

WORDS, RISK, AND RESPONSIBILITY

Ethical Communication in Bond Law

A scenario lab for navigating difficult conversations, inappropriate language, and communication risk.



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Agenda

5 minutes	Welcome and Framing
10 minutes	Ethical Communication Framework and Intersectional Ethics
35 minutes	Rapid Response Scenario Lab
10 minutes	Q&A, Key Takeaways, and Resources

Additional engagement will occur through Zoom chat, polls, and prompts.

- **Consider:** What would you do? How would you respond? What would you say?

Takeaway For Today

- Apply an **Ethical Communication Framework** grounded in **Intersectional Ethics** to assess complex client, workplace, public, and stakeholder interactions.
- Respond to **inappropriate language in real time** using practical strategies that preserve professionalism, credibility, and relationships.
- Exercise **sound judgment when deciding** whether to redirect, question, set a boundary, follow up, document, or escalate a difficult communication situation.
- Recognize when client service, professional courtesy, or people-pleasing may be contributing to **avoidance and increasing risk**.

Inclusion and Sharing

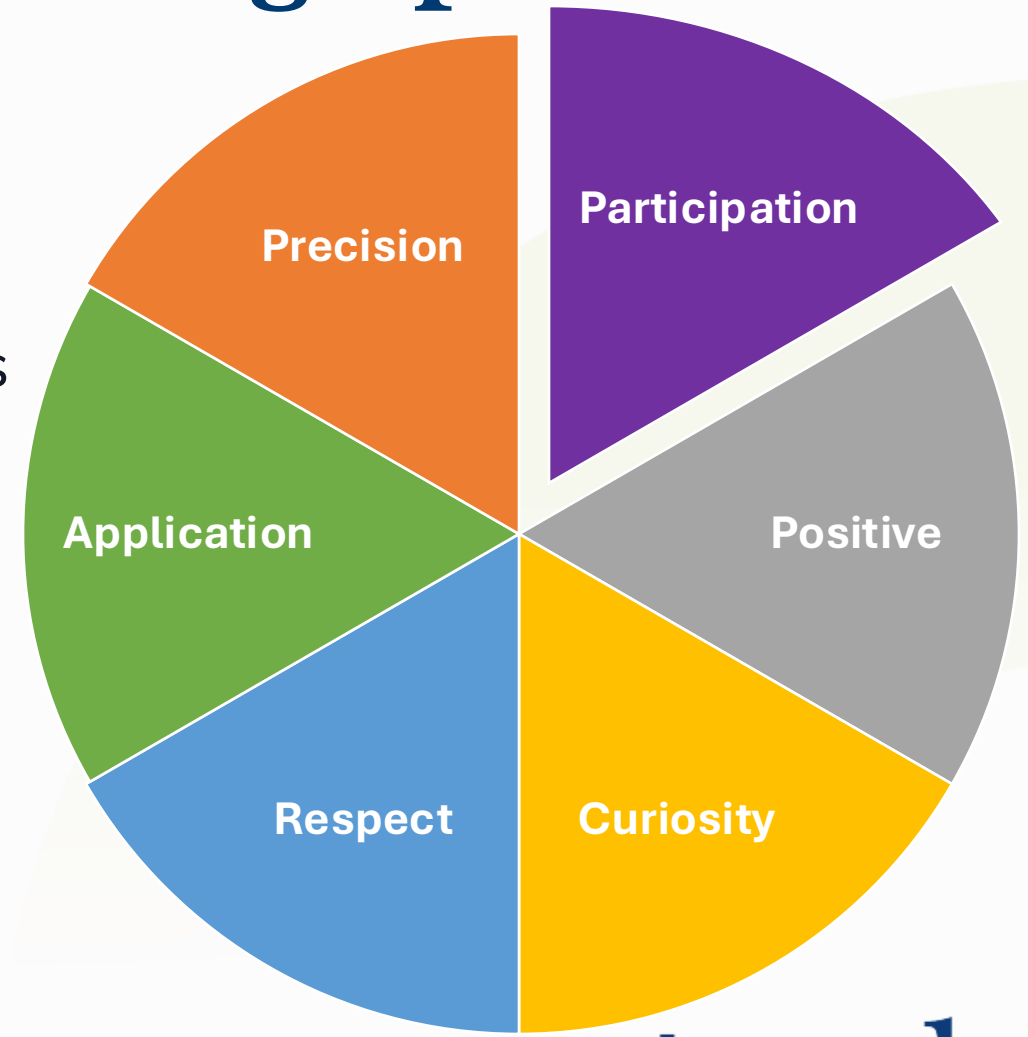
“I would like to ask you to keep two words in mind as you go back out into your workdays—inclusion and sharing.”

