

Raising a Legal Profile Through Social Networking

By Ann Farmer

A year ago, as the popularity of Twitter was rapidly fanning across the globe, Diane Rynerson, executive director of the National Conference of Women's Bar Associations (NCWBA), determined to steer clear of it.

"First of all, it sounded ridiculous," says Rynerson, who initially associated the microblogging service more closely with the postings of celebrity Twitterati like actress Demi Moore than as a serious social networking tool for a national law organization. She also thought it sounded like a huge time drainer.

Some members of her organization, however, indicated that they preferred receiving missives via Twitter. "Nowadays people want very specific communications," Rynerson says. And a colleague convinced her that maintaining the NCWBA's presence on Twitter wouldn't require much more attention than she already invested in the popular social media platforms Facebook and LinkedIn. Twitter postings (called tweets), which are posted on a user's profile page, are restricted to 140 characters—so they're shorter than this sentence.

Consequently, Rynerson now tweets alongside the other 175 million plus registered Twitter users and reports that she has received information that she'd otherwise not get, although she does have to watch it. "You can spend whole days using social media if you're not careful," says Rynerson, who incorporates social networking into her family law practice as well. But she draws the line at hunting for grade school classmates on Facebook.

What's in It for You

The advantages for lawyers who use social media can be considerable. Besides functioning as a news fount, these platforms provide opportunities for branding, connecting, mentoring, finding a job, and securing new clients.

While some reports indicate that women lawyers are lagging behind their male counterparts in using the technology, the networks seem well suited for women, who are often better at communicating and collaborating. Similarly, they furnish female lawyers who are stretched for time with a flexible means for rainmaking. They also can be useful tools for women reentering the legal field after a lengthy leave or for those trying to secure speaking engagements.

For lawyers looking to implement social networking into their job search, Texas legal recruiter Amanda Ellis recently published a how-to book, *The 6Ps of the Big 3 for Job-Seeking JDs*, which advises lawyers to focus their time and effort on these three social networks: Facebook, LinkedIn, and Twitter. "They provide the biggest bang for your buck," Ellis says.

In her book, Ellis takes readers through a step-by-step process of setting up profiles and getting the most out of each platform. LinkedIn, for example, which currently boasts more than 90 million members, markets itself as a social networking site geared to professionals. "You won't want to share

your family pictures on LinkedIn," Ellis cautions.

At the same time, she says, don't overlook the professional networking opportunities that the more informal and vastly more popular Facebook (with more than 600 million users) offers. "Facebook is good for digging into your core contacts," says Ellis, noting how casual communications with family and friends on Facebook can easily lead to work-related connections. "Women are more likely to refer business to women they know, like, and trust," adds Ellis, who is a former bankruptcy lawyer.

Twitter is another pipeline to people around the world and their thoughts, ideas, and information, which get posted in the form of real-time tweets. "Twitter is the least restrictive," says Ellis, who suggests that job seekers follow people on Twitter who are most likely to present job leads, such as law school career counselors, plus any of their followers who seem potentially helpful. Users don't have to set up an account to follow people, although some people restrict their tweets to their followers.

Lawyer Carolyn Elefant, who practices in Washington, D.C., in the area of energy regulatory matters, is a passionate advocate of social media. She utilizes a full panoply of platforms, including Twitter, Facebook, LinkedIn, YouTube,

BLOG, BABY, BLOG

Check out what some women lawyers are blogging about:

Above the Law

<http://abovethelaw.com>

In this legal tabloid, mainstay editor Elie Mystal comments on breaking legal developments and provides gossip on the legal profession's movers and shakers.

Twitter: @atblog

Feminist Law Professors

<http://feministlawprofessors.com>

Toward their goal of building a stronger feminist law professor community, professors Ann Bartow of the University of South Carolina School of Law and Bridget Crawford of Pace Law School hew their posts to announcements and other information of particular interest to feminist law professors.

