

## **Social Networking for attorneys**

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The use of social media has become very popular over the past few years and legal practitioners are not excluded from the individuals who form part of an online community. Somewhere in the world, there is someone typing keywords into the search bar, possibly looking for services that attorneys offer.

This article examines how best attorneys can use social media platforms to their advantage.

In doing so, it focuses on the use of Facebook, Twitter, LinkedIn and blogging – the major social media platforms used by attorneys according to the ‘Global social media check up: A global audit of law firm engagement in social media methods’ survey conducted by LexisNexis and Martindale-Hubbell ([www.martindale-hubbell.co.uk/socialmedia](http://www.martindale-hubbell.co.uk/socialmedia), accessed 27-8-2012).

### **Facebook**

According to the Facebook website, Facebook was founded in 2004 with the mission to make the world more open and connected. With over 3 900 employees and 1 billion active monthly users by October 2012, Facebook is one of the most active social media sites. Approximately 81% of the active monthly users on Facebook are outside of the United States (US). In May 2012 Facebook was listed on the Nasdaq Stock Exchange (<https://newsroom.fb.com/content/default.aspx?NewsAreaId=22>, accessed 27-8-2012).

According to a presentation by senior lecturer at the School of Law at the University of the Witwatersrand, Verine Estebeth, Facebook users must be careful of what they post on their pages because even when they delete certain information, it can never be erased completely as it remains in cyberspace and can be retrieved at a later stage ('Tweet now, pay later – the legal implications of social networking sites for prospective employees', presented at the ICT and Cyber Law Conference held in Pretoria in June 2011).

According to Facebook marketing reporter for Inside Facebook, Sara Inés Calderón, Facebook has penetrated the courts in the US, where an alibi has been established based on a Facebook status update ([www.insidefacebook.com/2009/12/22/9-best-practices-for-attorneys-using-facebook/](http://www.insidefacebook.com/2009/12/22/9-best-practices-for-attorneys-using-facebook/), accessed 28-5-2012).

In South Africa, KwaZulu-Natal High Court Judge Esther Steyn recently made history when she approved service of court documents via Facebook in *CMC Woodworking Machinery (Pty) Ltd v Pieter Odendaal Kitchens* (KZD) (unreported case no 6846/2006, 3-8-2012) (Steyn J). Judge Steyn granted an application for the substituted service of a notice of set down and pre-trial directions via a Facebook message after the applicant argued that it viewed the respondent's 'evasive conduct as prejudicial to its case and trial'. Further, the applicant discharged the onus to prove that service via Facebook was warranted and that there was a real likelihood that the notice would be brought to the attention of the respondent.

Judge Steyn noted that no other address was provided that could be used to serve the respondent with the court papers. She also ordered that the notice be advertised in a local newspaper as a precaution (see 2012 (Oct) *DR* 47).

## **Twitter**

Twitter was launched six years ago and currently has over 140 million active users, while up to 400 million tweets have been recorded a day (<http://blog.twitter.com/2012/03/twitter-turns-six.html>, accessed 27-8-2012). As an information network, millions of people, organisations and businesses use Twitter to discover and share information (<https://business.twitter.com/en/basics/what-is-twitter/>, accessed on 27-8-2012).

According to the Twitter website, anyone can read, write and share messages of up to 140 characters on Twitter (<https://business.twitter.com/en/basics/what-is-twitter/>, accessed on 27-8-2012). These messages, or 'Tweets', are available to anyone interested in reading them. Followers receive messages in their timeline – a feed of all the accounts they have subscribed to or follow on Twitter. This unique combination of open, public and unfiltered Tweets delivered in a simple, 140-character unit allows users to share and discover information.

## **LinkedIn**

LinkedIn is reported to operate the world's largest professional network on the internet, with 175 million members in over 200 countries (<http://press.linkedin.com/about>, accessed 28-7-2012).

According to the LinkedIn website, LinkedIn gives its users an opportunity to build a professional reputation, find career opportunities and exchange knowledge and ideas with a network of professionals. Many people search for a person's name on Google or another search engine before they conduct business with them and LinkedIn profiles usually rise to the top of Google search results, therefore allowing attorneys to control the first impression a prospective client may receive about them (<http://learn.linkedin.com/what-is-linkedin>, accessed 31-5-2012).