Matthias M. Edrich (Kutak Rock LLP) • NABL Annual Meeting • Washington, D.C. • September 10, 2025

Today we move from aspiration to application: what do we do when the words in the room create risk?

Guidelines for the Learning Space

- Participate and share perspectives
- Positive learning space with no put downs
- Lead with curiosity and create safety
- Respect confidentiality
- Release perfection and pursue application
- Be precise so more voices can be heard



Words Carry Weight in Bond Law

Bond lawyers are not only navigating law.

They are navigating relationships, power, trust, perception, and communication risk in highly visible environments.

Ethical
implications

Legal and financial
consequences

Reputation
al risk

Workplace
impact

Public trust

Naming The Risks

#	Risk	What is at stake
01	Ethical	Professional responsibility, fairness, and integrity.
02	Legal & Financial	Potential complaints, liability, costs, or transaction consequences.
03	Reputation and Relational	Reputation: Credibility, public perception, and professional standing. Relational: Client confidence, collaboration, and stakeholder trust.
04	Workplace & Cultural	Psychological safety, participation, and employee well-being.
05	Public Trust	Community confidence, access, and meaningful participation.

Poll

Poll: Where Is The Risk?

When difficult language surfaces in a bond-law setting, which risk is easiest to overlook?

- A. Impact on colleagues and participants
- B. Client or stakeholder relationships
- C. Public trust and reputation
- D. Legal or financial implications
- E. The effect of remaining silent

Ethical Communication + Intersectional Ethics

Intersectional Ethics is the practice of examining how ethics, identity, authority, access, and power converge in a particular moment.

A comment may affect people differently depending on:

- Who said it and who heard it
- The authority of the speaker
- The public or private setting
- The identities involved
- The potential impact of silence

The P.A.U.S.E.™ Ethical Communication Framework

P Pause before reacting

Regulate the immediate response.

A Assess context, power, and impact

Consider immediate ethical, relational, or reputational risk.

U Understand your responsibility

Clarify, redirect, set a boundary, follow up, escalate, or document.

S Select a response

Use clear, proportionate, professional language.

E Evaluate what happens next

Consider repair, accountability, documentation, or escalation.

Poll

What Would You Do?

A senior client makes a personal political remark during a meeting. What would you do FIRST?

- A. Pause and assess the room, power dynamics, and impact
- B. Debate the client's political position
- C. Ignore it and hope the conversation moves on
- D. Immediately end the meeting

Core Tensions to Name

Intent versus
impact

Professional
courtesy v.
avoidance

Client service
versus over-
accommodation

Silence versus
complicity

The skill is not winning the exchange.

Poll: Intent versus Impact

A colleague uses the R-word to describe a proposal and says, “I didn’t mean anything by it.”

What should guide your response?

- A. Their stated intent alone
- B. The impact of the language and the need for precision
- C. Whether anyone formally complains
- D. The colleague’s seniority

Core Tensions to Name

Precision versus
accessibility

Relationship
preservation versus
ethical
responsibility

Knowledge versus
cultural fluency

The skill is choosing a response that fits the moment.

