

Engage! A Lawyer's Guide to Social Media Marketing



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Editor's Note

In the past couple of years, social media has exploded — moving well beyond the sharing of selfies and updates around the virtual watercooler and establishing itself in the marketing mainstream. It's where big brands and small businesses are putting mega advertising dollars. It's where at least 50 percent of Americans are getting their news. And it's where professionals like you are engaging with clients every day.

Today, social media isn't about experimenting with a new marketing platform for your firm. It's about connecting with clients and prospects, because that's where they are now — and where more are sure to be in the coming years. Look at your client base. Who are the decision-makers? Who's following in their footsteps? How do they engage with the world around them? Where do you fit in that orbit?

Especially if your client base includes Gen Yers and millennials, the question isn't whether you should be on social — it's how long will it take you to get up to speed. These generations are media and tech-savvy; the youngest are even called "digital natives." They don't know a life without smartphones and social media.

For "Engage! A Lawyer's Guide to Social Media Marketing," we reached out to top law firm marketers and digital marketing

pros for advice on where lawyers should focus their efforts — and their best tips on how to do it.

If you're just getting started with social media marketing — baby boomer, digital native or somewhere in between — this guide will help you cover the bases for your law practice. Does your social media presence need an upgrade? The guide will help you rethink social media's role in your firm's marketing strategy. Along with best practices to help you up your game, there are sections on leveraging LinkedIn and Twitter — plus a section devoted to Facebook, Instagram and video.

Social media is full of humorous memes explaining hand-cranked pencil sharpeners, fax machines and dial-up phones to younger generations. Don't become a meme.

A lawyer can shake hands, network, speak and write all day long, but if you can't comfortably engage in social media, you could get left behind.

- Joan Feldman, Attorney at Work Editor-in-Chief
- Susan Kostal, Attorney at Work Contributing Editor and Special Guide Editor

Attorney at Work Reader Survey

This is the third year Attorney at Work asked lawyers about their social media habits, preferences and attitudes. Here is what we learned from the 302 lawyers who responded to the survey, conducted in February. Where do you fit in?

96%
OF RESPONDENTS USE SOCIAL MEDIA

SAY THEIR USE OF SOCIAL MEDIA IS PART OF AN OVERALL MARKETING STRATEGY

84%

ARE ON LINKEDIN — STILL NO. 1 AMONG LAWYERS — BUT FACEBOOK AND TWITTER ARE CLOSING IN

31%

SAY FACEBOOK IS MOST EFFECTIVE AT BRINGING IN BUSINESS (OVER LINKEDIN AT 27%)

7%

SAY SOCIAL MEDIA IS "VERY" RESPONSIBLE FOR GETTING THEM NEW CLIENTS

42%

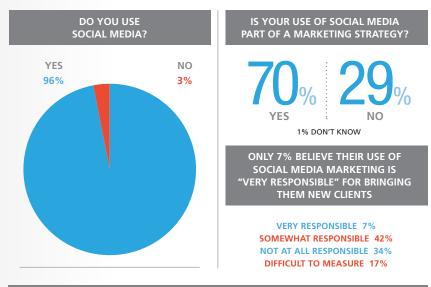
SAY SOCIAL MEDIA IS "SOMEWHAT" RESPONSIBLE FOR GETTING THEM NEW CLIENTS

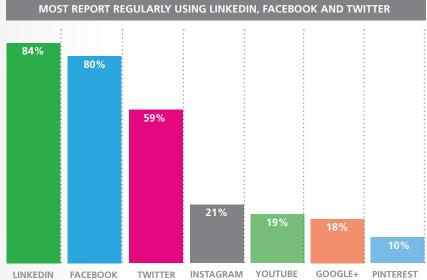
- What's the social media story for lawyers this year? Nearly everybody is now using social media: 96 percent of responding lawyers say they do. What's more, 70 percent of this year's respondents say it's actually part of their overall marketing strategy (compare that with 60 percent just two years ago).
- Which sites are regularly used? Facebook is getting more love than ever 80 percent of lawyers responding say they use it regularly, up from 72 percent last year. Twitter use is growing, too. Last year, 47 percent of lawyers said they regularly use Twitter that has jumped to 59 percent. LinkedIn is still No. 1 among lawyers, but it is lagging a bit 89 percent reported using it regularly last year compared with 84 percent this year.
- What's used most often? When asked which platform they use most often, Facebook came out on top: 48 percent of the lawyers cited Facebook compared with 27 percent who said they spend more time on LinkedIn.
- But is it working? Only 7 percent of responding lawyers say they believe their use of social media is *directly* responsible for bringing in new clients. (That's an increase over last year, when only 3 percent said it was directly responsible.) However, 42 percent say it is "somewhat" responsible. As for which platforms are most effective for bringing in new business, Facebook took first place at 31 percent with LinkedIn second at 27 percent. "None" was a close third, at 26 percent, and Twitter a distant fourth at only 5 percent. When asked, "Do you believe lawyers are actively using social media for marketing purposes or is it really more hype than reality?" lawyers were split: 44 percent say they do believe lawyers are actively using it, while 43 percent think it is hype.

- Do lawyers handle all of their social media marketing activities themselves? Most do, according to the survey results: 67 percent do it all, while 23 percent say they get some help, and 10 percent say it is all handled by someone else.
- How are lawyers managing multiple social accounts and scheduling their marketing activities? When asked, "Do you use any social media management tools such as Hootsuite, Google Analytics, TweetDeck, Buffer, etc.?" 38 percent say they take advantage of management tools, while 58 percent say they do not.
- About solo practitioners. Compared with last year's results, more solos are talking the social media talk and walking the social media walk: 94 percent say they are using social media 10 percent more than last year. In addition, 75 percent say they use social as part of their marketing plan, compared with 70 percent of all lawyers surveyed. Solos continue to use LinkedIn first (82 percent) and Facebook second (78 percent), but Twitter is gaining a greater following over past years. Almost 60 percent of solos reported using Twitter a 14 percent increase over 2016. However, Facebook pulled into first place at 34 percent compared with 22 percent for LinkedIn when we asked which platforms are most effective for bringing in new business. Twitter was next, pulling only 3 percent.
- Paid social advertising. For the first time, we asked respondents if they are using paid social media advertising to market their firms. Of the 40 percent who said yes, 50 percent regularly use Facebook ads, the most popular platform for this by far. In contrast, only 8 percent pay for LinkedIn ads and only 4 percent purchase Twitter ads.
- Content sharing. We also inquired about content-sharing platforms websites that help lawyers and law firms distribute articles. We learned that of the 31 percent who reported using a platform beyond their own blog, website or social media accounts, 32 percent are using LinkedIn's publishing platforms and 26 percent are using Facebook publishing tools, while 9 percent use JD Supra and 7 percent use Medium.

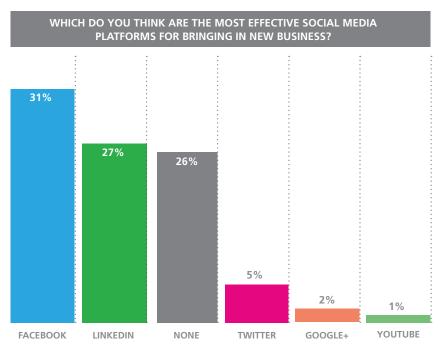
Lawyers on Social Media: 2017 Survey Results

Here's how the 302 lawyers who responded to Attorney at Work's 2017 Social Media Marketing Survey tell us they are using social media.





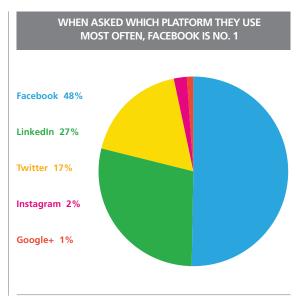
ANOTHER 4% REPORTED REGULARLY USING SNAPCHAT.





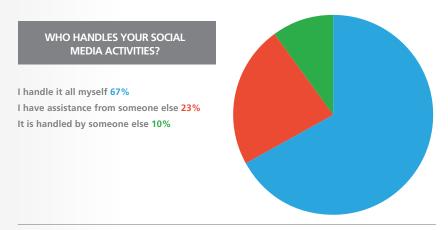


43% MORE HYPE



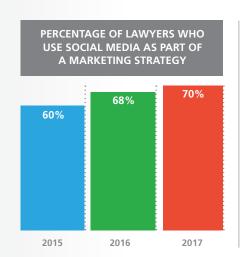
Who Does the Social Media Work?

When asked, "Do you handle all the writing and updating for social media marketing yourself, or does someone else assist you?" 67 percent said they do it all themselves.



Lawyers on Social Media: 2015-2017 Trends

Comparing the past three years of survey data, a couple of trends emerge. First, more lawyers are incorporating social media into their marketing plans: 70 percent in 2017 compared with 60 percent in 2015. And LinkedIn seems to be stuttering slightly, while Facebook is gaining ground.



THE BIG TWO

In terms of frequency of use,
Facebook pulled ahead slightly.
Since 2015, we've seen a 5 percent
bump in the number of lawyers
citing Facebook as the platform
they use most often, while
7 percent fewer lawyers choose
LinkedIn. More interesting:
LinkedIn dropped from first to
second place in perceived
effectiveness at bringing in business, down from 39 percent in 2015
to 27 percent in 2017. Meanwhile,
Facebook has taken the lead,
moving up from 22 to 31 percent.

Rethinking Social Media

Word-of-Mouth Marketing, Plus

BY DAN LEAR

A decade from now, consumers of legal services will use the internet and mobile technology to do it all: research legal issues, find and engage an attorney, even have legal services delivered to them. But when answering the question "Where do clients come from?" today's reality lies somewhere between that future world and one where numerous lawyers still resist the internet. I like to call that in-between place "Word-of-Mouth, Plus."



Today, most people still rely on their networks (be they in-person or electronic) to get an attorney's name. But what they will do next is key. They'll type the attorney's name, or the name of the firm, or some combination of the names — possibly with a geographic location — into an internet search engine.

What do they want to know? Perhaps the attorney's background, or the firm size. Perhaps how long and where the attorney has been practicing, or whether there's a history of disciplinary action. They may even be searching for information about what others say about the attorney in online reviews. This is the "plus" part of Word-of-Mouth, Plus.

To test this out, I did internet searches for lawyers whose business cards I've collected over a period of months. It was interesting. I limited my focus to the first page of results, because between 75 and 90 percent of searchers never move past the first page. And here's what I found when I searched for the lawyers' names.

What's on Your First Page?

For most of the lawyers, the first search result was their law firm website. For a few more, the firm website was not the top link but it appeared on the first page. This is ideal search engine optimization (SEO), since first-page placement in search results is extremely valuable, although the crowd of attorneys with whom I generally interact is probably more attuned to the need to be online than the average attorney. I'd venture to say there are many whose firm sites do not appear at the top or even on the first page.

For one young lawyer in my test, the first result was a link to her online wedding album. The pictures were nice, and it looked as if she'd

had a beautiful wedding, but it certainly didn't help me as a potential consumer learn more about whether I'd want to hire her.

Not surprisingly, among other first-page results, I found links to sites where attorneys have profiles. In some cases they set up the profiles themselves. In others, the companies set up the profiles based on publicly available information. The profiles were, for the most part, on social networks such as LinkedIn and a few large online legal directories (Superlawyers, Avvo.com, Lawyers.com).

Potential clients will click on these links, too. What are they looking for? They may want to find information that isn't listed on the attorney's website, or to verify information from the site. Avvo research also shows that consumers give significant weight to online reviews when deciding which attorney to hire. For a variety of reasons, lawyers have long resisted or ignored online reviews but one only need visit Amazon, Yelp or Airbnb to appreciate that the review economy is upon us and that reviews are no less relevant for lawyers than they are for any number of other providers of goods and services in today's economy.

The good news is that, for the most part, attorneys have the ability to influence if not largely control what these online directory sites say. Most allow you to fill out or otherwise expand on the existing profile in order to market yourself more effectively on those platforms.

But besides the firm websites and links to online profiles, there was still more. For one lawyer, I found a link that appeared to be a personal inheritance dispute related to his family. This attorney may very well be in the right but it may not be one of the first things you want prospective clients to know.

How to Improve Your Word-of-Mouth, Plus

So, how is your Word-of-Mouth, Plus marketing going, and what can you do to improve it?

1. Your website. If you don't have a website, get one (ideally, a well-designed one). If you must build your own, you will find lots of tools online. Squarespace and Wordpress are both cheap and easy ways to make a good website. And both allow you to use a custom domain,

which is fairly straightforward to implement within the tools. Once you have a site, you want it to appear as the first or one of the first results in an internet search for your name. If it doesn't, look into getting some SEO help to improve your ranking.

- **2. Claim your profiles.** In addition to your site (or instead, if you're operating on a shoestring), you need at the very least to claim or create and fill out profiles on all the key legal directories that commonly appear on the first page of most searches. Not sure where to start? Type your name into a search engine and see which directories pop up, then do your best to complete those profiles.
- **3. Clean it up!** Now, strive to move or reduce any lingering negative or undesirable information about you elsewhere on the web. Determine an appropriate response to bad reviews or any personal opinions about you. Sometimes, instead of a direct response to negative content about you online, it might be best to (1) try to counterbalance it with positive content new articles and newer reviews, for example, or (2) hire an SEO pro to attempt to displace negative content from the first page.

4. Be proactive about the message you're sending out online.

Gone are the days when lawyers could avoid internet communication tools, like social media or online reviews, let alone the internet itself. Besides the fact that search engines are taking social media activity and online reviews more heavily into account when returning search results, today's social media users are tomorrow's clients. If you want to remain in practice and find new clients, you need to go where they are — Facebook, LinkedIn and Twitter.

Taking these simple steps can help you to establish, develop or enhance your online profile, make it easier for clients to find you and help you build your practice.

Dan Lear (@rightbrainlaw) is <u>Director of Industry Relations at Avvo</u> and legal innovator and blogger at Right Brain Law. In 2015 he was named to the FastCase 50 and in 2014 Dan was honored with the Washington State Bar Association President's Award for his participation in and advocacy of legal technology projects.

Assess Your Online Image

BY MERRILYN ASTIN TARLTON

Before you ramp up your use of social media to market your law practice, you are going to need to take stock of your online image. Click on the Google search bar. Type in your name (surround it with quotation marks to get an exact match) and hit Enter. (Run the search twice if you use different versions of your name — say, with a middle or maiden name.) And there you are. That's how you look to a stranger seeking information about you. What kind of impression do you make?

Google Con-I'm Feeling Lucky

You're Famous!

You'll find the good stuff over which you've had some control: your LinkedIn profile, your firm's website, complete with lovely photo and bio, links to articles you've published, blog posts you've written, speeches you're scheduled to make. You'll find the big lawyer directories. (Wonder what they have to say about you?) You'll also find some surprises, like unsolicited reviews of your services by former and existing clients. Maybe even a few from former employees. (Hope they're good!)

But there will also be some things you wish weren't there: Facebook photos tagged by others. Instagram selfies you actually posted yourself. Ancient news items, links that go nowhere or, worse, that connect to dicey sites. Letters to the editor. Complaints to city council. ...

Is there no end? It can seem that way. Merely one version of my name brings up 1,750 hits! No client in their right mind will go through all of them. But, still.

Ask Some Ouestions

If I do that search on your name and rummage through a few pages of hits, the nature of your practice should be obvious. But will it be?

Can I tell from the list of articles, speeches, biographies and news articles that you are a West Virginia litigator focused on big tobacco and mesothelioma defense — just as you wish? Or will you look more like a lawyer who has bounced all over the place in the past two decades — trademarks, Brownfields, oil and gas, and the five years you spent as special master on construction disputes? There's nothing wrong with any of that, but if you're presenting yourself as a big tobacco defense guy, be prepared to respond to questions about why you've been so

fickle and how those skills translate. (And think hard before accepting that invitation to speak at a conference about trends in tax law.)

Or maybe when I run that search, you will look like someone who doesn't care what the world thinks about her. Two different LinkedIn profiles with your name on them, but none with a photo, and none with complete information? Four years since you've posted on the blog you started in 2010? Have you neglected to provide current contact information to online directories or professional associations, resulting in five different email addresses with three different firms?

Or perhaps I will stumble onto a side of you that you'd rather keep from clients' eyes. No client wants to know you celebrate July 14 by dressing as Marie Antoinette and storming the men's room. Or that your Star Wars name is Bulsar Vulan. While you don't want to completely sanitize your personality, certain things just don't shout "effective professional," or leave the impression you'll understand the import of a client's concern.

Checklist: Clean Up Your Act

Before you jump into doubling your Twitter followers, branching into Instagram or launching a YouTube channel, let's get your current act cleaned up. Do a sweep of every social network where you have an account.

Get squeaky clean. Go back in time and eliminate rough language
or references. You know what I'm talking about. Not just on Face-
book and Twitter, either. Photo-sharing sites as well as video-sharing
sites may contain unflattering content. (While you are checking,
watch for language that may run afoul of ethics rules.)

☐ **Hush it up.** Learn about privacy settings and change them to support the brand, or personal image, you seek to project. Don't get too heavy-handed — people like to know you're hip to the internet and not a trembling wad of social media paranoia.

Update everything. Make certain your bios and profiles are up to date. Schedule time to refresh them regularly. New job? Of course that goes in there. Publish something new? Elected to head a nonprofit board? Changed your name? It all needs to be current. And consistent
Put a good face on it. Admit it. That LinkedIn photo was taken 10 years ago. Replace it with something a little more current — and not something taken with a smartphone. Look as professional as you are Pay for a good photo this once.
Redecorate. Most social media sites provide a way to personalize your page with cover and background images. Do it. But be tasteful. Keep it fresh. Here's an incentive: Every time you change your cover image on Facebook it provides another opportunity for you to reconnect with people.
Who loves ya? You are who you hang out with. Maybe it's time to do a little housecleaning among your followers and friends?
Consolidate. With a gazillion social media apps and growing, it's easy to get overwhelmed and do a rotten job with everything. Look into management tools like Hootsuite, which let you engage with people from a single screen. Consider signing off a few platforms. Some of the best Twitterers do nothing but tweet.
Visit competitors. What does she look like? How much information does he share? Take a tour (do it periodically). Potential clients will

Now you're ready: Dust off your best game and get going!

compare you, so why not know what you're up against.

