



**WARNING**  
⚠  
Rotating Machinery  
Do not touch  
when in use. Stop  
before use. Do not  
touch the lens.

**AutoCam**  
HS-2010  
SERIES

LENS CONTROL

A news studio set with a desk, monitors, and a person in a suit. The background features a large window with a cityscape view and a blue structural frame. A person in a dark suit is partially visible on the left side of the frame. A desk with a silver metal frame and a wooden top is in the foreground. A monitor on the desk displays the number '29' and the word 'NEWS'. Another monitor on the right shows a sun logo. The floor is red.

# YOU CAN'T AVOID THE MEDIA, SO WHY NOT JOIN THEM?

---

By Kenneth M. Rothweiler



**Gill & Associates would like to wish you a wonderful holiday season and a New Year full of happiness and prosperity!**

We look forward to working with you on all of your investigative, security, and process serving needs.

Thank you for voting Gill & Associates # 1 for Private Investigators!  
We appreciate your continued support.

*We are licensed, bonded, and insured in Pennsylvania, New Jersey, and Delaware. We are also proud members of:*

The National Association of Legal Investigators; The Pennsylvania Association of Licensed Investigators; The New Jersey Licensed Private Investigators Association; U.S. Process Servers Association



**T**axes. Health care. The environment. Government regulation. Crime. Business. And yes, even sports.

There is not an issue or concern facing the public today that does not involve the law.

From Obamacare to the Penn State child abuse scandal many stories and headlines eventually wind up in court. Such is the nature of the world we live in and the complex issues we face.

And never before have the justice system and our courts been so scrutinized. Never has the law itself been under such an all-pervasive, constant spotlight.

And no one can deny that the public has an insatiable appetite for law-related information. Do you remember the TV program “The People’s Court” that premiered in 1981? Well, that show is still on the air, but there are now 10 other similar court TV programs airing on various channels.

The law is everywhere.

Still, it came as a surprise when the local Fox affiliate WTXF Channel 29 called in 2009 and asked me to appear on the news to comment on a medical issue that had legal implications. The issue at hand – new guidelines stating that most women should start receiving breast cancer screening via mammograms at age 50 instead of 40.

It did make some sense. My firm does a good deal of medical malpractice work and I’d been on television following dozens of trials where we achieved seven- and eight-figure verdicts for clients.

Fox 29 identified me as a possible expert. But I wasn’t so sure.

Not because I was camera shy. As president of the Philadelphia Trial Lawyers Association back in 2001 and 2002 and as president of the Pennsylvania Association for Justice from 2011-2012 I was experienced being in the public spotlight, rallying allies to a cause and commenting to the media.

But this was different – very different.

This wasn’t about clients or advocating a particular point of view for the legal profession. This was appearing live in the TV newsroom on relatively short notice to explain these new developments and their possible legal implications and to answer questions spontaneously.

I had my doubts.

But the subject was too important to neglect. In the United States alone, nearly 227,000 women are diagnosed with breast cancer every year making it the single largest cause of cancer among women.

And there was this, too: the image of lawyers on TV has always concerned me – how they are presented and how they are often trivialized or even ridiculed. Maybe I could have a favorable impact, image-wise, even in a small way.

OK, but a lawyer needs to be prepared – well prepared.

So, I read over the new guidelines issued by the United States Preventive Services Task Force, and poured over every bit of related information available, looking into the law, previous standards and guidelines, medical malpractice implications and the personal stories of doctors, patients and others impacted by breast cancer. It was important to be armed with enough information to feel secure speaking on this topic.

But preparation was only the start. How does one look credible on TV? Sound believable? How do you convey important information in a simple, straightforward, easy-to-understand manner?

It came down to three things that are essential for success as an attorney: training, experience and instinct.

