big team from communications/legal, and other groups to draft press releases, draft employee comm., draft comm..., draft Q&A for different parties,
	<b>L.C.11</b>				
	Participate in mock exercises...also provide input or advice for the pre-crisis planning				

Table 3.3: Role of Legal before a Crisis According to PR

Responses	P.R.1	P.R.2	P.R.3	P.R.4	P.R.5
	that depends, legal will review all documents...bring legal into more legal crises, such as if someone has been subpoenaed	Are a member of the crisis team...review all plans to ensure the company is covered from a legal perspective, other than that, no integral function in pre-planning	They are advisors, want to make sure that all documents are truthful...	they are involved in pre-approving and crafting modifying statements...exposes to and put on the reporting sequence of how incidents are reported w/in the company...they say, if the damage is less than 10 grand, don't call me.	Reviewed the Q&A, reviewed the press releases,
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Monitor of information, make sure that approval processes are in place; no comm.. is going out w/out them looking at it...never seen them set up the plan	Their role is limited because we don't know the legality of an issue until happens...(no pre-crisis planning).	Making sure that the crisis plan is not legally problematic...they are never really driving the plan unless it is a legal issue	Discuss with lawyers the points of communication to be sure that they comply with the rules...to be sure that in the point of communicating, the company doesn't place itself in legal jeopardy...	They didn't have a whole lot to do with crisis planning, they showed up when something happened... Crisis planning occurred without input from the legal team...
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Oversight role, reviewing the plan and the documents; look at example...	They protect the company from any type of damages...	PR sets up the pre-crisis plan and legal comes in with advice during the crisis...including messages and strategies	Act as an advisor...says what the potential liability might be...legal helps frame the responses	Giving advice on releases, making sure they're correct..make sure that all documents are compliant and that all employees are protected...and ensuring that everyone is using safe work practices
	<b>P.R.16</b>				
	Legal is at the table				

Table 4.0: Role of PR during a Crisis According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	It depends: if crisis plan is already in place, would provide on site help with media or other stakeholders; provide triage for media calls setting up interviews; distribution service; media training for execs; manage the crisis center, have all approval on all media materials; if its unexpected then I would develop key messages and plan from that minute on	A point person, all information is being funneled to her, monitoring media coverage, monitoring blogs, and anywhere else that there may be some insights...talking to people on the ground; pull all info in, synthesize it, send it out and work with legal and other dept. to develop messages, and answering media inquiries	Tries to be genuine and transparent during a crisis, acting as advisor to stakeholders and decision makers about what should be said to the media and other publics	The role of managing and acting as the company spokesperson both to inform our company of what has happened and to inform the media or the public or what's happening; has previously written the communications messages	Answered the phone and offered advice to consumers on how to feel better.
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Media monitoring, drafting communications, also monitoring other publics	The liaison between the company and the media;	It depends: Get out information to the media as soon as possible; look at his example...If it's a media crisis, he takes the lead, if not, then they are part of a function just like everyone else	It depends, someone else is the spokesperson, If I prepare Q&A, then I act as the spokesperson...craft responses to questions as well...	It depends, have to know when to take the back seat and when to take the front seat; if it's a legal issue, take the back seat, in general manage communications
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Monitor the degree to which it's been reported on...be open and honest	Managing the phones; statements are offered, the dialogue you	Attending meetings, working with teams to identify	Handling media, talking directly with the media.	Depending on if I were the person in charge: direct the

	with the media about the situation and the product	want, then the phones,	the scope of the crisis, writing messages, make contact with the media and deliver messages		communications team, serve as the member of the oversight team to make sure communications was handled correctly; that media was being updated and that we were staying in contact with government officials, local, state people in other areas were being kept informed, and HQ was being kept informed.
	<b>P.R.16</b>				
	The chair of the crisis committee; liaison between the CEO and the parent company				

