

The Power of the Network: Lawyers and Social Media

What is Social Media?

Andreas Kaplan and Michael Haenlein define social media as “a group of Internet-based applications that build on the ideological and technological foundations of Web 2.0, and that allow the creation and exchange of user-generated content.”¹ It is only appropriate that this partial definition is derived from the listing for “[social media](#)”² in Wikipedia, a persistent and recognizable social media site with which most everyone has at least a passing familiarity. Other familiar forms of social media include: blogs; wikis; social networking; bookmark, video and picture sharing sites; tagging; and review sites for movies, products, services, books, restaurants and more. Social media is not only about user generated content, it is about sharing information at a peer level where the middle man is at best a hindrance, and sometimes unwelcome. There are no gate-keepers to information sharing, no editorial process and no hindrances. Good or bad, Web 2.0 technology has enabled social media to plunge forward and lawyers need to be aware of it, harness it, and scrutinize it.

Law firms have many wondrous ways to open up communication and conversation. For instance, a blog allows for a more controlled environment, and focused audience. It is easy – much more so than a website. The question is, who will keep it up to date? Come to think of it, that is the question to ask for any of the web activities. A stale Facebook fansite will do little to recommend the vibrancy of your law firm.

If you have a website, let your visitors do the work for you. Tools like [ShareThis](#)³ can be embedded to let your visitors blog about your site content – or tweet, add to Facebook, Digg, email and much more. It adds interactivity to your site with no labor on your part. If you choose to avoid adding a social component to your site, this will not necessarily inhibit the Netizens from talking about the firm – they will just do it behind your back through any number of tools from Google SideWiki to Customer Lobby to Yelp.

Social media is having a big impact on the law and lawyers. The public is self-serving on legal forms sites like Legal Zoom, drawn by quick turn-around and flat rates. They are accustomed to “do it yourself” on the Internet. They are often more inclined to seek information about the law before consulting with a lawyer, changing the relationship from one of a counselor-client relationship to a collaborative, teamwork-based approach to representation. Clients are finding lawyers in different ways too – using sites like Avvo, JDSupra and LawGuru not only to locate lawyers but to ask questions in hopes of getting free legal advice. Lawyers should be aware of how clients seek legal help and

the implications both pragmatically and ethically. The legal profession will adapt to this new culture or be left behind.

Overview of Online Social Networks

Online social networking, originally the bastion of teenagers, has exploded into a mainstream technology used by millions of individuals and entities to network, communicate, market, and advertise. In his blog post "[The 4 Ps of the Internet](#),"⁴ Doug Cornelius writes about interacting with the Internet being one, or some combination of: personal, private, professional, or public. As you investigate and participate in online social networks, keeping the four Ps in mind can help you separate what might be constituted as regulated public speech, advertisement, or solicitation, versus free speech and networking. The boom of social networking has led to the need for policies in the workplace, defamation issues, identity theft and security threats. While online social networking can be fun, educational, and advantageous, don't forget the words of your friendly neighborhood Spiderman: "with great power comes great responsibility."

The different social networks can be categorized as personal, professional, legal and microblogs. Within each category fall several popular social networking sites, each with its own culture, terms of use, benefits and pitfalls. If you are new to any social site, get to know the culture and the lingo through observation before jumping in with both feet. Whether you have already gotten started or are still contemplating participation in social media, make sure to ask yourself "who is my audience?" One legal blogger, who practices in estate planning, writes a blog that reviews popular movies based on estate planning and probate blunders. One criminal defense attorney offers to answer questions from teens on legal issues on "sex, drugs and rock-n-roll" on his Facebook page. Social media should be engaging, educational, and show your personality. Be creative!

Personal

Sites such as Facebook, Classmates.com, and MySpace, as well as special interest networking sites can all be classified as personal or truly "social" networking sites. Of these Facebook is by far the most popular. While companies and organizations have set up "fan" pages, company pages, or groups, the primary activity that drives the popularity of Facebook is communicating with "friends" online, posting and reading status updates, playing games, taking quizzes, joining interest groups, accepting event invitations and socializing. Facebook, however, *is* morphing from merely a personal site with the addition of enhanced profiles, Fmail (Facebook Mail), and the number of companies that have leveraged the popularity of Facebook. Law firms using company pages at Facebook should recognize the social aspect of the site to get the most

traction. Build in interactivity, calls to action, polls, and make sure there is fresh content to keep fans and friends engaged.

