

# Social Media for Lawyers

**Jennifer Ellis, Esq.**

**Freedman Consulting, Inc.**

[jennifer@freedmanlpm.com](mailto:jennifer@freedmanlpm.com)

# Most Popular Sites



facebook®



twitter



LinkedIn®



You Tube

# Some Statistics

- Facebook – 800 million
- Twitter – 200 million
  - 70% follow others and don't post
- LinkedIn – 116 million
- Google+ – 40 million
- Avvo – 90% of lawyers
- Scribd – 50 million, 1.8 million searches per day
- 1 out of 4 people read blogs
- YouTube – 3 billion visits per day

# Why Use Social Media

- It is where you people can find you
  - Referrals
  - Marketing
  - Networking
  - Education (self and others)

# Why not use Social Media

- Ethical risks
- Too much sharing
- Unwise use can result in embarrassment

# A Closer Look at Various Sites

# Facebook

- Individuals – Accounts
- Firms/Businesses – Pages

# Facebook Accounts

facebook

Search

## Jennifer Ellis

Vice-President at Freedman Consulting Studied Law at Widener University School of Law  
Lives in Mechanicsburg, Pennsylvania From Massapequa, New York Born on June 16 [Edit Profile](#)

[Update Status](#) [Add Photo / Video](#)

Preparing a presentation for [PBI](#) on Social Media

[Friends](#) [Post](#)

- Public
- Friends**
- Friends except Acquaintances
- Custom
- Close Friends
- Mechanicsburg Area
- Family
- See all lists...

Wall

- Info
- Photos (7)
- Notes
- Friends
- Subscriptions (3)
- Subscribers (9)

**Friends (986)**

# Facebook Pages

The image shows a screenshot of a Facebook page for 'Freedman Consulting, Inc.'. The page header includes the Facebook logo, a search bar, and the company name. The main content area features a post by the company with a title 'Judges on Facebook: What's the Verdict? - The Legal Intelligencer' and a link to the article. The post includes a small image of a judge's gavel and a text block. The left sidebar contains navigation options like 'Wall', 'Info', and 'About'. The bottom of the page shows the start of another post.

**facebook** Search

## Freedman Consulting, Inc.

Consulting/Business Services · Lansdale, Pennsylvania · [Edit Info](#)

**Wall** Freedman Consulting, Inc. · Everyone (Most Recent)

Share: [Status](#) [Photo](#) [Link](#) [Video](#) [Question](#)

Write something...

**Freedman Consulting, Inc.**  
An interesting article from the Legal Intelligencer on Judges on Facebook. (subscription required.) My view is that Judges can use Facebook pages as an informative tool, and also as a political tool. But once the election is over, any political pages should be taken down or altered to become simply an informational page of some kind. <http://tinyurl.com/42ala4s>

**Judges on Facebook: What's the Verdict? - The Legal Intelligencer**  
[www.law.com](http://www.law.com)

The number of Pennsylvania's judiciary on Facebook might surprise you — and them.

36 Impressions · 0% Feedback

[Like](#) · [Comment](#) · [Share](#) · Yesterday at 2:19pm

**Freedman Consulting, Inc.**  
Curtis is at it again. He learned you can find career opportunities on Facebook.

# People “Like” Your Page

- What you post on your page appears on your fans’ walls.

 Update Status  Add Photo / Video  Ask Question

## RECENT STORIES



### **Freedman Consulting, Inc.**




Jennifer will be presenting tomorrow at PBI on social media. Ellen will be presenting at Widener for paralegals! See our calendar for more!  
[https://www.facebook.com/jle.jd?ref=ts&sk=app\\_209569249055691](https://www.facebook.com/jle.jd?ref=ts&sk=app_209569249055691)



### **Freedman Consulting, Inc. | Speaking Engagements**

We measure success by the degree to which we're able to help you reduce attorney involvement in operational oversight while at the same time increasing your firm's efficiency and productivity.

Page: 70 like this

 Like ·  Comment ·  Share · 4 seconds ago

# Twitter



Search



Home

Profile

Messages

Who To Follow



JLE\_JD



## Jennifer Ellis

@JLE\_JD Pennsylvania, USA

Attorney, law practice management consultant and CLE speaker. Associated with Freedman Consulting, Inc. Blog <http://www.freedmanlpm.com/blog>  
<http://www.freedmanlpm.com>

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Tweets Favorites Following Followers Lists



**JLE\_JD** Jennifer Ellis

An interesting article from the Legal Intelligencer on Judges on Facebook. (subscription required.) My view is... [fb.me/QXou3CAH](http://fb.me/QXou3CAH)  
24 Oct ☆ Favorite ↻ Reply 🗑 Delete



