An attorney “friends” a long-time acquaintance on Facebook—a friend who also happens to be a judge presiding over one of the attorney’s cases. A different attorney asks his secretary to “connect” to an opposing party in order to get information from the party’s LinkedIn profile. Another attorney “tweets” a critical comment about a judge on Twitter. Each of these attorneys were simply participating in social media—like most Americans do every day. But each of these attorneys also potentially committed ethical violations that could have drastic consequences for their careers and their clients.

But attorneys simply cannot avoid social media. According to some estimates, more than 70% of lawyers participate in social media sites somehow, with 30% growth for lawyers ages forty-six and older. The ABA’s 2010 Legal Technology Survey Report indicated that 56% of attorneys in private practice are on social media sites. Young lawyers have grown up using My Space, Facebook, and Twitter—so much so that these tools are nearly second nature. Firms and older lawyers cannot afford to ignore the powerful information, networking, and advertising tools social media offer. Social media sites commonly contain important information subject to discovery—thus ignoring social media can mean providing incompetent representation.

However, social media brings a number of potential pitfalls for lawyers that are often overlooked. Rapidly evolving and outdated ethical rules, vague standards, and technology’s fast pace make social media a particularly dangerous tool for lawyers today. Attorneys have been sanctioned, lost cases, and lost clients—all thanks to social media.

It is true that the American Bar Association formed the “Commission on Ethics 20/20”, in part, to address technological advances facing the profession. The commission even released a proposal on June 29, 2011.

Continued on page 11
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LETTER FROM THE CHAIR

Letter from the Chair:

It is my pleasure to serve as Chair of the Government Law Committee this year. I have just returned from the ABA Mid-Year Meeting which was held in Dallas, Texas, which is just a few hours away from my home in Oklahoma. During the Mid-Year Meeting, the Government Law Committee held its strategic planning session on February 9th. The winter weather prevented some of the committee members from attending, but we had a productive brainstorming and planning session with those who could make it.

During the strategic planning session, we were provided with an overview by our facilitator, Loren Podwill, of our core and fringe demographics which make up our committee. We also identified the committee’s strengths and weaknesses and ways to improve our communications in order to provide value to our members. Although we are one of the smaller TIPS committees, we know that our government law practice is unique and we view our size as an opportunity for our committee members to become more involved in the committee by getting published in a newsletter or taking on a leadership role within the committee.

That is where you, as members, come in. We would be thrilled if you would like to help us in our efforts to make the Government Law Committee even stronger. We will soon be notifying members of a regular conference call date and time so that you can stay informed and engaged in the committee’s efforts.

Here’s to a successful year.

Debra Gee, Chair

The Government Law Committee is now Linked-in and on Facebook!
The Committee hopes to use social media to increase our membership base and to keep members informed of the latest Committee news, events, and updates. Please visit our Linked-in page, and like us on Facebook!

Like us on Facebook: www.facebook.com/TIPSGovernmentLaw
Visit us on Linked-in:
REGISTER TODAY! www.americanbar.org/tips

Featuring:
-National ADR Forum
-Joint Reception
-Blockbuster CLE Programs
-Business Meetings
-Welcome Reception
-Leadership In Action Luncheon
-Denise’s Dash
-80th Anniversary Gala

APRIL 24–28, 2013
JW MARRIOTT HOTEL
WASHINGTON, D.C.
What is your background?

I was born in San Jose, California at a time when the federal government encouraged young American Indians, like my parents, to relocate from their Indian tribal communities and reservations to cities across the country with the idea that they would assimilate to the mainstream society. Most of my upbringing and where I live currently, however, has been in rural Oklahoma. I am a member of the Navajo Nation, and am also affiliated with the Muscogee (Creek) Nation. It wasn’t until I was in college that I realized that law school was necessary in order to pursue my interest in federal Indian policymaking. I chose a law school (Arizona State University) with a well-developed Indian law program. My first job out of law school was with DNA-Legal Services in Shiprock, New Mexico which is located on the Navajo Nation reservation and I loved it. From there, I began working within mostly tribal governments and have been working as in-house counsel for the Chickasaw Nation for over 10 years.

