

Firms develop guidelines for attorney social networking

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As more attorneys embrace online networking opportunities, some law firms are implementing policies to monitor postings on Web sites like [LinkedIn](#), [Facebook](#) and [Twitter](#).

Though many social media offerings are designed to help individuals expand their circle of friends or business contacts, companies are increasingly keeping an eye on their employees' online socializing.

For attorneys, that can mean being held responsible for content which may contradict their firm's philosophy.

"Essentially anything they do where there is any relation to our firm, they need to be accountable," said Amy M. Gores, marketing director at [Murphy Desmond SC](#), in Madison.

"Anything that is remotely questionable or could cause a problem — don't say it."

Gores said her firm is in the process of drafting a formal social networking policy for employees and also providing a LinkedIn training session.

One of the primary concerns for firms with regard to LinkedIn is a feature which allows for professional recommendations, an attractive resource for attorneys seeking endorsements from former clients.

While [Davis & Kuelthau SC](#) does not have an online networking policy in place, marketing director Michelle M. Friedman admitted that firms could be susceptible to problems stemming from questionable recommendations.

She suggested that an attorney who thought highly of a paralegal and posted a positive review online may find themselves in a "sticky situation" if the person is fired.

"I would certainly say that possibility exists," Friedman said.

Boyle Fredrickson attorney Adam L. Brookman agreed.

The Milwaukee-based intellectual property firm is in the process of implementing a social networking policy, which will serve more as "guidelines" than a mandate, said Brookman.

But he did note that the policy will likely be more specific when it comes to LinkedIn recommendations.

"The bigger concern if you say something about somebody in-house or a former employee who ends up terminated, is that raises some potential employment issues, so you have to be

Five things to cover in your social networking policy

Kevin O'Keefe is a former Wisconsin trial attorney and currently the CEO of LexBlog, an online marketing company based in Seattle.

He advises firms thinking of developing a policy to bring someone in to explain the world of social media and get input on what the policy should cover from everyone in the firm. He also suggests researching what other firms have done before you start from scratch — don't fall into the trap of making the policy more complex than it needs to be.

Here are some tips on what to include in the policy:

1. Spell out for attorneys that what they post is public and should not contradict firm policy.
2. Make clear that client confidentiality must be maintained. Firm members should never release any information that would breach the attorney-client privilege.
3. Unless sanctioned by the firm, request that attorneys not include the firm's logo or trademark on their social media sites.
4. Require attorneys to inform the firm when they start a blog or social media page related to their practice to avoid conflict of interests.
5. If attorneys' blogs or social media pages are the property of the firm,

very careful,” Brookman said.

In conjunction with its policy implementation, [Boyle Fredrickson](#) is hosting an interactive presentation on the business implications of social media on October 1.

Ultimately, Gores said it comes down to common sense on the part of the attorney and a firm policy should simply serve as a reminder.

“We prefer people stick to professional sites, and whatever they do under the guise of Murphy Desmond needs be professional and clean,” she said.

While many firms have a presence on variety of social networking sites, Friedman said she discourages attorneys at Davis & Kuelthau from maintaining profiles on more recreational sites like Facebook or Twitter.

Brookman said Boyle Fredrickson has a presence on both sites, but content is “controlled” by the firm.

“We say, look guys, don’t Tweet about a case you are working on if something didn’t happen publicly and don’t post something on Facebook that’s disparaging to a client,” he said.

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