Twitter: @Feministlawprfs

Ms. JD

<http://ms-jd.org>

Run by female law students, this blog provides essays and advice for female law students and a forum for them to connect to professional female lawyers over gender issues in law school and the legal profession.

Twitter: @msjdtweets

Green Building Law Blog

www.greenbuildinglawblog.com

Green building law is the focus of Shari Shapiro's practice and blog.

Twitter: @sharishapiro

Mediation Channel

<http://mediationchannel.com>

Greater Boston lawyer Diane Levin provides news and tips about mediation, dispute resolution, and negotiation.

Twitter: @dianelevin

TaxGirl

www.taxgirl.com

In her easy-to-grasp blog about tax law, Philadelphia lawyer Kelly Phillips Erb says "paying taxes is painful . . . but reading about them shouldn't be."

Twitter: @taxgirl

The Not-So-Private Parts

<http://blogs.forbes.com/kashmirhill>

As a self-described privacy pragmatist, Kashmir Hill writes about the intersection of law, technology, social media, and personal information.

Twitter: @kashhill

Above and Beyond KM

<http://aboveandbeyondkm.com>

New York City lawyer Mary Abraham discusses knowledge management based on her experience and practice.

Twitter: @VMaryAbraham

Ride the Lightning

<http://ridethelighting.senseient.com>

Lawyer Sharon Nelson takes on the issues surrounding computer forensics and information technology.

Twitter: @sharonnelsonesq

Build a Solo Practice @SPU

Solo Practice University Blog

<http://solopracticeuniversity.com/blog>

Solo practitioners, in particular, will find Susan Cartier Liebel's blog informative and inspiring.

Twitter: @SCartierLiebel

Legal Ease Blog

<http://legalease.blogs.com>

Lawyer and law practice consultant Allison Shields wants to help lawyers avoid "lawyer meltdown" in her thoughtful postings.

Twitter: @allisonshields

Massachusetts Estate Planning and Elder Law

<http://lhamillattorney.typepad.com>

You don't have to practice in Massachusetts to benefit from these practical postings about estate planning and elder law by Hingham, Massachusetts, lawyer Leanna Hamill.

Twitter: @leannahamill

Resource: Many of the blogs listed here were included in the 3rd and 4th Annual ABA Journal Blawg 100. For a complete list, go to www.abajournal.com/magazine/article/the_2010_aba_journal_blawg_100.

and Avvo, an online directory of lawyers. With coauthor Nicole Black, a lawyer in Rochester, New York, she wrote *Social Media for Lawyers: The Next Frontier*, published last year.

She's also been at the forefront of lawyer blogging. She currently maintains two blogs: MyShingle.com, cited in the 4th Annual ABA Journal Blawg 100, provides a venue for discussing trends and changes in the legal profession. The other blog, LOCE Offshore Wind and Wave Energy Weblog, pertains to her law firm practice.

"It's a great way to make people

aware of your expertise," says Elefant, who suggests that lawyers establish parameters for how much time to spend on social media activities. Because she finds Twitter and Facebook addictive, she only sits down with them in the morning or evening. "I stay off them in the middle of the day," she says. She delegates her blog writing to the weekends.

"Any type of marketing takes time," she says. "This is less time-consuming than trekking out to some conference or attending a client lunch. If you're practicing, but not doing marketing, you're not doing what you should anyway."

Shatorree Bates, an Atlanta lawyer who primarily practices bankruptcy law and family law in addition to carving out a considerable amount of time for community activities, says she constantly networks. She maintains a Facebook account, but shies away from using it for business purposes because the information shared there, she says, is more conducive to personal connections. For online business networking, she prefers LinkedIn, where she's registered more than 500 business contacts.

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“Most individuals on LinkedIn have accomplished things on a business level that are prominently displayed in their profiles. Because others can make recommendations and share employment histories, it can be a verifiable source for business referrals,” says Bates, who estimates that she’s received five to seven client referrals via her LinkedIn account.