**JLE\_JD** Jennifer Ellis

Curtis is at it again. He learned you can find career opportunities on Facebook. [tinyurl.com/5wgpmbx](http://tinyurl.com/5wgpmbx) [ow.ly/i/jO2R](http://ow.ly/i/jO2R)  
24 Oct



**JLE\_JD** Jennifer Ellis

LawLine nominated me for presenter who exudes optimism! I'd appreciate any support... [fb.me/OsfPdfBu](http://fb.me/OsfPdfBu)  
23 Oct



**JLE\_JD** Jennifer Ellis



About @JLE\_JD

917

Tweets

48

Following

214

Followers

17

Listed

Similar to you · view all



**ParalegalTech** Paralegal Technology



**HedgeGC** Hedge GC Summit  
3rd Annual Hedge Fund General Counsel Summit #H...



**nerinopetro** nerinopetro  
Attorney, techhead and overall nice guy now serving...

Following · view all



About Help Blog Mobile Status Jobs Terms Privacy  
Shortcuts Advertisers Businesses Media Developers  
Resources © 2011 Twitter

# Twitter

- 140 character micro blogging
  - A great way to let people get to know you as a person
  - Share quick bits of information
  - Set up your LinkedIn and Facebook accounts to automatically post to Twitter
    - Good use of time

# LinkedIn – Public Profile



Jennifer Ellis

Vice President at Freedman Consulting, Inc.

Harrisburg, Pennsylvania Area | Legal Services

Current	• <b>Vice President at Freedman Consulting, Inc.</b>
Recommendations	7 people have recommended Jennifer
Connections	500+ connections

## Jennifer Ellis's Experience

**Vice President**

**Freedman Consulting, Inc.**

January 2011 – Present (10 months)

## Jennifer Ellis's Skills

Speaking Engagements

Technology Implementation

Law Firm Marketing

# Full – Profile



[Edit Photo](#)

**Jennifer Ellis** [Edit](#)

Vice President at Freedman Consulting, Inc.  
Harrisburg, Pennsylvania Area | Legal Services

Jennifer Ellis Curtis is at it again. He learned you can find career opportunities on Facebook. <http://tinyurl.com/5wgpmbx> <http://ow.ly/i/jO2R>

[Like](#) • [Comment](#) • [See all activity](#) • [Post an update](#) • 1 day ago

Current	<b>Vice President at Freedman Consulting, Inc.</b> <a href="#">Edit</a> <a href="#">+ Add a current position</a>
Past	Associate Director of Media Technologies at Pennsylv Institute Adjunct Professor of Legal Methods at Widener Univer
Education	Widener University School of Law University of Pennsylvania Dickinson College
Recommendations	<a href="#">7 recommendations</a> <a href="#">Edit</a>
Connections	<a href="#">500+ connections</a>
Websites	<a href="#">Company Website</a> <a href="#">Edit</a> <a href="#">Blog</a> <a href="#">Edit</a> <a href="#">Store</a> <a href="#">Edit</a>
Twitter	<a href="#">JLE_JD</a> <a href="#">Edit</a>
Public Profile	<a href="http://www.linkedin.com/in/ellisjenniferleigh">http://www.linkedin.com/in/ellisjenniferleigh</a> <a href="#">Edit</a>

## Summary

I am a consultant with Freedman Consulting, which assists PA law firms with a full range of issues, including such things as strategic planning, client development, project management, technology, and more, on the business side of the practice.

## Experience

### Vice President

**Freedman Consulting, Inc.** [Edit](#)

Privately Held; Legal Services industry  
January 2011 – Present (10 months)

I am the Vice President and a consultant with Freedman Consulting, which assists law firms with a full range of issues, including such things as strategic planning, client development, project management, technology, and more, on the business side of the practice.

### Vice President

**Freedman Consulting, Inc.** [Edit](#)

"My firm, SmartCourt Consulting, hired Jennifer @ Freedman Consulting to assist us with marketing in the North East to law firms and Bar Associations. Jennifer's creativity, resourcefulness, and ability to connect with the legal community is outstanding. I have enormous respect for her teaching and communication skills as well, and look forward to a longstanding working relationship with Jennifer and Freedman Consulting." *October 16, 2011*

**Top qualities:** Expert, Good Value, Creative

[1st](#) [Judy D. Miller](#),

hired Jennifer as a Business Consultant in 2011

# Google+



Search Google+



## Jennifer Ellis

Edit Profile

Law firms and businesses have questions. I answer them. I am an attorney and Law Practice Managem...



Send an email

Posts About Photos Videos +1's

View profile as...