Merrilyn Astin Tarlton (@AstinTarlton) is the author of "Getting Clients: For Lawyers Starting Out or Starting Over." She has been helping lawyers and law firms think differently about the business of practicing law since 1984. She is a founding member of the Legal Marketing Association, an LMA Hall of Fame inductee, a past President of the College of Law Practice Management, and a founding partner of Attorney at Work.

Use Social Media Like Social Media Didn't Exist



A long time ago, lawyers earned new business by developing a reputation and building relationships. In the age of the social web, this really hasn't changed at all.

But somewhere along the way, many lawyers forgot about the reputation and relationship part. They went online and did a bunch of "stuff" that was at best silly, and at worst harmful to their reputation. Of course none of it led to new clients. So, many of them concluded that social media and the internet are largely a waste of time and just don't work for lawyers.

Social media isn't broken. The way that many lawyers are using it is. That's why I'm recommending that you use social media as if social media didn't exist.

You see, while the tools that lawyers have to develop relationships have changed a bunch, it's still all about the relationships. For example:

- When you go out into the world, do you wear a mask? No? Then why are you using stock imagery in your social media profiles?
- Do you introduce yourself as "Los Angeles personal injury lawyer"? No? Then why is that your Twitter handle?
- Do you start conversations with "free consultation"? Then why is that in your bio?
- Do you pay people to be your friends? (I know some of you are thinking, well, yes, sort of, but bear with me here.) Then why are you buying followers?

Creating Relationships with Social Media

How many new people did you meet last year? If the success of your practice relies on relationships, creating new relationships should be near the top of your client development priority list.

We are expected to be more accessible. We are expected to be more findable. As a means of communication, online social networks provide a powerful, public and permanent platform.

But let's not be silly. I'm not encouraging you to stand on a busy street corner soliciting handshakes. Likewise, I'm not encouraging you to get on Twitter to @reply and mention your way to new friends.

Instead, start listening. Use Twitter Trends to see what folks are chatting about. If the automatically tailored trends don't match your interests or are too broad, change them. If your potential client pool is a local community, change your trends to reflect that. This way, you can see what your local community is discussing. This is a much more effective way to begin a conversation and even forge a new relationship.

Maybe Twitter isn't your thing. Try LinkedIn. Again, stay off the street corner. Don't send out a bunch of unsolicited connection requests to people you don't know.

Instead, find a group to join. It doesn't even have to be anything related to law. (Imagine that!) Again, if you serve a local community, find local groups. If you grew up in the community you serve, try high school alumni groups, local sports teams and community organizations. Not feeling LinkedIn? There's always Facebook.

You see, this is the stuff you should be doing even if social media didn't exist.

Nurturing Relationships

Having trouble creating new relationships through social media? Focus on nurturing existing relationships. It's a bit easier. You're just connecting with people online who you already know in real life. If you're not a complete jerk, these people probably want to connect with you online anyway. All you have to do is find them.

Unless your peer group consists of <u>English workers who destroy</u> machinery that they believe is threatening their jobs, you probably know people who use Facebook.

Warning: Your family, friends and colleagues don't like legal marketing either.

Posting about free consultations on Facebook is a surefire way to be unfriended or blocked. And if your friends are anything like mine, you would gladly exchange the unfriending for the public ridicule that you're likely to endure. It amazes me how many lawyers think tactics like these are a good idea. I know some of you are thinking, "That's not the lawyer, it's their social media consultant." Yes, sometimes it is. But a lot of the time, it's actually the lawyer!

Nurture your relationships on Facebook like Facebook didn't exist. Socialize. Stay in touch. Tell a joke.

Where's the Marketing?

Wondering where the marketing advice is? I have failed you.

There's really no doubt that the social web is changing the world. We are more connected to more people than ever before. With this connectivity, expectations are shifting. We are expected to be more accessible. We are expected to be more findable. As a means of communication, online social networks provide a powerful, public and permanent platform.

Social networks can be an excellent way for you to keep in touch with people in your professional network. They can also be a powerful way to meet someone new or access someone you might not otherwise be able to connect with. And when these people you meet, socialize with and remain in regular contact with online and offline begin to wonder whether they might need a lawyer, you may find they are considering you.

But people aren't on these platforms to read your thin self-promotional updates.

Gyi Tsakalakis (@GyiTsakalakis) helps lawyers put their best foot forward online because clients are looking for them there. He is a co-founder of <a href="https://dx.ncbi.nlm.ncbi.

Crushin' It: 10 Social Media Misconceptions, Revised

BY JARED CORREIA

Let's run down some common misconceptions about social media, and rotate the conversation.

Misconception 1: "Oh, No, My Privacy!" Revision: Connect Widely

Now, in case you hadn't heard, this is social media. If you're using it to market your business, you'll want as many people to see what you're doing as you can corral. I understand if you want to have private accounts, where you don't post work-related items, or where you can finally say what you really mean. But if your intention is to generate clients and referrals and you want to leverage private accounts, you're better off not having any social media profile at all, since you'd then be unwilling to publicize it. I mean, what do you have to hide? Posts about a recent Supreme Court decision and its impact on your clients and potential clients? Dear me! If you're worried about personal or limited release messages, use email instead, like any normal person would. Connections have intrinsic value. Connections expand your reach. Acquire as many of them as you can, by going public.

Misconception 2: 'I've Got to Be on There All the Time, Right?" Revision: Schedule Dutifully

Of course not all the time; but, really, that is going to destroy your productivity. The idea of the perpetual internet participant is a myth. No one can be "on" all the time, nor should they be. It has always been the case that quality trumps bulk, so go for fewer, higher-quality posts. Do

make regular posts, but schedule them. Block out time to respond to connections, and to review new information to post. Schedule posts for the weekend, but spend that real time offline.

Misconception 3: "I Can't Manage One More Thing" Revision: Oversee Intermittently

Managing a law firm, in a lot of ways, is like a slow death from a thousand cuts. There are so many little things to manage that they mass to form one big thing. So, yeah, block your time, and use a scheduling tool to set up posts days and weeks ahead. I use <u>Hootsuite</u>.

Misconception 4: "I'm Just Gonna Get Lost in the Shuffle" Revision: Repeat Regularly

If you feel less like a card in the shuffle and more like a microbe in a tidal wave, making regular posts, at determined intervals, will likely improve your outlook, and impress upon the outlook of others. Two major strategies are as follows: Post your new content, then post it again. Post your old content, then post it again. Rinse and repeat. Staying "top of mind" equals continually reminding people of your existence, preferably in a form that is not overtly salesy, and is the singular touchstone for effective marketing. Neither do folks much mind — there's so much information flowing through their social media channels, they won't notice whether it's your first duplicative post or your fifth. Sprinkle in content from other experts in your field, to even it out.

Misconception 5: "It's All Selfies and Work-from-Home Adverts" Revision: Discover Contently

When Queen Elizabeth II is <u>photobombing selfies</u>, I'd say we've jumped the shark. (Actually, that's kind of awesome, and I take it back: Do your thing, QE2.) But there is actually useful content online as well. You'll have to trust me on this one. Even if social media is almost never the primary publication tool (usually that's a blog), it's often the primary dissemination tool. The trick here is to dive into the content stream in a certain

area, and figure out who the active experts are. Aggregate them in some fashion so that you become aware of their posts, and repost what they write in your stream, which will also include your own content, which is then perceptually improved by association. Hashtags and <u>lists</u> can be useful for discovering the right people.

Misconception 6: "I Don't Want to Blog, or Microblog, or Blawg" Revision: Curate Effectively

Content marketing is in vogue, especially for lawyers, and it makes sense. It's a way to broadcast expertise, which is what attorneys have been using as a lynchpin of their marketing since the Stone Age (or at least since the late 1970s). And much of the effectiveness, or lack of effectiveness, of your social media presence will be built on the relative strength of your content management protocol — that is, your ability to curate consistently excellent content. Take the time to get it right, especially since by introducing, and reintroducing, others' content, they're more likely to return the favor. If you begin to influence the influencers, then that's when you can invade their class.

Misconception 7: "Oh, Great, More Internet Weirdos and Losers" Revision: Develop Professionally

I guess nerds are cool now, <u>or at least mainstream</u>. However, while the internet has its oddballs, certainly, that designation does not represent the totality of the population. There are plenty of persons invested in creating and maintaining online personae that match the professionalism they impart to their offline dealings. Many of these folks are other lawyers — or, at least, are people other lawyers want to interact with. This is mostly a matter of vetting. So, the thrust here is that you want to figure out who is worth following, and who isn't. Most of the time, it's pretty easy to figure out who is a legitimate businessperson. Avatars are a major tell, as are bios. The interesting thing about social media is that while it imparts to you a basically unlimited network, you really define the value of that network when you limit it to other professionals from whom you could secure referrals.

You're not going to create a social media profile, or four, and just sit down to watch the phone ring — or, more appropriately, perhaps, the email pile up. One pipeline flows into another ... such that you're never operating your marketing in silos. What clients and referral sources see is the combination that represents your business profile.

Misconception 8: "That's Not Going to Make Me Any Money" Revision: Not Directly

It's a long game, as with any other form of marketing. You're not going to create a social media profile, or four, and just sit down to watch the phone ring — or, more appropriately, perhaps, the email pile up. One pipeline flows into another (you push your blog posts through your social media channels, for example), such that you're never operating your marketing in silos. What clients and referral sources see is the combination that represents your business profile. You may never find out, and your connection may not even recall, what it was that pushed them over the top of making a referral, or engaging your services; but, it's likely that it was a combination of things, including your web presence. If you divvied up every dollar you made, percentages would likely be allocated to your various offline and online activities. We're not talking about a magic bullet here, but then we never are.

Misconception 9: "It's an Ethics Minefield" Revision: Not Exactly

To put it bluntly, many of the more garish ethics blunders attorneys make that are related to marketing and technology are rooted in a lack of common sense. The battleground of much of modern legal ethics analysis surrounds real-time interaction, and that is likely what scares many attorneys away from social media. But it is a rarer occasion than you might think when potential clients are trolling for your business in a public, online forum.

Many potential clients still follow the traditional decorums and will find their way to your website contact form, or your phone number — and you can direct them there, too. List your jurisdictional limitations. Include truncated disclaimers. Don't discuss your clients' legal issues in online public forums. Your activities as a wannabe ostrich might even include using social media profiles solely as content aggregators for your various productions, and nothing more. Though if you're using your social media profiles most effectively, you're spending your time engaging with potential referral sources, and directing (or having them direct) clients and potential clients to more appropriate, alternative spaces.

Misconception 10: "I've Got Far More Important Things to Do" Revision: Well, Admittedly

<u>Tell me about it</u>. Being online all the time is lame. I mostly blame the internet; but, if we're parsing out the blame pie, we're also sort of too weak (or too encumbered, in many circumstances) to truly become disengaged. So, we have to commandeer our wills, and apply rigid time management and task management protocols, including, among other things, blocking out time and adhering to the tenets of a marketing plan.

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Note: This article is based on a presentation originally designed for Andrea Cannavina, Legal Typist.

Social 2.0 Best Practices

A Roaring Sea of Noise — and How to Rise Above It

BY KEVIN IREDELL

In-house counsel are drowning in content, and yet law firms keep piling it on, according to Greentarget's <u>2017 State of Digital & Content Marketing Survey</u>. Ninety-six percent of in-house counsel said information overload is a problem in consuming information about business, industry and legal topics. And 76 percent said it is a big problem or somewhat of a problem.

In a world where we all have endless streams of information rushing at us wherever we go, the survey results show that law firms must strategically focus on giving in-house counsel content and social media interactions of value. Doing so provides the only hope of rising above the noise and gaining clients' attention and trust.

Plenty of Content, Not Enough Strategy

Eighty-one percent of law firm CMOs said they will produce more content in 2017 than in 2016. None said they will produce less.

The onslaught of content is also evident in the swelling population of firm-branded blogs and microsites. Yet few firms report that they have a formal content strategy.

Client alerts, practice group newsletters and blogs all came in just behind traditional media in terms of credibility, pointing to the value that clients place on law-firm generated content. In fact, 52 percent of in-house counsel ranked firm content very good to excellent in 2017, up from 43 percent in 2015. To the extent that firms are spending money to focus on the distribution of content, including social media sharing and amplification, they're making smart decisions.

LinkedIn Continues to Dominate Social Media

LinkedIn continues to dominate in-house counsel social media habits. This year, 73 percent of in-house counsel said they had used it for professional reasons within the past week, up from 68 percent in 2015. Only 32 percent had used Facebook in that time frame. LinkedIn was

Without "tilting" your content just enough to tell a truly unique story, you risk blending into the rest of the noise and being forgotten.

also the only social media platform considered particularly credible. In-house counsel said that when reviewing profiles of outside counsel on LinkedIn, they focus on experience and relevant client matters more than any other criteria.

In-house counsel are slightly more engaged on social media than previously, but mostly sticking to the silent listener role they've had for the past several years. Almost 50 percent said they use LinkedIn to consume information and only 7 percent said they use the platform to share information.

What Firms Need to Do — and Do Soon

Create a documented content strategy. Research by the Content Marketing Institute has consistently shown that marketers get better results from content when it's part of a documented strategy that is supported by the firm's social media strategy.

Define the purpose. Identify the specific purpose of your content. "Raise visibility" is too vague. Be as detailed as possible.

Find your "tilt." Your content tilt is your unique voice on a subject, targeted to a specific audience. Joe Pulizzi of the Content Marketing Institute defines it this way: "Your content tilt is what separates you from everyone else in your market area. It's your unique perspective on your niche, which creates an opportunity for you to attack, lead and, ultimately, own the category. Without 'tilting' your content just enough to tell a truly unique story, you risk blending into the rest of the noise and being forgotten."

Distribute wisely. When it comes to distribution, it's important to identify the intended audience as early as possible — even before the content is drafted. Firms need to go where their audience goes. Social media can be an important part of verifying what your readers want, and where they go to find it, and thus how to best deliver it to them.

Time it right. It's important to know when, exactly, they're most likely to find content. Studies have shown business readers engage with social media on weekday mornings, before and during their commute, starting around 5:30 a.m. EST. That's the best time to deliver your content.

Evaluate and experiment. Learn to use your social media metrics to test which messages resonate with your audience. Then test, evaluate and test again. Try different headlines, subject lines, infographic data and charts, and different Twitter messages.

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Social Media and the Media: Increasing Your Visibility With the Press

Social media is everywhere and everyone is using it. And, of course, journalists are knee-deep — even thigh-deep — in social media. The 24/7/365 news cycle has had a dramatic impact on journalism and has made the news business an ever-more insatiable beast.

As a lawyer, you not only need to practice great law — you also need to practice great marketing. One aspect of marketing yourself and your practice is managing your external profile — and that can mean working with the press. So, if one of a journalist's critical tools is social media, how should you use social media as a vehicle for raising your visibility with the press?

By the Numbers

Surveys of journalists clearly demonstrate that social media is part of their daily professional lives. For example:

- 80 percent of journalists use at least three social media platforms for sourcing (2016 Cision Global Social Journalism Study).
- 43 percent of journalists verify existing stories using social media (2012 Oriella Digital Journalism Study).
- Journalists make up the largest category of Twitter's verified users (according to a 2015 report by Triggertrap former CEO Haje Jan Kamps).

It's a great place for journalists and lawyers to intersect.

 96 percent of lawyers use social media and 70 percent say it's part of their marketing strategy (2017 Attorney at Work Social Media Marketing Survey).

- 74 percent of lawyers maintain a personal presence on LinkedIn (ABA Legal Technology Survey Report).
- 91 percent of law firm marketers said their firms actively invest in social media, while 86 percent of in-house counsel said LinkedIn was a credible source of industry news and information (2017 Greentarget State of Digital & Content Marketing Survey).

With statistics like these (and the percentages appear to be increasing annually), it's clear that social media must be a part of any visibility plan.

How Journalists Use Social Media

So now that we know the press uses social media, how specifically do they use the various tools? Here are a few ways, though there are probably hundreds more:

- Reporters routinely Google sources and use Google Alerts to track trends, companies and individuals.
- They follow people on Twitter and read their blogs.
- They read comments and posts connected to stories they've written.
- Some journalists use filters on Twitter to help them identify
 what's trending and then they use that to find story ideas and
 spokespeople.
- Major online news outlets routinely feature tweets (most often from celebrities or political figures) in stories.
- Some reporters find Twitter the perfect place to post queries and get *lots* of responses. (If you tweet back a good answer, you may get selected to be quoted or to be interviewed).
- HARO (helpareporter.com) is a free service offered to journalists so that they can reach out to a very broad audience. Reporters post queries on HARO and you respond directly to them with a pitch.

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- Some reporters post rough drafts of articles on their blogs and then ask for feedback and comments via Twitter.
- LinkedIn is a great source for reporters who are looking for experts, because LinkedIn profiles are often expanded versions of resumes and bios.

