

BUSINESS & CAREERS

How Facebook helps lawyers achieve their goals

By the time you read this, Facebook may count 700 million active members. More people use Facebook than most countries have citizens. It inspired a Hollywood blockbuster.

Facebook is a massive phenomenon. Are lawyers taking part? Should they?

The second question can be tricky to answer, given Facebook's typecasting as a social (as opposed to business) network. Straight-laced professional services providers like lawyers and accountants may feel more comfortable using LinkedIn.

Yet many professionals



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undervalue the online social aspect. Given "its more casual tone, Facebook is analogous to business development activities like golf, ball games, or a wine tasting; all are enjoyable activities, unrelated to law, that enable lawyers and their clients to get to know each other on a personal level and in doing so, determine whether they can work well together," according

to *Social Media for Lawyers: The Next Frontier*, by Nicole Black and Carolyn Elefant, of the American Bar Association.

"I write for a library audience and they like Facebook more than any other social site, so I'm there," says consultant Connie Crosby, adding that while she isn't a Facebook fan, "I check in daily to see what others are doing."

"In my group, I am known as the real estate lawyer, so it's a no-brainer that people come to me with questions and with their closings," says Toronto real estate lawyer David Feld, adding "Why wouldn't they? They know they can trust me

and they know and like how I communicate."

"Facebook is a great way to educate your 'friends' and provide links to useful legal information in a non-threatening, more palatable manner," he continues. "Business can be social."

Feld takes business enquiries off Facebook as soon as they arrive, following advice from the recently formed International Legal Technical Standards Organization (ILTSO) in its *2011 Guidelines for Legal Professionals*. ILTSO also urges lawyers to check their jurisdiction's ethics rules before promoting their legal practices

using social media.

Business-savvy lawyers check those rules once they grasp Facebook's value as an advertising medium. Members do things like posting information about themselves, public comments and photos and videos. The cumulative result of all this activity by Facebook's hundreds of millions of members is information-rich territory that attracts advertisers.

(Note: Tech-savvy litigators already use Facebook's "information-rich territory" to research clients, opponents, opposing counsel, jurors, even judges.)

"Social media sites aggregate all kinds of data on users' employment, preference, geographic location, and family status. Thus, it's possible to develop highly focused marketing campaigns that enable you to target your ideal clients," according to *Social Media for Lawyers: The Next Frontier*.

Facebook advertising does suffer one weakness: members can access Facebook using smartphone apps and social media "dashboard" applications like Tweetdeck, thus missing ads on Facebook web pages.

But advertising isn't enough — lawyers need to connect as people too. Feld keeps a Facebook window open all day, claiming it's both a social outlet and business development activity.

The irony of his rising blood pressure at seeing Facebook on his employees' screens isn't lost on him. "It doesn't further the firm's aims, but employees need that outlet too," he says.

Younger lawyers who are already on Facebook ought to stay on Facebook, since their current online friends may go on to found businesses and engage in matters that could cause them, down the line, to require a lawyer's services. "They'll turn to people they keep in touch with over the years," Crosby says.

Older lawyers might want to join too, since Facebook makes reconnecting with old acquaintances easier than in just about any other arena.

Crosby reminds lawyers of the need for decorum in a "place" as public as Facebook. "Be careful who you friend," she advises. "Self-audit your Facebook account. You can untag yourself from photos. Use a professional email address and an appropriate avatar, and continue to cultivate relationships."

Nicole Black, one of the authors of *Social Media for Lawyers: The Next Frontier*, frets that even periodic self-audits might not be enough. "People can continue to post

See **Facebook** Page 27



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The MacBain Chair in Health Law and Policy, named after Arthur Allister MacBain (LL.B. 1951) and established in 2011, was created through the generous support of the McCall MacBain Foundation.

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1459 Oxford Street
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BUSINESS & CAREERS

Fan pages don't work for firms

Facebook

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things on your wall," she notes. "You can clean your profile, but by [the] time you do, the damage might be done."

Getting a handle on Facebook privacy settings is a never ending exercise. "It seems they change every four to six months, each time they introduce a new service," Crosby notes, adding that Canada's Office of the Privacy Commissioner has highlighted ownership of content as an issue as well.

Fan pages, distinct from personal accounts, help businesses interact with clients. To be effective, fan pages must be updated regularly. A law firm

might want to post notes about seminars, charitable events the firm sponsors, perhaps even staff bios and photos.

Feld has a fan page for his firm, but he doesn't bother with it. "I've meshed everything into my personal page," he says. "I like to unify all my social media input. It has to be quick and efficient for me to use social media."

