

Red Banyan Develops Practical Guide to How Litigation PR Works

September 03, 2026

FORT LAUDERDALE, FL - September 03, 2026 -

Red Banyan, a public relations firm focused on high-stakes communications, has developed a practical overview of how litigation PR can help organizations, law firms, attorneys, executives, and individuals manage communications when a legal matter begins attracting public attention. The overview addresses a challenge that often accompanies lawsuits, investigations, regulatory disputes, and high-profile allegations: the need to communicate clearly outside the courtroom without creating unnecessary legal or reputational complications. The information is intended to help readers better understand how media strategy, message preparation, monitoring, and coordination with legal counsel can support more deliberate public-facing decisions.

Legal disputes can move quickly from court filings into news reports, social media posts, search results, and public discussion. Once that happens, legal strategy and communications strategy often need to operate side by side. Public statements, media interviews, written responses, and online messaging can influence how a case is understood by customers, employees, investors, clients, professional peers, business partners, and other stakeholders.

The communications process often begins before a case becomes widely known. Early planning can include identifying likely questions, determining which audiences could be affected, reviewing potential reputational risks, preparing approved messaging, and establishing procedures for handling press inquiries. Clear internal rules can reduce confusion when a matter suddenly receives attention, and several departments must respond under tight deadlines.

“Preparation works best when communications responsibilities are established before public scrutiny intensifies,” said Evan Niernan, founder and CEO. “Early planning can include identifying likely questions, determining which audiences could be affected, reviewing reputational risks, preparing approved messaging, and setting procedures for media inquiries. Clear internal rules can reduce confusion when several departments must respond under tight deadlines.”

Media training can also play an important role when attorneys, executives, clients, or other spokespeople may face difficult questions about allegations, filings, opposing claims, business practices, or legal developments. Preparation can help a spokesperson stay focused on verified information, avoid unnecessary speculation, and clearly communicate approved points. Media preparation does not determine what information should legally be disclosed, but it can reduce avoidable mistakes when interviews or public statements become necessary.

Media relations is another major part of the process. Journalists covering a legal matter may work under tight deadlines while reviewing complicated filings, competing claims, and incomplete information. A communications team can help organize relevant facts, prepare statements, respond to inquiries, provide context, and identify factual inaccuracies when correction is appropriate. Red Banyan's related guide, *How Media Relations Helps Attorneys Manage the Spotlight*, explores this dynamic further, including why attorneys often benefit from letting communications professionals lead press outreach during litigation.

The objective is not to argue a case through the press. Public-facing communications should instead be deliberate, accurate, and coordinated with the legal posture of the matter. Depending on the circumstances, the appropriate response may involve a written statement, background information, a spokesperson interview, a limited clarification, or a decision not to provide a substantive comment.

Monitoring becomes especially important once a dispute gains visibility. News coverage, social media discussions, commentary, online forums, and search results can shape public perception even though those conversations do not determine the legal merits of a case. Communications teams may track developing narratives, misinformation, stakeholder reactions, and changes in media attention to determine whether clarification, correction, engagement, or continued observation is appropriate.

During a high-profile matter, litigation PR can also involve crisis communications, reputation management, rapid-response planning, stakeholder communication, and close coordination with attorneys. Not every headline, post, or public criticism requires an immediate response. In some circumstances, additional engagement can amplify an issue that might otherwise fade. In others, silence can leave an information gap that allows incomplete or inaccurate narratives to gain momentum.

That balance makes decision-making an important part of communications planning. Before responding, organizations and individuals often need to determine which facts are confirmed, which details remain under review, who needs the information, and what can be appropriately communicated. Employees, customers, investors, business partners, journalists, regulators, professional peers, and members of the public may have very different concerns.

“Not every headline, post, or criticism requires an immediate response,” said Kelcey Kintner, Senior Vice

President. ?The decision should reflect confirmed facts, audience needs, legal considerations, and potential reputational impact. In some cases, engagement can amplify an issue; in others, silence can leave an information gap that allows incomplete or inaccurate narratives to gain momentum.?

Coordination with legal counsel remains central throughout the process. Public communication should not operate independently from legal strategy. A statement that appears useful from a reputation standpoint may create legal concerns, while a response focused only on legal caution may leave important audiences with legitimate unanswered questions.

Communications professionals do not replace attorneys or determine legal strategy. Their role is to address the media, messaging, reputation, monitoring, and stakeholder dimensions of a matter while working within appropriate legal considerations. Coordination can include reviewing statements, establishing approval procedures, identifying sensitive subjects, preparing spokespeople, and determining how communications should evolve as circumstances change.

Emotional responses can create another layer of risk. Litigation, allegations, investigations, and personal disputes can place significant pressure on the people involved. An impulsive interview, an angry public statement, a reactive social media post, or a response to online criticism may create new reputational problems and become part of future media coverage. A structured review process can provide time to consider what a statement accomplishes, how different audiences may interpret it, and whether it supports the broader communications and legal objectives.

The effects of a legal matter can also continue after proceedings end. Search results, older news stories, social posts, videos, and public commentary may remain visible long after the most active phase of a case has passed. Post-case communications may involve accurately communicating an outcome, addressing lingering misinformation where appropriate, improving the visibility of current information, strengthening legitimate professional profiles, or rebuilding attention around current work and expertise.

For law firms and individual attorneys, the communications challenge may extend beyond a single case. High-profile matters can affect professional reputation, client confidence, media relationships, and future visibility. Thought leadership, media interviews, bylined articles, expert commentary, and consistent professional messaging can help establish credibility over time, rather than attempting to build it only when scrutiny is already intense.

Measuring communications effectiveness also requires context. A high volume of media coverage is not automatically a positive result during litigation. Useful indicators may include message consistency, the accuracy of coverage, successful handling of press inquiries, spokesperson preparedness, stakeholder communication, the visibility of accurate information, and whether avoidable reputational escalation was

reduced.

Red Banyan's approach to legal communications centers on preparation, accurate messaging, media awareness, reputation considerations, and coordination with legal counsel. The broader takeaway is that communications surrounding a legal matter should be planned with the same care given to other high-stakes decisions, particularly when public scrutiny can develop quickly and continue long after a proceeding ends.

A practical next step is to review existing communications procedures before a legal issue becomes public. Organizations, law firms, and individuals preparing for sensitive matters can identify who is responsible for media inquiries, establish approval procedures, confirm spokesperson roles, update key contact information, review monitoring capabilities, and determine how communications professionals and legal counsel will coordinate. Identifying those gaps early can make public-facing decisions more deliberate when time and attention become limited.

About Red Banyan:

Red Banyan is an award-winning strategic communications firm specializing in high-stakes reputation management. The firm advises business leaders, organizations, institutions, and high-profile individuals operating in scrutinized or regulated environments where perception, trust, and brand equity directly influence outcomes. Drawing on deep expertise across strategic communications and brand building, crisis communications, legal and litigation PR, government relations, media training, and online reputation management. Red Banyan delivers disciplined, strategy-led communications designed to support business growth and navigate moments that test it.

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