



All the News That is Fit To Print

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Whether they are appellate specialists or focus on a certain practice, attorneys of all stripes want to be quoted in stories about high-profile court cases. That's because they can usually be quoted as expert third party sources and, if the cases are newsworthy enough, the articles about them will appear in Top Tier publications like the Associated Press, New York Times and Wall Street Journal. Think of the coverage the Wal-Mart, AT&T and Citizens United decisions attracted, for instance.

Attorneys can get quoted on key cases in several ways. First, attorneys (and their PR people) who can quickly identify a decision that comes down and then comment on it before anyone else will have a decent chance of getting quoted. It especially helps if the reporters covering that particular court – such as the U.S. Supreme Court or 9th Circuit U.S. Court of Appeals or California Supreme Court – know in advance of the decision that your attorney has been tracking the case and can comment.

Typically, decisions come down in the morning and most appear online on the various public court sites in a matter of moments. As a result, they are very easy to track and the decisions can be pulled down instantly for your review. Many courts will also give a pretty good indication of approximately when a decision might be filed, so you can plan ahead, too.

In most cases, there are no “second-day” stories for court decisions. Most of the breaking news will have been published the day the decision came down and reporters' deadlines are often very tight – sometimes as early as 2 or 3 p.m. that day – particularly for wire services and law blogs. So, attorneys who can quickly digest and then analyze the decisions are in the best shape. It never helps when an attorney sends you an email that says, “Hey, I saw in the Wall Street Journal today that the Supreme Court decided XXX yesterday. I can comment on that.” Sorry, Charlie. It's too late!

The second way to be quoted is to actually attend oral arguments about the significant cases you are tracking. That's not always possible for attorneys who don't work in major cities such as San Francisco, New York, D.C. and Los Angeles. But, if you happen to be

close to a courthouse and it's a case near and dear to your heart, you might take a couple of hours out of your day to watch the arguments and then provide your thoughts immediately after the fact to reporters in the hallway or on the courthouse steps. You can spot them pretty easily. They usually carry notebooks, are furiously taking notes and often sit in the back of the gallery. They often have earnest looks on their faces.

The good news is that the oral arguments are scheduled in advance and it's easy to find court schedules online. How times have changed, eh?

The challenge of commenting on oral arguments is that you actually have to attend them so you can make relevant comments such as, "With their line of questioning, the court seems to be leaning towards... etc." The other problem is that reporters will have very little time to do an interview or even take an email comment after the fact. Think about what it takes to compose a 1,200-word newspaper article about an important court case in less than two hours and you will understand the challenge. But if you can be snappy and preserve the reporter's precious time, they will thank you.

Of course, some attorneys frequently opine in articles and on television and radio about decisions. That's because reporters recognize the value of a good source who can put it all in a nutshell for them and do that very quickly. So, it's critical to intimately know the case and even prepare some thoughts beforehand. Reporters –and their readers – will really appreciate that. And you in turn will attain that much desired reputation as being in the know about the latest laws of the land. That's what being an attorney is all about, right?