What’s the core purpose of the Chickasaw Nation Division of Justice?

The overall mission of the Chickasaw Nation is to improve the overall quality of life of the Chickasaw people. As in-house counsel for the Chickasaw Nation, the Division of Justice seeks to strengthen and protect tribal sovereignty in the various business transactions and negotiations that the Chickasaw Nation undertakes.

Does the Chickasaw Nation Division of Justice have a hierarchical equivalent in American law?

The Chickasaw Nation tribal government is set up much like the federal system with a three branch government which includes the executive, judicial and legislative branches. The Division of Justice is located within the executive branch of the Chickasaw Nation. The Division of Justice is led by an Attorney General. The Division of Justice is not only in-house counsel for the various entities within the executive branch, but also serves as the prosecutor for cases brought in the Chickasaw Nation District Court, which is the Chickasaw Nation’s tribal court system.

Are there fundamental differences in the administration of Chickasaw justice as compared to American justice?

There are some differences due to the fact that the Chickasaw Nation has its own set of tribal laws that govern its jurisdiction. In addition, the Chickasaw Nation’s tribal court system has its own traditional peacemaking system that seeks to handle disputes according to Chickasaw traditions and customs.

As chair of the TIPS Government Law Committee, what insights have you been able to have based on your unique background that you can share?

It is interesting to see the various similarities and differences between the federal, state and tribal governments and what government lawyers have to wrestle with on a daily basis. As government lawyers, we not only have to know the law and advocate for our client, the government, but we also have to communicate with outside counsel on occasion and become very familiar with the administrative process for those claims reviewed by an administrative body. For tribal government lawyers, we also have to form good relationships with our federal government attorney counterparts.

What challenges do the government lawyers face that other lawyers seemingly don’t?

In the current U.S. economic climate, many government law attorneys feel the immediate impact of their offices’ budget belt-tightening, hiring freeze or layoffs and travel restrictions. In addition, each election cycle may bring a change in governmental leadership which may also signal a shift in the priorities of a government attorneys’ offices.

What goals do you wish to fulfill before the end of the term?

In February of this year, the Government Law Committee wrapped up its strategic planning session with help from a TIPS facilitator during the ABA Mid-Year Meeting held in Dallas, Texas. I am excited about what we can do the rest of the year as a committee. Here are my goals:
1. Engage the Government Law Committee membership. With roughly 200 members strong, we can accomplish a great deal by sharing our ideas and wealth of experience with other members. To this end, we will be announcing a regular conference call date and time that will be available to all GLC members to hear about what the committee is doing and upcoming opportunities.

2. Successfully complete our year’s activities. Our year’s activities will include the publication of two newsletters, hold regular business meetings and conference calls; enhance our social media presence; and develop a CLE program that may involve a co-sponsorship opportunity with another TIPS general committee; and promote the Government Law Committee to reach a more diverse and broader audience.

3. Prepare for the future of the Government Law Committee. Many of the long-range goals of the Government Law Committee may not be able to be accomplished this year. Therefore, I believe we as a committee should be laying the groundwork for the future direction of the committee by having a solid leadership succession plan and finding ways for our members to be more engaged in the future direction of the committee.

In your community, how are government lawyers perceived vs. private practitioners?

I think government lawyers are highly thought of in my community. The private practitioners I know view being a government lawyer as stable employment and there is always something new to learn. Several of the government lawyers in my office came over from private practice.

Do you feel as you helped change that perception for the better and, if so, how?

I don’t know if I did that singlehandedly, but the fact that I have been employed as a government lawyer for the same Indian tribe for over ten years speaks volumes about the stability of the government law profession.

What are some of your accomplishments?

