

# Is Twitter Right for Your Lawyer Referral Program?

by Ken Matejka and Maya Blyth

These days, it seems as if everyone is talking about Twitter.com, which has become one of the most popular communication tools on the Internet. The buzz is tremendous. In June, Twitter was a Time Magazine cover story and the headline read: “How Twitter Will Change the Way We Live.” Inside the same issue was an article: “10 Ways Twitter Will Change American Business.” On television, a show called *The Soup* recently featured a lengthy segment highlighting the dozens of times anyone mentioned “tweeting” or “Twitter” on television the prior week. Numerous books have come out on the topic of using social networking websites for marketing purposes.

Twitter is considered by many people to be a great way to keep in contact and share real time information with friends and colleagues. Lately, businesses have been attempting to use the website as a way to reach new customers and keep former customers loyal to the business’s brand.

## How Does Twitter Work?

Twitter.com is a massive networking site, with a reported 32 million unique visitors worldwide in April 2009, that allows users (known as “tweeters”) to send messages (known as “tweets”) of up to 140 characters in length to a group of subscribers (known as “followers”). The tweeter’s act of posting his or her message is referred to as “tweeting.”

Your archive of messages, known as your “feed,” can be viewed by everyone who has joined your feed as a follower. You, in turn, join other feeds as a follower and when you follow others, their tweets become

part of your feed. As your network of followers grows and as you follow more people, the activity in your feed increases exponentially as you reply to the tweets of others and as your followers reply to your tweets.

## Doing Twitter Right Takes a Lot of Work

At the outset, it should be said that you shouldn’t start unless you, the person who will be actually posting the organization’s messages to the LRIS feed, have a genuine interest in reaching out to others. It can take significant time out of your workday to monitor and respond to messages in your Twitter feed and a certain amount of stamina is required to stick with it. Some messages from followers can be ignored, but you should make an effort to respond thoughtfully to direct questions, because those questions to you will be viewable by the poster’s followers.

If you have work to do in other areas that are much more likely to provide greater return on investment for the time and money spent on them, tackle those before getting started on Twitter or any other social networking site.

## Things to Think About Before You Tweet

As lawyer referral programs consider testing this new communication tool, it is worthwhile to consider whether the effort expended on establishing a presence on Twitter—posting regularly and accumulating followers—would pay off in terms of getting new clients to make contact with your LRIS program.

Marketing professionals generally agree that social networking websites can be good

tools to build brand awareness and to enhance brand value, but that social networking websites are not particularly useful for generating leads or increasing traffic to your website. If you choose to participate in Twitter, you should view it as an activity that you engage in for the purpose of participating in the conversation about your organization’s brand in your community, and not to acquire clients directly.

If improving or building your organization’s brand is a priority, or if you’d like to provide more exposure for your LRIS, you can give more thought to social networking sites such as Twitter and whether they make sense for your program. Here are some questions to think about and discuss with your colleagues as you evaluate social networking as a possible activity:

1. Do you see any value in joining Twitter or another social network and if so, what might it be?
2. Who is your target market? Are you interested in communicating with the general public or do you feel that your efforts would be better spent reaching out to attorneys in your community? Or both?
3. What kind of information makes sense for you to share with your target market? What is of value to them that you are uniquely able to provide?
4. How frequently can you communicate fresh or interesting information to your target market? What is the best way for you to share that information?
5. Would it make more

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sense for you to become a participant in social networking communities other than Twitter?

## **Your Tweets Should Be Relevant, Friendly and Carefully Phrased**

A Twitter feed can do more harm than good if your staff person who is the voice of your organization has the wrong tone, is non-responsive to inquiries or is indiscreet.

The person who tweets for your LRIS must be well trained to avoid violating any ethics guidelines prohibiting solicitation of legal work. Your tweeter should also be cautioned not to disclose any information in your LRS program's possession that may be sensitive, confidential or privileged.

Staying on topic and providing valuable feedback will help bolster your organization's brand. Typing irrelevant ramblings about what you're eating for lunch or what you're doing this weekend (common Twitter themes) could unintentionally hurt your brand.

## **Dealing with Negative Tweets**

Some people's negative feelings about the legal profession could expose your organization to negative tweets from followers. These posts, and your responses, can damage your brand if the criticism is not handled tactfully.

In one famous example of a social networking blunder, Wal-Mart created a Facebook page to reach out to college-aged consumers. The effort backfired when "Fans" of the Wal-Mart page defiled it with angry posts about what were perceived to be the company's unfair labor practices.

## **Tweeting in Response to Specific Legal Questions**

It is very important that your organization's tweeter carefully avoid dispensing legal advice when responding to direct questions. Your tweeter would be well advised to periodically post to your feed that messages may contain legal information, but every case is different and a client should consult with an attorney to get legal advice.

Your organization's feed is a permanent record and is subject to discovery in litigation should someone sue your LRIS for giving legal advice that a follower relied upon to his or her detriment.

## **To Tweet or not to Tweet?**

Participation in Twitter depends entirely on your LRIS program's circumstances and resources. In the authors' opinion, Twitter is not worthwhile for most programs as the risks are great and the benefits are few.

Many employee hours can be lost in the daily monitoring of your organization's Twitter feed, responding to inquiries and so forth. It might be better to dedicate this staff time to other marketing activities likely to produce a greater return on investment, like Craigslist postings or optimization of your LRIS website.

However, if it is done correctly and does not distract you or your staff from your regular duties, participation in Twitter will do no harm to your program. A well-executed Twitter feed will allow you to help influence your community's view of your brand and address negative issues that may arise from time to time.

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