



To Tweet or Not to Tweet

Understanding the Synergism Among Social Media

By Daniel W. Gerber
and Michael D. Shalhoub

Perhaps the vast expansion of social media networking into our culture is best captured by a recent *New Yorker* cartoon. The cartoon in the June 1, 2009, issue depicts a firing squad and an officer saying to a condemned man, “Last tweet?” Cartoonbank.com, David Sipress, <http://www.cartoonbank.com/2009/Last-tweet/invt/132996#> (June 1, 2009).

There is great debate about whether some other fad will replace social networking through media such as Twitter, Facebook, MySpace, and LinkedIn, or whether it will become well established. Many believe that it has already reached the established phase, which is why politicians and corporations are rushing into the space. Noel Sheppard, *Will Social Networking Sites Like Facebook Destroy Our Society?* NewsBusters, Aug. 29, 2009, <http://newsbusters.org/blogs/noel-sheppard/2009/08/25/will-social-networking-sites-facebook-destroy-society>. For example, AT&T currently has over 13,000 Twitter followers, an incredible number considering it had 4,000 followers in April 2009. The number jumped because AT&T used Twitter to communicate with customers during a day-long service outage in the wider Silicon Valley area. Marguerite Reardon, *AT&T Calls on Twitter During Outage*, ZDNet News,

Apr. 10, 2009, http://news.zdnet.com/2100-9595_22-287370.html.

Law firms and businesses are discovering that Twitter is useful. It is becoming more and more apparent that in using social media, a law firm increases its chances of reaching new clients. While individually, a social medium such as Twitter is valuable to marketing when used in legal practice, benefits increase when social media are used in tandem. This article will focus on capitalizing on the synergism among social media in law practice, and in focused marketing in particular.

The Smell of “Tweet” Success

Twitter is a focused medium. It allows a legal professional to send messages of up to 140 characters in length to anyone who “follows” him or her. Messages, termed “tweets,” can cover any topic. Tweets are instantaneous. People can receive them on cell phones as text messages, in e-mails, or through other Web portals, such as Facebook’s login page. Anyone can choose to follow someone else on Twitter. A user can prevent a “follow” by “blocking” that person, but Twitter is more freestyle than other social media applications. Facebook, for instance, requires a member to invite another member to become a “friend,” or it

requires one member to ask another member if they can become friends, while Twitter notifies a user every time that he or she has a new follower, and at that point, he or she can “block” the follower. (For a basic overview of Twitter, read the article by James R. Courie and Carrie Phillips in this issue on p. 18.)

Twitter Pitfalls

Twitter’s free-wheeling nature means that a law firm with a Twitter account must vigilantly monitor who follows it, partly because everyone can see who follows that firm in Twitter, even individuals without Twitter accounts. A Twitter account holder will commonly review his or her account and discover that he or she has questionable followers.

Another danger in Twitter is that it encourages account holders to reveal what is on their minds in the moment. In business and law it is frequently unwise to have an open feed to our minds, especially in light of client and ethical obligations. One inappropriate tweet could harm business relationships and/or breach security. Jim Meskuskas, *Taking Risks with Twitter*, iMediaConnection, Mar. 17, 2009, <http://www.imediaconnection.com/content/22376.imc>.



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Finally, although many individuals use Twitter, they mix personal with professional commentary in tweets. Often, useful information such as, “Senate committee addresses health care reform,” is coupled with, “My plane is delayed in Chicago.” While Twitter has a personal use, clients or potential clients likely have no desire to know that their lawyer used a particular toothpaste brand for the first time that day and hated it. However, it is possible to overcome these pitfalls to successfully use Twitter as part of legal practice.

Employ Twitter to Provide a Service

To use Twitter successfully, a law firm first should articulate a Twitter-related goal, identify a target audience, and sufficiently narrow the theme of its messages. Does the firm wish to provide a value-added service to existing clients, or does it desire to grow into new areas?

A law firm can best use Twitter to offer a service that is not provided elsewhere—a particular type of news feed. Be the first, the fastest, and the best—and have the most current information. A law firm’s Twitter news feed should be a resource that others must have and want to recommend to others. A law firm can tailor that feed to a particular jurisdiction or to a specifically narrow topic—for example, medical malpractice reform. Search for the most current resources and websites. Broadcast a tweet on the target topic daily, which will demonstrate knowledge and provide a service to client followers and potential clients followers. *Twitter Took Off from Simple to ‘Tweet’ Success*, USA Today, July 20, 2009.