I had been trained as a trial lawyer and shared that knowledge with others by creating a CLE course called “My First Trial.” What I learned and what I taught was this: To pitch your case to the ordinary people on the jury, you have to talk in clear, simple, everyday

language. That means you have to naturally interpret legal terms to the jury. You can’t use legalese. It won’t work.

Experience also taught that you can’t be convincing and ultimately you won’t be successful if you’re trying to be something that you aren’t. You need to be yourself; you need to be authentic. I came from a blue-collar town and attended Montclair State University and Widener Law School. This is who I am and I’m fine with it.

Finally, instinct told me to appear relaxed and unrehearsed. This means avoiding anxiety by exercising, taking deep breaths and having a sip or two of water before going on camera to avoid a dry throat. In other words, be ready but remain cool, concise and understated.

Fortunately, communication experts had long since deemed TV to be a “cool” medium that demanded precisely this type of demeanor.

I arrived at Fox 29 and took a few cues from production assistants: Sit up, look forward, lift your head, act natural and



Kenneth M. Rothweiler (right) discusses a point of law on the “Good Day” set with Fox 29 anchors Sheinelle Jones and Mike Jerrick.

deliver relatively quick and simple answers and explanations. Before long, the segment was over and I was left wondering "How'd I do?"

So, I asked.

But no one answered.

Everyone at the TV station was too busy. My few minutes of fame were apparently over. Now, there were other segments, more features, more news stories, other guests. It was time to leave.

But on the way out, someone told me, "If you were good, you'll know it because we'll ask you to appear again."

TV stations don't give media training and they're not into hand-holding. They use who and what works as they need it, and discard what doesn't.

Not long after that first appearance, Fox 29 called me back. And in time I became a regular legal analyst for the station.

I've commented on the Casey Anthony trial, Voter ID, cyber-bullying, the validity of breathalyzer tests, the Delaware River Duck Boat tragedy, DNA evidence, the Lower Merion webcam controversy, common medical mistakes, the constitutionality of Obamacare and the legal woes of Charlie Sheen, Lindsay Lohan and Michael Vick, among others.

What does it take to become a legal analyst for the media?

Certainly being comfortable in front of the camera – and that takes practice.

Knowing the topic inside and out is key. So is being a resource. Television anchors are tasked with talking intelligently about a variety of subjects every day, in every

broadcast. Help them out. Share your background research. Before you go on air, fill the reporter or anchor in on the subject and deepen their knowledge of the law and the rationale for it. Suggest questions that will provide the viewer with easy to understand and practical information.

Of course you have to study hard for each and every appearance. And that's a job that never ends. It's not enough to simply read up on the topic of the day. You have to pay attention to all the news and everything that's happening in the popular culture all the time.

Here's a good rule to follow: If the TV interviewer or host is two layers deep into the topic or story, be into it 10 layers deep. That's the same way to prepare for a trial.

In fact, everything required to be on TV is everything you're accustomed to doing before a jury: talk plainly, be authentic and know your facts inside and out.

Some other guidelines: never forget who's in charge and never underestimate TV's debt to or concern for its viewers.

Great thinkers Oliver Wendell Holmes and Roscoe Pound both maintained that the life of the law is experience rather than logic. And, it's true: Law lives in the real world and the experiences of real people. And this is what makes news.

So, when you look into the camera, remember this one simple question: Can I help somebody out there better understand the law and how it works in his or her own life? ■

*Kenneth M. Rothweiler (ken@erlegal.com) is a partner with Eisenberg, Rothweiler, Winkler, Eisenberg & Jeck, P.C.*



THINKING OF THE MOST EXPEDITIOUS WAY TO PLEAD YOUR CLIENT'S CASE?