Table 4.1: Role of PR after a Crisis According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	Sit down with everyone in at least 2 weeks after and go over the plan and evaluate each step	Monitor media coverage that was garnered, see if messaging was picked up like they wanted it to be...talk to other dept. involved and report back to the senior management team	Don't have a succinct post crisis plan, dept. meetings where they do a brain storm of everything that went on...make changes to internal crisis management policy	Act as media spokesperson and sit in on debriefings, look over own notes during the crisis and compare it with operational people...sit at the table during review as an equal to other functions w/in the company	We don't do post crisis evaluation
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Review what we did, what messages worked , what didn't...get issues, small and great addressed	Most active in leading during that role...go through with client how good and bad they responded, how well we prepared or didn't prepare, examine reality and perception after the crisis.	Don't do a good enough job; never had a high level crisis; there is a post mortem, we review part of the process...we look at media coverage, what messages are resonating and what messages are being communicated...	Do it on a cross functional basis...do an after action, go through what went right, what went wrong, try to create best practices that we can put in place for the next time	Monitoring and doing poll checks of what the media coverage might have been...gauging the general attitude of the people; report back the company of what happened and here is what we can learn for the future
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Summarize what the external communication environment was like...could talk to different publics, but that could fall in with someone else...	A post mortem, say what did we do, what did we do right, wrong and try to learn from it to prepare for the future	Monitoring the media for their coverage, identifying if our key messages appeared in the story and determining if messages permeated...	Trying to decide what can be done effectively, efficiently, facilitating the PR position, working with internal groups to proof the process...participate in all brainstorming sessions too	Get the same team in place and take it a apart...what went wrong, etc...you re-write your plan to make sure what needs to be fixed is fixed...
	<b>P.R.16</b>				
	Use a Web based system to evaluate, have an internal				

	discussion and report would be generated to which I would present to the CEO and parent company.				
--	--	--	--	--	--

Table 4.2: Role of PR during a Crisis According to Legal

<b>Responses</b>	<b>L.C. 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	The spokesperson; handles public statement, media inquiries, prepares media materials like Q&A, consistent messages, be the voice of the consumer	Press releases, fending phone calls, point of contact for third parties, communicating to folks in senior management,	To make sure the company comes through the crisis with a positive image	Understand what the facts are, understand the strategy and to prepare messages based on that info...	Point person to the outside world, developing press releases, circulating those press releases, that are going to manage the communications to the outside world
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Contact with the media, anticipate and prepare responses for the media...make sure the business is attuned to the media issue, make sure you are doing things that are okay to the outside world	Fine tune the messages and determine when and where those messages will be disseminated... PR should advise the company on what the messages will mean to the publics...and how we might want to change them	Making sure that relevant parties are involved, put together the documentation, responsible for handling outside agencies, responsible for strategizing with senior management the plan for disclosure to make sure it's accurate, complete and not misleading	They're the face of the company and are the master coordinators of any response during the crisis. Take the role in formulating the response...	Frontline with the media and different employee groups and get their questions, if we can not answer them then they will make a list of additional issues we need to address,...they are on the frontline for the external audience...help management address questions from their employees
	<b>L.C.11</b>				
	Very active, know what is going on, have access to the higher ups who are overseeing what's going on, are the face of the company, make the public announcements or prep whoever makes the announcement, create "if asked" statements, get these statements approved talking points, respond				

	to media inquiries, and give the talking points to people who would talk with the media...				
--	--	--	--	--	--

Table 4.3: Role of Legal during a Crisis According to Legal

Responses	L.G 1	L.C.2	L.C.3	L.C.4	L.C.5
	Advise the team on the best steps to take to handle the crisis, review PR materials to make sure they are consistent and don't hurt the company legally...	Giving basic legal advice...work with the PR folks to help secure resources, draft contracts, depending on the crisis, I could wear a legal hat or be another hand; look at example...	Advocate for protecting the company from legal liability...we all (PR, other functions) throw our position on the table and we all discuss which would be most effective...if a consensus can not be reached, the final say is the President	Provide legal advice to the team, is also a member of the senior management team and does advise based on that role...	To act as a resource; to answer any questions...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Central decision maker...coordinator of the crisis...everyone reports to me including PR...yet the PR people make the final decisions on the strategies...the President of the company makes final decision if legal and PR can not agree...	Reviewing the public statements	Involved in all e-mails, written communications and review documents, speaking with reps from different departments and get their input on the situation, act as a liaison between my business unit and the corporate communications team	Be a consultant, esp. concerning compliance issues	Review any and all communications that are going out...
	<b>L.C.11</b>				
	Provide legal advice, provide input to the team that is handling the crisis...make sure nobody does anything to hurt the company...make sure that everything is under control				