In Jennifer's circles (60)



View all »

Have Jennifer in circles (216)



Jennifer Ellis - Yesterday 12:23 PM - Public

Curtis is at it again. He learned you can find career opportunities on Facebook. <http://tinyurl.com/5wgpmbx> <http://ow.ly/i/jO2R>

[URL](#) Curtis - Learning about new career opportunities | Jennifer Ellis, JD  
How I learned that You can find out about careers and find a job on Facebook

+1 - Comment - Share

+1 - Cecil Caulkins



Jennifer Ellis - Oct 23, 2011 - Public

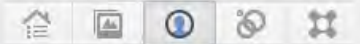
Send feedback


Drag people to your circles to follow and share



Send feed


# Google+ Profile

Google+  Search Google+




**Jennifer Ellis** [Edit Profile](#)

Law firms and businesses have questions. I answer them. I am an attorney and Law Practice Managem...




[Send an email](#)

In Jennifer's circles (60)



[View all »](#)

Have Jennifer in circles (216)



**Posts** **About** Photos Videos +1's [View profile as...](#)

**Introduction** I am an attorney, law practice management consultant, and educator.

**Occupation** Law Practice Management Consultant

**Employment** **Freedman Consulting**  
Vice President, 2011 - present

**Pennsylvania Bar Institute**  
Associate Director - Media Technology, 1999 - 2011

**Education** **Widener University School Of Law**  
Law 1995 - 1998

**Other profiles**

- [jle\\_jd](#)
- [Jennifer Ellis](#)
- [ellisjenniferleigh](#)
- [http://www.facebo...](#)

**Recommended links**

- [Blog](#)
- [Freedman Consul...](#)

# Google Places – Location Marketing

Google

[Edit this place](#) - ✓ [Owner-verified listing](#)

**Freedman Consulting, Inc.**  
313 Bridle Path Road, Lansdale, PA 19446  
(215) 628-9422  
[freedmanlpm.com](http://freedmanlpm.com)  
[Directions](#) [Search nearby](#) [Save to map](#) [more](#) ▼

► **Categories:** Business Management Consultant, Law Firm Consultant, Marketing Consultant, ...  
**Transit:** [Cowpath Rd & Taylor Rd \(0.3 mi SW\)](#) 132


**Your rating:** ★★★★★

Freedman Consulting assists law firms with a full range of issues, including strategic planning, client development, technology, social media, marketing, and more, on the business side of practice. - From the owner

Photos

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Offers



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**Ask a Lawyer Online Now** Ads  
12 Lawyers Are Online.  
Discuss Until You're Satisfied!  
[Law.JustAnswer.com/OWCP](http://Law.JustAnswer.com/OWCP)

**Tax Attorney On Your Side**  
IRS serve you notice? Experts stand up for your rights/help you settle!  
[TaxReliefCenter.org/FreeConsult](http://TaxReliefCenter.org/FreeConsult)

**End of a Long Marriage?**  
After 10 to 30+ Years. Get Answers

# Avvo – Lawyer Rating

- Popular site among laypeople for finding attorneys
- Controversial among attorneys
- Claim your listing IF
  - No disciplinary action
  - Robust profile
- You can increase your score by
  - Completing your profile
  - Getting attorney endorsements
- Avvo sells ads too

# Avvo



Expert Advice When You Need It Most

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## Jennifer L. Ellis

Edit my profile

View my profile



Avvo  
Rating

9.4



Superb

Experience



Industry Recognition



Professional Conduct



Client Rating



Former client? [Write a review](#)

Peer Endorsements

3 endorsements

[What is the Avvo Rating?](#)

Email Lawyer

Lawyer's website

Send to a friend

### Overview

Practice Areas



30% Internet

30% Ethics / Professional Responsibility


20% Communications / Media

20% Advertising

# Scribd – Social Document Sharing

The screenshot shows the Scribd website interface. At the top, there is a navigation bar with the Scribd logo, an 'Upload' button, a search bar containing the text 'Search Books, Presentations, Business, Academics...', and buttons for 'Search' and 'Explore'. Below the navigation bar is the user profile for Jennifer Ellis, featuring her profile picture, name, and a 'Like' button. A notification indicates that one person has liked the profile. The main content area is titled 'Recent Activity' and contains two document listings. Each listing includes a 'New!' badge, a thumbnail image of the document cover, the document title, the uploader's name (Jennifer Ellis), a brief description, the number of reads, and the upload date. The first document is 'Smartphone Applications to Keep your Practice Efficient, your Life Organized, and your Brain Engaged', uploaded on 10/13/2011 with 92 reads. The second document is 'Social Media: The Evidentiary Smoking Bullet', uploaded on 10/04/2011 with 121 reads. Each document listing also features a green bar with the user's profile picture and the text 'Jennifer Ellis published this'.


**Scribd.** Upload Search Books, Presentations, Business, Academics... Search Explore

 *Jennifer Ellis* Like One person likes this. Be the first of your friends.

Activity Shelf Info

## Recent Activity

**New!**


 Smartphone Applications to Keep your Practice Efficient, your Life Organized, and your Brain Engaged  
Jennifer Ellis, Esq.  
Frederick Consulting, Inc.