10 How-To's to Get Started

Just as there are perhaps hundreds of ways that journalists use social media, there are hundreds of ways to effectively use social media to get in front of the press. Here are 10 tips that can help you quickly start to build your visibility with the media using various social media platforms:

- 1. The first (and most important) thing to do is to familiarize yourself with your firm's social media guidelines and policies. Ignorance is no excuse if you make a social media blunder.
- 2. Set up Google Alerts to follow your areas of expertise.
- 3. Use Feedly or Digg Reader to follow journalists' blogs and websites in your area of interest or expertise.
- 4. Read the blogs that your clients are reading and comment. If you don't know what blogs they read, ask them.
- 5. Post frequently on your firm's blogs.
- 6. Regularly update your LinkedIn profile by linking to articles and presentations (especially if they're on the firm's website) and by starting conversations.
- 7. Invite journalists to connect on LinkedIn once you've worked with them.

A writer for The Huffington Post needed someone to comment on former Supreme Court Justice David Souter's retirement ... so she approached a conservative attorney on Facebook whom she'd never met. She ended up quoting a haiku he wrote about the changes on the Supreme Court.

- 8. Follow reporters on Twitter and tweet or comment on what they tweet and comment on.
- 9. Tweet links back to articles you've written, presentations you've given or content posted on the firm's website (use bity.ly. for linking).
- 10. Cross-pollinate your social media platforms. The more links, the better.

Success Stories

Now that you've seen the statistics and have some good background on the whys and how-to's, here are a few success stories (some from personal experience) that show how you can use social media to make yourself visible in the press:

- An attorney at one of my former firms wrote a short blog post on "How to Use an Advisory Board" and about three months later a reporter from Inc. magazine requested an interview about the topic.
- Another attorney at one of my former firms posted on a California land use blog, and a reporter from Law360 contacted him within days. The attorney was quoted throughout a lengthy article.
- A writer for The Huffington Post needed someone to comment on former Supreme Court Justice David Souter's retirement and his replacement, Justice Sonia Sotomayor, so she approached a conservative attorney on Facebook whom she'd never met. She saw that

- he had organized a New York-based attorney networking group on Facebook and thought he might be a good source. She ended up quoting a haiku he wrote about the changes on the Supreme Court.
- A solo ERISA practitioner on Long Island posted his opinion regarding the use of exchange-traded funds in 401(k) plans on Twitter. Two months later he was quoted in The Wall Street Journal.

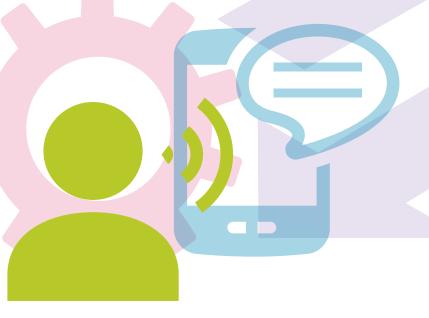
These successes could be yours. Engaging with the press is possible, and social media makes it easier than ever.

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Storytelling: Bring Your Message Alive!

BY DREW KELLER

Your clients are paying attention. They are threading together moments of interest, forming ideas and opinions about you, your practice and your place in their world. And the primary focus of this attention is social media. Which begs the question: How actively are you working to engage and shape their opinion?



For most users, the benefit of social media is to communicate with one another, not endure a sales pitch. When people engage in your message they are showing interest in you and what you promise. They want to feel good about knowing you as a trusted advisor. They consider the interaction more of a conversation on the town square than fending off a barker on a carnival midway.

The failure of most social marketing stems from categorizing the platforms as distribution channels — or in the same light as television, radio and newspapers. They are not. These are conversation channels. A place for the transmission of experiences, feelings, values, dreams, failures, successes and opinions.

To harness the power of social networks, and I don't mean just hitting the share button on Facebook, you need to narrate the story of your practice. To succeed you need to tell stories about people, not concepts or things. Stories that reflect the human experience.

Good Storytelling Evokes an Emotional Response

Good storytelling is about engaging the emotional self, not the logical self. Retention reveals the power of a story. What we remember from a story is not fact but feeling. All storytelling, good and bad, evokes an emotional response in your audience. Unfortunately, the memory from a poorly executed message can be one of disinterest, mistrust or confusion.

The association of feelings with ideas is an important part of learning. Storytelling's "cause and effect" narrative structure is the same one our brain uses to configure thoughts, everyday speech and decisions. And I mean every day, all day. It is how we tell our spouse about our day over dinner, describe an experience to a friend and share life skills with our kids. When the characters we describe in our personal stories are authentic, we paint a picture of the scene and the people who populate our story. When we combine our tale with a simple plot (beginning, middle and end) and a singular point, the viewer trusts that we will guide them to an interesting destination.

Too many of the blog posts, videos and articles
I see in the legal community feel like a closing argument.
Your storytelling needs to reflect the human experience.

So if we are hard-wired as storytellers, why is legal marketing so flat and lifeless? I have my theories.

The legal community, like engineering, finance and medicine, tends to measure credibility among peers by accuracy, research, data and hard facts. These are critical metrics when presenting an idea for peer review, auditing a financial statement or shaping a legal argument. Unfortunately, they are not the priority when engaging an audience.

This does not mean you ignore facts or create tales of fancy. Quite the contrary. A story needs to be based on a singular fact or idea to give it relevance and merit. But too many of the blog posts, videos and articles I see in the legal community feel like a closing argument. Your social media storytelling needs to reflect the human experience. Authenticity, simplicity, universality, emotion ... these are just some of the elements of a successful story.

Storytelling is the art of giving shape and meaning to a piece of information that's dull and boring. You are combining an idea with an emotion. The stories you create should reveal something personal, intimate or unknown about the person or topic, otherwise it's boring. An effective story takes us on a narrative journey, one with an emotional destination.

Improving Your Storytelling

As viewers, listeners and readers we want sincere stories. We want to believe we are seeing the "real" side of things. That is why your articles, videos and social postings need to tell genuine stories. If you are creating a video, don't just stand in front of a bookshelf and list your experience, have a client share their story and illustrate it. Include cover footage to show, not tell, the story. If it is an article, leverage photographs and graphics. Give examples your potential clients can identify with, stories where they project themselves making the same decisions as your subject.

Reflect your values in your content. Most people want to be represented by a better version of themselves. They want their counsel to be smart and experienced, but they also want someone who can frame their story as they navigate the legal system. They want to trust that you understand their needs and that you will guide them. By sharing your values and principles, your viewers will know if theirs are in alignment. Frankly, we are less likely to trust a stranger. Sharing your values helps potential clients feel comfortable with your counsel and your advocacy.

One last piece of advice. It is important to understand that each social network has a unique culture. The Reddit community is significantly different from Pinterest's. We connect through Facebook differently than we communicate through YouTube. Creating a singular universal message and blasting it across all your channels is a waste. At best, you will be ignored. At worst, you will be scorned. Be thoughtful about the culture of a specific channel's community — that means do your homework. What are the demographics you intend to reach? If you are looking for adults nearing retirement, then Snapchat is probably a poor choice. Men 18 to 35? You are unlikely to find many of them on Pinterest.

Tailor your story to the needs of your intended audience, and be nimble with your strategy. Social networks are ever-changing. Their features are in a state of constant competition and improvement. To ensure success you should conduct a "social media audit" and decide which social channels are best for you and your practice.

Best Use of Storytelling Is Building Credibility

Stories are a powerful way to guide a viewer's perceptions, helping them see you and your practice as trusted advisors. Don't lose sight of your client's emotional needs when telling your story. It is what drives their actions.

Drew Keller (@drewkeller) of <u>StoryGuide.net</u> focuses on digital and social media, working with customers to develop successful media strategies. An award-winning television producer, video editor, web developer and educator, Drew writes frequently for StoryGuide.net and distributes videos via <u>The Story Guide</u> YouTube channel.

Does Your Online Reputation Need Tending? Tips to Help

BY HELEN BERTELLI

Sometimes lawyers and law firms need to clean up online reputations sullied by lawsuits, bad press, negative reviews or poor social media choices. While there's no magic bullet, reputation management is possible. There are two approaches you can take: Either hire a company to help you, or do it yourself. Here are the pros, cons and considerations related to both options.

Hired Hands

Reputation.com, which has been around since 2006, is the oldest of a growing number of services that advertise help with managing or cleaning up online reputations. These services purport to employ strategies to make positive information about you rise to the top of search results, but a few words of warning:

- They can be expensive, adding up to thousands of dollars annually.
- A few are scams companies that will take your money and run
 so be careful.
- Critics argue that they don't provide anything above and beyond what you can easily do yourself to protect your online identity.

However, such services can be a good choice if you have plenty of money, are strapped for time or have a complicated problem that can't be buried by other means.

Do It Yourself

With time and a bit of work, it's possible to safeguard your online reputation on your own. Here are six tips to help if you choose to go this direction.

1. Begin monitoring. Set up a Google alert on your name, or if you have a complicated issue such as a lawsuit, consider a service such as

Zignal, Klout or Brandwatch that will provide social media as well as general web monitoring.

- **2. Google yourself.** When you get a handle on online content about yourself, you can start to change it. A typical order of appearance for top search engine results is:
 - LinkedIn profile
 - Company web bio
 - Facebook profile
 - Twitter profile
 - Images of you from around the web
 - Articles about you or by you

Start with the first four items in this list. The good news is that they are completely within your power to edit.

It's especially important to keep your company web bio/profile up to date. Google rewards pages that are recently refreshed over stagnant ones. Every time you write an article or complete a major project, make sure your bio is updated and you'll help your page to stay high in rankings. This pushes pages with unflattering information lower in your search results.

- **3. Protect what you can.** Pay attention to social media privacy settings, and lock down as much as you can. Then go through your personal networks and eliminate language or photos you don't like; this ensures that inappropriate content falling outside the privacy shield won't be visible.
- **4. Address negative reviews.** While there are competing opinions as to whether you should claim your Avvo listing, for example, unless you do, you do not have control over content published there. However, one thing you should *never* do on Avvo (or any other site) is respond in an-

ger to a negative review. Not only will this look bad to potential clients, it may get you reprimanded by your state bar. A measured response is a more appropriate choice and will often actually make you look better and more professional in your online profile.

- **5. Combat negative or fake news.** The rise of fake news complicates communications today, and there is no one-size-fits-all approach when addressing it. While you might be able to approach a professional journalist to ask for a retraction (though only if it's categorically wrong, and if other options, like pitching an update, are off the table), approaching a blogger intent on digging for dirt will make your situation worse. Nefarious bloggers have been known to publish and sometimes alter correspondence with their targets, so your only option in such a scenario is to try to bury them in a flood of other press.
- **6. Get proactive.** While you can't control everything that is written about you, you can control what you write, create or produce. Content in credentialed publications appears high in search engine results. Ensuring you have a stream of this content (bylined articles, features on pro bono work, podcast appearances, etc.) will be one of the most powerful gifts you can give your online self.

Whether you have something as serious as a malpractice suit or as simple as photos from a party you'd rather forget, know that clients are searching for you on the web. Even attorneys without reputation issues need to regularly attend to their digital identity. Monitoring your online reputation and keeping it clean are integral parts of building and sustaining your practice, and should be ongoing priorities.

Helen Bertelli (@HelenBertelli3) is a marketer and entrepreneur, having helped to build two PR startups as well as founding the marketing department for a national law firm and her own digital publishing company. She is now <u>Vice President with Infinite Global</u>, an international communications and public relations firm serving the legal industry.

Copyright Concerns and Social Media



When it comes to social media, lawyers must abide by the same rules as everyone else regarding content creation, cultivation and distribution. In fact, it is imperative for lawyers to understand and abide by the rules because it looks very bad when a lawyer is accused of behaving poorly or breaking the law using the internet. The court of public opinion is merciless.

While there are a host of legal implications that apply to content marketing, this article focuses on copyright.

Copyright Issues: Overview

The U.S. Copyright Act provides protection for original literary, pictorial, musical and other creative works. The person who owns the copyright has the exclusive right to copy, distribute, display, perform and make derivative works from the work.

It is a low bar to clear to obtain a copyright. All that is required is an original work of authorship that is fixed in any tangible medium. A work can be created when a person puts paint to canvas, snaps a photo, puts pencil to paper or fingers to keyboard. A digital file is sufficient to satisfy the tangible medium requirement — which means you may have a copyright in every social media post you create.

Remember: You don't need to register your work with the U.S. Copyright Office to obtain your rights. You get your rights the moment you have an original work of authorship, fixed in a tangible medium. That's all it takes to obtain a copyright. (If you want to sue for copyright infringement, however, then you must register your work.)

If you don't have the budget for image licenses, consider Creative Commons. The site has images for which the artist has given a license for anyone to use their work, provided you comply with the terms of the license. There are also specific royalty-free images available.

Another thing to remember is copyright applies to original expression, not to facts or ideas within a work. This is why it is possible to take similar photographs or write about similar topics without the risk of infringement. As long as someone is not claiming the other's work as their own, the fact that they have similar works is likely legally permissible.

Even though there is a wide breadth to create similar content as your competition and other creators, there are substantial potential legal implications regarding copyright and social media. In 1946, the 2nd U.S. Circuit Court of Appeals ruled in Heim v. Universal Pictures that a short phrase, while not usually protected by copyright, can be unique or creative enough to warrant protection under the Copyright Act. This ruling continues to be applicable in an internet-based society, where copying a short phrase may be permissible, but it may also be infringement, such as if a user posts a comic's original joke without permission. (Note: This ruling does not apply when an artist uses social media to share their work and others share it using the functions of the platform.)

Likewise, using another artist's image may constitute copyright infringement. Numerous lawsuits have alleged illegal use of another's image, with requests for statutory damages sometimes in the millions. Increased uses and users of the internet have contributed to more allegations of internet-based copyright infringement, and more photographers and photography licensing services are savvy and aggressive about protecting and asserting their rights.

Images for Your Posts

Content creators who are not artists or photographers often ask where they should get images for their website and social media posts. Many mistakenly think they can use any image they find on the internet; and unfortunately, some so-called "experts" encourage this by saying you can use any image as long as you provide an attribution and a link to the source.

This is blatantly false. If you do this, you're likely committing copyright infringement, admitting it, and telling the owner about it.

If you need images for your posts, look to sources like iStock to purchase a license to use a photo. If you don't have the budget for image licenses, consider Creative Commons. The site has images for which the artist has given a license for anyone to use their work, provided you comply with the terms of the license. There are also specific royalty-free images available. For professional posts, I recommend using images that come with the license to modify and commercialize.

Another option for using another's image is to contact the copyright holder and ask permission to use the picture. I've never had anyone refuse.

Quoting Others

There is one section of the Copyright Act that allows people to use another's work: the fair use provision. This provision respects that useful works can be created that incorporate all or part of another's work. The fair use provision specifically allows you and your firm to use another's work for the purpose of comment, criticism and research.

Fair use allows you to quote another source and add your own thoughts on the matter. An effective way to do this with social media is to quote the source, provide a link for those who want to see the quote in its full context, and then add to the conversation with your own analysis. Typically, I do this when I write posts about the legal implications of recent events or new case law or legislation. It's a way to provide legal insight into everyday issues.

PRIVACY CONCERNS? A FEW RULES OF THUMB

Social media allows us to easily reach a larger audience and be part of a broader community than when we were limited to phone calls, emails and faxes. But just like there is no expectation of privacy in plain view of the public (exceptions for places like bathrooms), there's no expectation of privacy in anything you post online — regardless of your privacy settings.

Likewise, the rumor mill used to be limited to geographic bubbles. Now, a single post online can spread worldwide in a matter of minutes. That may be a positive thing if you're sharing good news; but on the flip side, anyone can post negative comments about you as long as they aren't violating your rights (e.g., defamation and harassment).

These risks shouldn't scare you away from participating in social media, but you should be aware of the various ways it can be used. While you're deciding what

platforms you and your firm want to use, also consider what boundaries you want to set regarding the information you will share about yourself and your practice.

When it comes to social media, these are my rules of thumb:

- Don't post anything online that you wouldn't put on the front of a newspaper.
- Assume everything you post will be seen by four people: your best friend, your worst enemy, your boss and your mother. If you don't want one of them to see it, don't post it.

Remember, once a post goes out there, you can never fully take it back. You can't stop others from re-sharing it, or taking screenshots, and there will always be a copy of whatever you posted stored on a server somewhere.

— Ruth Carter

Third-Party Creators

When a law firm considers using social media as a marketing tool, many lawyers ask whether they can hire a third party to write their content or manage their social media accounts. This is permissible, but if you choose to do so, I strongly recommend you have a crystal-clear contract with such third parties, because you are entrusting them with your firm's reputation.

When you review your contract with your third-party creator, make sure that it contains at least the following terms:

- What the creator is being hired to create
- Who owns the copyright to it
- A guarantee that the creator's work is original to them
- An indemnification clause that protects you if you are accused of wrongdoing because of what the creator published in your name.

Additionally, if your firm hires a third party to create your social media accounts on platforms like Facebook, LinkedIn, Instagram and so on, make sure the contract is clear that *you* own them. When the contract with the third party ends, you must retain possession and control over the accounts.

Social media is an effective communication tool, when used properly. Be thoughtful about what you post. I hope the excitement and satisfaction of reaching more people outweighs your trepidation of trying new platforms.

Ruth Carter (@rbcarter) is a lawyer, writer and speaker. She is Of Counsel with Venjuris, focusing her practice on intellectual property, social media, First Amendment and flash mob law. Named an ABA Journal 2012 Legal Rebel, Ruth is author of the ABA book "The Legal Side of Blogging for Lawyers," as well as "Flash Mob Law: The Legal Side of Planning and Participating in Pillow Fights, No Pants Rides, and Other Shenanigans." In her Attorney at Work column "Nothing But the Ruth," she writes about the lessons she's learning while building her practice. She blogs at UndeniableRuth.com.

Test Your Social Media Ethics IQ

BY MARK HOMER

If you're like most lawyers, you probably would rather clean your desk and reorganize all your files than think about how you should be using social media. Only a few years ago, there was significant reluctance from lawyers on the topic of social media. My response was always this: Social media is not going away, and you need to be prepared to use it while also understanding how it can get you or your clients in trouble.