Table 4.4 Role of Legal after a Crisis According to Legal

<b>Responses</b>	<b>L.C. 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	Very light...crisis management manager is responsible for managing that...I have been interviewed about what I did in the crisis...	Gather input from everyone who was involved in the legal group...have a meeting about what went well, what could have gone better, what additional resources we should have brought in...during a major crisis, the crisis center will conduct a similar meeting and they will provide input...it is a lesson's learned activity...	If we feel like there are ways to improve it, we would take the steps to improve it...	Not much... more of a business function ...	Basically a resource tool to answer any questions...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	We analyze how things worked; what we could do better; create a follow up list of things that need to be done related to the specific matter, if we need to change the way the company does business, I would be responsible for heading that effort...	Didn't know if it had ever been done...said it would be a good idea though...	If it's a non-legal issue, very little role; if it's a legal issue, then analyzing the factors that contributed to the incident, the incident itself, did we do everything correctly...works with the business to analyze the actions taken, not taken and decide rather improvement in our processes or policies is going forward	Doesn't have one	Would only know about something bad that happened if it caused another legal problem, then have discussions with people in the PR dept. (informally) to determine how that happened, why and how we can avoid it the next time...
	<b>L.C.11</b>				
	Participate in a meeting to discuss how it was handled...tell the group what they learned from a legal perspective, and tell how different things that were done affected the legal consequences ...believes it's best to have the attorneys involved in the situation to ensure the company is protected...				

Table 4.5: Role of Legal during a Crisis According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	Participates in the media trainings, reviews all documents, edited final crisis plan, involved in all conference calls, constantly getting legal council, serve as right hand folks on the team...	The first person they go to when the crisis occurs, gathers information, talks about the various approaches to take, together they come up with a recommendation for the crisis management team... work hand in hand...	Protects the company and the company's stakeholders and interests in any manner, legally...minimize liability...secondarily to think about the image of the company...	Plugged in, aware, are monitoring the situation, are watching e-mails, and participating in conference calls and making hone calls and giving advice as the situation develops...reviewing the situation, and monitoring risk the company and making decisions where they need to assert themselves...	Taking calls during the crisis from anyone who requested the attorney, were backing the PR people..
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	More involved if it's a legal issue, if it's not, the PR people will be more involved, an ally for communications professionals (get example)	Telling the team what they can and can not., what they are liable for, etc. giving recommendations on what they can and can not say legally...	If it's a legal issue then they will be leading the response...	Make mid – course corrections: Discuss the response with the PR practitioners and other functions of the company – an active part of the planning and strategizing	Depends, if involved stock prices, major corporate image, tell the PR people what would put them in danger and what would keep the company safe...looking for them as a guidance role...
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Making sure that the company is compliant with state and fed. Law, protecting the company from law suits; adherence with the law and out of the court...	There is no time to go off a full analyze, have to offer advise on your best legal mind...	Give advice and opinion on what is happening...including messages and strategies...	Active in helping the various response units, making sure the company is protecting itself from a legal standpoint...looks over PR positioning documents, don't have final say, that is for the management. A very collaborative effort	Make sure we comply with every inch of the law, make sure that ll policies are evaluated and resolved on a higher level if need be...make sure everything is done according to established procedure with the right approval process.
	<b>P.R.16</b>				
	Ensure that the				

	company is respecting the law; ensure that what we say doesn't get us into future legal difficulty and they are there as a resource.				
--	--	--	--	--	--

Table 4.6: Legal after a Crisis According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	They would be included in the post crisis meetings, diffidently have their input known...	Submits a report to the leadership team including legal...makes sure she didn't miss anything...	Reviewing the document, making sure they're aren't any holes in the document...	Do not actively participate in the debriefing sessions, they are copies on the findings and the suggestions...	None
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Seeing where the wholes are in the plan...good at evaluation type of effort...	Just say what the company can and can not say once the crisis is done...	Don't really have anything to say on that...	Cross functional group gets together...has the most input if the company did something during the crisis that could have put it in legal trouble...	I don't' know
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Look back at the crisis and determine if the best job was done, did we do everything we could do to protect the company.	Do the same type of post mortem as everyone else...how did the comm.. go initially? Is the company okay from a legal perspective? What has to be changed next time?	Evaluate the legal exposure, look how any vulnerability from a legal perspective would impact the company...	Same, participating in the brain storming sessions to figure out what we could have done better, determining if it's something we needed to notify regulations about...	Review what went on and provide a critique in terms of what we can do better, how we can improve esp. in terms of how it can effect the company's reputation...
	<b>P.R.16</b>				
	The same, they are part of the team...				