According to the Forbes website, the average age of LinkedIn members is 44, which is generally older than other social media (Facebook is 38, Twitter is 39) and members tend to hold high-ranking positions in companies ([www.forbes.com/sites/womensmedia/2012/04/26/linkedin-is-not-cool-unless-you-like-cold-hard-cash/](http://www.forbes.com/sites/womensmedia/2012/04/26/linkedin-is-not-cool-unless-you-like-cold-hard-cash/), accessed 3-9-2012).

### ***Why use LinkedIn?***

LinkedIn focuses on business. Law firms can have a company page on LinkedIn that can be followed and shared with professional contacts. On LinkedIn users are looking for a specific business based on keyword searches and other criteria, such as recommendations. LinkedIn is about finding the right people to do business with ('If you are in business, do not ignore LinkedIn,' [www.melen.net/business-ignore-linkedin](http://www.melen.net/business-ignore-linkedin), accessed 31-5-2012).

### ***How to create a company page***

The Wordstream Blog states that the first item people should see on a business page is a logo and a summary, as well as the staff. In respect of a law firm, a tab can be added displaying the various services provided by the law firm. The page must reflect the law firm's core business. Keywords can be used to optimise the page for search engine optimisation. A number of contact options should appear. Links to any blogs or Twitter accounts that the law firm has can also be added. All copy must be proofread before it is posted. If it relates to the law firm's work or something important, the section that says: 'What we are working on now' should be updated. Updating the profile status a couple of times a week is sufficient (The Wordstream Blog, [www.wordstream.com/blog/ws/2011/03/22/facebook-vs-linkedin](http://www.wordstream.com/blog/ws/2011/03/22/facebook-vs-linkedin), accessed 31-5-2012).

### ***LinkedIn uses***

According to the LinkedIn Learning Center website, through LinkedIn attorneys can be introduced to the right technical experts in certain fields and the site allows the user to search the broader network by name, title, company, location and other keywords. Posting questions on LinkedIn can help attorneys find solutions to problems incurred in the day-to-day running of their firms. The site can also be used for recruitment purposes as attorneys can place career advertisements and tap into millions of job candidates to find those with the experience and skills needed for a particular position (<http://learn.linkedin.com/entrepreneurs/>, accessed 1-6-2012).

### ***Professional exposure***

According to the LinkedIn Learning Center website, presenting an attorney's specific areas of expertise, cases and matters handled (without breaching confidentiality) assists prospective clients searching for attorneys with a specific background and expertise. Recommendations from other clients on the site helps potential clients see the quality of service an attorney has provided and assists them in finding the attorney easily on the service provider directory, while recommendations from colleagues show prospective employers the calibre of their work (<http://learn.linkedin.com/entrepreneurs/>, accessed 1-6-2012).

### ***What not to do***

Attorneys are advised to steer clear of making random connections and to keep it professional. They should not add an application to feed blog posts on their profile unless the content is relevant. They should not share their thoughts and what they are doing as they would on Twitter or other platforms. Further, they should not join groups for the sake of adding one more group logo on their profile page and should only join a group if it relates to their career or interest and only if they can devote time to participate in it and be a valuable member of that group ('Applicant: The "don't do it" guide to using LinkedIn,' <http://applicant.com/the-dont-do-it-guide-to-using-linkedin>, accessed 31-5-2012).

## **Blogging**

The word blog comes from web log. According to Karen Lotter, blogger and social media lecturer at The SA Writers' College, blogs started off as online diaries; however, a blog is now defined as content that provides readers with insight on a specific topic that is updated regularly. One does not have to have a specific 'profile' to be a blogger. All one needs is a computer or other suitable device with an internet connection.

According to Ms Lotter, blogs can consist of text, images, media objects and video files, and they can be archived. All posts are sorted by date from the most current posts to older archived posts. Blogs create a conversation between the blogger and readers if readers are allowed to comment on the posts. Widgets (see the fact box on the right) can be added to the blog, as can 'share' buttons for Twitter and Facebook so that followers can be informed of updates. However, it is advisable not to bombard followers by updating the blog or social media networks every two hours.