Fortunately, we are seeing a change among lawyers. A recent ABA Legal Technology Survey showed that 76 percent of lawyers individually maintain a presence on social media for professional reasons. This is in addition to whatever their firm is doing.

According to the survey, the reasons you are likely using social media match the majority of conversations we have with lawyers about potential ethics areas of concern with social media:

- New client development
- Social media awareness and understanding
- Client investigation

The ethical concerns when it comes to social media are focused in two different areas:

- Using social media for marketing
- Social media competence (how to properly advise your clients)

Before diving deeper into examples of these issues, I want to make you aware of the conversation surrounding a lawyer's responsibility to understand social media networks.

One of the topics of this conversation is the updated ABA Model Rules that, in 2012, added "including the benefits and risks associated with relevant technology" to Model Rule 1.1: Competence [Comment 8], and implementation of this change appears to be happening quickly as 27 states, to date, have adopted it. Not a year later, in 2013, a South Carolina lawyer was suspended because she refused to get an email address.

Using Social Media for Marketing

Your prospective clients use social media on a daily basis, so it makes sense to use social media to provide awareness of your firm. We do not discourage lawyers from using it; in fact, if you use it for what it was intended — to share information and interact around topics that interest you — you will likely have few ethical issues. Also, social media sites tend to rank very high when someone searches for your firm name on the internet, so having a quality Facebook or LinkedIn page can help support the brand you want to portray when referrals check you out online. What potential clients are looking for is that you have a professional presence that is well-rounded. At a minimum, post your blog updates, news or information you find of interest to you and your client base to your accounts.

However, we see many lawyers who use social media to also advertise. If that is what you hope to do, you need to think about the following ethics issues with regards to social media and marketing.

Common Social Media Marketing Ethics Missteps

Here are the common mistakes and how to avoid them (of course, every state is unique, so please check with your local bar association for more guidance):

Solicitation. A hat-tip to the State Bar of California for releasing Formal Opinion No. 2012-186 that clearly outlines several social media posts and how they may or may not violate California ethics. The biggest misstep concerns commercial speech. At the point you ask someone to contact you, visit your website or invite them to become clients for pecuniary gain, you are soliciting business and therefore must have a proper disclaimer. In the California opinion, merely saying "who wants to be next" was enough to move that post from an announcement to solicitation.

The best way to avoid this pitfall is to pause before you post anything and ask yourself if this post contains commercial speech.

It is not always against ethics rules to "solicit" if you are, in fact, following the rules for advertising But if your Facebook page or Twitter profile pages encourage someone to contact you so that you can help them, your post might seem to cross into unwanted solicitation.

Advertising. It is not always against ethics rules to "solicit" if you are, in fact, following the rules for advertising. (Some states have very strict guidelines pertaining to how you can advertise, the kind of disclaimer you must have, images you can use, and how long you must keep a record of your advertisements.) A good rule of thumb is: Posting on social media networks is not inherently advertising unless that post contains commercial speech. But if your Facebook page or Twitter profile pages encourage someone to contact you so that you can help them, your post might seem to cross into unwanted solicitation. While California tried to outline what was and what was not advertising on social media, New York City gave an interesting opinion on five criteria that determine whether a LinkedIn profile would be considered advertising or not. If you want to use social media to increase your brand awareness in the hopes of acquiring new clients, it would be wise to make sure you are following all the rules for advertising in your state. This may include having a link to a disclaimer, taking screenshots of your social media profiles when you change them to preserve a "copy of the advertising," or adding "attorney advertising" language if required. To avoid direct solicitation issues, try to avoid commercial speech in your actual social media posts.

Lawyer-client relationship. Another area to watch out for when interacting with others on social media is that what may seem like a few innocent interactions on a Twitter Q&A or LinkedIn group may be taken as advice. We have all seen how much people are willing to share

For some reason, attorneys who would never tell a client to shred a document or delete a spreadsheet to hide evidence are OK telling their client to delete a tweet or Facebook post to prevent them from looking bad in court. ... In one example, an attorney in Virginia was fined over \$500,000 for "a scheme to take down or deactivate [the plaintiff's] Facebook account so that he could respond that he had no Facebook page on the date the discovery request was signed."

on social media; under Model Rule 1.18 you may be gaining enough knowledge and interacting just enough to constitute a lawyer-client relationship. The advice to have a disclaimer where possible in social media certainly helps here, too. Obviously it is hard to do in a 140-character Twitter post, but you may want to include a sentence or two where you have room, say, on a LinkedIn group message.

Remember also that social media has no state boundaries, so the advice you may be giving could also cause you to have jurisdictional issues.

Social Media Competence Issues

Many of your clients are using social media on a daily basis. For you to give them proper guidance on how to avoid pitfalls that could cause problems for their case, you should understand the environment in which they communicate both publicly and privately. You should be able, at minimum, to communicate clearly to clients the liabilities of participating in each of these networks, especially during the case proceedings, so you can stave off potential issues. Do not think that the answer is telling your clients to "not" interact with social media. That is akin to telling them not to use their phone or email; it is just not realistic.

Do you know when a tweet is public or private? What information can be seen publicly on your Facebook or LinkedIn profiles, and how can can change those privacy settings? Over the past few years, social media

issues have come up in formal state ethics opinions and judgments. For example, according to the New York Bar Association, a lawyer cannot be sufficiently competent without a working knowledge of the benefits and risks associated with the use of social media.

Spoliation. For some reason, attorneys who would never tell a client to shred a document or delete a spreadsheet to hide evidence are OK telling their client to delete a tweet or Facebook post to prevent them from looking bad in court. Fortunately, the courts are handling this as they should and sanctioning attorneys who are colluding to destroy evidence. In one example, an attorney in Virginia was fined over \$500,000 for "a scheme to take down or deactivate [the plaintiff's] Facebook account so that he could respond that he had no Facebook page on the date the discovery request was signed."

Discovery. Getting access to what people post on social media networks can completely sway a case to your favor. How you obtain that information is still up for debate. The social network at question is often Facebook. If the user's profile is set to private, then to gain access to their posts you must "friend" them. In New York, there is a more liberal policy on whether you can "friend" someone solely for the sake of discovery; Pennsylvania, on the other hand, is not so liberal. Ask your bar association specifically if you, or a third party, can connect with someone on social media for the sake of discovery and what information you are required to disclose.

As we see social media used more and more in e-discovery, you must understand how to properly advise a client about their social media profiles before discovery ever happens. As you know, the knowledge of a particular email, Word document or spreadsheet is often enough to require the document to be provided in discovery. Not surprising to many lawyers, but very surprising to the average Facebook user, is that the private part of a user's social media account is not really private. In one case in Pennsylvania, the judge ruled for the defendant that some public social media posts seemed to contradict the plaintiff's serious injury claim and required the plaintiff to provide personal login in-

As Larry Doyle, a member of the California bar's Committee on Professional Responsibility and Conduct, wrote: "Because of the fiduciary nature of the profession, lawyers are never really 'off duty' as far as their ethical obligations to their clients are concerned."

formation so that "private" posts could be reviewed by the defense. In the opinion, the judge wrote that "only the uninitiated or foolish could believe that Facebook is an online lockbox of secrets." Therefore, what clients have revealed in their public social media persona could compel their private information.

Once you have their social media information, you may need to address social media actions by your client, a witness or even an opposing counsel's client in the courtroom. If you are going to submit social media activity for a trial, you should understand the basics of that social media platform. In fact, California issued a formal opinion on handling of discovery of electronically stored information, essentially saying that if you are not competent in a number of e-discovery areas you had better have experienced co-counsel or an expert consultant.

Confidentiality. With the advent of blogging, we started seeing attorneys violate Model Rule 1.6 with more frequency. One example — in which the lawyer thought they had proper consent to talk about a case online when maybe they didn't — is the case of <u>Hunter v. Virginia State Bar</u>. Here, posting about clients by name and the public court proceedings, while ultimately was allowed in Virginia, led to a serious headache for the lawyer.

Social media opens lawyers up to this issue even more. Often the situation occurs when a lawyer reveals too many details about a client even though the lawyer did not use the client's name. A public defender in Illinois was disciplined for sharing blog posts on social media about judges and clients, with the court saying: "Respondent knew or should have known that information contained in her ... blog ... was confi-

dential, or that it had been gained in the professional relationship and the revelation of it would be embarrassing or detrimental to her client." The best practice is to avoid talking about clients on social media. Period. There is no need. You can take full advantage of social media without having to mention anyone, specifically or vaguely.

Keep Learning

As Larry Doyle, a member of the California bar's Committee on Professional Responsibility and Conduct, wrote: "Because of the fiduciary nature of the profession, lawyers are never really 'off duty' as far as their ethical obligations to their clients are concerned."

If you intend to stay competitive over the coming years, social media is something you must learn. Not just because you want to have new clients find you, but to be able to give your clients the best advice, and to better prevail in the courtroom.

Mark Homer (@mark_homer), co-author of "Online Law Practice Strategies," often speaks around the U.S. on marketing and social media ethics for law firms. He is the CEO of GNGE, a leading law firm marketing agency, and co-founder of Trial3D. At GNGE, Mark leads the team to help empower and educate law firms to grow their practice.

Leveraging LinkedIn

You Need to Pimp Your LinkedIn Profile (Yes, You)

BY SUSAN KOSTAL

After the inevitable January "fresh start" updates, many people leave their LinkedIn profile alone the rest of the year. Active social media users update their profiles every three months with new pro bono work, awards and cases. If you haven't refreshed your profile yet this year, hate to break it to you, but you're behind. General counsel may not post, like or comment on LinkedIn, but they are there. Data confirms that for a growing number of in-house attorneys, LinkedIn is the first place they look to learn about you. That means a well-curated profile is vitally important.



Unlike your bio on your law firm's website, you have complete control over your profile. This means you can describe your expertise, highlight areas of your choice as you like, and update it as often as you need. Use the following as a guide.

- **1. Add a current photo.** Especially if your photo is four to five years old. Don't be that person who is unrecognizable at a conference or when you meet a client face-to-face. Make it a professional photo; don't rely on a selfie.
- **2. Make the most of your descriptor.** Use the summary of your profile to your greatest advantage. Unlike your law firm bio, which is written in the third person, you can use the first person on LinkedIn and talk about your goals, passions and professional aims. Adopt an authentic voice that lets your personality come through. Law firm bios typically don't allow for an inviting or conversational tone. Here's your chance to leverage that.
- **3. List each law firm separately and use their logo.** Under each firm list your top engagements. Feel free to add narrative. The case was out with the jury for only 45 minutes. The verdict came in under or over the settlement offer. Your team was chosen after 10 firms were interviewed. The case settled after your cross of the other side's expert. Think of setting, character, conflict, resolution. What part did you play?

Don't be afraid to ask opposing counsel or cocounsel with whom you have a friendly professional relationship to recommend you. Nothing speaks louder than being called a worthy opponent.

- **4.** Add new articles, presentations, boards and committee memberships. Add speaking engagements, articles, awards, board and committee work as appropriate.
- **5.** Add new skills so you can be endorsed for what you do best. If you haven't yet added "legal research," start with that. And specifically ask trusted peers for endorsements of specific skills.
- **6. Regularly ask for recommendations from peers and clients.** Have at least one for each firm where you've worked, and ideally for each few years of your career. You can always decline to publish it if it's not exactly what you want, and you can hide those that are no longer relevant. And don't be afraid to ask opposing counsel or co-counsel with whom you have a friendly professional relationship to recommend you. Nothing speaks louder than being called a worthy opponent.
- **7. Publish and share relevant content.** It's not enough to like or comment on the content of others. With LinkedIn's design, your current activity what you post comes up at the top of your profile, before your experience. Don't leave that section blank. Show that you are engaged in the business world around you.

About Your Tone

The trend on LinkedIn is to move toward a conversational tone, rather than the formal tone of a resume or CV. Use that to your advantage and craft your personal narrative.

Still Unsure of How to Position Yourself?

Look at the profiles of both respected peers and formidable adversaries. Finally, look at colleagues one level up from you, whose jobs you want next. What are they saying about themselves? LinkedIn not only showcases the professional you are today, but the professional who's right for that next position.

<u>Susan Kostal</u> (@skostal) is a legal affairs PR, marketing and business development consultant based in San Francisco. She is a contributing editor for Attorney at Work and writes the "Content Under Pressure" column. Susan has covered legal affairs as a journalist for nearly three decades. You can view more of her content at <u>www.susankostal.com</u>, including her <u>Legal Marketing Bits and Bites</u> newsletter.

Online Profiles: Presenting the Best Version of Yourself

BY SALLY J. SCHMIDT

Prior to working with a sixth-year associate recently, I reviewed her online profiles. After we had talked for an hour, I noted that her bio was a complete disconnect from her practice. While she originally had been assigned to the firm's estate planning area, she'd spent the past three years on commercial real estate matters, which was also the practice she wanted to develop. When I asked why the bio contained nothing about her recent experience, she said it hadn't been updated since shortly after she joined the firm.

I spend a lot of time working with lawyers to improve their firm bios and LinkedIn profiles. I know what some of you are thinking: Is it really that important? The answer is yes, and the reason is that buying behavior is changing. Consider these two studies:

- A Corporate Executive Board study of more than 1,400 business-to-business clients and customers found that they completed nearly 60 percent of a typical purchasing decision before even having a conversation with a supplier.
- According to a study published by Hinge Research Institute, more than 80 percent of buyers of professional services review a company's website before engaging.

In other words, prospects are conducting their own research to vet their choices. You may be eliminated from consideration without even knowing you were a contender. This is equally true internally — partners often review associate bios when putting together teams.

Here are some thoughts on how to put your best foot forward.

Introductory Information

1. Draw people in. Whether preparing a firm bio or a LinkedIn profile, start with a summary to give people a quick snapshot of who you are and how you help clients. How many lawyer bios have you read that begin like this?

"Kelly is an associate in the firm's litigation department."

Clients don't care how the firm is organized internally; they want to know with whom you work and how you help them. A better start would be:

"Kelly helps technology companies protect their intellectual property jewels — patents, trademarks and copyrights — through both preventive measures and, when necessary, litigation."

Write in plain English (except if using clients' terminology and acronyms), using short sentences, short paragraphs and active language.

2. Highlight key facts. Many bio templates organize things like education, presentations or prior work experience into separate sections. If you have impressive credentials that might be overlooked in sidebars or tabs, introduce them in the summary for the reader. For example:

"With an MBA in logistics, Dan speaks the language of the transportation industry and has a first-hand understanding of the issues facing his clients."

"In the past 18 months, Carla has presented more than 20 educational programs to businesses about the Affordable Care Act."

3. Focus on the most recent, important or desirable issues. One senior lawyer's bio began with something he did for the first five years of his practice that he: (a) no longer does; and (b) no longer wishes to do. Why make that someone's first impression? Instead, lead with your sweet spot or the area of practice you most wish to develop.

To those who tell me their website bio has never gotten them a call, I say, "Bingo." Spend a little time improving your online profiles and you might be surprised what happens.

Past Experience

1. Include representative matters. Clients want to know with whom you work and how you help them. Perhaps the best way to do that is to include a bulleted list of actual cases, when possible, or scenarios disguised to protect client confidentiality, like:

"Represented a general contractor in a major dispute with a subcontractor."

"Assisted restaurant management in addressing tip credit issues."

2. Turn prior work experience into a benefit. The key to including prior experience is whether it is relevant to clients. I have met with lawyers who have experience doing what their clients do — as HR managers, insurance adjusters or in-house counsel — but it is not reflected in the lawyers' bios. Not only is this experience reassuring to clients, it is a clear differentiator and should be emphasized.

If you joined a midsize firm after working for a large, international law firm, you can add that to your bio. While your firm may not want to include competitors' names, your prior experience no doubt factored into the firm's decision to hire you and clients might be similarly impressed.

If the benefit of your experience is less obvious, you may need to connect the dots for readers. For example, one corporate associate's bio noted he had spent two years in the firm's litigation department. If you are going to include that information, tell the reader why it's important:

"Adam's experience as a litigator helps him anticipate potentially troublesome language or situations that can arise in manufacturers' relationships with distributors."

3. Use discretion with articles and presentations. Clients look at these items to determine your subject-matter expertise. A bio should illustrate a sustained thought-leadership effort in your selected practice(s). However, there are some cases where you may want to think twice about including them, for example, an old article that involves a completely unrelated area or a presentation addressing an issue that no longer exists.

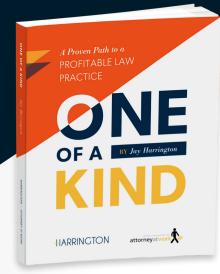
Other Information

- 1. Include outside activities. Clients review outside activities to gauge your leadership and to determine mutual connections (human and emotional). As a result, I often suggest including more information rather than less. Professional activities are an easy call; however, personal activities (e.g., running marathons) can be appropriate, too. A prospect contacted one lawyer because his profile indicated he plays in a community band — and so does she.
- **2. Demonstrate language skills.** Show, don't tell. If you are fluent in German, use it in a sentence or two on your profile. If your firm bio template doesn't lend itself to this type of information, LinkedIn certainly does.

To those who tell me their website bio has never gotten them a call, I say, "Bingo." Spend a little time improving your online profiles and you might be surprised what happens.

Sally J. Schmidt (@SallySchmidt) is <u>President of Schmidt Marketing, Inc.</u>, which offers marketing services to law firms. Sally was a founder and the first President of the Legal Marketing Association, and is the author of "Marketing the Law Firm: Business <u>Development Techniques"</u> and "Business Development for Lawyers." She writes Attorney at Work's "Play to Win" column.