Table 5.0: Strategies to Gain &amp; Maintain a Relationship According to Legal

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	Communicate on a regular basis, informally and formally...you could drop by each other's office, go to lunch, etc...also be involved in regular meetings if you're on project teams together	Partnership, recognize the unique skills that each group has to offer...to be in support of the clients (look at the example)	Get to know each other...spending a lot of time working together...the biggest issue is trust and that and anything else that can build trust	Trusting each other, respecting each other's professional skills...work closely together...	Talking to each other and explaining the nuances of what they do on a regular basis...also talking to each other about work related issues such as what affects their clients, and the company, share information about what competitors are doing, etc...informal and formal way...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Working together and understanding each other's roles...sometime s the roles cross and when that happens, we make sure that we are both working to make public statements the best they can be...	I think that PR ought to be on board before the crisis hits, PR should be there to develop good will in the market place of public opinion, when a crisis hits, you don't have to educate that person and they already have relationships with media and other publics...	Have to respect each other's roles, then goes in to the different responsibilities of each function...	Spend time with each other, get to know one another in a non-professional setting...that can foster a more positive relationship	Both need to understand each other's job more...more detail about the issues that go along with understanding each other's jobs...(get example)
	<b>L.C.11</b>				
	Good to let them know early that you need their assistance on a project...be considerate of their time...get them involved as quickly as possible when a crisis strikes...get them up to speed on the situation so they can rep. the company.				

Table 5.1: The Relationship between Legal and PR According to Legal

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	I work closely with the communications people...we don't speak everyday, but are in contact on a regular basis...We work together on issues...	Coordinate with PR group on press releases, on issues that might be raised in the press, we have Q&A's, and "as if" statements, coordinate strategy on specific issues that are important to the company, we draft position papers, sometimes draft responses to specific legislation,	Work very closely together, both the legal department and the PR department report to the General Council...meet once a week to discuss what everyone is doing and activities and plans and issues	Very close and provides an example (look at it)	Communicate on a regular basis either in a proactive or reactive way...the relationship is very open and focused on partnership...(Provide s an example)
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	The PR and Legal Officer report to the same person...meet and work together on a regular basis...a positive, cooperative relationship (provides an example)	Worked with PR after a crisis has happened...then worked together daily...reviewed communication documents...	Reviewed communications documents, so a lot of interaction surrounding that...would also plan strategies with the PR team when a crisis happened...	Tremendous... tries to gain knowledge of the market, similar to a PR person...work with the PR people to strategize on a regular basis...	Work with the communications department on disseminating important legal documents, not always positive, works with a lot of outside firms so depends on the PR people that she has to deal with...(gave a great example to use).
	<b>L.C.11</b>				
	A good relationship...depends on the individuals...communicate well during issues or situations...(gave an example)				

Table 5.2: Description of Legal and PR during a Crisis According to Legal

Responses	L.G 1	L.C.2	L.C.3	L.C.4	L.C.5
	You are seeing more of each other...because PR and legal are involved in a crisis situation...so seeing each other more and working closely together	Makes the nexus more understandable ...in a crisis together, everyone understands their plans and roles, and when it comes to PR, I am reviewing press releases, Q&A, "if asked" questions, that type of thing...	I could see how it could change, because of the conflicting interests between and PR and Legal...	Yes, it becomes more frequent and intense...don't usually work with PR on a daily basis, but when a crisis hits, I am working with them daily...	No, because of the experienced PR and Legal team who are use to dealing with each other during regular times and during a crisis...the frequency of communication changes, moving at a faster pace...also aware of the media and other publics that are looking at your company...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	It's possible for it to, because when a crisis occurs, each function has the possibility of speaking without preparing, so if they feel like something is going to happen then they exchange e-mails and determine what should be done before the crisis actually occurs...	Yes, before a crisis, PR has more power...during a crisis, legal has more power...because the stakes are higher (include that in results)	During the crisis, the legal point of view will become more significant and entitled to more deference, PR should be higher except for legal issues...(include more in results section)	No, based on a good foundation, if you know the other dept. well enough, you can work better together to diffuse the situation...	Yes, decisions have to be made more quickly and there is a heightened risk involved...plus the issues with the different perspectives of legal and PR...people have shorter tempers and it's a lot more difficult.
	<b>L.C.11</b>				
	No, I think during most crises, the relationship is the same...but just more intense...				