Decide, in view of your goal, whether to create a Twitter account in an individual name, a firm name, a practice group name, or a brand name, such as “Product Liability Reports.” Insert a photo, firm logo or brand logo, as appropriate, in the Twitter profile. The background information in the Twitter profile should convey a message or brand. See, e.g., <http://twitter.com/InsureReReport>.

Observe Twitter Etiquette

Of course, certain etiquette is required in “tweeting” another source’s content. It is generally acceptable to use another

resource’s headline in a tweet: “Senate Panel Addresses Medical Malpractice Reform.” A tweeter, however, should direct followers to the source website and provide attribution in the tweet. For example, if a tweet takes a headline from the *Wall Street Journal*, then “WJS,” should appear in parenthesis in the tweet. Susan Gunelius, *Top 10*

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Twitter Etiquette Tips, About.com, Sept. 4, 2009, <http://weblogs.about.com/od/microblogging/tp/Top10TwitterEtiquetteTips.htm>.

Follow Others to Attract Followers

Twitter can be searched using key words related to a target audience. If the target is insurance-coverage litigation, for example, various insurance terms can be searched, such as “bad faith.” Undertake searches for other relevant Twitter accounts to follow. Then conduct searches of the followers of these accounts, for relevant targets to follow. Often, when a Twitter user is followed, he or she will reciprocate the follow.

Advertise

As a law firm increases the value of its Twitter feed, it should advertise it on the firm’s website and in its publications. It can be listed on the back of business cards and included in lawyers’ bios. Discuss the Twitter feed in LinkedIn group forums. Inform LinkedIn connections by posting Twitter information in a LinkedIn status update. Darren Rowse, *How to Get More Followers on Twitter*, Twipit, Feb. 3, 2009, <http://www.twitip.com/how-to-get-more-followers-on-twitter/>.

Incorporate Enhancing Utilities

Understanding utilities developed by other entrepreneurs to enhance Twitter can help lawyers to maximize Twitter’s marketing value. For one, observing the 140-character tweet limit when directing a follower to a website can prove difficult, and often impossible. Several applications provide solutions to this problem, shrinking a Web address. TinyURL, <http://www.tinyurl.com>, offers this service. TinyURL allows a user to cut and paste a long Web address into a dialogue box, press enter, and receive a significantly shorter TinyURL address. You can also add the application to your toolbar, which allows you to create a small URL with one click. A lawyer can then post this “TinyURL” address into a tweet. When followers click on this address in a tweet, it will redirect them to the main article page, for example, in the *Wall Street Journal* on-line.

SocialOomph.com, <http://www.socialoomph.com/>, allows a lawyer to schedule tweets and will automatically shrink website addresses when posting the tweet. In scheduling tweets, a lawyer can manageably broadcast a steady flow of information. A lawyer can cull resources for information and then decide to broadcast important information to a law firm’s followers at spaced intervals, which avoids bombarding followers with several tweets in a row, the so-called “white noise” effect. SocialOomph also automates a message that welcomes new followers.

TweetDeck, <http://tweetdeck.com/beta/>, can be downloaded from the Internet. TweetDeck allows a Twitter user to create subgroups of followers. It also tracks “retweets.” A retweet is the highest form of flattery in the Twitter world. Once a tweet is sent, any follower can press one button and send it on, that is, retweet, to his or her own followers. Those followers can retweet the message, and so on. If a law firm monitors the volume of its tweets that others retweet, it can assess whether the firm has reached its intended audience with information that is appreciated and valued. Ben Parr, *How to: Retweet on Twitter*, Mashable, Apr. 16, 2009, <http://mashable.com/2009/04/16/retweet-guide/>.

Since Twitter's search capabilities are somewhat limited, entrepreneurs have developed other services that allow individuals to search for Twitter users and followers. One such service is Twellow.com, <http://www.twellow.com/twellowhood/>. In addition to searching for others with Twellow.com, a lawyer or firm can register with it by zip code or subject matter by completing its "Get Listed" form.