Black believes fan pages don't work as well for law firms as they do for businesses whose clients interact regularly with them. She observes bands giving away show tickets and free song downloads or restaurants offering discounts via fan pages, but doesn't see similar opportunities for lawyers. "What's a lawyer to say? 'Lawsuit sale!'"

The next ten people to like our page get \$200 off the next criminal charge!"

Feld reiterates that interaction can be tricky for lawyers. "Even something as simple as congratulating a client on the purchase of their home can be a faux pas," Feld notes. "You are disclosing their personal information to the public and you are their lawyer."

"But what do you do when they thank you and your firm for great service, publicly? I click 'like' and secretly want to click 'love.'"


Still undecided about whether to put your firm on Facebook? Black urges lawyers to ignore the phenomenon while they assess their firm's



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needs. "What is your practice, your practice area, your geographic location?" she asks. "What are you trying to do? Locate clients, create a brand, network with other attorneys?"

"Then ask if you can accomplish your goals using Facebook." ■

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Number one issue in mentoring: trust

Mentor

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lished mentoring program.

"The people I work with should get all my knowledge and more," said Langlois, adding "It's very key we have a very good mentoring program because we give a lot of responsibility to young lawyers and more junior lawyers, so it is very important to give them the tools."

Mentoring "has deep historical origins and was at one time the only method of education for lawyers to learn their trade," according to the Women's Law Association of Ontario (WLAO) website's description of their program. But strong tradition or not, modern-day firms still face challenges in setting up their programs and ensuring their employees get the most out of them.

In fact, the issue is being addressed at an upcoming Law Society of Upper Canada program in September—"Office management issues facing today's firm."

The session to address how managers can work to maintain a "healthy, productive and profitable law firm," will feature Sharon Davis, President of WLAO and an associate at Hull & Hull LLP in Toronto, who will talk about how to ensure the firm mentorship program is successful.

Davis notes that whether it is a big firm with a formal mentor program or a small firm, where mentoring develops organically, the number one issue is for the mentor and mentee to have that trust Daniels speaks of.

"Perhaps when formal mentoring programs do not work, there is no review or adjustment for a badly made match that just doesn't work," she said. "There is nothing more frustrating than being forced to give advice or to receive advice from someone who

is not in the least like-minded and with whom you do not identify."

That's something Anne Ristic, assistant managing partner at Stikeman, agrees with. She said mentors and mentees should not be afraid to switch to someone different if a relationship is not working out.

In addition, forming informal relationships with others in the firm or outside of it is equally important, Ristic and others said if a lawyer is going to get well-rounded advice.

"You really need a network of mentors to mentor you on different aspects of your career," Ristic said.

Mentorships can take different shapes, particularly for lawyers forming relationships outside of a firm environment and perhaps through an association like the WLAO or the Ontario Trial Lawyers Association (OTLA).

Take, for example, Kathryn Hendriks, vice-president at the WLAO and a family lawyer at David Barristers, and her mentee, Adrienne Smith, a third-year law student at the University of Ottawa. The two have never met face-to-face but Hendriks has been able to offer advice over the phone and via email on how to search for jobs and improve her resume.

"I wondered would I be of any benefit without that face-to-face contact?" Hendriks said. "Most of my contact even with my own network is through email and through social media, so I keep in touch with her as I would with any other contact."

"I think the biggest concern from most practitioners is time, that it's going to take a lot of time out of your week, your day, your month," she adds. "I don't think that is true. It doesn't have to be a long, face-to-face meeting, it just has to be a meaningful relationship."

Meanwhile at the OTLA, with its more than 1,200 members spread around the province, Janie Hames, the association's membership services co-ordinator, said many members have taken to the web for advice through its listserve, where people post problems they are having and others weigh in with a host of possible solutions. Call it mentoring 2.0.

"It is not always easy to find what someone is looking for," Hames said. "With technology, it is easy to get on the listserve, ask the question and have everyone in the province to jump in and get the answer."

When it comes to face-to-face mentorships in firms, Andrew Murray, a partner at Lerner LLP and president-elect of the OTLA, said there are benefits for the mentor as well.

"I truly believe you never stop learning as a lawyer," Murray, 44, said. "Seeing a problem from a fresh perspective and new eyes is always helpful."

"Mentoring is a way for me to stay better informed of the goings on."

For Justin Parappally, perhaps one of the greatest lessons he learned from his mentor was the importance of having a healthy work/lifestyle balance. Now a mentor himself to summer students coming to Stikeman Elliot, it is a key lesson he tries to pass on to his current mentee, Sumeet, a second-year law student at Osgoode Hall.

"He is going through as a summer student what I went through, even though it was 10 years ago, I feel like it was yesterday," Parappally said. "At a big Bay Street firm you can feel like a small cog in a big wheel. I try to put myself in his shoes at all times when I talk to him." ■

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