Table 6.0: Public Relations Strategies According to PR

Responses	P.R.1	P.R.2	P.R.3	P.R.4	P.R.5
	Proactive media relations, marketing to introduce new ideas that could cause an issue...the more proactive the better such as a newsletter to employees telling them about a change or holding a recycling day for a community that is going to have chemical plant	Understanding what's in the marketplace, understanding the situation, being open and honest even if info is not favorable to the company.	If it's truly a crisis, all information comes from the top...serves to maintain stability...	Up front and honest...forthcoming, keep the communications oriented to the target audience, try to put themselves in the shoes of the publics	Consisted messages, all calls were answered,
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Up front with information, disseminate messages to all publics, have a crisis plan in place,	Tell the truth, tell it thoroughly and tell it quickly...	Timeliness and transparency are crucial, also full disclosure,	Depend on the crisis, proactive and passive strategies depending on the crisis...proactive if you want to get your message out, passive if it's a situation you want to contain.	More crisis plans now...(look at for example)
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Understand what the issue is, determine what publics would be affected and then create communications to address their concerns...be open and frank...determine consumer questions, making sure messages are consistent	Make sure you have the right people at the table...to initiate the right response communications is open and honest, and hearing everything you need to hear,	Transparency, being forth right and hones, being proactive with the media in a timely manner...	Business planning, having the relationships with the executives and counsel so we can be influential...having a seat at the table, framing issues from our perspective,	Ensure the public that that the crisis is being handled in a safe manner and is under control...ensuring the public that their safety and best interest is being looked out for...
	<b>P.R.16</b>				
	Disseminating information in a timely manner...				

Table 7.0: Legal Communication Strategies According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>	<b>P.R.4</b>	<b>P.R.5</b>
	Are used as a sound board, give their opinion and have the final say on what goes out...	Open and honest communication and messages, work together to ensure that the messages are to both department's liking...	Minimize legal damage, and potential financial and image impact...	Want more general information disseminated to publics...more cautious...trying to reduce legal liability...	Doesn't Know.
	<b>P.R.6</b>	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>	<b>P.R.10</b>
	Steadily trying to communicate more...to mitigate the reputation of the company...likes to read statements instead of interviews, more control...if interview, coach the person on exactly what to say...	Tell as little as possible, make sure what you do say is accurate, believe in timeliness as well	Believes in putting out messages that are specific, but garnered to a specific public...	Cross functional team, work with an agreement with the communications team.	Believed in discussing the communications strategies with the crisis team to come to a good decision...
	<b>P.R.11</b>	<b>P.R.12</b>	<b>P.R.13</b>	<b>P.R.14</b>	<b>P.R.15</b>
	Are very careful about the language that is put out on communication;	Communication is clear, open and honest and available...	Estimating the amount of legal risk and communicating from there	Am Not Sure	Provide input into the communications team...doesn't know much from there
	<b>P.R.16</b>				
	Guided by the overall strategies of the communications team...				

Table 8.0: How the Company Manages Crises According to PR

<b>Responses</b>	<b>P.R.1</b>	<b>P.R.2</b>	<b>P.R.3</b>
	Have a Senior VP...when crisis occurs, team gets together, four people in the agency who specialize in crises; may pull in other people depending on the crisis like media trainers, etc. each member of the team has different roles that they begin performing...one does key messages, one sets up logistics, one is the main council for the client, continue to develop their role through the end...	For lower tier crises, I get the first call, take the information to the operation's team and then go to legal when I have all the facts,...determine the best approach, then communicate with other dept's as needed. For Larger Crises: bring in other people from different business units, COO, CEO, keep them apprised...share with them their recommendations, I would be the spokesperson, only the CEO if it is of great magnitude...(include in results section)	All requests for interviews or comments are directed towards me, I will disseminate either up or down or out, whatever is best for the circumstance...
	<b>PR 4</b>	<b>PR 5</b>	<b>PR.6</b>
	Key Players: our legal department, operations group, Public Affairs, Independent Government Arm, make sure the company follows all procedures...	The President, Attorney, the Marketing Manager, PR Managers, work together to determine a common ground and then stand united	Crisis team depends; major players: CEO, President, Senior VP, VP of Operations, VP of Sales and Marketing, VP of Corporate Comm., depending on the crisis, could be other dept.'s...
	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>
	Starts at the top and trickles down...Executive Director, the governing board, the CEO, board of directors like investors or advisors, and anyone else depending on the specific issues, for example the managers..and then anyone else in the organization...	Depends on the issue: if it's a communication issue, then comm.. would run it, comm.. would always be there, legal, other than that, depends on the issue...CEO would always be involved...(use as an example)	Depends on the crisis: but usually because of the business, PR is always involved with legal,...work together