Ethical Communication in Practice

For each scenario you will

- Review the situation
- Identify the core tensions and risks
- Apply the P.A.U.S.E.TM Framework
- Practice and discuss possible responses
- Identify any necessary follow-up

What risk are we creating by responding—and what risk are we accepting by doing nothing?

The Client and the Political Commentary

During a client meeting, a senior client begins criticizing the current president. The comments become increasingly personal and include broad statements about the intelligence, character, or legitimacy of people who support the president. The room becomes uncomfortable.

Discussion questions

- When does political commentary become a professional or relationship risk?
- Is a response necessary if the comment is not directed at anyone in the room?
- How might the lawyer redirect without debating politics?
- What responsibility does the most senior attorney hold?

The Client and the Political Commentary

During a client meeting, a senior client begins criticizing the current president. The comments become increasingly personal and include broad statements about the intelligence, character, or legitimacy of people who support the president. The room becomes uncomfortable.

Possible response

“I recognize that people have strong views about the current political environment. To keep us focused and ensure everyone can participate productively, let’s return to the matter we are here to address.”

Coaching point

The goal is not to correct the client’s political position. The goal is to maintain professional boundaries and protect the purpose of the meeting.

How Would You Respond?

A client makes a race-based joke before a meeting. Someone in the room becomes quiet. What response would you choose?

- A. Briefly name the concern and redirect the room
- B. Wait and address the client privately afterward
- C. Check in with the affected person, then determine follow-up
- D. Ask the meeting leader to intervene
- E. I am unsure what I would do

The Racial Joke Before the Meeting

Before a formal meeting begins, a client tells a joke involving someone's race or ethnicity. A few people laugh nervously. One person who shares the referenced identity is present and becomes visibly quiet.

Discussion questions

- What risks are created by laughing, silence, or immediate confrontation?
- How does the client relationship affect the response?
- Should the comment be addressed publicly or privately?
- What repair may be needed for others who heard it?

The Racial Joke Before the Meeting

Before a formal meeting begins, a client tells a joke involving someone's race or ethnicity. A few people laugh nervously. One person who shares the referenced identity is present and becomes visibly quiet.

Possible response

“I know that may have been intended as humor, but it could land differently for people in the room. Let's move away from that and get started.”

Coaching point

Preserving a client relationship does not require normalizing inappropriate conduct.

The R-Word in a Team Discussion

During an internal strategy meeting, a colleague refers to a decision or proposal using the R-word. No one immediately responds, and the conversation continues. The colleague later says, “Everyone knows I didn’t mean anything by it.”

Discussion questions

- How should intent be weighed against impact?
- Respond in the moment or afterward?
- What language allows correction without humiliation?
- What changes when the language comes from a senior partner?

The R-Word in a Team Discussion

During an internal strategy meeting, a colleague refers to a decision or proposal using the R-word. No one immediately responds, and the conversation continues. The colleague later says, “Everyone knows I didn’t mean anything by it.”

Possible response

“I know that word is sometimes used casually, but it is widely experienced as harmful. Let’s use language that describes the concern more precisely.”

Coaching point

Correction can be direct without becoming punitive or performative.

“Those Communities”

During a public finance discussion, an attorney refers repeatedly to residents as “those communities” and describes a neighborhood as “low-level,” “problematic,” or unlikely to understand the technical issues. A community representative challenges the attorney’s language.

Discussion questions

- What assumptions are embedded in the language?
- How might deficit-based framing influence public trust?
- What should the attorney do after being challenged?
- How can technical information remain precise without becoming exclusionary?

“Those Communities”

During a public finance discussion, an attorney refers repeatedly to residents as “those communities” and describes a neighborhood as “low-level,” “problematic,” or unlikely to understand the technical issues. A community representative challenges the attorney’s language.

Possible response

“Thank you for naming that. My wording did not reflect the respect or precision this conversation requires. Let me restate the point more clearly.”