Start a LinkedIn Group for Your Twitter Feed

A law firm can also use a Twitter feed as a news feed for a LinkedIn group—discussed in more detail below—created by a law firm or lawyer. Or a law firm or lawyer can ask a LinkedIn group manager to designate this Twitter feed as a news feed for that entire group's membership. The channel may also be used as an "add-in" for a blog. The Twitter feed can appear on the blog, as well as be advertised there. This is particularly useful if the various practice groups in a law firm have blogs that they administer. Rachel Cunluff, *10 Ways Twitter Will Change Blog Design in 2009*, Mashable, Jan. 4, 2009, <http://mashable.com/2009/01/04/twitter-blog-design/>.

Get on the Blog Bandwagon

A blog is a running stream of content-driven posts that all fall within particular subject matter. Readers can post comments in response to blog posts, and the editors of the blog can respond. If it offers useful and tailored content, it immediately establishes credibility and expertise in a particular field.

It may sound daunting to set up a blog, but it is actually quite simple. Several applications available on the Web use a very easy step-by-step process. Wordpress, <http://wordpress.org/>, and TypePad, <http://www.typepad.com/pro/index-2b.html>, are two sites that are widely used.

Make a Blog Valuable

Blogs have become ubiquitous. Many attorneys have blogs, as do many firms and firm practice groups. As with a Twitter account, a blog requires focus on a target market or client base. Blogs that are too broad do not attract traffic. To create a blog that is con-

sidered an industry resource, and appears near the top of Google and Yahoo! searches requires commitment and regularly posted, original content.

One easy way to set a blog apart is to choose an industry or practice-area focus and post case updates, the full text of decisions, and topical information on a daily

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basis, creating a real resource. Readers will know that by checking the blog on a daily basis they will find something new and valuable. Pick key cases in a jurisdiction or in a practice area and write a brief case note each day on decisions or filings of interest. Some firms devise a calendar and have a different associate write a blog entry each day to distribute the workload.

Include Essential Blog Elements

A blog should have a headline and information sufficient to afford value to the reader. If the entry is about a decision or pleadings, the full text of the decision or relevant pleadings can be posted with the entry. *See, e.g.,* <http://tinyurl.com/insurere>. It is common to include a byline with a link to the poster's law firm webpage so that a reader can contact him or her. Hopefully, the blog will drive traffic to an attorney's bio and an inquiry. (For more on the art of writing blog entries, see the box *Writing for Blawgs* on p. 21 in the article by James R. Courie and Carrie Phillips in this issue.)

Drive Traffic to the Blog

Once a blog is established, it is important to drive traffic to it. Now that a blog exists

with original content, send *tweets* about that content to your Twitter followers. If a blog entry has been posted with the headline, "Ninth Circuit Finds No Coverage for Officer Who Mised Shareholders," put the headline in a tweet. That tweet would contain a hyperlink, a tinyurl or other shortened Web link, that directs the follower to the blog post. This process can be automated though programs such as Twitterfeed. *See, e.g.,* <http://twitterfeed.wordpress.com/>.

As with a Twitter feed, a law firm's website and publications can highlight a blog. Additionally, many blog-specific search engines exist and can be located by searching for the phrase "blog search engine" in Google. Many of these search engines allow a blog owner to register his or her blog for free. If someone searches for a blog on that particular engine for content contained in the blog, then it will appear in the search results.

Monitor Blog Traffic

Monitoring blog traffic is key to its success. When creating a blog, make sure that it contains a site meter that monitors users. A site meter is usually available as a free "add-in" with most blogging software. *See, e.g.,* <http://www.sitemeter.com/>. A good site meter should tell the blog administrators how many hits that the blog receives in a day, week, and month. It should tell the blog administrators where those hits originate geographically, and the IP addresses of the people accessing the blog. In addition, it should determine which pages receive the most viewers, sometimes referred to as "views" or "page views," as well identify the sources that refer people to the blog. All of this information will help writers and administrators to develop and refine the blog content and message as it grows and develops.

The Missing "LinkedIn"

Twitter and a blog offer two ways to create a focused social networking marketing effort. LinkedIn offers another.

If a lawyer has 200 client contacts and another 200 potential client contacts, it is not feasible for him or her to communicate effectively with each of them every

day. Social networking media changes this dramatically. If an attorney were connected with all 400 people through LinkedIn, he or she would be able to convey a daily message to all these contacts. For example, this attorney could immediately tell his or her contacts that he or she just published an article titled “Courts Continue to Struggle with Discovery Post-Glen.”