Table 8.0: (Cont) How the Company Manages Crises According to PR

	<b>P.R.10</b>	<b>PR11</b>	<b>PR12</b>
	<p>Top people: CEO, Head of PR, and Head of PR for partner company, everybody gets together, figure out who needs to be in charge of what...but still keep everyone informed...including the various parties such as Marketing, PR, Programming, Corporate Council, Human Resources...having everyone in the mix no matter the crisis...the appropriate parties coming together to develop a plan to either make the crisis go away or resolve it in a manner that's best for the company</p>	<p>An existing incident management team; a group of people in operations, scientists, someone rep. the legal function, PR function...the team would convene, and leave the room with specific action steps to take, go to their management and then decisions are made...some people may be outside council depending on the situation (include in example)</p>	<p>Depends on the immediacy of the crisis: If it something that just happens then you drop everything and respond: Executive Producer of the show, Runner of the Show, General Council, PR...have a response as quickly as possible, gather the facts,...clear open communication with everyone involved...For crises that you know are coming, can sit down and plan and strategize over a period of time...</p>
	<b>PR. 13</b>	<b>PR14</b>	<b>PR15</b>
	<p>Legal, PR, Marketing, usually have technical product people...it ultimately depends on the crisis you are talking about to determine who will be at the table...</p>	<p>Have a Business Continuity Area: make sure we're prepared for different scenarios and problems...depends on the crisis to know who will be on the team...but usually PR, Line of Business People, Legal, teams are pulled on an as needed basis... Crisis is solved from collaboration and delegation from the team...</p>	<p>It depends: there is one person in charge at the top depending on the crisis, but always a PR person, CEO or President, Financial person, HR, Customer Service, Facilities, ect.</p>
	<b>PR16</b>		
	<p>Responsible for emergency and crisis management and security...am the chair of the crisis team, team is brought together with reps from all the dif. Functions</p>		

Table 9.0: Ideal Role of PR According to PR

Responses	P.R.1	P.R.2	P.R.3
	Should play a strong role in guiding companies all the way through the whole process through evaluation...can help them learn ...PR people are specially trained in this...	Play an integral part in all steps...Most importantly during pre-crisis planning and the actual crisis...post crisis is better done by an outside company...need to have a strategy and approach for dealing with the media...if not, it's not good...Pre-crisis planning is also important...once you have that down, PR will be very important with messages and making sure the company's position is clearly understood...	Be at table: listen to concerns, give advice, believes they represent the precedent for PR (use an example)
	<b>PR 4</b>	<b>PR 5</b>	<b>PR.6</b>
	The more involved PR is at all stages, the better...this gives the company an advantage...(EXAMPLE)	Involved all the way through...The spokesperson or feeding the information to either the attorney or executive that is the spokesperson...advantage of seeing how the message will be perceived by the consumers and other audiences	Large part of it...many times, they can lead it...we have connections with different dept.'s and the media to help you look at the situation from a 360 degree angle,
	<b>P.R.7</b>	<b>P.R.8</b>	<b>P.R.9</b>
	One of the most important roles, because they manage media and other key stakeholders, should be influential with what is done, the policies,	Critically important, for comm.. to lead it...communication is important no matter the crisis...	It depends, if the major issue is PA then Comm. Should lead it; if its something like business, then they should have an advisory role
	<b>P.R.10</b>	PR11	PR12
	Influential, vocal part of the senior management team, maybe not driving the bus all the time, but a collaborative effort...everybody should be responsible for their speciality (EXAMPLE)	Play a central role; know the perception of your brand and what are the things out there that could negatively impact it and what are you going to do then? ..but believes they play a central role...	Front line to external comm., so they have to play an essential role...media, publics...primary player at the table...
	PR. 13	PR14	PR15
	Team player at all levels	Being at the table is very important; being willing and active participant to discuss what worked and what didn't at various stages...and learning and educating other people...	Have to have an equal place at the table...the view of the company by external and internal publics is key...ability to write messages so everyone understands
	PR16		
	In the midst of everything, planning, during and post...when views are being generated, when crisis is unfolding, not in the middle or in the end...		