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BY JAY HARRINGTON

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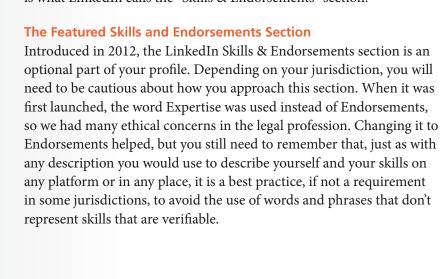




Lawyers and LinkedIn Skills and Endorsements

BY NANCY MYRLAND

With more than 500 million members in 200 countries, LinkedIn continues to be the dominant social networking site for lawyers. Recent research from Greentarget (see page 17) confirms its use by 73 percent of in-house counsel for professional reasons. The same study also cited LinkedIn as the "only social media platform considered particularly credible" by in-house counsel. Attorney at Work's reader survey has LinkedIn in the top spot among social media sites used by lawyers, too " (see page 3).

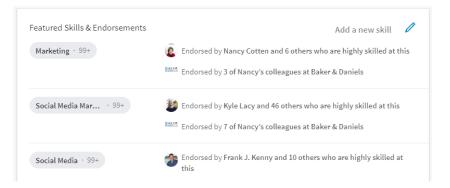


Because of this widespread use by lawyers and businesspeople, LinkedIn's potential to create and nurture relationships between lawyers and clients is significant. You need to be there, and you need to focus on creating a profile and presence that accurately represents who you are, and that reinforces your credibility and focuses on how you can help others. There are many ways to do this, but one I am often asked about is what LinkedIn calls the "Skills & Endorsements" section.



Your Top Three

With the redesign of LinkedIn, the top three skills in this section are what others see when they visit your profile in what LinkedIn now calls the "Featured Skills & Endorsements" section. These skills are the only ones others see at first glance. Unlike prior versions of this section, your visitors have to click on "view more" to see the rest of your skills. They will also see a snapshot of others who have endorsed you for these three skills who also have these skills, as well as colleagues.



Note: Knowing profile visitors will only see the top three skills at first glance, make sure the ones you want to feature most are those they will see. You can do this, as well as perform any other edits, by clicking on the edit pencil in the top right corner of the Featured Skills & Endorsements box (see figure above).

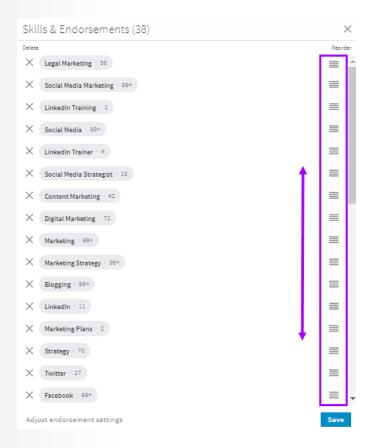
Edit Your Skills and Other Skills & Endorsements Settings

Reordering skills. When you click on the pencil to edit the section, you will be able to reorder your skills by clicking on the little icon with four lines to the right of each skill. The three you place at the top will be those your profile viewers will see at first glance when they visit your profile.

Don't be worried if the endorsement numbers for your top three are lower than you'd like. LinkedIn suggests your top skills to others to endorse so that number will change over time. If those skills are that important for you to readily communicate to others, it is worth the time it takes to build those numbers.

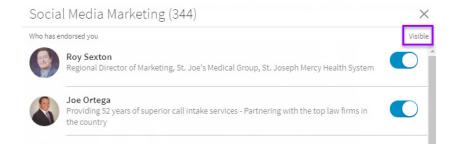
Deleting skills. You can also delete skills in this same box by clicking on the X to the left of the skill. For example, as a result of visiting my profile to create this summary for you, I deleted several that I thought were not words my clients would use when searching for someone with my skills.

Note: You might want to put a reminder in your calendar to visit this section once every six months or so to keep it up to date.



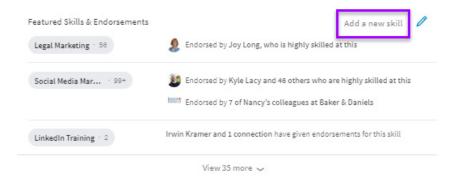
Who Has Endorsed You?

Endorsements for skills not already listed won't show up unless you approve them. If you've forgotten who has endorsed you, simply click on that skill to see a list of all who have endorsed you. If you want to hide or unhide specific endorsements from certain people, simply toggle that person's endorsement off under the word "Visible" on the right. This person's endorsement will no longer be included in the total number of endorsements shown for that skill. You can always toggle it back on if you change your mind.



Adding a New Skill

You can list up to 50 skills. That doesn't mean you *have to* use all of them. To add a new skill, simply click on "Add a new skill" in the upper right corner of the Featured Skills & Endorsements box. You will then have the ability to add those skills not already represented.

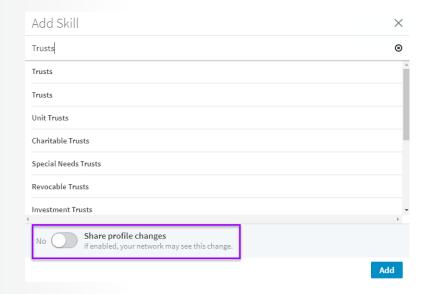


Always think of the skills on your profile as keywords, which means that LinkedIn and other search engines could potentially find and rank you higher should those keywords be searched by others. Spend a few minutes recalling those keywords that are critical to you and your practice. Make sure they are listed here under Skills & Endorsements and in other sections of your profile on LinkedIn, as well as in your newsfeed, groups, when you write posts in LinkedIn Publisher, on your firm's blog, in presentations, interviews, and wherever else they make sense. Be professional in your use of them, avoiding keyword-stuffing.

Note: Remember to think like your clients and potential clients. What words might they use to research a particular skill or topic?

After you click on "Add a new skill" and begin to type in the skill, you will notice suggestions for skills that are somehow related. In the example below, I began typing "Trusts," and was presented with several options. Click to add any of these skills if they accurately identify skills you have and want others to see on your profile.

Note: If you are making changes you want to bring to your followers' attention, toggle on the "share profile changes" setting highlighted below. If you do not want to share them, then toggle it off. I can think



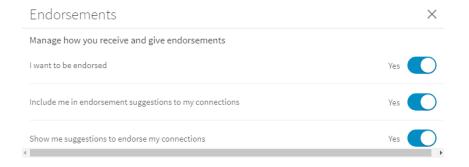
of other sections I would not want to promote in my newsfeed, such as making a dozen minor changes in wording of prior positions. Skills are important, though, so consider leaving this turned so that the change will be mentioned in your newsfeed. They might learn something about you they didn't know before, or perhaps had forgotten.

You Have Even More Choices

You have the ability to choose whether you want to be endorsed, to be included in endorsement suggestions LinkedIn makes to your connections, and whether you want LinkedIn to show you suggestions to endorse your connections. These options are accessible by clicking on "Adjust endorsement settings" at the bottom of your Skills & Endorsements section.

Endorsing Others for Their Skills

Do you need to reciprocate when others endorse you? The short answer is no, but it is completely up to you and your style. If you have a large number of connections, you will find that many very kind people will endorse your skills. This happens easily because we are all presented with suggested skills to endorse while we are maneuvering around LinkedIn. Although these suggestions are not as in-your-face since a recent redesign, it is still easy to endorse others.



What this means, however, is that it could become difficult to keep up with the number of people who endorse you. It takes time to go back and endorse every one of them for the skills you know apply to them. Also, there will be times when you simply do not feel comfortable making an endorsement. You want to be honest and genuine, so don't ever feel obligated to endorse others simply because they endorsed you. On the other hand, if it fits into your personality to reciprocate, and you can keep up without offending those who may monitor this closely, then do so. Remember that your avatar (your profile picture) shows up alongside each skill you endorse, so make them wisely and genuinely.

Some like to proactively endorse others for skills they know they have to get on their radar. LinkedIn alerts all of us when someone endorses us, so this can be a good way to pop up in others' email inboxes or in LinkedIn notifications based on their settings. Always remember that your credibility is at stake when you recommend or endorse others. These statements of support are digital breadcrumbs that lead back to you so they must always represent you in the highest ethical manner.

Bottom Line

As busy as you are, I encourage you to spend thoughtful time in this section on LinkedIn. We know our clients and prospects are using LinkedIn for professional networking and research. It is important to think about this Skills & Endorsements section strategically, making sure that if your jurisdiction allows this section to be listed, you are represented as fully and accurately as possible.

Nancy Myrland (@NancyMyrland) is a marketing and business development plan consultant, and a content, social and digital media speaker, trainer and advisor, helping lawyers and legal marketers grow their practices by integrating all marketing disciplines. In addition to the Myrland Marketing Minute Blog, you can find her on Twitter, Facebook, LinkedIn and YouTube.

Using LinkedIn to Reach Your Goals

BY SAYRE HAPPICH

Using LinkedIn is a lot like any other business development activity. If you don't know what your goal is, and plan a strategy for achieving it, you won't accomplish much. David Ackert of Practice Boomers frequently presents on business development strategies. He recently shared his excellent advice on the importance of prioritizing goals and sticking to a strategy when using LinkedIn.



How Can LinkedIn Help You the Most?

Here are four goals to consider — along with Ackert's strategies to help you reach them. Note: Ackert stressed that choosing all four of these goals at once is not a good idea. Prioritize and commit to just one goal to start with before you move on to tackle the next.

Goal 1: Target Potential Clients

If your goal is to identify potential clients and referral sources, Ackert recommends these strategies:

- Type terms into the search field that can help you connect with potential clients who might be looking for an attorney with your expertise. Take note: One of the biggest changes to LinkedIn in 2017 is the "Get to Know" search. There are no longer advanced search features that allow you to search by keyword, first and last name, title and location.
- More often than not, you will probably have a first-tier connection to the person you identified. If you do, pick up the phone and ask that first-tier connection for an introduction to the person you are ultimately looking to reach. Provide the context for why you are asking for the introduction.
- When trying to connect with someone, LinkedIn offers a field for you to include a personal note. Use this field to let the person know why you want to connect and include a call to action. For example, "I am working on a blog you might be interested in subscribing to. Please contact me if you have topic ideas or would like to contribute." In this age of ever-increasing fake social media profiles and spammy boilerplate solicitations, this step is especially important.

Let the person you are trying to connect with know you are real, you can provide value, and you have a legitimate reason for wanting to connect with them.

- Tired of seeing those LinkedIn alerts (work anniversaries, new jobs and so on)? Instead of ignoring them, when you see an alert about someone who might be a potential client or referral source, call the person to convey congratulations and rekindle your professional connection.
- When sending email to a prospect, use LinkedIn's InMail instead of your email provider. (According to Ackert, InMail is 30 percent more likely to be opened than regular email due to its relative novelty.)
- When you are notified that someone has looked at your profile, take
 the opportunity to send that person an InMail and ask if you can
 help them with something perhaps they need an attorney in your
 practice area?
- Something new to think about in 2017: If you use any of LinkedIn's advertising products, consider website retargeting, or matched audiences. This targeting capability allows you to market to those LinkedIn members who have also visited your website. Social Media Examiner has a great article on this subject.

Goal 2: Attract Opportunities

If your goal in using LinkedIn is to attract opportunities to your niche practice area, here are ideas to get you started:

- Join LinkedIn groups that align with your areas of interest. Participation in groups is three times more likely to drive relevant traffic to your profile.
- Once people are on your profile, make sure key points stand out.
 One of the ways to do that is to include multimedia like <u>Slide-Share</u> or videos of presentations you have given. This will further brand you as an expert in your practice area.

• Start your own LinkedIn group to attract appropriate connections for dialogue and follow up.

Goal 3: Broadcast Yourself

If your goal is to get your name out to an extended network, focus on these strategies:

- Use your LinkedIn status updates to post relevant blog articles, announcements, press releases, or alerts to your connections.
- Drive attention to your content by posting it to LinkedIn groups that you are a member of and ask questions to accompany the posts to start a dialogue.

Goal 4: Think Client Service

If your goal on LinkedIn is solely to focus on existing clients and people who are already engaging with you — online and offline — follow these strategies:

- This first step might be obvious, but make sure you connect with all of your clients on LinkedIn.
- Match content and connections to their needs. Ask questions such as, "What is keeping you up at night?" If connections need to know about a new law and how it will affect their business, find information for them or refer them to another attorney in your network.
- Are your clients looking to hire a lawyer in areas outside your expertise? One way to find out is to do a job search using the client's company name as a filter. If they are looking, pick up the phone and call your client. Recommend an attorney in your network.

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David Ackert (@DavidAckert) of Practice Boomers is a frequent presenter at conferences, including the Legal Marketing Association.

Turbocharging Twitter

What Top Lawyers Do on Twitter How You Can Do It, Too

BY SUSAN KOSTAL

One of the easiest ways to figure out Twitter is to follow someone you respect and see how he or she uses it. It's helpful to look at some boldface names as well as regular folks, both in and outside your particular practice area.

It's also highly advisable to follow those in your field, as well as competitors in your market, say, another regional firm. And don't forget to follow the reporters who cover the industry and your practice area. So establish your account and let's get going. Use this plan to get up to speed. All it takes is 10 minutes a day. You can easily move from step 1 to step 7 in three months.

- 1. **Lurk.** Establish your account and find 20 regular users to follow. By regular I mean those who tweet daily. See what they tweet, who they follow and who follows them.
- 2. **Retweet.** Begin retweeting thoughtful, interesting content from your followers once a day.
- 3. Add news stories. Tweet (without comment) relevant news stories from your industry and practice area. General legal news, such as rumors of SCOTUS retirements, are fine, too.
- 4. **Retweet with comments.** Use the "quote tweet" option to add your commentary to a retweet. It could be as simple as "smart piece," or "important read." Eventually, after watching others, move to more

sophisticated comments on what others post.

- 5. Focus on followers. Now that you've built up a body of work, begin to increase your follows, in the hope that these folks will reciprocate and follow you.
- 6. Use original content. Now that you have more than 20 followers, you can begin tweeting your own content and alerts, such as blog posts, client newsletters, notice of new regulations and so on.
- 7. **Engage in conversations.** Use "quote tweet" or "reply" to speak specifically to what someone else has said on Twitter. This more personal engagement grows relationships and followers.

Success on Twitter is about quality over quantity. You don't need 1,000 followers to have an impact. Several dozen quality follows in your field and among potential clients is all you need.

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TOP LAWYERS

Here are three very subjective lists to get you started.

Top Legal Follows

GCs on Twitter

Important IP Follows

Anatomy of a Tweet: How to Get the Most Out of Your 140 Characters



Lawyers are routinely told how necessary it is to maintain an active presence on Twitter. With good reason: With more than 328 million monthly active users (70 million of whom reside within the U.S.), it's a safe bet your potential clients are there.

Consumers are increasingly turning to social media channels when evaluating purchasing decisions — even legal services. Plus, clients control more of the purchasing journey than ever before — often, by the time they reach out and contact you, they've already decided to retain your services. Therefore, it's become imperative that you remain top-of-mind by communicating, engaging, building trust and establishing relationships with the people who could someday become your clients.

But on a platform where more than 700 million messages are sent every day and the average lifespan of a tweet hovers around 18 minutes before it disappears into a void of cat pictures and TV show spoilers, how do you make sure you're getting a good return on your social media investment?

Tip 1: Know Your Goals

Before investing time in any social network, it's imperative that you have a clear idea of exactly what you're trying to accomplish (beyond the obvious "attract more clients"). Are you trying to build more awareness of your firm locally? Drive traffic to your website? Engage with industry thought leaders? All of the above? Set up a social media dashboard like Hootsuite or TweetDeck. Monitor search terms, hashtags and topics that your potential clients are following and using, and save them as streams for easy access and quick reference later on.

Tip 2: Get Visual

They say a picture is worth a thousand words — but on Twitter, a picture can be worth far more. With a 140-character* limit, there's only so much you can communicate textually — but an image can give you an

opportunity to circumvent those limitations by communicating ideas visually, or by overlaying text on the image. As a bonus, tweets with images tend to see much higher engagement than those without, gaining up to 150 percent more link clicks, retweets and favorites. Twitter has continued to evolve beyond a microblogging platform to a visual-first platform, rolling out an update that allowed for up to four images to be shared in a single post, and another that stopped counting media links (images, GIFs, polls, video, etc.) against the character limit.

Tip 3: Call Me, Maybe?

A call to action, in marketing speak, is a strong phrase that compels your audience to take a desired action (for example, "visit my website" or "click here for more information"). Using strong calls to action can amplify your message to the Twittersphere at large (example: "Please RT"), increase engagement (example: "Reply with your thoughts!"), or boost website traffic ("Read my latest blog post!"). Because Twitter is, above all, an engagement platform, it's recommended that you avoid overtly "salesy" calls to action ("Buy my lawyering!") — instead, focus on actions that drive discussion and communication.

Tip 4: Hashtags

Hashtags, the #now #ubiquitous #method of labeling tweets with a particular conversation or topic, are a great way of gaining exposure to an entire new audience or targeting your messaging in real-time to an audience discussing a trending topic. (Great examples include defense lawyers who were tweeting their phone numbers using the #BlackLivesMatter hashtag, offering their services to protesters arrested, or lawyers who rallied around #MuslimBan when the Executive Order affecting immigration was implemented). Hashtags also offer a great opportunity to take part in Twitter conversations or chats around a variety of topics (check out #AppellateTwitter for a community of self-professed law nerds or #LegalTech, a lively discussion on emerging legal technology solutions).

When crafting tweets, #less is #more when it comes to hashtag use — while tweets including one or two hashtags can provide up to two times the engagement of tweets without, throwing in a third (or more) hashtag can actually reduce engagement. Stick to one hashtag per tweet to be safe.