48 p.


**Smartphone Applications to Keep your Practice Efficient, your ...**

Uploaded by: **Jennifer Ellis** — Powerpoint slides accompanying my presentation on smartphones. Created October 13, 2011.

Reads: 92 Uploaded: 10/13/2011

 **Jennifer Ellis** published this


**New!**

 Social Media: The Evidentiary Smoking Bullet  
Jennifer Ellis, Esq.  
Frederick Consulting, Inc.

**Social Media: The Discovery Smoking Bullet**

Uploaded by: **Jennifer Ellis** — Powerpoint slides for Lackawanna County Bar Association presentation on social media. Covers research, ethics, preservatio...

Reads: 121 Uploaded: 10/04/2011



# Blogs

## Jennifer Ellis, JD

attorney, law practice management consultant and speaker

### Creating a QR Code

Posted by Jennifer – October 23, 2011



These days QR codes are all the rage. For those not in the know, a QR code is a box that contains an image, which when used in combination with a smartphone Barcode scanner app, will take the user to a website, dial a phone number, create some text or help send an SMS message. These codes frequently appear on marketing as an easy way to send potential customers to a website. If you aren't using QR codes as part of your marketing, this is a great time to explore doing so.

Most people assume it is complicated to create a QR code, but really it is as simple as finding a QR Code generator that you can trust. I use [Kaywa](#), which I found on the tech blog [Mashable](#).

Here's a video I created that shows you how to generate and use a QR code that will take a potential client or customer to your website.



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- [About](#)
- [Services](#)
- [Upcoming Seminars](#)
- [Store](#)
- [Powerpoint Presentations](#)
- [All Posts](#)
- [Email Me](#)

October 2011

M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
<a href="#">« Sep</a>						

Follow Me



# Blogs

- The single best method of getting your name and knowledge out there online
- Organic SEO (search engine optimization)
- Provide answers to questions you know potential clients are asking
- Free or inexpensive software

# YouTube

The image shows a screenshot of a YouTube channel page for Jennifer Ellis. The page layout includes a top navigation bar with the YouTube logo, a search bar, and links for 'Browse', 'Movies', and 'Upload'. Below this is a secondary navigation bar with 'Post Bulletin', 'Settings', 'Themes and Colors', 'Modules', and 'Videos and Playlists'. The channel header features the name 'Jennifer Ellis' and 'Inferellis's Channel', along with tabs for 'All', 'Uploads', and 'Favorites'. The main content area is dominated by a video player showing a QR code and a play button. To the right, there is a list of uploads with titles, view counts, and upload times. The background of the page is decorated with a repeating pattern of colorful bar charts and the letter 'F'.

**YouTube** Search Browse Movies Upload inferellis

Post Bulletin Settings Themes and Colors Modules Videos and Playlists

Jennifer Ellis  
Inferellis's Channel

All Uploads Favorites

How to make a QR Code  
9 views - 2 days ago  
2:49

Screen Sharing with Join.Me  
8 views - 4 days ago  
3:23

Creating a signature in Outlook  
12 views - 6 days ago  
4:12

see all arrange

Favorites (0)  
see all arrange

Info Favorite Share Playlists Flag

How to make a QR Code

# YouTube Tags

## How to make a QR Code

Info and Settings

AudioSwap

Annotations

Captions and Subtitles

Save Changes or cancel

### Video Information

Title:

How to make a QR Code

Description:

Jennifer Ellis shows you how to use Kaywa.com to make a QR code.

Tags:

qr "qr code" "Jennifer Ellis" law "legal marketing" attorney  
"lawyer marketing" "how to use a qr code"]

Suggestions:

Category:

Education

How to



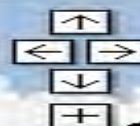
Date and

Date:

October

Map Loc

Altitude



# Link Everything

[Home](#)  
[About](#)  
[Services](#)  
[Upcoming Seminars](#)  
[Store](#)  
[Powerpoint Presentations](#)  
[All Posts](#)  
[Email Me](#)

## Follow Us

We are proponents of utilizing social media as both a marketing/SEO and informational tool. Our [social media](#) resources exist to educate those who are interested in the various areas in which we provide consulting services. Subscribe to our blogs, follow us on Facebook, and learn from us both through what we write and how we take advantage of numerous powerful social media tools including LinkedIn, Twitter and Google+ Access our social media accounts [here](#).