Table 10.0: Legal Communication Strategies According to Legal

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	Rare for a lawyer to do external strategy, leave that to the PR people	The message are driven based on the potential legal liability of the situation...make the messages factual, correct	Have to play a balancing act to make sure that the messages are disseminated to maintain a corporate image, while also making sure that the company is protected legally	Don't communicate with the public, have the PR people for that...	To provide legal advice and counsel, to think about the what if's, to communicate internally with different parts of the company, to deal with outside counsel if necessary...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Traditionally lawyers will advise the company not to say anything, it's instinctive...the PR people don't persuade the company to do otherwise.	Lawyers should not be communicating externally, that is not their best function...	We don't drive the communications strategy in our company, we are strictly advisors...	Being part of the discussion and getting a sense of the issue at hand...	Make sure that the communications that go out are correct...
	<b>L.C.11</b>				
	To be truthful and in simple language...also work with the PR person to get the messages out...it's a joint effort...				

Table 11.0: PR Strategies According to Legal

<b>Responses</b>	<b>L.G 1</b>	<b>L.C.2</b>	<b>L.C.3</b>	<b>L.C.4</b>	<b>L.C.5</b>
	PR would take the lead on communicating with media and external publics...react quickly, proactive and transparent...	Be very fact specific and talk out what the company's messages will be...	Transparency...being honest, have integrity, and be forth right...	Truthful, accurate, fast, and try not to hide the ball, but tend to say less rather than more...sometimes if you have something bad, take your hit and don't say anything and wait until it goes away, legal does have the final say, but they have to have a good reason...	Don't know...
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Because of their particular company, a media company, they have a good relationship with the media and so work well with them...	Play it by ear, don't have one...	Attempt to gauge the situation...accurately disclose information to the shareholder base and media, to put perimeters around the quote news that are accurate and truthful...to make sure the audience understands exactly what is going on...	Be proactive with the media, educate the public on what we do and how we do it, try to create balance...	Get the truth out as quickly as possible...
	<b>L.C.11</b>				
	Don't Know				

Table 12.0: How the Company Manages Crises According to Legal

<b>Responses</b>	<b>L.C. 1</b>	<b>L.C.2</b>	<b>L.C.3</b>
	Depends on the type of situation...have crisis management team leader, legal representatives, PR, Marketing Rep, supply chain or tech. rep., the head of the team gets everyone together and they begin to discuss how to implement the steps to address the problem...the team then reports to the senior level (their bosses) the crisis management leader reports to the head of Business for The Group Division, communication person prepares the plan to deal with external audiences, questions from media,etc.	Stand alone, fully operational crisis center, there is someone is automatically designated as the incident command officer...functions that are automatically assigned, from operations to Logistics, not PR...we have a legal officer, Public Affairs officer, Heath Safety and Environmental dept, and every other area that could possibly be represented...will have a general meeting and then everyone will disperse to work on different assignments...Crisis leader is a rotating position (week long rotation), have drills and workshops to help people prepare to be the leader...(use as example).	We have people from public affairs, head of the legal department, and any other subject matter experts that might be required to get involved...decisions are made by a consensus here...
	<b>L.C.4</b>	<b>L.C.5</b>	<b>L.C.6</b>
	We use a team approach: the CEO, a senior manager, legal, Pr, CFO, depending on the subject of the crisis, would have different reps...like if it was a technology crisis, the person in charge of technology would get involved...we do not have a static, stand alone crisis team...it is put together during the crisis.	Key players: Vice President of Corporate Communications, the lawyer who has expertise over the subject matter, and any other members of senior management depending on the crisis; provide information, provide background, details, talking about comm.. that needs to go outside of the company and then needs to occur within the company. (look at example).	Key players: officer level, managers, responsible for specific areas involved, also legal, PR and security...(include example)...respond to crisis in a coordinated way...
	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>
	Team: General Council and legal team, VP of PR, CEO, Senior VP, depending on the event would depend on who had major input...create talking points, PR VP would create press releases, etc...	Team: CEO, General Council, VP of PR, VP or Investor Relations, Securities Council, Regulatory Ethics Council depending on the subject matter, and a business unit if the situation warrants it...get together and discuss what each function is responsible for...the people coordinating the communications process is going to be PR...(include in Results)	Team: Legal Director, VP of Comm., CEO, the President,
	<b>L.C.10</b>	<b>L.C.11</b>	
	Key Players: Depends on the crisis; General Council, CEO, Head of Comm., outside consultant, each of these leaders has a team under them that is focused on a different problem or aspect of communications...those people are second tier..	Core team: Lawyer and PR professional, other than that depends on the issue at hand, report to a crisis manager, this person has some technical (look at for example)	