Tip 5: Be Yourself, Everyone Else Is Already Taken

The ultimate goal of social media is the "social" part — building legitimate, lasting relationships with people who could benefit you enormously either personally or professionally. The best way to do so is by being sincere, honest, and showing your true personality. Public perception is that lawyers are a stodgy, humorless bunch — we know this isn't the case. Don't be afraid to let your true self shine through.

Tip 6: Be Ethical

Familiarize yourself with your state bar's social media ethics opinion or guidelines before tweeting — it's easier than you may think to run afoul of the professional rules of advertising governing lawyers, particularly when discussing previous cases, courtroom wins, or actively soliciting business via social media channels. Some examples:

BAD MESSAGING

- "Case finally over. Unanimous verdict! Celebrating tonight."
- "Won a million dollar verdict. Tell your friends and check out my website."
- "Won another personal injury case. Call me for a free consultation."
- "Another great victory in court today! My client is delighted. Who wants to be next?"

GOOD MESSAGING

"Just published an article on wage and hour breaks. Let me know if you'd like a copy."

Tweets with images tend to see much higher engagement than those without, gaining up to 150 percent more link clicks, retweets and favorites.

Tip 7: Test, Analyze, Optimize

Did you know every Twitter user has access to an analytics platform showing exactly how well your messages are driving engagement? Twitter Analytics gives you a wealth of actionable data and shows you exactly what's working on every tweet you send, including how many retweets, replies and favorites you get, as well as number of impressions (the exact number of times your tweet appears in user timelines), link clicks (if you're directing to a blog post or your website), demographic data on your followers and more.

Experiment with your tweets — tweet the same thing at different times of day, change up your copy, calls to action, images and more to figure out exactly what resonates with your followers and has the biggest impact for your social media following and business development efforts.

By following these simple tips, you'll be an accomplished Twitter user in no time — success that will translate to your offline business development and law firm health as well. At the very least, you will have built meaningful relationships with a number of other human beings and will be able to add the elusive "Twitter-savvy lawyer" designation to your resume.

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*In September 2017, Twitter announced it was testing a 240-character limit.



GETTING CLIENTS

For Lawyers Starting Out or Starting Over

Merrilyn Astin Tarlton's practical book is the answer to every lawyer's perennial wish: "Tell me what to do to get clients!"



Bag 'Em and Tag'Em: The Hashtagger's Guide to the Galaxy BY JARED CORREIA

A hashtag is a string of characters preceded by a pound sign (#), all connected without any spaces — for example, #ilovegeorgeclooney (<u>I do</u>). The collection of characters should have some meaning. Hashtags are valuable on social media because they aggregate posts. A hashtag becomes a clickable link to a chronological (and continually updating) stream.

The hashtag is valuable to you because it gets your post into another stream — in addition to those of your followers and friends. It's useful to push your posts to additional streams because it means your content will, theoretically, pass before more eyes, thus increasing your reach.

This is all a numbers game. The more people you reach, the more likely it is that you'll reach someone who will ultimately use or refer your services. So, yeah, it's pretty straightforward, what a hashtag *is*. Where most social media users get tripped up is in *using* hashtags. It's very easy to apply a hashtag to a post without really thinking about it.

Say you post something about iPads, and you stick in #iPad. I mean, why not, right? Well, here's why not: When you're using a hashtag, you've got to be thinking about what you're trying to get out of it. Is your ultimate goal to be listed in the hashtag stream for #iPad? That stream probably includes billions of tweets at this point, over 75 percent of which, I would conservatively estimate, are inane or spam. The chances of your post being discovered in that stream are infinitely less than it being discovered in your own stream, such that hashtagging becomes an almost useless exercise. Why not hashtag for a subsidiary theme instead?

So, how else can you separate your hashtagged tweet from the crowd of hashtagged tweets?

- Determine how you will use the hashtag.
- Apply some straightforward tips for hashtag creation.
- Access resources to keep abreast of hashtag trends.

Three Optimal Ways to Use Hashtags

- 1. In real-time conversation. Hashtags allow Twitter users to create chat panels on the service. When you access the hashtag stream, you're looking at a subject matter discussion, which you can follow and respond to in real time. This is already a popular method for using hashtags, and there are a number of Twitter "chats" built around this concept. If you use a free program, like TweetChat, you can leverage the stream, and your responses, even more efficiently. Most chat streams remain active even when chats are not scheduled, so participants can post at off-times and still gain some advantage. Now, if you tweet your latest blog post with the hashtag for a chat you normally participate in, the chances of that post being retweeted or read are higher than if you post into a hashtag stream with which you have no substantial interaction.
- **2.** In a search. Twitter does have a search page, but it's unfiltered. If you search within hashtag streams, you're going to find persons who have self-selected for certain topics, conveying some level of conscious acknowledgment of expertise or skill, or at least some interest. In this environment, you're more likely to find people who know what they're talking about, posting things that are helpful. You must be willing to wade through some of the detritus, but there is less of that than you would find within a general Twitter search. So, hashtags can help you narrow your search, but they can also help you expand your brand.
- **3. For conference participation.** This is probably the single most effective use of the hashtag. If you can piggyback on a popular conference hashtag, especially one that is germane to what you do, then that is a great way to move your content toward parties known to be interested. Check out #ILTA and #ABATECHSHOW for two popular legal conference hashtags, to see where you might envision your posts fitting in.

Hashtags are far more often used for generic labeling of specific things within Twitter ("Check out my #iPad!"). In the majority of cases, the above-outlined, useful methods are not even a consideration — which is one clear reason why applying such practices will set you apart.

The Existentialist's Hashtag

You can use existing hashtags to enter existing streams; but if you do, you've got to select the right ones. If a hashtag is too popular (like #iPad), you're liable to get lost in the stream; if it's not popular enough (like #PalmPilot), nobody else will see what you've posted. Like Goldilocks, your best option is to try various porridges, chairs and beds, so you find the fit that's "just right." An example of an overstuffed hashtag stream would be the #FF, or #FollowFriday culture, standing for the Twitter convention whereby users on Friday list their favorite other users, ostensibly to promote them, but really to get them to return the favor. No one is getting any real use out of these raw streams; it's just too much to process, and the categorization is too generic. However, as a method for highlighting other users, it's a great way to show appreciation for your favorite follows, by increasing their reach among your followers, and those others' followers with whom the post will be shared. In case you're wondering, this is what a Follow Friday post might look like:

#FF @JoanHFeldman — Because running the @attnyatwork empire is no joke!

There are other daily conventions on social media that you can take part in. Of course, you can create your own hashtags. Just make sure that you do so with the expectation of adding another significant work-up to what is likely already a full marketing schedule. The effort can be worth it, though, because a personalized hashtag can act as a gathering space for those interested in what you have to say — it's another community of interest for your work. Here are some things to consider when creating a hashtag:

- Everyone loves acronyms. How long would it take you to yell "You only live once!" YOLO, people. Or, should I say #yolo.
- Make it memorable. Aim to integrate your hashtag into natural language, as it's less jarring to read than internet jargon. Compare: "#Lawyers watch out for revised #IOLTA rules" to "New IOLTA Rules: #IOLTA #attys #trust #rules #client #service."

• Do it deliberately. Make sure you read the whole string, with an eye to alternate word combinations, before you release a hashtag. Find out whether the hashtag (or a similar variant) already exists. Try different iterations. Get feedback from people you trust.

Hashtag Promotions

Here is a simple list of do's and don'ts for promoting hashtags.

- Decide whether you want to hashtag or just plain old tag. For example, @ABATECHSHOW or #ABATECHSHOW. Part of the answer to the question of what you choose is whether you'd like to link to the user profile or to engender further discussion which could perhaps stem from your own contribution to the stream.
- Be wary of overtagging your posts. When you include a large number of hashtags (say, three or more), you're reducing character availability (and probable retweets) and necessarily limiting the amount of natural language in your posts.
- Be consistent. Include the hashtag on every post related to the discussion topic, not just some. If you're going to host chats surrounding a hashtag, keep up a schedule. Don't spend the months leading up to a conference using the conference hashtag, and then stop using it when you're at the conference, when interest is at its peak. Promote the hashtag in other media, too, to drive discussion on Twitter.

This is the old saw respecting social media: There is not one network, there is only the combination of networks. (Or, was that <u>Buddha</u>?)

New Content, New Conversations

In addition to creating conversations surrounding your hashtag, you're also looking to source user-generated content: You want people to write things related to your hashtag, and to post those items with your hashtag included. Ultimately, if you can get people to write content specifically with your hashtag in mind, you're golden. Then, the cycle

will spin again: New conversations will spring up in relation to those posts. With the enduring popularity of content marketing, Twitter users should be watching out for these opportunities. In the end, Twitter is a social media service for front-runners, regardless of whether those front-runners fired the starting gun or joined the pack later on, after disembarking the subway or something. If you can capitalize on trendy hashtags, or create, grow and promote your own, you're far more likely to get the effective reach you're looking for.

Of course, not everyone is going to be playing nice when it comes to moving the conversation linked to a popular hashtag. <u>Internet trolls</u> have no interest in doing anything other than raining negativity on your parade. This is not to say contrary views are not valuable; but trolls aren't interested in discussing the merits of anything — their sole interest is in flattening discussion and driving users away from conversations. Fortunately, Gyi Tsakalakis has published <u>a succinct method for dealing with trolls</u>. The more popular your hashtag becomes, though, the more likely you are to attract trolls to it.

#ButWaitTheresMore

If you were able to get through all of this and yet would still like to know more about hashtags, there are a number of resources, including:

- Twubs (a hashtag directory and promotional service)
- <u>Hashtags.org</u> (Wikipedia for popular hashtags and trends)
- <u>TagDef</u> (a dictionary for hashtags)
- <u>TagBoard</u> (a dashboard for tracking hashtags)
- <u>Hashtagify.me</u> (for advanced hashtag searching)

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Five Ways to Use Twitter Lists

BY ANDREA CANNAVINA

Twitter lists are an easy way to group what flows through Twitter so that you can better organize the flood of information. I've found that Twitter lists are useful for all kinds of things — whether they're private so that you can keep tabs on a hobby or very public so that you can leverage them for networking and business development.

Personally, I use lists to:

- 1. Follow conferences and events, such as @ABATECHSHOW.
- 2. Keep up with groups and associations like <u>@VBA</u> and @ILTAnet.
- 3. Monitor just the tweets of a core group of people of the likes of @taxgirl and @chrisbrogan.
- 4. Stay abreast of the happenings regarding a certain keyword such as #legalIT and the popular #legalchat (Tuesdays at 2 p.m. ET).
- 5. View the tweets of users without technically actually *following* them. You can add users to lists without following them from your account. There are certain people I refuse to follow, but in some instances I will see their tweets generally when an event comes around and they start their spam-markety crap (which is why I don't actually follow them in the first place). Still, this can be a very useful way to see what someone is tweeting that is less noticed than an actual follow.

Setting up Twitter lists is easy — the <u>directions are right here</u>. However, there are a few things you will need to decide:

- Who are you grouping together and why? Creating, maintaining and administering anything online requires focus and time. Much like Google Alerts, once set up, a Twitter list almost runs itself. However, time is still required to add or remove people from your lists, and if you are compiling a public list and wish to promote it, that will eat up more of your time.
- Private or public? Private lists are a way to keep a list from being known to the general public. (Keep in mind nothing is private from the company Twitter itself.) I have a "private" list of under 200 people who I consider "Some Good Peeps." If I only have two minutes I can very quickly be brought up to speed by reviewing this one list.
- What will you name your list? Pick a good name, especially if it will be a public list. What do the users you wish to add to the list have in common? Almost always there will be an organization, keyword or hashtag associated with a list. If you can use that as the actual list name, all the better for brand recognition, SEO and such. If you are making up the list name, just like websites, be careful not to mix up letter combinations that spell out inappropriate things when mushed together into one word!

Ultimately, Twitter lists are a way to organize tweets into categories and chunks, which helps people like me (compulsively organized) be more so — and people like you (just overworked and with no time) be more efficient in your use of Twitter. Win-win!

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Twitter Made Me a Better Lawyer

BY DENNIS GARCIA

As an active Twitter user for the past few years, I am convinced that this social media platform has helped transform me into a better lawyer. Here are some thoughts as to how embracing Twitter can enable all lawyers to achieve more.



Learn More

My Twitter feed is my primary source of news and information. I follow more than 1,000 people and organizations, including leading lawyers, law firms, judges, legal marketing professionals, bar associations, law schools, legal technology organizations, legal industry news outlets and others. Twitter enables me to fully embrace a "growth mindset" by providing immediate access to important information about the ever-changing legal landscape, putting me in a better position to provide more impactful legal advice to my Microsoft business clients. Even if you are "stealth" on Twitter, there is a tremendous amount of information to absorb about the legal profession, your organization, your clients and your potential clients that can make you much better informed.

Communicate Concisely and Effectively

The beauty of Twitter is that it requires you to be "short and sweet" in your communications, as a tweet cannot be more than 140 characters in length. Twitter requires getting your point across quickly and succinctly. Actively using Twitter has helped me become a more effective communicator overall by conditioning me to be more crisp, clear and concise in my electronic and verbal communications with clients and colleagues.

Be an Ambassador

As the role of general counsel and chief legal officers evolves to be more public facing, Twitter provides lawyers with an excellent platform to serve as ambassadors for their organizations. To that end, I tweet, retweet and like positive information pertaining to Microsoft, such as

TIPS FOR USING TWITTER

Be thoughtful and careful in what you tweet. Your Twitter account reflects your brand. Assume that whatever you tweet has the potential to be on the front page of The New York Times. Be sure to comply with your organization's social media policy and applicable local legal ethics requirements.

Use images. Add a professional headshot and background photo to your Twitter profile. Also consider adding images, GIFs and videos in vour tweets.

Ignore trolls. Avoid negativity and getting into a "war of words" with other Twitter users.

Use proper grammar. The world is watching you, so be mindful of your grammar and spelling.

Aim for active usage for impact. Remember, as with all technologies, you need to actually use Twitter for maximum impact.

— Dennis Garcia

public case studies of customers using Microsoft solutions, how the Microsoft Cloud inspires trust, and the company's focus on advancing diversity and inclusion in the legal profession. Twitter enables me to serve as a company evangelist by amplifying such messaging to the public at large and the targeted audience of my followers.

Build Your Brand and Get Noticed

By tweeting and retweeting information that is core to your responsibilities as a lawyer, you can showcase your expertise to a wide audience. As an in-house technology lawyer, I tweet, retweet and like information pertaining to areas in which I practice, such as complex contract negotiations, cybersecurity, compliance, intellectual property and data privacy. I also tweet links to articles I write. In fact, I now contribute to Bloomberg Law's Big Law Business regularly because one of their editors noticed me on Twitter. I also share external presentations, panels and roundtables in which I participate. Over time, I have steadily gained followers, been asked to speak at events, and been approached for interviews or to contribute articles and blog posts.

Expand Your Network

There are many people I've built professional relationships with (some whom I have met in person and many whom I have not yet had the opportunity to meet) directly as a result of Twitter, by following them, retweeting their tweets or liking their tweets. They all have one thing in common: They understand the power of Twitter for building connections with professionals across the globe.

Dennis Garcia (@DennisCGarcia) is an Assistant General Counsel for Microsoft Corporation based in Chicago. He practices at the intersection of technology and the law and provides a wide range of legal support to Microsoft's Sales, Marketing and Operations teams across the US. Previously, Dennis worked as an in-house counsel for Accenture and IBM. He is a Fellow of Information Privacy, a Certified Information Privacy Professional/United States and a Certified Information Privacy Technologist with the International Association of Privacy Professionals. He serves on the Board of Directors of Illinois Legal Aid Online and the Association of Corporate Counsel - Chicago Chapter. Dennis is also a member of the Illinois State Bar Association's Standing Committee on the Future of Legal Services.

Getting My Wings: How I Used Twitter to Promote Social Change

BY OLGA V. MACK

Many lawyers go to law school eager to change the world. But at some point between their second year and their first job, many face a self-imposed binary choice — making a good, well-compensated living or having an impact by working for the social good. Law students are often pigeonholed into categories, forced to choose whether they are Big Law-bound or focused on public interest. As lawyers, we should be the first to see that this binary choice is false. It is absolutely possible to do both.

In fact, as well educated, intelligent and hardworking members of society, we have a responsibility to reach for both goals.

However, lawyers, like many others, often suffer under another fallacy. We think that we don't have enough time, money, connections, influence or clout to "move the needle" and be impactful. First, that is simply not often true. By doing anything right, we are influencers. More worrisome, this feeling of inadequacy combined with the profession's tendency for risk aversion leaves some lawyers paralyzed, jaded or spiraling into addiction and depression.

But it doesn't have to be this way. Making a positive social impact, even while juggling a high-stress legal career, can be done. You don't need that much time, money or influence.

All You Need Is Twitter

It may seem contrived that the social media platform frequented by teens, celebrities and pundits can be a tool for positive social change. But my own journey shows firsthand the power of Twitter as a social advocacy tool for anyone — including lawyers.

A little over a year ago I founded the <u>Women Serve on Boards</u> <u>movement</u>. I began asking publicly why more women weren't on corporate boards. When others asked why women should be included, I was in disbelief, and determined to convince others that it was time for

a change. This pursuit became a passion, and I dedicated nearly all my extra energy to it.

Just when I thought my efforts might be futile, I adopted a new strategy: Twitter. Somewhere between creating online petitions, writing, speaking, making radio appearances and complaining to colleagues, I discovered the power of this platform. Of course, I had heard of it before — after all, I am a Silicon Valley general counsel. Twitter's headquarters are 10 blocks from my office, and many friends work there — but my Twitter account was embarrassingly bare. I hadn't even bothered to upload a photo, opting instead for the default avatar: an unhatched egg.