I have grown so much professionally in my short time with TIPS. Before I graduated from the TIPS Leadership Academy in 2009, I had no involvement with TIPS before that time. I am still learning about the ABA/TIPS organization, but the Leadership Academy definitely helped me in preparing me for my role as chair. In addition, I have served as scholarship reviewer for the past two years on the ABA Legal Opportunity Scholarship Committee. It is so exciting to see the caliber of college students who accomplished so much in their lives already and now desire to attend law school. It makes me so hopeful about the future of the legal profession.

In your short time left as Chair, what visions do you have for the Government Law Committee and why?

It was expressed in our strategic planning session that the goal of the Government Law Committee is to provide value to our membership. My vision is to have the Government Law Committee provide value on a consistent basis to its members through the sharing of ideas, listening to what our members want, and delivering results.
Attend the DC Department of Health’s Animal Health Fair Co-sponsored by the ABA Tort Trial & Insurance Practice Section.

EVENTS INCLUDE:
- Free Vaccinations
- Dog Licensing
- Learn About Emergency Preparedness
- Learn About Animal Laws
- Ask the Veterinarian

FOR MORE INFORMATION, CALL DOH AT 202-535-2323.
Q. Dick, your theme for the year is “Relevance, Professionalism, Civility and Excellence in the Profession of Law.” How did you formulate the four cornerstones of this theme?

A. Since it is the 80th Anniversary of TIPS, I wanted us to focus on what is important to all of us as attorneys. There is nothing more important to me than professionalism and civility in the practice of law. It is the essence of how we conduct ourselves as officers of the court and requires qualities such as unselfishness, compassion, patience, integrity and concern for people and justice. Our theme also focuses on the relevance of what we do in TIPS – for example the exceptional educational programs and comprehensive publications. Finally it addresses the excellence that the Section has demonstrated in its insight into cutting-edge issues in our substantive and procedural practice areas and our creative projects. TIPS provides a unique opportunity to make us all better lawyers.

Q. What characteristics or values do you view as part of “professionalism”?

A. There are many including competence, diligence and independence. The key to me is a commitment and moral conscience to do the right thing – to be truthful.

Q. Ethics is intrinsic to your theme. Your Fall Meeting in La Quinta, Palm Springs is slated to include an ethics program. Can you tell us about that?

A. I am thrilled about our Continuing Education and Ethics Program in La Quinta, entitled “Through the Looking Glass: What Lawyers Can Learn From Judges and What Judges Can Learn From Lawyers About Ethical Practice and Professionalism”. The distinguished panel of Federal and State Court Judges and attorneys will address behaviors during the trial and discovery process and provide guidance about ways that lawyers can improve the process and how judges respond to lawyers’ inappropriate conduct. In addition, the panelists will discuss how lawyers can work cooperatively and professionally with opposing counsel and what judges want to see from lawyers and what lawyers want to see from judges in order to promote professionalism and civility in the courtroom.

Q. How are you addressing “relevance”?

A. ABA President Laurel Bellows, in announcing her theme, proclaimed that “Lawyers Matter” and that “lawyers are the first responders when liberty and justice are imperiled”. This mirrors the relevance component of the TIPS theme. I look forward to working with Laurel.

Q. What are the characteristics of “civility” in a lawyer? How can TIPS promote this goal?

A. In my opinion, sometimes the rules of professional conduct and ethics overlap with common-sense civility. For example, impugning opposing counsel and the trial court violates both. In trial, civility among the parties remains essential and an attorney lacking civility will not command the respect of the judge, client or fellow attorneys. TIPS attorneys must lead by example and the goals of our Section should be a model to foster civility amongst practicing attorneys and the court.

Q. Does your prong of “civility” include an interaction with the 4th estate – the press?

A. Our professional reputations are guided in large part by the press. Society as a whole has a negative view towards attorneys – primarily influenced by negative press. We are considering a program in our Spring Meeting spearheaded by our Media Privacy and Defamation Law Committee and the ABA Judicial Division related to High Profile Cases and the Media. The goal is to educate attorneys on how to deal with the press in an ethical and civil manner in high profile cases.

