

Blogging / Social Internet Policy for a Law Firm

When employees create their own blogs, comment on a blog, create a LinkedIn profile, use Facebook and/or contribute to or through any of the other online media (i.e., Wikis, blogs, chat rooms, Internet forums, electronic mailing lists, etc.) they are impacting their personal image and potentially impacting the firm. If your profile online indicates that you work at the firm, then that activity is associated with the firm.

When it comes to expressing opinions about anything having to do with the law, law firm employees are in a special position and have some limitation that other industries do not have. Statements in public forums may inadvertently create an attorney-client relationship, and may also violate the rules prohibiting law firm advertising.

Follow these guidelines when creating and/or publishing legal or non-legal content online:

- **Maintain Client Confidentiality.** Work for clients and the identities of our clients must be held in confidence to the extent appropriate for that client and client relationship. You must comply with the firm's *Client Confidentiality Policy*.
- **Be mindful of creating an attorney-client relationship.** It is recommended that you not advise any course of action with respect to a particular set of facts. There can be a fine line between supplying legal information and supplying legal advice. Focus on new and interesting things happen in your area of expertise. Be careful asking specific questions.
- **Think first.** Remember you are publishing in a public forum, so don't publish anything that you wouldn't want to be viewed by your family, colleagues or the general public. Since content is easily transferred and replicated across the internet, it is nearly impossible to delete content once it has been published.
- **Identify yourself.** If you are commenting or publishing on topics related to your job, identify yourself as a lawyer or an employee of the firm. If you are an attorney, you may link to your bio on our public website.
- **Disclaimers.** You should make it clear that you are expressing views that are your own and not those of the firm.

- **Be careful about jeopardizing firm-client relationships.** If you are commenting on a legal matter, consider whether the position you take may be adverse or offensive to any of our clients. In case of any doubt, check with the head of the relevant Practice Area.
- **Be respectful.** Rumors and gossip spread like wildfire on the Internet. Be respectful of your colleagues, the firm, and our competitors.
- **Follow the law.** This should be obvious. In particular, be cautious of securities law violation and copyright violation. You must be familiar with and comply with the *Copyright Policy*.
- **Use of firm logos or service marks.** The firm logo or service mark cannot be used.
- **Anonymous Contributions.** The same cautions and restrictions on communications apply to supposedly "anonymous" blogs, comments, posts or other content. There almost nothing is truly anonymous on the internet. You should not use anonymity as a shield for malicious or wrongful content.

Blogs

- **Registration:** If you have a blog that is related to your job (for example a lawyer with a law-related blog), it must be registered with _____.
- **Media:** Media inquiries related to your blog should be handled like any other media inquiry.
- **Disclaimer:** There should be a prominent disclaimer or link to a disclaimer on the main page, as well as in the "About" portion of your blog. See _____ for an appropriate disclaimer.
- **Name of Blog:** Neither the title of the blog nor the URL of the blog may include the firm name.
- **Comments:** Bloggers may allow others to comment on their posts. Comments may be attributable to the blogger so you should be prepared to moderate comments and delete offensive comments.
- **Content:** Do you have questions about what is appropriate to discuss on your blog? Ask the head of your Practice Area or the head of the relevant Practice Area.

Commenting on Blogs

You should treat the comments you make on another blog the same as you would treat posts on your own blog

LinkedIn

LinkedIn is a powerful professional online networking tool. For attorneys, LinkedIn is a relatively new tool and state bar regulators have not ruled on what is appropriate.

- Avoid answering legal questions. It is very easy to inadvertently create an attorney-client relationship. The line between supplying legal information and legal advice is very gray.
- Recommendations are particularly problematic. In some jurisdictions they can be viewed as testimonials and attorney advertising. Attorneys should avoid providing recommendations to other attorneys for that reason. If you receive a recommendation, please have it promptly reviewed by _____. Non-attorney staff members may recommend other non-attorneys if they otherwise comply with the above guidelines.

Facebook/MySpace/Other Social Network Sites

Although these are largely social tools, if you are a member of the firm's network or list the firm in your work information then your activity in these types of sites impacts the firm as well as your personal image. The guidelines are applicable to your use of these sites.

Legal OnRamp

This site is a knowledge platform for attorneys matched with some features of social networking sites. Unlike some other online sites, this one is well-populated with in-house counsel of clients and potential clients. Please contact _____ with any questions about the use of this site.

Wikipedia

Any edits you make to wikipedia while using a firm computer can potentially be tied back to the firm. Even an anonymous edit marks the editor with its Internet Protocol address. This IP address can easily be tied back to the firm.

Twitter

Twitter is a type of blogging, limited to 140 characters per post. Treat statements on Twitter as you would a blog post.