LinkedIn is one of the social media services best-suited to build mutually beneficial business relationships and increase brand awareness. LinkedIn is all about doing business. The atmosphere is professional, and everyone is there for the same reason. This makes it much easier to make meaningful connections and establish a brand in LinkedIn than in many other social media networks.

Develop a Strong LinkedIn Profile

As with other social media networks, networking with LinkedIn begins with a profile. Before building a broad network of connections, it important to have a well thought out profile. Every firm should also create a “company profile” in LinkedIn—a particular type of profile available to companies only. (For more on LinkedIn’s company profile feature, read the article by Robert T. Horst and Mark H. Rosenberg in this issue on p. 23.)

Whether creating a company profile or profile as an individual attorney, keep in mind that a LinkedIn profile differs from a typical bio on a law firm webpage in that a LinkedIn profile should convey a concise message and employ terms that will appear in LinkedIn and Internet searches. The more terms relating to a lawyer’s practice in his or her profile, the more likely that this profile will appear in searches that others conduct in LinkedIn.

In addition, LinkedIn has options that allow search engines, such as Google, to include a profile in search engine indexes. By making use of these options, a law firm and its attorneys will achieve the greatest visibility for themselves on the Web. Randy Schrum, *The 7 Habits of Highly Successful LinkedIn Members*, Success With LinkedIn, July 14, 2009, <http://successwithlinkedin.wordpress.com/2009/07/14/the-7-habits-of-highly-successful-linkedin-members/>. (For

more detail about other built-in LinkedIn features and functions, read the article by Robert T. Horst and Mark H. Rosenberg in this issue on p. 23.)

Incorporate Other Complementary Applications

Using one of several applications developed

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to complement social media can make it unique. For example, Amazon.com allows listing books recently read in a LinkedIn profile. The benefit of listing these items is that all of a user’s contacts will receive updates in daily LinkedIn reports. One approach is to list items in Amazon that contain items published by the firm’s lawyers or books related to a target industry. Another useful application is Box.net, <http://www.box.net/>, which is for sharing and managing content. It allows attorneys to share files and folders, such as newsletters, articles, and press clippings, with others through a LinkedIn profile Slideshare, <http://www.slideshare.net/>, allows someone to share a complete PowerPoint presentations with his or her LinkedIn profile viewers. This is a great way to illustrate expertise in a particular field. Profile viewers can scroll through an attorney’s topic-specific PowerPoint.

Blog Link, <http://www.typepad.com/features/bloglink.html>, a TypePad application, feeds a blog directly into a LinkedIn profile. This serves dual purposes. It creates current content in the profile and drives traffic back to a blog. Many firms with a coordinated LinkedIn marketing strategy

will tie their practice group blogs to the individual profiles of attorneys in that practice group. When a new post is added to the blog, it automatically appears in the individual LinkedIn profiles of all members of that practice group.

One useful utility to gain connections in LinkedIn is the free program Quick-Link Invitations, <http://mylinkinvitation.com/index.php>. If a lawyer requests that someone connect with him or her via regular e-mail, he or she forces that person to navigate several webpages and manually type in a first and last name, as well as an e-mail address. This is onerous. Quick Link Invitations simplifies the process. It establishes a simple link that when provided to a potential connection, allows someone to connect with the sender through an “Invitation Page” with a simple click. See, e.g., <http://tinyurl.com/gerberlinkedin>.

Send Status Updates

Once connections are established in LinkedIn, one of the most important things to regularly broadcast is status updates. A LinkedIn status update is a 140-word message that provides current information about the attorney to all of his or her contacts on a daily basis. This message can include information on a trial victory, a news article quote, a podcast, a presentation, or a published article. It can also direct someone to a blog posting.

Consider using TripIt, <http://www.tripit.com/>, an excellent program for LinkedIn, to supplement LinkedIn status updates. TripIt tracks all of a user’s trips and advises of contacts’ whereabouts. Connections will see TripIt updates and may request a meeting if an attorney is in the area. Conversely, TripIt will search LinkedIn for connections in an area a user is about to visit. This allows an attorney to maximize time and resources. Generally, new LinkedIn connections are very responsive to meeting, as long as an attorney has demonstrated quality work or thinking through his or her LinkedIn activities.