Search

October 2011

M T W T F S S

1 2

3 4 5 6 7 8 9

10 11 12 13 14 15 16

17 18 19 20 21 22 23

24 25 26 27 28 29 30

31

« Sep

Follow Me



Search

Home

Profile

Messa

## Jennifer Ellis

@JLE\_JD Pennsylvania, USA

Attorney, law practice management consultant and CLE speaker. Associated with Freedman Consulting, Inc. Blog <http://www.freedmanlpm.com/blog> <http://www.freedmanlpm.com>

Following

Followers

Lists

Jennifer Ellis

Is to learn to play nice with Microsoft 365: [jellis.net/blog](http://jellis.net/blog)

# Blog

# Twitter

# Website

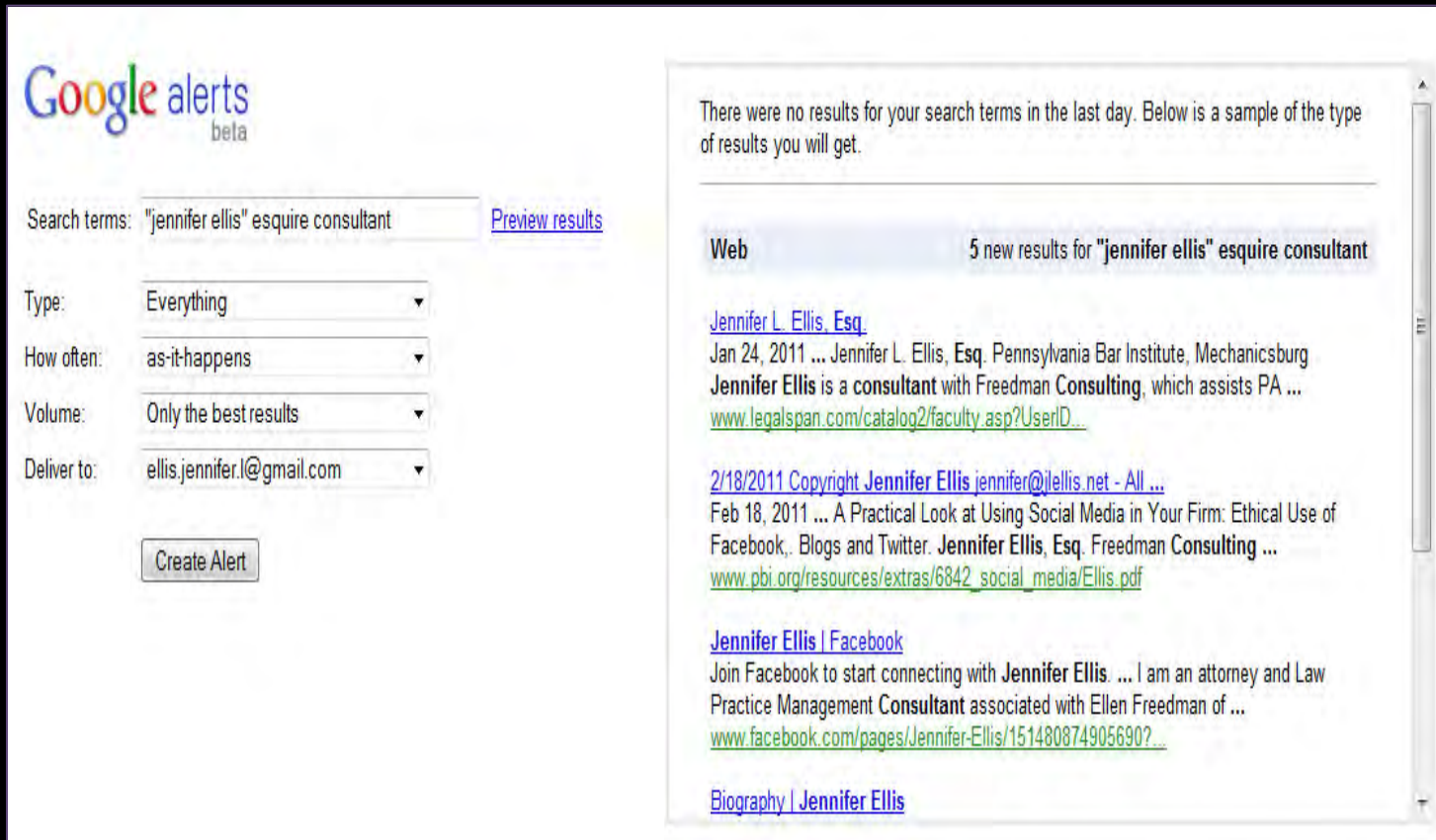
# General Tips

# Be Consistent

- Brand yourself – people hire individual lawyers
- Brand your firm
- Use one picture to represent you
- Use a logo or picture to represent your firm

# Keep Track of Your Image

- Set up a Google alert to see when you are mentioned online



The screenshot displays the Google Alerts interface. On the left, the search terms are set to "jennifer ellis" esquire consultant. The search type is set to "Everything", the frequency to "as-it-happens", the volume to "Only the best results", and the delivery email to ellis.jennifer.l@gmail.com. A "Create Alert" button is visible below these settings. On the right, a preview of search results is shown, indicating that there were no results in the last day. Below this, a section titled "Web" shows 5 new results for the search terms. The results include a link to Jennifer L. Ellis, Esq. on Legalspan.com, a copyright notice for Jennifer Ellis on jennifer@jellis.net, a link to a Facebook page for Jennifer Ellis, and a link to a biography for Jennifer Ellis.

