

# SMALL LAW FIRMS finding a voice

**L**AST JUNE, AN ARK Group conference on crime and legal issues in social media cautioned businesses they had "about a year" to put a social media strategy in place, or be overwhelmed by the process. Well, time is almost up.

This February, the English Supreme Court gave legal teams, journalists and members of the public permission to tweet from inside the courtroom, issuing guidelines on the use of "live text-based communications". The Law Society of England and Wales uses Twitter and blogs for members. Victoria's Law Society President has set up a Twitter account.

A report on the top 50 UK law firms last December found that 66 per cent had Twitter accounts, though many were not used proactively, some accounts even lying dormant. Critics pointed out that the use of LinkedIn, Twitter and Facebook by individual lawyers and smaller firms provided much better indicators of effective use of social media.

It is an area where the small or sole legal practice (which covers 85 per cent of NSW solicitors) could have the edge over larger firms both in creating a personal voice and controlling the process.

Kim Mei-Li Dennis, who set up law firm Jungle Management eight years ago, has been using social media over the past year for the firm – "the brand", as she calls it – and for its subsidiary membership organisation of over 100 members, SME Boardroom, which represents small- and medium-sized businesses to govern



**Tweeting for Swaab: (l to r) Phillip Briffa, solicitor in the corporate team, and senior associate Naomi Messenger and solicitor Anna Yeo of the intellectual property team.**

PHOTO: FIORA SACCO

ment on entrepreneurial, law and policy-making concerns.

Dennis preferences LinkedIn for building client relationships. "We've found it more appropriate than Twitter or Facebook for the clients we're targeting," she told *LSJ*. "In our experience, people using Facebook are not decision-makers."

SME Boardroom has a Twitter account, which Dennis has used "when we want to generate some work – we can send out reminders, or alerts to encourage people to visit our site". She may, for example, send out a tweet at the same time as the firm newsletter, which goes out by email or hard copy – "our tweets go to a different audience".

She saw the medium's potential when Shadow Treasurer Joe Hockey tweeted at an SME Boardroom advisory meeting late last year. "Within half an hour, we had people on our website and someone signed up as a member, and paid money, which we were pretty stoked about." But she is clearly more comfortable with the level of control she has in extending the firm's relationships through her personal contacts in LinkedIn.

Dennis says she uses social media in the same way as traditional marketing, and her biggest lesson has been that she needs to be the voice for it herself.

"Normally I've tended to build our Jungle brand, and originally we set up accounts under the company but it didn't make sense. Social media is all about the personal connection between people, so it needed to be about Kim Dennis as an individual. I think that achieves

our objectives a lot better."

Dennis finds that means she has to write her messages herself. She at first thought that her young staff – Gabby is 19 and Jamie 24 – could run it. "But it's not like, say, a brochure, where you can delegate to someone and say 'I'll review it'. It loses the whole personal touch and impact if you're briefing out the management of your Twitter account to someone else. So it is a commitment time-wise and effort-wise," she agrees.

But unlike email, she doesn't use social media every day, estimating she spends about 20 minutes a week on LinkedIn, and looks at Facebook every couple of weeks.

"I think it's a misperception that you need to spend a lot of time on social media," says Dennis. "We're not in that market. The nature of our business is long-term relationships and we use social media in that context. Because we're

time-poor we have to think a lot about how to use it. We're using it at the pace we need."

#### Head on

Sydney-based Swaab Attorneys has more than 70 staff, 53 per cent of them under 35. CEO Bronwyn Pott is proud to say that they are tackling social media head on.

"We've been talking for

media policies.

Pott acknowledges the pre-eminence of social media. "Beyond the half dozen or so who tweet and blog, almost all of our staff will have a Facebook page somewhere in their family," she told *LSJ*.

"We're a very egalitarian firm, a managing partner's photo can appear in a young lawyer's Facebook page. One

Pott expects people will be spending about 20 minutes a day on it.

On the thorny question of subject matter, she says: "Well, we can't talk about our cases – and lawyers often don't like to talk about someone else's. People can retweet interesting articles, things they liked – tweets don't have to be just about legal things – but it has

to be relevant information. No-one wants to know that you're in Starbucks having a coffee."

"Young lawyers who have developed blogs and Twitter accounts can become known as subject-matter experts, though not giving legal advice."

The threat that staff are developing their own profile as well as that of the brand, is something she has to face.

"It's the same when people write articles, or lecture. They develop a profile, and you can lose them. We have to hope that we create a culture that makes people want to stay. Some firms like to keep their young lawyers under a rock."

You need time and enthusiasm to sustain regular tweet feeds. A bigger firm is likely to have social media 'stars' who are already blogging and tweeting, happily straddling the private and work spheres, with skills to tap into.

Dennis's experience shows that the pace and type of use can vary markedly while still being useful to the firm, and that firms need to work out for themselves what they are comfortable with. □

JUNE MCGOWAN



**Kim Mei-Li Dennis prefers to use social media for her firm from a personal account.**

PHOTO: PETER STOOP

about a year," says Pott, "and now we felt we couldn't not be there." She has encouraged her staff to use the technology (everyone was given an iPad last year as a present from the firm). The use of Twitter is part of a wider strategy, including LinkedIn and Facebook, which has already seen the firm maximising its web traffic to gain top rankings in Google searches.

All staff recently attended workshops by global syndication firm Mondaq on how to use social media for their business and a social media policy for the firm is in draft form. "A junior lawyer was delegated to draw it up and other staff refined it," says Pott, recommending a look at *socialmedia governance.com*, a web register for referencing other social

staff member who is a keen and outspoken blogger said, 'but I'm not sure that we need to be tweet mates'. We understood perfectly," says Pott. Some staff had already proactively responded to the public/private dilemma by creating two accounts – a work one linked to the firm email and a private one where they could express themselves more freely. Pott says her staff are "eminently sensible – people here value our reputation".

Some of these 'stars' of the ether will be running official Twitter accounts for Swaab. The firm intends to have six Twitter accounts, covering areas such as intellectual property and corporate governance, with tweeters helped by back-up staff to send out tweets every day. Senior management in teams will give guidance and a delay-delivery system provides the opportunity to check for duplication or any problematic issues.

## Regulatory implications of social networking under review

THE OFFICE OF THE Legal Services Commissioner (OLSC) has set up a project examining the use of new technologies and social networking sites in the legal field and is seeking the views of the profession.

Use of the technologies presents an array of regulatory, ethical and practice issues, according to an article by Legal Services Commissioner Steve Mark in a recent issue of *Without Prejudice*.

"Confidentiality and security," he says, are "primary concerns".

"Social networking presents many new ways for lawyers to reveal confidential client information, sometimes inadvertently ... Security presents another threat to confidentiality. A hacker impersonating

a legal practitioner and providing legal advice to clients, for example, is not unforeseeable in practice today ... The new technologies also pose a risk of creating unintended practitioner/client relationships."

The OLSC will be seeking the views of the profession over the ethical, practical and regulatory implications of legal process outsourcing, virtual law firms and social networking services by lawyers, as well as the use of social networking services as a marketing and client development tool.

To find out more about the project or make a submission, contact the OLSC research and projects coordinator at [Tahlia\\_Gordon@agd.nsw.gov.au](mailto:Tahlia_Gordon@agd.nsw.gov.au). □