As I explored the platform, I realized that it could be the means I needed to get my mission noticed. In my fight against the dearth of women in corporate leadership and on boards, I became more openminded about the means to my end. After all, traditional tools, practices, rhetoric and systems haven't solved gender inequality issues for centuries. It terrified me that even my daughters may not see parity in their lifetimes. So if making my impact required me to adopt a new strategy, I was willing to take the leap.

With some help and a time investment of just a few hours, I created a new Twitter account: @boardswomen. I used the account to send custom graphics to Fortune 500 companies, urging them to discover women for their boards of directors. I also used Twitter to disseminate open letters to the CEOs and chairs of these boards.

Finally, I continued writing articles encouraging others to advocate for women on boards and join boards themselves, promoting the articles on my new Twitter account.

Along the way, I discovered Hootsuite, a social media management app that helped me streamline sharing and posting about my campaigns. Using Hootsuite, for less than \$200 a year, I scaled from two campaigns to 21.

Soon, I saw our <u>first victory</u>. In December 2016, Discovery Communications added Susan Swain to its board. Then a few more victories came. Most recently, one of the companies I targeted, Land O'Lakes, added Joyce Cacho to its advisory board. Some companies reached out

to me off the record for advice and resources on how to improve their board diversity. Others explained to me what they are doing to solve the problem and how they are trying to improve the parity timeline.

By embracing Twitter, I found myself in the middle of interesting discussions, actively and productively helping companies solve gender inequality problems. I was truly making an impact. I found myself meeting new people, attending events that I didn't know existed and overall leading a more interesting and full life. Somewhere along the way, I was even given the hashtag #ladybadass — by far the best title I have ever had. And I still had plenty of time to be a very hands-on general counsel at a venture-backed startup.

My Twitter journey, from unhatched egg to full-fledged social justice movement, shows that any lawyer can make a positive influence, using minimal resources, while sticking to their day job. All it took was breaking out of my shell and embracing the power of social media. Admittedly, this took some courage. As lawyers we are trained to be risk averse and stay in our lanes. But taking the leap to Twitter paid off, not just for me, but for the Women Serve on Boards movement I am proud to have founded.

As a profession, lawyers are akin to unhatched eggs. Symbolically, we are still very unaware of our own power. We are reluctant to embrace 21st century tools and explore the bounds of technology. Of course, some caution is merited as lawyers jump into the Twittersphere. Social media isn't always the most appropriate tool, and a lawyer must exercise judgment if she or he chooses to use it. But to deny its existence, its power and its reach is like sticking to candles because electricity is "too scary." When we as a profession embrace technology, including social media, we can crack the proverbial Twitter egg, spread our wings, become leaders, take positions and achieve justice for everyone.

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Fanning Out: Facebook, Instagram and Video

Paid and Organic Facebook Strategy for Your Law Firm

BY TIM BARAN AND MIKE MICELI

You've dutifully created a Facebook page for your firm. You consistently share useful links to your weekly blog posts and occasionally curate links to articles of interest for your target audience. You're rewarded with three "likes" and zero comments on your collection of posts for the entire month. Your Facebook page followers also grow by a whopping two and now you're up to 59 people. You click on "Insights" to dig deeper into analytics to discover, unsurprisingly, that your reach is anemic.

Discouraged? Don't give up. A quarter of the world's population is active on Facebook so you'd be well-served to invest some time in figuring out how to make Facebook work for you and your law practice.

The 2017 edition of HubSpot's popular "State of Inbound" survey reports that 74 percent of respondents are using Facebook for professional purposes. This compares favorably with their use of LinkedIn, which comes in at 78 percent. (Attorney at Work's reader survey shows Facebook gaining users among lawyers as well.)

The bottom line is, you need to be on the platform to reach its almost 2 billion active users. But you need to think beyond simply sharing links. Think organic and paid.

Organic Social Media for 'Social Proof'

Jayne Navarre wrote a provocative piece recently titled "Law Firm Social Media Is a Waste of Time, and Here's Why." She referenced the Greentarget 2017 "State of Digital & Content Marketing Survey" (see page 17) to make the point, backed by data, that organic social media doesn't move the needle.

However, if you think of your return on investment as "social proof" rather than number of leads generated or other numbers-driven metrics, then it's worth the investment. What do I mean by social proof? Say you learn of a service provider through an article or blog post or presentation, or by searching online for a solution to your problem or answer to a vexing question. Your next step is to find them on social media to get a sense of what they're like. That could be a video

on YouTube, an active Twitter account, a LinkedIn Company page or a Facebook page.

That's the social proof or trust factor that positively influences your decision to engage further with the intention of hiring them.

So, for your Facebook page, this doesn't mean that you only post an occasional link to one of your blog posts. You should craft posts that encourage engagement, likes and shares. How, you ask?

Buzz Sumo analyzed more than 800 million posts from 2016 and found these in sights:

- Questions, images, and videos were more engaging than all other post types.
- Videos were most likely to be shared.
- The best day of the week for engagement was Sunday.
- Post engagement was higher whenever there was a lower volume of public posts in the news feed.
- Short posts of less than 50 characters were more engaging than long posts.
- Images posted directly to Facebook and not through Instagram were more engaging than images posted to Facebook via Instagram.

Video to Increase Organic Reach

If you want to have an engaged Facebook page, you must embrace video. Facebook prioritizes content that's engaging and the numbers don't lie: videos engage Facebook users. Some argue that right now, video is the only way to build a Facebook following. <u>Statistics</u> support this.

- This year, video content will represent 74 percent of all internet traffic.
- 76.5 percent of marketers and small business owners who have used video marketing say it had a direct impact on their business.

- Four times as many consumers would prefer to watch a video about a product than to read about it.
- Facebook users watch 8 billion videos per day.
- Organic Facebook engagement is highest on posts with videos (13.9 percent)

Tip: Record 20-second to one-minute video clips of activities, tips and resources. When recording webinars, break them up into bite-sized chunks for repurposing.

Facebook Live

Facebook Live is a whole other beast and not for the faint of heart. But if you're willing to give it a shot, the potential rewards are substantial: Facebook users spend three times more time watching live videos than traditional videos.

Facebook Live is exactly what you think it is — a live-broadcasting medium. You'll need to prepare for it like you would any other broadcast. Advertise in advance, and when you're ready to go live, click on the "live" icon in your feed, enter a compelling description of the presentation you're about to give *and* "action!"

A huge advantage Facebook Live has over traditional broadcast mediums is the ability for viewers to interact with you. You can try using the platform to experiment with a short webinar, asking or soliciting questions and having a conversation with your viewers, narrating an event, interviewing a colleague or guest, or any number of activities.

There's no do-over with Facebook Live but if you're willing, it has tremendous potential for connecting with and engaging your audience.

Tip: Some folks swear by improv classes for improving their performance on video.

Paid Social Media: Boosting Posts and Facebook Advertising

Now that you've got your organic effort down, it's time to really leverage the massive reach and fine targeting abilities of Facebook to build traffic to your site and generate leads.

You'll need to shell out a few bucks. Why? Because it's difficult to amplify your content organically. Average organic (non-paid) reach of a post on Facebook used to be around 50 percent in the early days. Now it's 2 percent and dropping. Two popular options are "boosting" posts and placing ads targeted to custom audiences.

Placing a Facebook ad involves crafting engaging copy, choosing an arresting image and placing an effective call-to-action.

Tip: Before placing an ad, get familiar with the platform by boosting an existing post to appear in the feeds of the audience you're targeting.

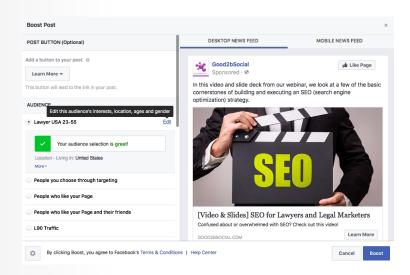
Boost a Post

Start small with, say, a \$50 boost of a particularly resonant post, preferably one that links to an action on your website. This can be an invitation to register for a webinar, download an e-book or white paper, sign up for a newsletter — anything that involves capturing an email address that becomes a lead you can nurture. Facebook has made this super easy to do.

After you publish a link to your Facebook page, simply click the "Boost Post" button and follow the prompts to customize your audience, spend and duration. There are three ways to choose your target audience for a boosted post:

- People who like your page
- People who like your page and their friends
- People you choose through targeting by location, age, gender, interests and behavior. You can get pretty granular here.

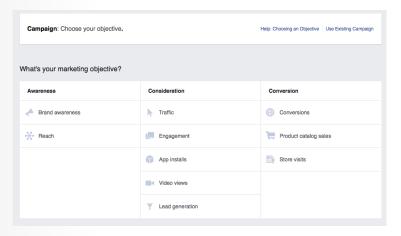
In addition to your target audience clicking through to a form on your website and submitting their email addresses (to become a lead), boosting a post gets you on the radar of a much wider audience than organic



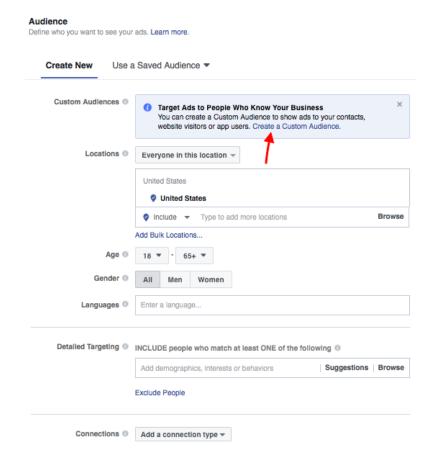
posts. And some of whom may follow or like your page, even if they don't take the primary action you intended.

Place An Ad

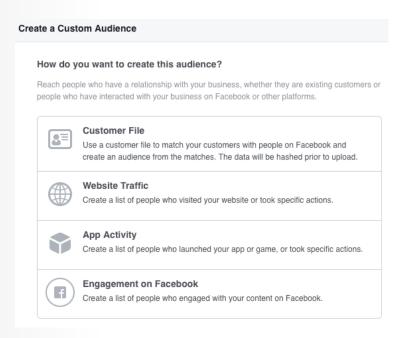
Facebook advertising lets you reach the right people with the right message at the right time to drive a desired action. Go to www.facebook.com/business and click on "Create an ad," and choose your objective:



Who doesn't want more leads? Go ahead and choose "Lead generation" and you'll be presented with the following choices:



Your ad can be targeted to your firm's current or former clients, visitors to your website, and users who have interacted with your Facebook page. That audience can be layered with more general targets based on geography, gender, profession and so on. Additionally, you can upload an email list to Facebook of, say, leads that you've been nurturing over the years and serve your ads to that list, providing another touch point with them.



Next, set your budget and the duration of the ad.

Appetite Whetted?

Check out the e-learning center at <u>Facebook Blueprint</u> to learn how to use Facebook marketing tools to grow your business. Facebook is a valuable platform to expand your brand reach, drive traffic to your website, capture leads and gain trust by providing value. But you'll need a strategy that includes an organic and paid effort.

Tim Baran (@tim_baran) is Chief Marketing Officer for Good2bSocial. He writes and speaks about how to use digital marketing strategies and technology to manage and grow small firms and legal startups. Tim is the author of several publications including "The Lawyer's Guide to Evernote," and was named to the 2016 Fastcase 50 honoring the law's innovators, techies, visionaries and leaders.

Mike Miceli is chief marketing officer at Voltaire, Inc., a company that combines a wealth of public data with artificial intelligence, improving the jury research and selection process for trial teams.

Using Facebook to Drive Traffic to Your Website

BY MIKE RAMSEY

For lawyers, using Facebook for marketing is a tough nut to crack. Facebook has been making it harder to reach your fans organically on its platform over the past few years. So what can you do to make the most of the platform? Here are six tips.

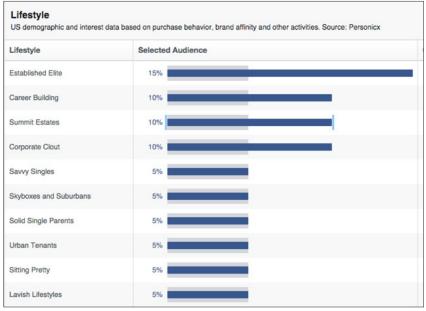


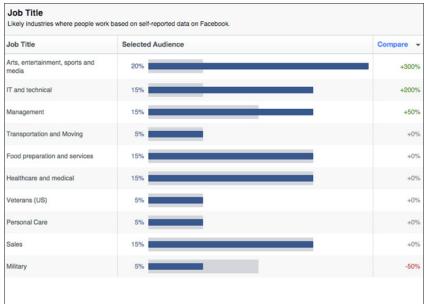
1. Stop trying to drive people to your firm's Facebook brand page.

Many law firms still publish blog posts or ads asking people to like them or follow them on Facebook. The problem is, you don't own your Facebook page. Do you know who does? *Facebook*. So, your ads and posts are sending people away from the website *you* own, and have complete control over, to a site you don't own, trying to get them to like a page they will probably never visit again. Facebook initially made this appealing because you could actually reach most of the people who like your page. But now that's not as easy. Don't send traffic away from your website unless you have a good reason. Facebook is not that reason.

2. Research the demographics you want to target on Facebook. Before doing much content creation and marketing, you need to understand the client persona you want to target. Facebook has a great tool for looking at data called <u>Audience Insights</u>. Let's say I am a family lawyer and want to focus on prenups. I can set up a search in Audience Insights for men, over the age of 21, who are currently engaged, who live in Los Angeles, and who make over \$75,000 a year. Between 4,000 to 4,500 people meet that description. Beyond that, as shown in the following figures, <u>Insights can supply a variety of stats</u> that can help you understand the people in this group, whether they might be interested in what you have to offer, and how best to reach them.

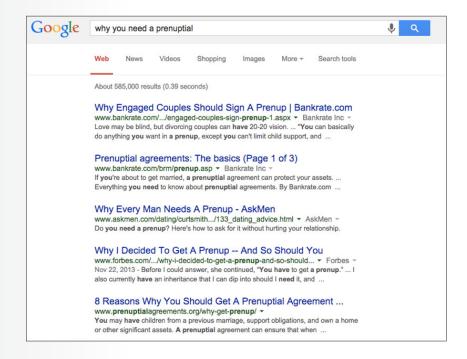
Facebook Audience Insights





3. Create worthwhile content on your website and blog. Once you've made sure you are targeting the right audience — and that there are enough people to focus on — you need a message and content that will appeal to them. This is the hardest step. You can start by looking to the internet for inspiration.

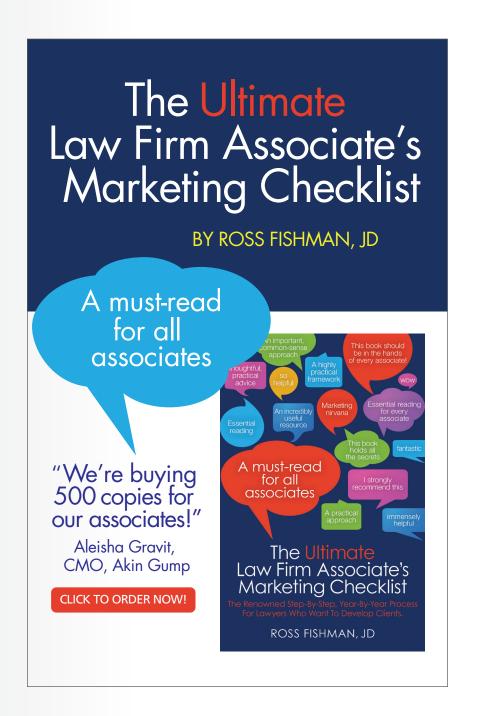
Once you settle on an idea for something you think you can do smarter or bigger, get to work. Maybe you settle on an article or even a video on "10 Reasons Every Man Needs a Prenup in Los Angeles." Write your content, and pack it with relevant information and images.



- **4.** Use ads to promote content on your website. Next, go to Facebook Advertising to create a Facebook ad. In step one, you'll choose the objective for your campaign. Be sure to choose an option that will send people to your website. Next, build an ad that will show up in the news feeds of your target group.
- 5. Try to get people to share your content. Once your ad is running and people from your demographic start coming to your website, you want them to share your content on their own Facebook news feeds. While Facebook might block updates coming from your page, they would love to share content you created via users who are sharing it from their personal account, with their own group. It is extremely important to make social sharing icons easily visible on your website or blog posts. We have had experiences where we have purchased around 150 visitors to a piece of content but had thousands of visitors from the organic sharing that took place once people started coming to the website.
- **6.** Try to capture emails. One thing you do own is your email list. So, instead of a Facebook "like," put your energy into getting an email address that you can add to your newsletter list and include in your email marketing campaigns. Email marketing services like MailChimp make it extremely easy to add an email capture form to your website.

For Facebook to be valuable for your marketing, you need to stop focusing on daily updates on a page that you don't own. Instead, start creating shareable content on your website and convince people to do the social sharing for you.

Mike Ramsey (@MikeRamsey) is President of Nifty Ventures and founder of Nifty Marketing, a local search marketing company in Burley, Idaho. Mike is passionate about helping good businesses grow and launched <u>NiftyLaw</u> as a place to learn how to handle online marketing. He is the author of "Winning at Local Search: A Nifty Guide to Online Marketing for Lawyers."



Why Your Law Firm Needs an Instagram Account

BY JUSTINE DALEY AND JABEZ LEBRET

Before you say hogwash to learning about another social media platform you "have" to be on or your firm will go extinct, think about this: Millennials are now the largest generation in the workplace, are buying houses and having kids, are in management positions at companies, and have significant influence over their parent's research for personal family matters. Do you want to be where your potential clients and future hires are? Instagram is quickly becoming that place.