Google alerts  
beta

Search terms: "jennifer ellis" esquire consultant [Preview results](#)

Type: Everything ▼

How often: as-it-happens ▼

Volume: Only the best results ▼

Deliver to: ellis.jennifer.l@gmail.com ▼

Create Alert

There were no results for your search terms in the last day. Below is a sample of the type of results you will get.

Web 5 new results for "jennifer ellis" esquire consultant

[Jennifer L. Ellis, Esq.](#)  
Jan 24, 2011 ... Jennifer L. Ellis, Esq. Pennsylvania Bar Institute, Mechanicsburg  
Jennifer Ellis is a consultant with Freedman Consulting, which assists PA ...  
[www.legalspan.com/catalog2/faculty.asp?UserID...](http://www.legalspan.com/catalog2/faculty.asp?UserID...)

[2/18/2011 Copyright Jennifer Ellis jennifer@jellis.net - All ...](#)  
Feb 18, 2011 ... A Practical Look at Using Social Media in Your Firm: Ethical Use of Facebook, Blogs and Twitter. Jennifer Ellis, Esq. Freedman Consulting ...  
[www.pbi.org/resources/extras/6842\\_social\\_media/Ellis.pdf](http://www.pbi.org/resources/extras/6842_social_media/Ellis.pdf)

[Jennifer Ellis | Facebook](#)  
Join Facebook to start connecting with Jennifer Ellis ... I am an attorney and Law Practice Management Consultant associated with Ellen Freedman of ...  
[www.facebook.com/pages/Jennifer-Ellis/151480874905690?...](http://www.facebook.com/pages/Jennifer-Ellis/151480874905690?...)

[Biography | Jennifer Ellis](#)

# Other Features

# Recommendations

- Avvo and LinkedIn both offer a recommendation feature
  - Ask clients to write recommendations
  - Remember that in many states you may not have a famous person write a testimonial for you
  - Reveal paid testimonials

# Create Ads

- Facebook
- LinkedIn
- Avvo
- Google
- YouTube

# Ads Work Through Bidding Process

- Offer the maximum amount willing to pay
- Results in ad appearing
  - Pay per click
  - Normally less than bid

# Target Ads

- Varies based on site
- Demographics (age, gender, location)
- Keywords (car accident, divorce)
- Job title (president, ceo, lawyer, doctor)

# Examples

Sponsored

Create an Ad

[Freedman Consulting, Inc.](#)



Like us by 8/31 and receive \$15 off any one product in our online store! Includes Webinars on Word and Smart Phones for Attorneys

You like this.

Ads by LinkedIn Members



**Executive Leadership**

Earn an Executive Leadership Certificate from Cornell University Online.



**IUP Graduate Studies**

Earn your Graduate Degree from the School of Graduate Studies & Research



**MIT Executive Education**

Practical Research Based Programs for Executives at MIT. Learn More!

Google

attorney

Search

About 302,000,000 results (0.23 seconds)

Videos

News

Shopping

More

[Attorneys - Cumberland Co. attorneys | DexKnows.com](#)

[www.dexknows.com](#)

Find local businesses on DexKnows.

YouTube

social media

Search

Bro

Search results for **social media**

About 622,000 results

Filter & Explore

social media marketing

media

erik qualman

social media measurement

marketing



**IBM Business Partners**

See How IBM Tools Help Boost Efficiency Of Midsized Businesses.

by MidmarketIBM 504 views



**Social Media Revolution - How does it impact your life & biz?**

Get on it before your competitors!

by rmarhamat 12,254 views

Promoted Videos

# Are you online?

- Be sure you know whether you are online
  - Automatic creation
  - Friends/Family doing a “favor”

Create a Social Media Policy

# General Business Concerns

- Integrate the social media policy with other policies
- Train staff
- Require written acknowledgement

# Items to Consider

- Employees, unless it is part of their job description, may not post upon behalf of the firm.

- Employees must *never* post about clients, including the name of a potential client, unless it is part of their job description.

- Make certain that all job descriptions are up-to-date and make clear in the job descriptions which people are supposed to post on social media sites as part of their job for the firm.

- For the individual(s) responsible for posting on behalf of the firm develop guidance and best practices

- Identify the positive uses of social media as well and enable attorneys (and appropriate staff) to use it for those purposes

- Make it clear that changes to the policy must be made in writing by the appropriate person(s)

# Ethical Issues

# What is the Difference between a Cocktail Party and the Web?



# Keep In Mind

- Rules that apply off-line apply on-line
- Amount of possible trouble is expanded by the reach of the Internet

# Reputation

- Our reputations are all we have
- Obligation to “Maintain the Integrity of the Profession”
  - Rules 8.x
- It is easy to say something foolish online and have the statement go viral

# 7.1 False or Misleading Communications

- Don't be misleading in communications either on or offline.