Ms Lotter says that there are many options to make a blog one's own. 'A free hosting platform can be used to host the blog. There are a number of platforms available. Wordpress.com ([www.wordpress.com](http://www.wordpress.com)) and Blogger.com ([www.blogger.com](http://www.blogger.com)) are popular ways of blogging. Most of the platforms are free and are designed to help publish a blog quickly and easily.'

According to Ms Lotter, starting a blog may be intimidating at first. The first step would be to browse the internet for blogs similar to the one to be created. The second step would be to read one or two blogs for a few weeks to see when they are updated, how long the posts are, the frequency of posts and what topics are being written about.

Ms Lotter suggests that an attorney must know what he wants to accomplish with his blog; this will keep him focused. He must be aware of what the audience would like to read and be able to adapt to an appropriate tone for readers to follow the blog. She added that readers must be kept interested by producing quality material and the blog has to offer new information and be up to date.

Ms Lotter highlighted seven guiding principles to create a successful blog:

- Develop a writing style and tone appropriate to the subject material.
- Post regularly, even if posts are short.
- Allow readers to comment on posts.
- Spell check posts and avoid typographical errors.
- Keep pictures the same size.
- Link to sources such as other blogs or news sites.
- Tag and categorise posts carefully, which will boost ratings in search engines when users are searching for a specific topic or phrase.

According to Ms Lotter, users must be careful not to plagiarise other people's content. If a quote is used, it should be linked to its original site or the site must be credited.

In terms of disclaimers in blogs, Mike Saunders, chief executive officer of digital marketing agency DigitLab, said: 'Disclaimers are useful to protect people blogging, especially in sensitive industries like law. You would not need one for each post; a general website disclaimer will do.'

Some advantages of blogging, as discussed on Enterprise Blogs Info, include:

- Communicating directly with clients and attracting prospective clients.
- Providing a platform to answer questions or respond to comments in a controlled forum.
- Providing the opportunity to publish words, photographs and multimedia without requiring specialised skills.
- Marking a company as authentic and 'forward looking'

([www.enterpriseblogs.info/corporate-blogging/advantages](http://www.enterpriseblogs.info/corporate-blogging/advantages), accessed 27-8-2012).

Some disadvantages of blogging, as discussed on Enterprise Blogs Info, include:

- Blogs can be a source of trouble for some companies, especially when it comes to disgruntled employees. There is a fine balance between freedom of speech and employees' rights, especially when workers are fired as a result of something they wrote on a blog.
- There are plenty of areas of business where people are judged on their knowledge and competitive edge. It is therefore important to ensure that the information on the blog is correct.
- Poorly written content can look like incompetence and may have a negative effect on a company.
- Blogs are easy to start but difficult to maintain. Blogging is time consuming and blogs that are not updated regularly can be damaging to a company

([www.enterpriseblogs.info/corporate-blogging/disadvantages](http://www.enterpriseblogs.info/corporate-blogging/disadvantages), accessed on 27-8-2012).

## **Conclusion**



Due to the increasing popularity of social media, it is important that attorneys take cognisance of it and use it in a manner that best enhances their practice. Ms Lotter said: 'I think, because of our history and so few people having access to law, it is also very important for attorneys to use the web to inform people through easy, plain English articles as much as they can. Information and education – that is why I believe attorneys need to be on social media and need to be accessible. Attorneys need to be where their clients are and they need to be available for their clients. Their clients should have easy access to them, which means they have to be accessible and be able to have a two-way conversation with clients.'

- See 2012 (March) *DR* 15 on how to create a top law firm website, as well as p 26 on social media strategies.

## **FACT BOX**

### ***What is a widget?***

According to the Wordpress website, 'widget' is a word for tools or content that can be added, arranged and removed from the sidebar(s) of a blog/website.

Some widget forms include –

- a Twitter widget, which will advise people of a person's or organisation's twitter account;
- an archives widget, which will point readers to previous posts; and
- a blog statistic widget, which will let readers know how many times a blog has been visited (<http://en.support.wordpress.com/widgets/>, accessed 29-8-2012).