

Crisis Mode: Brand Management, Social Media Risk, and the Corporate Response Playbook

FDCC Corporate Counsel Symposium 2026, New Orleans, Louisiana

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Panelists: Brian Walters and Jean-Luc Renault

Summary of Panel Discussion: This panel will explore how companies should respond when faced with real-time public scrutiny, particularly in the age of social media. Panelists will provide practical guidance on when and how to respond to emerging issues, how to balance legal risk with reputational considerations, and how in-house counsel can effectively partner with internal and external stakeholders. The discussion will also highlight tools, strategies, and resources available to support corporate teams in high-pressure situations.

1. The New Reality: Social Media as a Legal and Reputational Risk Driver

Overview: Social media has accelerated the speed, visibility, and stakes of corporate risk. Issues that once unfolded privately now play out in real time.

Key Issues:

- How social media changes the lifecycle of a crisis
- Difference between risk and reputational risk (and when they diverge)
- The role of virality, misinformation, and incomplete facts
- Internal vs. external narratives forming simultaneously

Discussion Questions:

- What makes a situation “statement-worthy”
- How quickly should companies be reacting in today’s environment
- What are the risks of saying nothing vs saying something too soon

2. To Speak or Not to Speak: Decision-Making in Real Time

Overview: Determining whether, when, and how to respond is one of the most critical and difficult decisions

Key Issues:

- Thresholds for public statements
- Timing: immediate or wait to gather facts
- Legal exposure created by public statements
- Consistency across platforms

Discussion Questions:

- What internal processes should be in place to make decisions quickly
- Who should be at the table
- When does silence become a liability

3. Crafting the Message: Legal, Brand, and Human Considerations

Overview: Effective responses require alignment between legal protection and brand voice.

Key Issues:

- Balancing legal defensibility with authenticity
- Avoiding admissions while maintaining credibility
- Tone: corporate vs. human response
- Apologies, acknowledgments, and positioning

Discussion Questions:

- What are common mistakes companies make in crisis messaging?
- How do you ensure messaging resonates without increasing liability?
- When is an apology appropriate and what should it include?

4. Managing Internal and External Stakeholders

Overview: Crisis response is not just external; employees, partners, and leadership all play a role.

Key Issues:

- Internal communications and employee expectations
- Leaks and internal social media activity
- Coordination with outside counsel, PR firms, and consultants
- Board and executive involvement

Discussion Questions:

- How should companies align internal messaging with external statements?
- What role should in-house counsel play in cross-functional coordination?
- How do you manage stakeholders with competing priorities?

5. Tools, Resources, and Playbooks for In-House Counsel

Overview: Preparation is critical and having the right tools and frameworks in place can make or break a response.

Key Issues:

- Crisis response protocols and escalation procedures
- Templates for statements and holding responses

- Social media monitoring and rapid response tools
- Training and simulations

Discussion Questions:

- What should every in-house team have prepared before a crisis hits?
- What external resources (PR firms, vendors) are most valuable?
- How can companies stress-test their response plans?

6. Lessons Learned: Real World Scenarios and Takeaways

Overview: Applying principles to real or hypothetical scenarios.

Key Issues:

- Examples of effective vs. ineffective responses
- What companies get wrong most often
- How outcomes could have been improved

Discussion Questions:

- What's a crisis response you've seen handled particularly well or poorly?
- What would you do differently in hindsight?