## 7.2 Attorney Advertising

- Social media is a form of attorney advertising.
  - Copies/Records kept 2 years
  - No referral payments to non-lawyers
  - No celebrity endorsements
  - Disclose paid endorsements
  - No non-lawyer, non-client portrayals or reenactments
  - Fee language restrictions
  - Geographic location disclosures

# 7.4 Specialization

- Can mention areas of practice
  - Focus on
- Can say what you don't handle
  - Limited to
- “Specialists”
  - Patent
  - Admiralty
  - **Actual** certifications

# 7.5 Firm Names & Letterheads

- Trade name may be used
- No connection with government
- No nickname, moniker, motto or trade name that implies results
- Must disclose jurisdictional limitations of attorneys
- Must be factual

# Example: Proper Use of Firm Name

- Virginia attorney called himself & Associates
  - Had no associates
- Listed practice groups that did not exist
- Listed non-attorney as attorney
- Also engaged in other malfeasance which is what brought his advertising to light
- Suspended

# 8.5 Multi-State Practice

- Must comply with home states' rules where:
  - Office is located
  - Attorneys' admitted
  - Seeking clients
  - Advertising / Marketing
- Must follow all states' rules in which you are marketing
- The Web doesn't stop at state boundaries

# 5.5 Unauthorized Practice of Law

- Be careful on sites where you can answer questions
- You could
  - Inadvertently form a client relationship
  - End up practicing in a state in which you are not licensed.
- Take care in how you answer questions.
- Provide a disclaimer.

# Insulting the Judge

- In Florida: Attorney felt client was being denied right to a speedy trial
- wrote on his blog about Judge Cheryl Aleman
  - “Evil witch”
  - “Seemingly mentally ill”
  - “Clearly unfit for her positions and knows not what it means to be a neutral arbiter”
- Florida Bar Concluded: Attorney guilty of
  - Making false and reckless statements regarding the qualifications of a judge
  - Engaging in professional conduct that is prejudicial to the administration of Justice

# Trying to Fool the Judge

- Judge Criss of Texas tells of a lawyer who
  - Asked for a trial delay due to death in the family
  - Was friends with lawyer on Facebook
  - Saw no sign of grief on Facebook
  - Frequent posts about drinking and partying on Lawyer's Facebook account
  - Later lawyer asked for another delay
    - Denied
  - Judge also informed lawyer's firm

# Going for a Double: Insulting the Judge *and* Writing about the Case

- Illinois Assistant Public Defender wrote on her blog
  - People and cases described were “thinly veiled”
  - Called a judge “Judge Clueless”
  - Described a conversation in which a client informed her she was on drugs
  - Knew client had lied to the court
- Lost her job of 19 years
- Disciplinary hearings: Suspended for 60 days

# Upsetting your Firm by Insulting its Clients

## Paul Mirengoff ripped by his own law firm for trashing Yaqui prayer at Tucson service [UPDATE]

By Hart Van Denburg, Fri., Jan. 28 2011 @ 1:38PM

Comments (10)

Categories: **Politics**

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Paul Mirengoff is a regular blogger at Minnesota's right-wing **Power Line** blog.

He's also a partner at the law firm of Akin Gump, which has a robust **American Indian law practice**.

And when Mirengoff used **Power Line** to trash the Yaqui prayer offered by Carlos Gonzales at the memorial service for Jared Loughner's six shooting victims a few weeks ago in Tucson, he stepped in huge public relations mess.

Mirengoff accused Gonzales, whose tribe was forced out of Mexico and into Arizona in the 1800s, of being insufficiently **American and Christian**.



Paul Mirengoff gets dressed down in public.

A Brief Break from Attorneys to see that Judges  
Make Mistakes Too

# Some Bad Ideas

- Judge in North Carolina
  - Became Facebook friend of attorney appearing in a case before him
  - Exchanged Facebook comments with that attorney regarding the proceeding
  - Researched party on Google
- Judge in Pennsylvania
  - Friended anyone who asked
  - Ended up being friends with a Defendant who appeared in his court

# Judges Should be Careful Who They Friend

- Florida: Not ok for Judges to friend attorneys
- Ohio and Oklahoma: Ok for Judges to friend attorneys
- Be aware of your state's rules
- Many Judges unwilling to friend attorneys who may ever appear before them
  - Probably the wisest course of action

# Back to Attorneys

- Attorney advertised for secretary...and more in the “Adult Gigs” section of Craigslist

## Illinois Attorney In Trouble For Craigslist Ad Seeking Secretary...And Sex

Erin Geiger Smith | Oct. 23, 2009, 9:29 AM | 🔥 4,533 | 💬 6

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Somewhere near the top of the list of bad ideas for [attorneys](#) is posting a Craigslist ad seeking a dual legal secretary/sexual partner.

