

A lawyer's perspective on risk communication

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Abstract: Lawyers are engaged in wide variety of activities that rely upon risk communication and yet the subject of risk communication is rarely if ever systematically studied by lawyers. Many lawyers seem to ignore the advice of expert risk communicators. Why is this? What should experts in risk communication know about lawyers and risk communication? Liability battles that take place in court rooms and much more often in conference rooms are filled with competing approaches to the communication of risk as the parties' legal advocates seek to exaggerate, minimize, personalize, and/or marginalize the assignment and assumption of risk. Risk communication dominates the regulatory agenda. A lawyer's personally most important risk communication activity may be counseling clients. Understanding the legal standards that apply provides insight into why lawyers communicate risks in the way that they do. Ultimately it is risk policy in the broadest sense that drives the legal standards that shape much legal risk communication.

* The views presented are solely those of the speaker and do not necessarily represent the views of the speaker's employer or any of his past or present clients.

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