Q. I understand that Alternative Dispute Resolution issues focus prominently into your theme. What programs can we expect to see in the coming year?

A. The National ADR Forum is scheduled for April 23, 2013 in Washington D.C. at our Spring Meeting. It will feature Kenneth Feinberg, the mediator in the 9/11 and Katrina cases, and a number of prominent panelists from all over the world (judges and attorneys). We are very enthusiastic about this blockbuster program by the TIPS ADR Committee. Right now, the program is planned with five panels followed by audience voting concerning best practices and associated issues bearing on optimizing the ADR process, mechanics and effectiveness.
Q. How can TIPS promote “excellence” in the profession of law?

A. Three ways: (1) provide our members exceptional educational opportunities including community outreach and public service projects; (2) be innovative and bring resolutions before the ABA House of Delegates to make national policy and laws that affect and bolster our practice areas; and (3) provide unique opportunities to make us all better lawyers, to better our practice, and to increase networking opportunities, referral sources and friendships to ensure success in our practice and professional lives.

Q. Mentoring is ingrained in one of the components of your theme. TIPS has a special commitment to this especially through the formation of its Leadership Academy. Will this unique program continue under your leadership?

A. Yes – I am very excited that 2012-2013 is a Leadership Academy year. The new Leadership Academy class meets for the first time in La Quinta. The Task Force on Leadership-Diversity headed by Past TIPS Chair Ginger Busby has assembled an incredible program for the Leadership class. The 23 members of the Leadership class are an amazing group of young lawyers – their individual stories and backgrounds are incredible. The goals of the Leadership Academy are: (1) to increase the diversity of leaders within our communities; (2) to nurture effective leadership with respect to ethical, professional and community service values; (3) to build relationships among leaders from across the country and from diverse disciplines within the profession; and (4) to raise the level of awareness among lawyers regarding the broad range of issues facing the profession. We are delighted to introduce all TIPS members to our 2012-2013 Leadership class who are all emerging leaders of our Section.

Q. I understand that you, Immediate Past Chair Randy Aliment and Chair-Elect Eugene Beckham have agreed to some points of continuity in your respective terms. What are they?

A. There are two. We are going to continue the very successful Disaster Preparedness and Response Task Force which was envisioned by Randy Aliment. We will also prepare for Chair-Elect Gene Beckham’s focus on increasing membership and developing member benefits.

Q. Is this the first time that TIPS will collaborate with the ABA Judicial Division for a joint Spring Meeting in Washington, D.C.? What programs and events are you planning?

A. We are delighted to be collaborating on our Spring Meeting in April 2013 with the ABA Judicial Division. We have many wonderful events and programs planned – including 12 hours of CLE with the judges, a Leadership in Action luncheon with a keynote Washington D.C. attorney and judge who has made a difference in our profession, a US Supreme Court swearing-in ceremony, and networking receptions with corporate counsel and insurance industry representatives. Stay tuned for more on this!

Q. As you mentioned at the beginning of the interview TIPS is celebrating its 80th year under your leadership – in reflecting on the Section’s development, what can you share with us?

A. Our Section began in 1932–1933 at a time when Herbert Hoover was ousted as President of the United States because of a continuing depression and bad economy. Franklin Delano Roosevelt was elected President, and a new era began. That same year, a new era also began for the American Bar Association to ensure excellence in the practice areas of tort and insurance law as a new Section was introduced called the Insurance, Negligence, and Compensation Law Section, which eventually became the Tort Trial & Insurance Practice Section. During those tough economic times of 1932–1933, the small group of lawyers who founded TIPS demonstrated incredible foresight. Times were obviously different then. The average cost of a house was $6,500, gas cost ten cents a gallon, a loaf of bread cost seven cents, and the average price of a new car was $610. While the United States was still struggling through the Great Depression, an epic venue known as the Radio City Music Hall in New York was built and opened in 1932, and it is still going strong today. Yes, times have changed. Yet the founders of TIPS in 1932–1933 had the same vision, focus, and direction that we as lawyers have today. Our predecessors set out to inspire and enhance a greater sense of professionalism and excellence in the practice of law. We will continue to do the same as TIPS members in 2012–2013.