Doing just that, plus allegedly mishandling two immigration matters, has earned an Illinois [attorney](#) an appearance before the state's disciplinary board.

The Legal Profession Blog gets the credit for pointing out the complaint, included below.

Samir Chowhan posted an ad in the "Adult Gigs" section of Craigslist in May seeking a legal secretary. It said the job would require secretarial and paralegal work and "additional duties for two [lawyers](#) in the firm." In addition to a resume, applicants were to send in a few pictures and their measurements.



# Craigslist

- A potential employee responded and was told the following in an email exchange
  - “...You would be required to have sexual interaction with me and my partner, sometimes together, sometimes separate...You have to be comfortable doing this with us.”
  - “...[W]e've decided that as a part of the interview process you'll be required to perform sexually...I think it's necessary to see if you can do that, because it'll predict future behavior of you being able to handle it when you have the job.”

Be Aware That Professional Versus Personal  
Conduct Doesn't Matter on the Web

# Prosecutor on a Personal Crusade Against a Student

- Wrote a blog to attack a student
  - “Welcome to ‘Chris Armstrong Watch’. This is a site for concerned University of Michigan alumni, students, and others who oppose the recent election of Chris Armstrong — a RADICAL HOMOSEXUAL ACTIVIST, RACIST, ELITIST, & LIAR — as the new head of student government.”
- Claimed it was personal so irrelevant to his work
- Refused to step down

# Prosecutor Fired

- His attorney, said his client was merely expressing his free-speech rights
- In explaining the firing his ex-employer stated “[he] repeatedly violated office policies, engaged in borderline stalking behavior and inappropriately used state resources”

NOVEMBER 9, 2010, 9:34 AM ET

## Asst. Michigan AG Fired For ‘Borderline Stalking Behavior’

Article    Comments (19)

Email    Print    Like 105    Send    + More    Text

By Ashby Jones



**Update, 4:12 EST:** Tuesday afternoon, we caught up with Shirvell’s lawyer. Details from the conversation are below.

—

Andrew Shirvell is employed by the state of Michigan no more.

Remember Shirvell? Of course you do. He’s the now-former Michigan assistant attorney general who for a while there, while in office, was spending good time harassing the first

# Tweeting “Jokes”

- Indiana AG Fired over Tweet
  - “use live ammunition”

## Indiana Deputy AG Fired Over Wisconsin Tweet

Updated: Wednesday, 23 Feb 2011, 6:30 PM EST  
Published : Wednesday, 23 Feb 2011, 6:30 PM EST

(NewsCore) - A deputy attorney general in Indiana was fired Wednesday after he tweeted that police should “use live ammunition” against labor union protesters in Wisconsin, The Indianapolis Star reported.

The controversy first erupted Saturday, after staffers at the liberal magazine Mother Jones tweeted a report that riot police might clear protesters out of the Wisconsin Capitol building. In response, Deputy Attorney General Jeffrey Cox — using the Twitter account JCCentCom — tweeted, “Use live ammunition.”

# Remember No One Can See or Hear You

- No body language or vocal inflection
- Different senses of humor
- What is a joke to one person is an insult or a grievous threat to another.

# Watch for the Streisand Effect

- Barbara Streisand sued to have an image of her house removed from the Internet
  - Resulted in greater publicity and a lot of insults
- Lesson learned?
  - Suing rarely works

# Recent Example of Streisand Affect

- Above the Law Reported about a NJ attorney who was thrown off a DC case for incompetence
- He had taken on a capital case one year or so out of school
- Associated local counsel
- Story in DC paper
- Story spread
- People started to research him

# Found Potential Violations

- Young attorney had advertising violations throughout the Web
  - Claimed experience cannot possibly have had
  - Claimed associated counsel as member of his firm
  - Might be violating office requirements in NJ (claims office in NYC)
  - Other issues
- Accused of dishonesty by client's mother in efforts to take on case
- Juror commented about situation and attacked attorney's competence.
- Much discussion on the Web

# Filed Lawsuit

- Things had settled down
- Filed lawsuit against numerous bloggers and the Washington post among others
- More bloggers have picked up the story
- More piling on
- Non-legal community has picked up on the story
- Story extended and will continue as the law suit progresses

- Best way to deal with such errors of judgment?
  - Don't make them
  - Apologize (sincerely)
  - Lay low

# Final Thoughts

- Don't be afraid of social media
  - It can be a powerful marketing tool
  - It can be a powerful research tool
  - Simply be sure to remember that many people will see what you post
  - Obey the ethical rules

# Thank You

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