The millennial category includes those age 18 to 37 years old. According to Pew Research Center's Social Media Update 2016, 59 percent of adults between the ages of 18 and 29 (millennials) are on Instagram. This growing social media platform, purchased by Facebook in 2012, describes itself as a "fun and quirky way to share your life" through photos and videos.

Take one guess why millennials are running from Facebook and moving onto platforms like Instagram? If you answered "because their parents are now on Facebook," go ahead and give yourself a prize. This means if you want to increase brand awareness, grow your community and communicate with this audience in a visual way, Instagram is the way to do it.

Nine Tips to Get Started Using Instagram

Here are law firm Instagram best practices to follow when starting out.

1. No stock photos — none, not a one. Instagram is a powerful tool for communicating visually with followers and for reaching potential clients through targeted advertising. However, doing so requires engaging imagery. This is why many law firms struggle when integrating Instagram into their marketing strategy. Since so many firms still rely on stock images on their websites, the transition to authentic images is challenging. Stock images won't fit the bill on Instagram and may even hurt your brand. This does not mean you need a \$2,400 Nikon camera — today, all you need is a smartphone. The key is to use unique photog-

raphy that communicates who you are to your community of potential clients and potential hires.

- **2. Get personal. People hire people.** That's an important concept to remember, especially with Instagram. Being authentic and getting personal communicates more to your audience, ultimately increasing your brand engagement. Post about what you are doing, including things like what restaurants and events you go to as a firm. Post birthday photos and work anniversaries. If your firm's lawyers have personal Instagram accounts, ask to cross-post from them when items are firm related.
- **3. Use your current content.** Do you have pictures of hats, T-shirts or other swag with your logo on it? Do you have photos of your law firm sponsoring a team or event? You likely already have Instagram fodder.
- **4. Interact with your current network.** By exporting contact information and importing it into Instagram, or connecting your Instagram account with your phone's contact list, you can follow and engage with all contacts that you already have. This helps keep that steady stream of referral business coming through the door.
- **5. Use hashtags.** The best way to start communicating with your audience is by using hashtags. Look up hashtags that are related to your practice area and your firm. Don't overdo it, though. Using too many hashtags can appear spammy. Pick the three or four most relevant ones per post. This is also a great way to gain followers.
- **6. Check into locations.** A nice feature on Instagram is that when you tag locations and click on them, you can see other public posts in those areas. When you tag your location it opens up your profile to a wider audience. This is a way to increase visibility for yourself and also the firm. Many businesses will even "regram" (repost your content) when you tag them, leading to free exposure for your firm.
- **7. Engage to gain followers.** People are more likely to follow and engage with you if you engage with them it's simple reciprocity. A

good trick to try is to find a popular local hashtag. Then look at who else posts using that hashtag and engage with their images. If you "like" 10 or so a day, you'll start to see your followers increase.

- **8. Monitor results.** Use a link shortener in your description of your account that allows you to track performance from Instagram visitors. This is especially important if you are using Instagram to promote a particular campaign or blog.
- **9. Find influencers.** An influencer is someone who has a large number of followers and engagers. You might already be connected with influencers; perhaps one of your employees is an Instagram influencer. It is a good practice to engage with influencers who perhaps will reference your page. For example, if one of your lawyers or staff is an influencer, ask them to post a photo with one of your firm's branded coffee mugs and tag you in the photo.

Stick to the Basics — Be Human, Have a Good Time

It's not easy keeping up with all of today's online marketing options. The good news is as you start implementing more networks in your marketing mix, you'll begin to see how they all work together. There are many more ways to use Instagram, including paid advertising. For now, though, it seems that most firms need to get started with the basics.

The most important thing to remember is that your posts should be an extension of your law firm's brand. Be authentic and open to showing that you are, in fact, human and not afraid to have a good time.

Justine Daley (@justinedaley) is associate marketing director for the Garage Group. She's written for PRSSA and American Marketing Association-Cincinnati, where she is VP for Marketing Communications.

Jabez LeBret (@JabezLeBret) is author of "Online Law Practice Strategies." He is CEO of <u>Trial 3D</u>, printing for trial exhibits, and co-founder of <u>GNGE</u>, working specifically with law firms across the U.S. He is a contributor for Forbes CMO Network, a former journalist for NBC Chicago, and an advisor to SUBWAY. He has led the all-day Mastery Session at the world's largest social and search conference, Pubcon, for four years.

Seven Steps for Promoting Law Firm **Videos** BY STEFANIE KNAPP AND ADAM STOCK

Videos have proved to be an effective online marketing tool for attorneys. Not only is a video 50 times more likely to be picked up by a Google search than text, video provides an emotional element of persuasion that other media options don't. Social media sites, which have become a more important component of online promotion in recent years, also understand the effectiveness of video, and display and promote video in unique ways.

From convincing attorneys to <u>provide pro bono assistance</u> to educating employers on the importance of updating HR policies, video provides an emotional connection that makes it an efficient marketing tool. At Allen Matkins we have produced more than 300 videos over the past six years. We continually try new tactics, test and analyze the results to ensure our videos are reaching the right audience. If you've decided to try your hand at video marketing, here are seven steps to start promoting your video content.

1. Host Your Videos on YouTube

It is easiest to host videos on YouTube. Not only because of YouTube's wide reach and integration with Google — YouTube is the No. 2 search engine on the web — but because you can link YouTube-hosted videos to other sites. This will save you from uploading the video to multiple sites. Yes, you may see some ads or competitor video recommendations after yours runs, but if you want your video to be discoverable, it needs to be on YouTube. If your target audience can't view videos due to company firewalls, you should look to <u>Vimeo</u>, <u>Brightcove</u> or <u>Wistia</u>.

2. Ensure Your Video Is Discoverable

Google looks at a number of factors when ranking videos in search results. Once you've uploaded your video, ensure your audience can find it.

- Make the video public.
- Select the correct tags, based on your keywords.

- Include a clear, short title.
- Write a detailed video description.
- Upload a transcript of the video. YouTube automatically generates
 a written transcript that can be used to display closed captions, but
 it doesn't include punctuation or capitalization. YouTube provides
 tools that allow you to clean up the transcript, but it may be more
 cost-effective to use a service to generate clean transcripts and upload them yourself. We use <u>Rev</u>.
- Create your own thumbnail. YouTube will automatically generate a thumbnail by taking a screenshot from your video. However, you can upload your own image (we size them at 1920 x 1080 pixels), which is much more likely to be clicked on than automatically generated ones.

Are you more likely to click on this:



Or this?



3. Connect Your Video to Your Existing Marketing Strategy

Now that your video is up on your hosting site and optimized for search, you should start linking the video to your other assets:

- Embed your videos on your website.
- Create playlists on YouTube with related videos.
- Send an email marketing your video. You'll likely need to include an image in the email with a link to the video (either on your website or directly to YouTube), rather than embed the video into the email. Many people don't have email that supports embedded video. It's important that the image has a clear call to action, such as a play button. Here's an example:



4. Post Your Videos on Facebook

While we advocate hosting your video in one place and linking to it from every other location, there is one exception: Facebook. Facebook video views are on track to surpass 64 billion views per day. Facebook videos are autoplayed for each user (as users scroll, the videos automatically start playing without pressing a play button). However, 85 percent of video on Facebook is played without sound. That means the

transcripts are even more important. When you upload your video to Facebook, you should also upload your transcript so that Facebook plays your closed captions on the video.



Alternatively, you could create a different cut of your video that has text overlays built into the video instead of the closed captions.

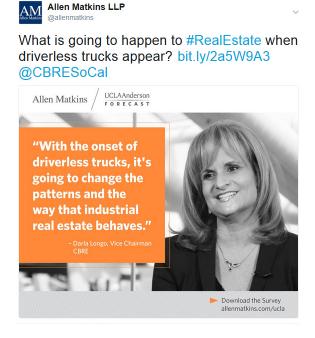


5. Use Other Social Media Channels

Twitter also has a native video player. However, it is very limited compared with Facebook. Twitter videos can only be two minutes and two seconds long and no larger than 512 MB, whereas Facebook videos can be up to two hours long and 4GB. We've had some success in uploading short promo videos on Twitter.



However, in our testing over the past few years, we've had more engagement when posting a captivating image on Twitter that links to a video.



LinkedIn currently does not have a native video application that allows you to upload and post to your network. To share on your feed or your company page, you must copy and paste your link from You-Tube to your post on LinkedIn. When you do this, LinkedIn displays a preview image of your video (your customized thumbnail that you uploaded earlier) within your post. Don't forget to add a link to the video on your profile page as well.



6. Use Email to Promote Your Videos

Email is universal and gives you the ability to target your videos effectively. Just remember to use an effective thumbnail with a call to action, and summarize your video in the text of the message.

7. Measure Results

Using the six techniques discussed, you can maximize your investment in video and drive viewership. Online media, however, is continually changing. Remember to measure your results and adapt. We continually try new tactics, test and analyze results to ensure our videos are reaching the right audience.

Adam L. Stock (@adamlstock) is the Chief Marketing and Client Services Officer at <u>Allen Matkins</u>. He oversees the firm's branding, external communications, and client service and innovation efforts.

Stefanie Knapp (@StefanieKnapp) is the online marketing manager for <u>Allen Matkins</u>. She manages the firm's online communications initiatives, including the firm's website, videos, and email marketing and social media campaigns.

Pros and Cons of Facebook Live

BY MICHAEL MOGILL

Harnessed correctly, Facebook Live offers a valuable platform to connect with your audience, giving an extra touch that can help convert prospects into clients. It doesn't fit every audience, and it doesn't fit every law firm. As with any marketing strategy, live video's effectiveness will hinge on how you use it and who you're trying to reach. Here's what you need to know.



Facebook Live allows you to live stream video from mobile devices that run the Facebook Mobile app. It's easy to set up and easy to broadcast. Live streams can last up to 90 minutes, after which they'll reside on your law firm's Facebook page as valuable content for those interested in your services. If you want them to be single-serving live events, you can remove them from your Facebook page once the live stream concludes.

The Benefits of Facebook Live Video

Facebook Live's benefits lie in its ease of social distribution. It's easy to catch your target audience where they already hang out online: Facebook. According to <u>Livestream</u>, 80 percent of audiences would rather watch live video from a brand than read a blog post. So, Facebook Live video lets you reach viewers via their preferred avenue.

Followers who regularly engage with your law firm's Facebook page will receive a notification when you go live with your broadcast. Followers can also subscribe to your firm's live videos by following your page's live events. To boost visibility, Facebook has given preferential treatment to live video since rollout, ranking it higher in the news feed when videos are live. This means you can have higher engagement via Facebook Live broadcasts than with traditional social posts. Facebook Live is also easy to use for viewers. All it takes is a tap on someone's mobile device and they can immediately engage, comment and ask questions within the live feed.

The platform is best leveraged as a tool to interact with your target audience in real-time. "Ask a Lawyer" sessions can be a great way to engage viewers, establish expertise, and reinforce thought leadership while giving advice on topics related to your practice area.

For practice areas subject to influence by news events, Facebook Live provides a quick avenue for discussion. Immigration law, veterans law and similar practice areas can benefit from this strategy.

FACEBOOK LIVE VIDEO TIPS FOR LAWYERS

- Practice "going live" before you
 do your first one. To do this, adjust your privacy settings to "Only
 Me" before you tap the "Go Live"
 button.
- Engage viewers before the broadcast by asking them which topics they would like covered.
 This helps involve potential clients before your broadcast even starts.
- Always broadcast from Wi-Fi.
 Don't leave it up to chance with your phone's data signal.
- Treat Facebook Live as an avenue for discussion rather than
 a presentation medium. Have
 content ready, but be prepared to
 intentionally engage your audience, interact with them, and ask
 questions.
- Include a call to action at the end of your broadcast. Whether

that's an invitation to reach out with questions, details on how to contact your office, instructions to subscribe to your live notifications or information on your next broadcast, always do a call to action.

Just remember to speak with potential clients, not to them. Facebook Live, like legal FAQ videos, can be an outstanding platform to provide value and establish trust with potential clients, providing insight into why viewers should look into a firm like yours to handle their case.

And be sure to share broadcast details from all of your firm's social media platforms — not just Facebook — in the days leading up to your live session. Include a link to your Facebook page, and include the time of broadcast to encourage higher attendance.

Ease of use is another pro for the platform. While live broadcasting used to require technical skill and thousands of dollars of equipment, it's now available on a smartphone.

After live streams conclude, you can use Facebook's video analytics to dissect and analyze your content to learn about your viewers' interests. You'll receive performance metrics analyzing peak viewing times, drop-off times and more, to help discover which topics your audience cares about and which ones don't interest them. Plus, you can boost the

videos to new audiences once the recordings are finished. This allows you to reach new eyes and ears with your content.

Pro Tip: Generate new leads by turning live stream viewers into a retargeting audience so that you can serve new content to them. Gauge viewer interests by the content they engage with and serve similar content to nudge them toward contacting and hiring your firm.

Drawbacks to Facebook Live

Facebook Live's biggest drawback is in the audience reach. You can't boost a video post live to new audiences; you have to wait until the recording is finished, reducing engagement with that form of content by one-third. Unless it's shared by your viewers and followers, your Facebook Live audience is only that: your current viewers and followers. For many firms, social media followings comprise a small number of individuals, so this is something to consider about creating a Facebook Live strategy.

Also to consider: Viewers spend 300 percent longer watching live video when it is live than when it is served to them as prerecorded content, so the "magic" wears off quickly once the broadcast concludes. Correspondingly, Facebook's algorithm places greater emphasis on live video, ranking it higher during broadcast than when it is completed.

In addition, Facebook Live video can only be used via the mobile app, and production quality can be a hindrance. So, if you're looking to create long-term, premium branded content, Facebook Live is not the best platform to achieve your goals.

Facebook Live may not be the best fit for all law firms, but for many, it can be an effective way to engage and connect with potential clients. And you can get ahead of the competition by using an emerging technology they've only begun to recognize.

Michael Mogill (@mmogill) is the President of <u>Crisp Video Group</u>, a national legal video marketing company that produces high-quality legal videos for attorneys. His company is consistently recognized for creating engaging videos that help increase case values and revenue. He has been featured in Forbes, Avvo, The Huffington Post and The Wall Street Journal, and in ABA and PILMMA publications.

Tips from the Experts

Best Advice for Making the Most of Social Media

BE YOURSELF Develop a unique voice by speaking clearly about one or two things you are really passionate about — this will get you the quality followers you want. Use hashtags to reach beyond those who are already following you.

Dan Pinnington (@DanPinnington), LawPRO

TWEET USEFUL CONTENT That's it. No tricks or gimmicks: Provide information that people need and you'll never want for new subscribers. Don't start a tweet with an @Name unless you want only that person or her followers to see it; otherwise, place a period or something else in front of the @ sign.

Jordan Furlong (@Law21), Law21

REPURPOSE the hell out of everything you do. I always tell people, I never do something once, I do it at least five times. An article becomes a blog post becomes a presentation becomes a video becomes an e-book.

Jared Correia (@JaredCorreia), Red Cave Consulting

HAVE CONTENT WORTH SHARING and be out there with it first. Follow your clients *and* their competitors.

Sally J. Schmidt (@SallySchmidt), Schmidt Marketing

PUT YOUR MONEY WHERE YOUR MOUTH IS. Don't hesitate to support your social media efforts with paid promotions. You are already investing your most valuable resource — time — so why are you hesitant to invest money? Start small and experiment with using \$100 to promote key content on social media platforms and see how much further your message will travel. Promoted content is a legitimate business tactic.

Melita Jampol (@melitaz) Director of Communications, Fenwick & West (@FenwickWest)

SET ASIDE CERTAIN TIMES EACH DAY to interact online and avoid using social media outside of those times. Be genuine and share interesting information.

David Ackert (@DavidAckert), Practice Boomers

USE TWITTER TO FIND EMERGING TRENDS in your practice area. Write about those trends. Use hashtags so people can find your posts. Also ...

LIVE TWEETING from a conference is a great way to get new quality followers. Find out the conference hashtag and speakers' Twitter handles, so you can tweet using those.

Sayre Happich (@SFBar), The Bar Association of San Francisco

TALK LESS, LISTEN MORE. Don't just use social media to promote your own thought leadership and achievements. Follow your clients and other important people in your network. Listen to what they are tweeting, sharing and talking about. What is top of mind for them? What do they care about? Then consider how you can engage in those conversations, whether it be congratulating a client for a recent win or tailoring your own thought leadership efforts to topics trending with your clients. Also use this insight to pitch more thoughtfully and develop your practice strategically.

Emily Brooks (@BooksEmily), Communications Coordinator, Fenwick & West (@FenwickWest) INTEGRATE CHARITABLE ACTIVITIES. Lawyer Russell Alexander connects his philanthropic activities to his social media communities. His firm's "Giving Fund" is showcased before the fund's annual grant recipient is selected (in gathering applications) and after, via photos of the group chosen and "thank-yous" posted on Facebook, all reaching the smaller communities he services.

Steve Matthews (@StemLegal), Stem Legal Marketing

accounts. Professional contacts don't need to know where you eat or see pictures of your family. Engage with those you like or whom you'd like to target. But be sure you have something worth saying. Ron Friedmann (@RonFriedmann), Strategic Legal Technology

AVOID ETHICS ISSUES by treating social media as you would any non-client interaction, such as a cocktail party — do not establish an attorney-client relationship and do not dispense legal advice. **Paul Bonner** (@venablellp), Venable LLC

EXERCISE VOLUME CONTROL. It drives me mad when I see lawyers going through the motions because they believe they *must* write. Content doesn't have to be a volume exercise. A few good pieces a month will satisfy both Google and your peers.

Steve Matthews (@StemLegal), Stem Legal Marketing

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Note: Some of the articles included in this guide have been updated from Attorney at Work's publication, "Connected: A Lawyer's Guide to Social Media Marketing."

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