Q. What celebratory events are in store for the members?

A. We will be having a black tie optional 80th Anniversary Gala in the Spring of 2013 in Washington D.C. in the rotunda of the spectacular Library of Congress. There will be a very special keynote speaker at the Gala – it’s a surprise! It will be a spectacular TIPS event.

Interview by Jill Mariani, Chair, TIPS Public Relations Committee. Jill Mariani is the Chief of the Money Laundering and Tax Crimes Unit of the New York County District Attorney’s Office.
SOCIAL MEDIA:...

Continued from page 1

But no commission can keep up with technology’s rapid pace, and the proposals released still leave lawyers unsure about how to ethically participate in social media.

The first step for any lawyer to avoid the unique challenges of social media is to be aware of the risks. Thus, this article primarily aims at highlighting the critical ethical issues lawyers may face when choosing to interact—or not interact—with social media. The good news is that most social media problems are relatively easy to avoid once you are aware of them.

I. The Social Media Minefield

Lawyers can run into ethical troubles in myriad ways when using social media. But there are common ways many lawyers have found themselves in embarrassing situations, or even sanctioned, when using social media.

A. Client Confidentiality

The first ethical problem social media often causes is breach of client confidences. ABA Model Rule 1.6(a) protects lawyer-client confidentiality and prohibits lawyers from revealing information “relating to the representation of a client.” And releasing confidential information on Facebook or Twitter is as serious a violation as shouting a client’s information in a crowded room. However, this has not stopped countless attorneys from breaching confidentiality by posting client or case information to various social media sites. For example, an Illinois public defender lost her job and was sanctioned by a state bar after it was discovered she was posting confidential information about her cases on a blog—referring to clients by their names or jail identification numbers.

Furthermore, breaching confidentiality with social media can be easier than it might seem, even accidentally. For example, posting pictures to social media sites could inadvertently reveal confidential evidence, trial materials, locations, or contacts that happen to be in the background. Location-based services like Geotagging tweets or using services like Foursquare can reveal confidential information if an attorney is meeting with a client at a sensitive location. In fact, for an extreme example, an attorney could even endanger a client’s safety by revealing his or her location while a domestic dispute is pending. Finally, many social media sites such as LinkedIn offer automatic information importation—potentially posting confidential information from an attorney’s computer without so much as a click.

Attorneys should also be aware that clients can create confidentiality problems. It is axiomatic that communications are only confidential if they are kept confidential by the client. If a client posts information on Facebook or other social media—and this information is confidential—a court could find that the client has voluntarily waived his or her rights.

B. Communicating with represented parties or jurors

Any attorney should know that it is unethical to have ex parte communications with a represented party or, perhaps, even a judge presiding over an attorney’s case. It is even more axiomatic that an attorney cannot have ex parte contact with jurors deciding the attorney’s case. Importantly, some state bars have found that merely requesting to be “friends” with a person qualifies as a “communication” triggering the ethical rules. These bars have explained that in “friending” another, a lawyer is practically requesting that Facebook send another person a message.

However, getting access to a juror’s or party’s Facebook page can provide quite helpful information that is too tempting for many attorneys. For example, a New York Advisory Opinion suggested that a lawyer that asked his secretary to “friend” a represented party violated the ethical rules.