Table 13.0: Ideal Role of Legal According to Legal

Responses	L.C. 1	L.C.2	L.C.3	L.C.4	L.C.5
	Had already talked about crisis management, giving advice to the team..could be more involved in pre-and post crisis planning, during the crisis, we are pulled in during, but not much before and after...believes it's a resource issues, lawyers are very busy...	An integral part of the process...we can alert people to the potential legal issues during a drill, are valuable b/c we know the company, know the assets, co-owners, and the issues, we bring valuable legal experience and life experience...during post, we can observe things others don't observe...	Protecting the company from legal liability, that's their job...	Just providing legal input...lawyers aren't good at providing much else...	No different than what I've described
	<b>L.C.6</b>	<b>L.C.7</b>	<b>L.C.8</b>	<b>L.C.9</b>	<b>L.C.10</b>
	Should be a member of the team, can help anticipate and minimize legal risks...add value because we are trained to work on one crisis at a time...that kind of focus can be helpful..	Put out procedures in place that are going to protect the company's best interests...including shareholders, employees, ect...look for those procedures and see what effect they have revise as necessary	Crisis planning: focus on risk that can be avoided through policy, planning, etc. Crisis: involved in all aspects, lawyers is involved in deciding if response is appropriate, etc, Post Crisis: helping examine what went wrong, why did it go wrong, lawyer has to drive that in conjunction with the business	Exactly where we need to be...GC in every discussion, fully involved, Lawyers are just consultants, other people can make the final decision...	Be very involved, esp. in legal crises...very involved just in case someone messed up and could be legal trouble down the road...
	<b>L.C.11</b>				
	Important participant; limit company's liability, bring a certain amount of expertise, how to say things w/o sounding wrong, big part of making sure everything goes right during comm..				

Table 14.0: Demographics: Legal

Respondent	# of Years at Com.	#Years in Prof.	#Years Current Pos.	#Ppl in dept.	Ed.BG	Gender	Ethnic Back.
L.C.1	23	25	1	30-40	B.A./J.D	Male	White
L.C.2	28+	29+	8	85-90	B.A./J.D.	Female	White
L.C.3	28	30+	15	25L/15PA	B.A./J.D.	Male	White
L.C.4	20	31	20	50	J.D.	Male	White
L.C.5	14	22	6	11L/6PL/20SS	J.D.	Males	White
L.C.6	41/2	30	41/2	30	J.D.	Male	White
L.C.7	3	25	3	8	J.D.	Female	White
L.C.8	4	9	8mon.	30/15 L	J.D.	Male	White
L.C.9	2	9	2	11	J.D.	Male	White
L.C.10	5	21	5	40	J.D.	Female	White
L.C.11	27	33	6	45	J.D.	Male	White

Table 14.1: Demographics: PR

Respondent	# of Years at Com.	#Years in Prof.	#Years Current Pos.	#Ppl in dept.	Ed.BG	Gender	Ethnic Back.
P.R.1	1	41/2	6-7mon.	80, 4 in crisis	B.A. Comm.	Female	White
P.R.2	4	16	3	2	B.A. English/MA in Comm.	Female	Black
P.R.3	6	6	2 ½	8	B.A. English	Female	Black
P.R.4	25	8	8	40	B.A.&M.A. in Psych. Ph.D. in Edu.	Male	White
P.R.5	8	21	3	2	B.A. English	Female	White
P.R.6	1	22	1	9	B.S. in Comm. MBA; APR	Female	White
P.R.7	17	17	9	1	B.A. in Journ. MA in Telecom. Ph.D. in Mass Com	Male	White
P.R.8	3	7	18mon.	4	B.A. in PR	Male	White
P.R.9	8 ½	30+	5 ½	11	B.A. in Journ. M.A. in Journ. & Mass Comm	Male	White
P.R.10	7	11	3	6	B.A.	Male	White

P.R.11	15 ½	15 ½	10 mon.	5	B.A. in Political Sci./MMC: Master in Mass Comm	Male	White
P.R.12	7 ½	17	7	40	B.A.	Male	White
P.R.13	8	8	3	15	MBA; BA in Psych.	Male	White
P.R.14	9	17	5	3	B.S. in Finance	Male	White
P.R.15	26	31	2	2	B.S. in PR	Female	White
P.R.16	9 mon.	21	8 mon.	60	B.S. in Journ.	Female	White