Participate in LinkedIn Groups to Gain Contacts

Gaining new contacts in a particular practice area is most readily achieved by joining

LinkedIn's "groups" related to an attorney's practice. After searching for a particular practice area group and joining, the key is to participate. Starting a discussion is easy, particularly if a lawyer draws from his or her blog or Twitter feed.

LinkedIn can be one of the most useful means of driving traffic to a blog. Take a portion of a blog post and start a LinkedIn discussion. Finish it with "for further discussion and a copy of the decision (or pleadings), click here," insert the link to the blog posting. If a topic is selected that is well-received, it will dramatically increase blog traffic.

It is critical to monitor comments when initiating discussion and to engage in dialogue. LinkedIn will send an e-mail to you when someone else comments on your post. Send invitations to connect to those who comments on your posts, to build a network of new contacts.

Another way to expand your network is to create a group in LinkedIn in a specialty area. Find a topic for a group that has not been created and create one. Draft the group description to draw interest, and give it a name that people will likely find in a search for groups. See, e.g., *Bermuda Insurance Claims and Underwriting Forum*, LinkedIn, http://www.linkedin.com/groups?about=&gid=1886660&trk=ane_t Ug_grppro. As the group is discovered by others, thank them for joining and extend invitations to connect. Most, if not all, will accept. After all, networking is the purpose of LinkedIn.

When creating a group, a lawyer must be prepared to make it lively and worthwhile for others to join. For instance, set up a news feed for the group to post blog entries regularly in the group. LinkedIn permits group administrators to use Twitter feeds as news feeds for LinkedIn groups.

Social Media Challenges

As with most things in life, those who are active bloggers or active in LinkedIn, appreciate and notice others who are equally committed. Quality recognizes quality. Many key industry organizations and publications are actively involved in various online social networks. Clients and in-house attorneys are equally involved

because the exchange provides useful information and career opportunity. Electronic social networking is not a substitute for face-to-face meetings. It can, however, serve as an entree.

While establishing a social networking marketing plan and implementing it can seem daunting, it can be accomplished with

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as little as 10 minutes a day over a period of a few months. Maintaining a network also need take only 10 minutes a day.

Of course, as in the past with new media, obstacles will emerge with the advent of social media. No doubt, an unscrupulous few will abuse social networking. Ethics guidelines to date have been slow to react to lawyers' conduct in social media networks. And conduct will prove difficult to regulate because the line between personal communication and business communication is often blurred in this context.

Many firms have policies that preclude employees from online conduct that reflects poorly on a law firm. Other law firms have marketing policies that require attorneys to establish LinkedIn profiles and to grant access to them to a marketing person. This certainly facilitates coordination and continuity, but in many ways stifles individuality and creativity, which sets professionals apart in a social network. Furthermore, a lawyer who knows that his or her firm will monitor every LinkedIn e-mail or activity may be less inclined to engage in the process than otherwise. The best course may involve educating users internally and showing them the benefits

and the pitfalls. Make social networking a regular agenda item for associate, partner, and practice-group meetings.

A useful, instructive, template and guide that law firms can adapt for educating partners and associates about establishing and managing a social networking "presence" is available through Scribd. Neil Williams, *Template Twitter Strategy for Government Departments*, Department for Business, Universities and Skills, (United Kingdom), July 13, 2009, <http://www.scribd.com/doc/17313280>. Some of highlights include:

- Get buy-in, explain the importance to nonbelievers and the uninitiated, and face down accusations of bandwagon-jumping;
- Set clear objectives and metrics to make sure that there is a return on the investment of time;
- Make sure that the medium is used consistently and carefully to protect the corporate reputation from silly mistakes or inappropriate use;
- Plan varied and interesting content, and entuse those who will provide it into actively wanting to do so;
- Have a briefing tool for new starters on the team who will be involved in the use of the medium or channel.

Id.

Social Media Synergy

With these recommendations in mind, any law practice can benefit from focused social networking and capitalize on the synergism among social media. A blog can provide content for Twitter broadcasts and LinkedIn activity. Twitter broadcasts can also provide content for a blog and LinkedIn activities. LinkedIn and Twitter activities can drive traffic to the blog, and the blog should drive traffic to individual lawyers and their law firm. Previous barriers to breaking into new and profitable areas will become easier to overcome than before. Additional assignments will come from existing clients because they will have more regular contact with a firm. A firm will carry its brand and information about its attorneys' expertise to new contacts and connections all without leaving the office. ■