C. Criticizing judges or other attorneys

Disparaging judges or attorneys on social media cannot only harm an attorney’s reputation—it can also constitute a violation of ethical rules. Numerous attorneys have posted unfavorable remarks on various blogs and websites that have colored their reputation. But for some attorneys, such as Sean Conway, an attorney in Florida, it rose to a sanctionable offense. Conway called a Fort Lauderdale judge an “Evil, Unfair Witch” on a popular legal blog. He then received a reprimand from the Florida Supreme Court. Similarly, a California lawyer received a 45 day suspension after posting blog discussions that were unfavorable to a judge.


2 THE PHILADELPHIA BAR ASSOCIATION PROFESSIONAL GUIDANCE COMMITTEE Opinion 2009-02, 2009 WL 934623 (March 2009)

conceive of “online” communications as somehow more anonymous or less likely to be discovered. But this is simply not the case.

**D. Advertising legal services through social media**

There are few ethical rules as highly scrutinized as the regulation of legal advertising. Every jurisdiction, as well as the ABA Model Rules, has numerous requirements for advertising legal services. Most jurisdictions further regulate the manner in which an attorney advertises experience, success rates, specialties, expertise, and anything else that might influence potential clients. The requirements for advertisements range from keeping print records of all posts, to how advertisements are worded or presented. Professional rules in Illinois and New York, for example, prohibit attorneys from using words like “specialist,” “certified,” or “expert” unless they possess certain qualifications. The Arizona State Bar concluded that such rules mean that a lawyer cannot even remark in a chat that he “specializes” in a field of law unless officially approved.

Critically, while overt advertisements will obviously trigger ethical rules, simply posting comments that appear to implicate the attorney’s skills—or anything else relating to providing services to clients—could potentially be seen as an advertisement. This includes posts on blogs, message boards, or other media sites where an attorney may not be subjectively intending to advertise. For example, Connecticut’s ethical rules indicate that an attorney could be advertising by inviting another to a Linkedin page which describes the attorney’s practice. A Twitter post referencing the attorney’s services in a vague manner could equally be counted an advertisement. Moreover, some social media sites can make it impossible to comply with a local jurisdiction’s advertisement rules even if the attorney wants to follow them. For example, the 140 character limit Twitter postings could prevent an adequate disclaimer if one is required.

Finally, attorneys could be advertising without even posting a single word. Some ethics opinions suggest that rating and review sites can implicate advertising rules. For instance, the Ethics Advisory Committee for South Carolina held that any lawyer endorsing information on a rating site can be liable for ensuring the accuracy of all posted information (even that posted by users not under the attorney’s control). The committee clarified that by “updating any website listing ... a lawyer assumes responsibility for the content of the listing.”

**E. Unauthorized practice of law—or inadvertently creating a lawyer/client relationship—through social media.**

Social media is dynamic and interactive. It is difficult for many attorneys to resist the temptation to offer legal information or advice to friends, family, or even strangers online. In fact, there are a growing number of online legal service providers that actually facilitate online lawyering, such as JustAnswer.com.

However, attorneys can face the very real risk of either inadvertently creating a lawyer-client relationship—and thus triggering a number of ethical responsibilities—or committing the unauthorized practice of law in a jurisdiction in which the attorney is not admitted. If a lawyer offers detailed advice tailored to someone’s specific factual situation, the attorney is likely offering legal advice triggering all applicable duties and responsibilities.

Even if a valid relationship is not created, there could still be confidentiality responsibilities, as according to the Model Rules, “[e]ven when no client-lawyer relationship ensues, a lawyer who has had discussions with a prospective client shall not use or reveal information learned in the consultation.” Moreover, an attorney offering advice to a prospective client on a social media site (even if no relationship is created) could create a conflict of interest with an existing client under Model Rule 1.18—requiring disqualification for the attorney and perhaps an entire firm.