Ethical Concerns

In response to the myriad of ethical concerns that surround the use of social media, firms are drawing up employee guidelines to protect themselves from improprieties, defamation lawsuits, and the disclosure of a company’s proprietary information or information that could be used against the firm during litigation.

Laura Maechten, a partner in the San Francisco office of Seyfarth Shaw LLP who focuses on employment litigation, points out that professional legal mediators sometimes try to link with lawyers on social media sites. However, this can open the door to a potential conflict or appearance of bias. For instance, if that neutral’s name were put forward as a potential mediator in a case,

the opposing counsel could easily view their online relationship and argue that the mediator would be unable to be impartial.

“Any neutral should be careful when engaged in social networking to ensure there is no appearance of bias in favor of the defense or plaintiffs’ bar,” Maechten says. “No attorney should use deception to gain access to opposing parties’ online social networking sites.”

She adds that a number of legal ethics opinions have addressed lawyers’ use of social media, and more are expected.


Elefant, meanwhile, says an easy way of looking at the ethical issues is for lawyers to implement the same familiar rules of professional conduct that have always applied. “If you’re talking about your client’s case in a big crowded bar, and if someone hears you, you’re compromising your client’s confidentiality. It’s the same thing with Twitter.”

Even tweeting a personal opinion can be dangerous, as Indiana’s former Deputy Attorney General (AG) Jeffrey Cox learned when he was fired in late February after using Twitter to urge Wisconsin police to “use live ammunition” against pro-labor demonstrators. The AG office justified the firing by

stating that “as public servants, we are held by the public to a higher standard, and we should strive for civility.”

But despite the potential pitfalls for employers and employees, many law firms today are choosing to harness social media rather than stifle its use by employees. “Our social media guidelines are meant more to encourage than discourage,” says Liz Cerasuolo, director of communications at Fish & Richardson P.C., a national intellectual property firm based in Boston, which urges its lawyers to tweet and re-tweet (re-post) sensible and responsible information on Twitter.

“Just re-tweet it and people will look to you for a resource,” says Cerasuolo, who also takes time to help lawyers optimize their names in search results. “We look to be an aggregate of information. We want to know who’s following us and what do they want to know.”

At the same time, she counsels lawyers not to overdo the social media surfing during office hours because it can look to clients like you’re not working. 

Ann Farmer is a Brooklyn, New York–based freelance journalist who covers breaking news for the New York Times and contributes stories on culture, law, crime, and other topics to publications including Emmy, DGA Quarterly, Budget Travel, and others.

PRACTICING LAW AFTER A DISASTER

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neighborhood efforts. People were involved in rebuilding all across the state.”

Silver Linings


Damages from Katrina ran into the billions, and with the BP oil spill in the Gulf of Mexico in 2010, the region still struggles. “We see a lot of young entrepreneurs who [first] came from out of state to do volunteer work and came back to set up incubator companies,” says Puente, who points out that Louisiana is one of two states that experienced an uptick in construction during the recent recession. “Construction is a good field. Contracts is a good field.”

Today most law firms, government offices, hospitals, and businesses store their documents and data backups offsite, usually in another state. Barrasso points out that to prepare for future catastrophes, most firms have put together plans that include websites and databases to ensure business continuity.

Laws changed in the insurance arena and construction codes, as well as in the legal and medical fields. New interagency partnerships within the criminal justice system led to improved planning and implementation of crisis management programs, while Medicare regulations now provide hospitals with greater flexibility

in emergency situations. “There were some very positive developments,” Barrasso says.

For New Orleans and other localities hit hard by disaster, it stands to reason that the insurance and federal aid that follow a catastrophe will inevitably present opportunities for lawyers as legal help for the victims becomes a necessity.

“But when you’re in the moment—and that moment goes on for weeks and weeks—you just never think it’s going to get better,” Bertaut says. “All the people who came back are committed . . . it really takes a lot of soul searching.” 

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