## > Get *The Legal Intelligencer's* NEW **Pennsylvania Causes of Action**

### Authors:

**Joel Feldman** *Anapol Schwartz Weiss Cohan Feldman & Smalley, PC*

**Gaetan J. Alfano and J. Peter Shindel, Jr.** *Pietragallo Gordon Alfano Bosick & Raspanti, LLP*

**Ronald J. Shaffer** *Fox Rothschild, LLP*

When a client needs your help, several steps are involved before you pursue your case. Eliminate some of the steps and some of the costs by getting *The Legal Intelligencer's* **NEW** Pennsylvania Causes of Action, a unique working resource that will save you time and money. It will serve as the starting point for virtually any case relating to Pennsylvania civil actions.

### Topics include

- Common Law Actions
- Statutory actions and administrative appeals
- Relevant statutes of limitation
- Requisites for recovering attorneys' fees
- And more

**Bonus Online  
Access!**

**The Legal Intelligencer** ALM



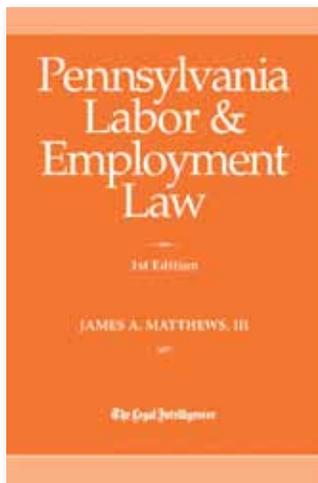
Order Today and Save:

Call **800-722-7670 x2453** Scan the QR code to the left

Visit [www.lawcatalog.com/bcause](http://www.lawcatalog.com/bcause)

## If you find yourself in the spotlight, here are some tips on how to be media savvy.

- **Be aware.** Keep up on the news, trends and day-to-day developments beyond the world of the law. As lawyers, we no longer have the luxury of living insular lives.
- **Be ready.** You never know when a case or an issue may thrust you into the spotlight or when you might be called to comment or offer your expertise. When the media come calling, don't back away and don't stall. Be mindful of their deadlines and the perishable nature of news.
- **Be a quick study.** You may have to cram for your media moment. Use every resource available to you to make sure you know what you're talking about.
- **Be over-prepared.** It's one thing to teach the audience something. It's quite another to enlighten the interviewer. Always try to know more than the person who's interviewing you.
- **Be cool.** Speak calmly and naturally. Don't shout or become overly emotional. Avoid distracting facial expressions or hand gestures.
- **Be in the moment.** Don't let your mind drift while you're on TV. And don't worry about how you're doing while you're doing it.
- **Be helpful.** Producers, anchors, reporters and editors are swamped. They're overworked and understaffed. Position yourself as a helpful resource to them.
- **Be yourself.** The TV screen comes with a built-in phony detector. If you ham it up or become boastful or misrepresent who you are, it'll be obvious. It won't work. Also, strike a balance: don't slouch or sit too straight and smile naturally when appropriate.
- **Be exemplary.** During your media appearance you are the face and the voice of the legal profession. Image-wise, the profession needs a lot of help. Do your part!
- **Be grateful.** Nothing beats a personal, handwritten note of thanks to the producer after your TV appearance. Seemingly small touches like that often make a big difference.



### To Order

**Call:** 800-722-7670 x2453

**Visit:** [www.lawcatalog.com/LE12](http://www.lawcatalog.com/LE12)

**Scan:** the QR code below



*The Legal Intelligencer*  
presents the

*New*

## Pennsylvania Labor & Employment Law

By James A. Matthews, III  
*Fox Rothschild LLP, Philadelphia*

In an original work prepared exclusively for *The Legal Intelligencer*, Philadelphia Labor & Employment attorney James A. Matthews, III offers a comprehensive overview and analysis of federal, state and local law governing the Pennsylvania workplace, with a historical perspective to aid in understanding and applying an often complex and counter-intuitive body of law.

Mr. Matthews discusses the background and modern application of the principle of employment-at-will and the contractual, statutory and public policy exceptions; common law tort claims in the workplace; employee privacy, employee loyalty; wages & hours; benefits & leaves; health & safety; labor relations and collective bargaining; and other issues affecting the workplace.