**F. Deception or false statements**

ABA Model Rule 4.1(a) says: “[i]n the course of representing a client a lawyer shall not knowingly: (a) make a false statement of material fact or law to a third person.” More importantly, ABA Model Rule 8.4(c) prohibits “conduct involving dishonesty, fraud, deceit or misrepresentation.” Many attorneys seem to think that information posted on social media sites, like Facebook, are not scrutinized as closely as statements made in other public forums. However, this could not be farther from the truth. First, if an attorney deceives someone by, for example, pretending to be someone else when friending a witness on Facebook—the ethical rules will likely be violated. This can include simply leaving out that the attorney is a lawyer interested in information for a pending case—as many attorneys attempting this trick have been sanctioned by state bars for unethical behavior.

Also, Model Rule 3.3 prohibits attorneys from making false statements to a tribunal, and social media
posts can reveal a false statement made to a court. For example, a judge in Texas checked a lawyer’s Facebook page after the lawyer requested a continuance because of a family death. Unfortunately for the lawyer, her Facebook posts revealed that she was in fact attending a series of parties with friends.

**G. Incompetently dealing with social media evidence**

Model Rule 1.1 instructs: “[a] lawyer shall provide competent representation to a client.” A comment clarifies that a lawyer must “maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice.” Because important discovery and factual material can reside in social media posts, lawyers may need to be capable of navigating social media to provide competent representation. Family law attorneys, for example, can often find critical information about the opposing party’s spending or childcare habits which are directly relevant to their case. Attorneys may be limited in their representation if they are not aware of the potential social media websites for which discovery might be appropriate. Soon, an attorney may be committing malpractice by ignoring potential social media evidence.

**H. Properly advising clients about social media liabilities**

Attorneys also need to be able to apprise clients about their potential social media liabilities. For example, if information pertinent to a pending case is stored on a social media site, a client may need to preserve relevant posts in order to comply with the duties of evidence preservation. Clients also should be made aware that monitoring or restricting employees’ social media can be illegal depending on the circumstances—such as by improperly gaining access to medical or other protected information. Another example, is that clients can adversely affect their case by posting or uploading statements that are harmful to their claims. These are just a few ways clients can be adversely affected by social media, and it is thus critical that lawyers understand the risks.

**II. Some Suggestions for Avoiding Social Media Pitfalls**

Do not post anything that you would not like read by the judge or your opposing attorney. The best way to avoid social media pitfalls is to treat online social media postings similarly to communications made directly to opposing counsel or the court. In other words, After all, today, it will be rare for an attorney to ignore social media, and anything posted could potentially be subject to a discovery request.

Be wary of who your social media “friends” are—and what they say on your page. While you may or may not be liable for what third parties post on your social media pages, if an attorney appears to adopt another’s statements, or initially prompts the statement, a court could hold the attorney liable.

Attorneys should also be very sensitive to what legal information or advice they offer online. Providing fact-specific advice, or even simply communicating with the wrong individual online, can violate ethical rules triggering malpractice liability, disqualification, or sanctioning.
## 2013 TIPS CALENDAR

### April 2013

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<td>4-5</td>
<td>Emerging Issues in Motor Vehicle Product Liability Litigation National Program</td>
<td>Arizona Biltmore Resort &amp; Spa Phoenix, AZ</td>
<td>Donald Quarles – 312/988-5708</td>
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<td>5-6</td>
<td>Toxic Torts &amp; Environmental Law Committee Midyear Meeting</td>
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<td>TIPS National Trial Academy</td>
<td>Grand Sierra Resort Reno, NV</td>
<td>Donald Quarles – 312/988-5708</td>
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<td>TIPS Premier Program</td>
<td>ABA Center for CLE</td>
<td>Earnestine Murphy – 312/988-6204</td>
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<td>19</td>
<td>Current Issues in Insurance Regulation</td>
<td>New York City Bar New York, NY</td>
<td>Ninah F. Moore – 312/988-5498</td>
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<td>24-28</td>
<td>TIPS &amp; Judicial Division Joint Spring Meeting</td>
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<td>Fidelity &amp; Surety Committee Spring Meeting</td>
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<td>16-18</td>
<td>Property Insurance Law Committee Spring CLE Meeting</td>
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