Coaching point

Public trust is strengthened when leaders can acknowledge, correct, and continue without defensiveness.

Who Clarifies The Roles?

A client directs technical questions to a male associate although a female attorney is lead bond counsel. What should the associate do?

- A. Answer every question without clarifying roles
- B. Redirect technical leadership to lead counsel and reinforce her role
- C. Wait for lead counsel to address it alone
- D. Treat the assumption as harmless and move on

Gender: “I Assumed You Were the Assistant”

A client directs all technical questions to a male associate, even though the female attorney is lead bond counsel. The client later asks her to take notes and coordinate the next meeting.

Discussion questions

- How should the lead attorney respond without disrupting the relationship?
- What responsibility does the associate have to clarify roles?
- When does repeated role-based language become a client-management concern?
- How might hierarchy, gender, race, or age shape impact?

Gender: “I Assumed You Were the Assistant”

A client directs all technical questions to a male associate, even though the female attorney is lead bond counsel. The client later asks her to take notes and coordinate the next meeting.

Possible response

“Before we continue, I want to clarify our roles. I am serving as lead counsel on this matter, and Jordan is supporting the engagement as an associate.”

Coaching point

Correcting an assumption does not require confrontation. Role clarity protects credibility and prevents biased patterns from becoming normalized.

Disability: “Do We Really Need That Accommodation?”

A public meeting participant requests captioning and accessible electronic materials in advance. A colleague responds, “There will only be one person who needs it. Do we really need to change the entire process?”

Discussion questions

- What ethical, legal, and reputational risks are present?
- Does the language frame accessibility as a burden?
- What is the difference between access and a delayed workaround?
- Who is responsible before the meeting?



Disability: “Do We Really Need That Accommodation?”

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Possible response

“Accessibility is not an exception to the process; it is part of ensuring meaningful participation. We should provide the requested materials and captioning in advance.”

Coaching point

Accessibility should not depend on the number of people requesting it. Ethical communication includes the conditions created for participation.

Age: “They’re Too Young to Lead This”

A senior attorney questions whether a younger colleague should present to a public authority: “They’re smart, but they look too young. The client may not take them seriously.” Later, an older attorney is described as “set in their ways.”

Discussion questions

- What assumptions are made about credibility, competence, or adaptability?
- How might age-based comments influence assignments and advancement?
- What is the difference between readiness and stereotypes?
- How should a leader redirect toward objective criteria?



Age: “They’re Too Young to Lead This”

A senior attorney questions whether a younger colleague should present to a public authority: “They’re smart, but they look too young. The client may not take them seriously.” Later, an older attorney is described as “set in their ways.”

Possible response

“Let’s evaluate who should lead based on preparation, subject-matter expertise, and the needs of the client—not assumptions tied to age.”

Coaching point

Age-related bias can affect visibility in both directions. Ethical leadership requires demonstrated capability, not generational stereotypes.

The Client Who Pushes Back on a Boundary

A client repeatedly uses inappropriate language in meetings. After being privately redirected, the client responds: “You’re being too sensitive. I hired you for legal advice, not a lecture.” The attorney worries that pressing the matter could damage the relationship.

Discussion questions

- Where is the line between client service and over-accommodation?
- When does people-pleasing become an ethical or leadership risk?
- What boundaries can be set without threatening the relationship?
- When should firm leadership become involved?

Possible response

“We value the relationship, and we also have a responsibility to maintain a professional environment. I am asking that we avoid language that targets or diminishes individuals or groups.”

Coaching point

A courageous and transparent boundary does not automatically damage a relationship. Avoidance may create the greater long-term risk.

The Public Official and the Open Microphone

During a public meeting, an elected official makes a dismissive comment about immigrants, people receiving public assistance, or residents from a particular neighborhood. The meeting is being recorded, and reporters are present. The bond lawyer is serving as counsel.