Professional

There are networking sites geared for professionals, including LinkedIn, TalkBizNow, and Plaxo. While attempting to co-opt some of the features that have made Facebook so popular, like status updates, these sites were built for and are primarily useful for professional networking. These sites are open to anyone, and the concept relies on the power of connections and leveraging people's professional networks. Of these, LinkedIn is the most popular. LinkedIn provides lawyers the opportunity to participate in interest groups, provide a full CV, and build a vast network in a relatively short amount of time.

Legal

There are many networking sites specifically for the legal professional, including LawLink, Legal OnRamp, MH Connected and more. Legal OnRamp and MH Connected concentrate on building connections between in-house and outside counsel, whereas Lawlink focuses more on the broader legal community. Features and functions vary greatly with these sites. In addition to these national networks you will find state and local sites, such as the Chicago Lawyer's Network or Texas Bar Circle. There may be more of a comfort level in using these sites to communicate with other lawyers, with a reduced concern for unintended creation of attorney-client relationship or solicitation. However, never forget that anything that goes online has a very long life-span.

Microblogs

Another, more recent social medium is the microblog, including sites like Twitter, Tumblr, Jaiku, and Yammer. With the exception of Yammer, which was designed expressly for organizational use, microblogs seem to have been designed for and adopted as much for personal use as professional and even legal use – on microblogs such as Twitter, there are plenty of individuals microblogging about personal topics, workers microblogging about professional topics, companies microblogging about their products and services, and lawyers microblogging about their services. Of these microblogging sites, Twitter is the most popular. The idea of the microblog is to post a message, described by Twitter as “what are you doing,” in no more than 140 characters. These messages or “tweets” can then be “followed” by other Twitter users. As a Twitter user, you can follow others’ “tweets.” Although users can set restrictive policies on who can follow them, generally users allow *anyone* to follow them, and as a matter of courtesy follow their followers. Get it? An entire lexicon has been built around Twitter, as well as abbreviations, codes and applications to help manage the communication stream. Twitter's greatest strength is also its greatest weakness – it is the autobahn of

the information super highway. Information, as well as misinformation, is spread at the speed of light. Many lawyers and law firms use Twitter to share information with a wide audience, or as a bullhorn for their blogs.

Avoiding Overload

There are tools to help you manage social media, and ways to re-use content so that one blog post or one tweet shows up in multiple places. Tweets can feed to Facebook and LinkedIn, blog posts can feed to Twitter, LinkedIn, and Facebook. Links to slide presentations loaded to Slideshare can be sent to LinkedIn. Remember, though, that while feeding content automatically from one social site to another can help manage your time, you should occasionally visit and interact with the sites individually. There are third party tools that also help manage and maximize time spent on social media. For instance, [Tweetdeck](http://tweetdeck.com/)⁵ allows you to organize tweets by people or subject. It also lets you update your status in LinkedIn and Facebook by sending your tweets to them. Other applications, like [Twitterfeed](http://twitterfeed.com/),⁶ will automatically tweet when you post to your blog. These applications are free and can help keep staff time down and keep the message consistent. See "[A Lawyer's Social Networking Toolbox: Tuning Up Your Business](http://www.abanet.org/lpm/lpt/articles/ftr11096.shtml)"⁷ for more ideas.

Follow Us!

The RPTE Section of the ABA has a social media presence. One educational and entertaining way of getting involved in social media is participating in interest groups. Follow, friend and link up with RPTE and get social!

[RPTE on Facebook](#)

[RPTE on LinkedIn](#)

[RPTE on MH Connected](#)

¹ Kaplan Andreas M., Haenlein Michael, (2010), Users of the world, unite! The challenges and opportunities of social media, Business Horizons, Vol. 53, Issue 1, p. 59-68.

² http://en.wikipedia.org/wiki/Social_media

³ <http://sharethis.com/>

⁴ <http://www.compliancebuilding.com/2009/04/13/the-4-ps-of-the-social-internet/>

⁵ <http://tweetdeck.com/>

⁶ <http://twitterfeed.com/>

⁷ <http://www.abanet.org/lpm/lpt/articles/ftr11096.shtml>