Discussion questions

- What is counsel's role in the moment?
- Address publicly, privately, or through the chair?
- What legal, reputational, and community-trust risks exist?
- What should be documented after the meeting?

Possible response

“Before we proceed, I recommend that we return to language directly connected to the financing and policy considerations before the body.”

Coaching point

Counsel may not control the speaker, but counsel can advise on process, risk, and the integrity of the public record.



Application and Discussion

- Which scenario(s) felt most difficult to navigate?
- Where are you most likely to remain silent because of hierarchy or client pressure?
- What is the difference between preserving a relationship and avoiding discomfort?
- What phrase could you use immediately to pause or redirect an inappropriate conversation?
- When should a communication issue be documented or escalated?



Your commitment: “The next time inappropriate language is used, I will...”



Five Principles to Carry Forward

1. Establish, verbalize, and review the guidelines, ground rules, and norms in advance
2. Ethical communication requires discernment, not a script.
3. Professionalism does not require silence. Keep practicing.
4. Preserving relationships and addressing harmful communication are not mutually exclusive.
5. Cultural fluency is necessary. Pursue learning personally and professionally.

Done well, courageous communication can strengthen trust.

Remember This...

- ✓ What you say matters.
- ✓ How you say it matters more.
- ✓ And how it is experienced defines your leadership.

Thank you for sharing!

Resources & Fun Knowledge Check

- ✓ Inclusive Language Guide - American Psychological Association
- ✓ Inclusive Language - Georgetown University Library



WORDS, RISK, AND RESPONSIBILITY			
Real-World Inclusive Language Examples for Attorney Communication			
Practical guidance for client, workplace, public meeting, and community-facing communication			
Purpose: Use this guide to strengthen precision, professionalism, accessibility, and trust. Inclusive communication is not about memorizing perfect words; it is about considering context, impact, dignity, and the responsibilities attached to legal and public-facing roles.			
Communication Area	Language or Practice to Reconsider	More Precise Alternative	Attorney Communication Considerations
Abilities & Disabilities	"Wheelchair bound"	"Person who uses a wheelchair"	Use person first or identify-first language based on the individual's preference. Ensure public meetings, notices, documents, and digital materials use accessible language and formats.
Mental Health	"Crazy," "insane," or "unstable"	Describe the observable conduct, concern, or impact precisely	Avoid casual diagnostic language. In high-stress legal environments, use neutral language that addresses behavior without stigmatizing mental health conditions.
Gender	Assuming roles or using "chairman" by default	Use "chair," "chairperson," or the person's stated title and pronouns	Avoid assumptions about authority, support roles, family status, or professional identity. Confirm names, titles, and pronouns when appropriate.
Age	"Young lawyer" or "seasoned but outdated"	Describe experience, tenure, skill, or perspective directly	Avoid using age as shorthand for competence, adaptability, authority, or technological ability. Promote generational respect across teams and leadership.
Socioeconomic Status	"Those communities" or "low-level areas"	Name the community or describe the relevant conditions with dignity and neutrality	Frame public finance work without deficit-based assumptions. Distinguish between income, access, infrastructure, and other measurable conditions rather than labeling people or places.
Race & Ethnicity	Coded language, broad generalizations, or identity-based assumptions	Use specific, relevant, and historically informed language	Recognize that community engagement occurs within historical and institutional contexts. Avoid treating racial or ethnic groups as monolithic.

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QUICK PRACTICE: BEFORE YOU SPEAK, WRITE, OR RESPOND

Question	Reflection
Precision	Am I naming the actual conduct, condition, or issue—or relying on shorthand and assumptions?
Accessibility	Can the intended audience understand and use the information being communicated?
Context	How might identity, hierarchy, history, or the public setting affect how the message is experienced?
Impact	Could this wording diminish trust, dignity, participation, or professional credibility?
Repair	If the language misses the mark, can I acknowledge it, restate the point, and continue without defensiveness?

Progress over perfection. Precision, curiosity, and accountability strengthen ethical communication.

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