

The Sharper Lawyer



Helping
Lawyers
Generate
More Fees

Cynthia Sharp, Esquire
Business Development Expert

VIDEO KILLED THE TELEPHONE CALL: HOW SOCIAL NETWORKING CAN EXTEND YOUR REACH

by Cynthia Sharp, Esq.

Article, ABA GP Solo eReport, May/June 2017

S VIDEO KILLED THE TELEPHONE CALL: HOW SOCIAL NETWORKING CAN EXTEND YOUR REACH

VIDEO KILLED THE TELEPHONE CALL: HOW SOCIAL NETWORKING CAN EXTEND YOUR REACH

Vol. 34, No.3

Cynthia Sharp

Cynthia Sharp (cindy@thesharperlady.com) is Director of Attorney Development at The Sharper Lawyer located in Philadelphia, Pennsylvania. As a professional CLE instructor and attorney business coach, Cindy has established a national presence as an author and speaker on topics of ethics in the context of practice management, social media and technology—lecturing extensively to law firms, bar associations, and other legal organizations.

Because creating and deepening connections with clients and referral sources will result in more cases coming your way, why not direct your marketing efforts into arenas that will allow this to happen more efficiently? My purpose in writing this article is to share some suggestions that will allow you to become skilled at engaging with your target audience by utilizing video tools and social media platforms. Potential pitfalls are discussed as well.

Video Tools

Video chatting. Not only will the quality of your interactions improve through videoconferencing, but you will also save time. A client who may not be comfortable with “just a phone call” may be willing to forgo an in-person meeting with the assurance that the encounter with the lawyer will be almost the same as face-to-face.

Many routinely use the video software built into their smartphones and tablets for this purpose. Skype (skype.com), Google Hangouts (hangouts.google.com), and Zoom (zoom.us) are also popular platform choices for video calls or conferences. AWS (Amazon Web Services, aws.amazon.com) has recently jumped on the bandwagon, launching Amazon Chime. The free version is limited to video calls and chat rooms between two users. As “Chime” was launched less than three weeks before submission of this article, I haven’t had time to fully experience it. However, after setting up a free account, I noticed that the dashboard is intuitive as well as user friendly. One of the most attractive features is the ease with which virtual meetings can be scheduled, joined, and managed. Instructions are clear, and the guide delineates best practices. Chime’s features and benefits are worth further exploration.

Because video chatting is almost as easy as picking up the phone, why not give it a try soon? I will help any reader experiment with his or her chosen platform. Just e-mail me at cindy@thesharperlady.com, and we'll set up a time for a video call.

Video blogging. If you already are in the habit of posting written blogs, why not produce video blogs from time to time?

After all, you already have the script. Hiring a videographer for special events is advisable, as some videos require the professional touch. However, if your objective is to offer a little education with the hope of expanding your practice, a well-done DIY video posted on YouTube does the trick as it makes you seem more approachable. Because audio quality must be excellent, invest in an inexpensive external microphone. Australian-based company Røde (en.rode.com) sells a wide variety of microphones online at a good value.

Instant live streaming. If you want to be the first to broadcast information to your target audience about new legal developments, free live streaming is now widely available. Anybody can now appear virtually and in real time, providing legal updates, commentary, or video blogs without the necessity of hiring a high-priced provider.

Launched in the spring of 2016, Facebook Live (live.fb.com) is like having a TV camera in your pocket. "Anyone with a phone now has the power to broadcast to anyone in the world," according to Facebook founder and CEO Mark Zuckerberg. Another major player, Periscope (periscope.tv), came on the scene in early 2015.

Successful "streamers" broadcast consistently on a regular, set schedule—often weekly. Their avid followers look forward to hearing pearls of wisdom at the appointed time. Check out <https://streaming.lawyer> for suggestions on improving your law practice through live video streaming apps.

Websites

A question that has been lingering over the past decade is whether websites are passé in light of the wide availability of other inexpensive or free social media tools. You will be relieved to know that it is unlikely that websites will become obsolete anytime in the near future.

Leo Levinson, CEO of GroupLevinson in Philadelphia, stresses that the real focus should be on including keywords that allow your practice to be easily found:

People turn to Google first to research and locate services. Most law firms overlook the importance of keywords. In the course of website audits, we have discovered that many lawyers do not even include a

reference to their practice area on the home page. In effect, poorly crafted websites are search engine blind and simply serve as an online brochure.

Another area often neglected is website security. Hosting your own website is ill-advised because it is unlikely that you have the expertise to protect against clever hackers who can cause immeasurable damage. Also, websites equipped with client portals, live chat features, or other tools that allow interactivity may be more vulnerable to attack, demanding an even higher level of security expertise.

Social Media Platforms: Latest Fad or Enduring Trend?

With all the available social media platforms, how do you choose where to become active? It can be tempting to be drawn in by the latest craze and to spend time as well as energy posting and sharing without developing a cohesive strategy. A sounder approach is to start with one or two platforms, posting in accordance with an established plan, and to expand later on, if appropriate.

Your choice of an online networking venue is driven by where your target audience hangs out and engages. Once you find a venue that fits your needs, your own consistent participation is required. To expect immediate referrals from a brief online interaction is like showing up at one bar association meeting and being miffed that you did not get clients as a result.

Sharing relevant, high-quality content or uniquely framed messages on the platforms described below can showcase both your expertise and personality.

LinkedIn and Twitter. Tried-and-true social media business platforms include LinkedIn (linkedin.com) and Twitter (twitter.com), neither of which can be considered a fad at this juncture. A number of ABA resources are available to help you learn how to enhance your business development efforts on these sites. Before expanding into other, lesser-used platforms, make sure that you are taking advantage of all relevant features on LinkedIn and Twitter. For example, have you ever posted slide decks on LinkedIn's SlideShare? Not only can you deliver a succinct and powerful message, but there is also a search engine optimization (SEO) advantage because most of SlideShare's traffic is generated through organic search. A number of innovative attorneys are posting slides from presentations as well as infographics, white papers, and other content-rich material.

Facebook. Depending on your practice area, Facebook can be a viable means by which to attract clientele. Although it is by and large viewed as a platform for the exchange of personal information, opinions, pictures, and videos, the potential as a business resource cannot be ignored.

If you are active on Facebook (or want to be), the following features will enhance your experience:

1. Adding a Call to Action button on your business page allows a client to contact you, watch a video, or sign up for an event.
2. If you need to hire a new employee, you can post the opening through your Facebook page, and it will be published at facebook.jobs/jobs.
3. Facebook Marketplace is a forum to buy and sell items within your local community. This could be handy if you are looking for office furniture as well as other consumer goods.

Most of us have heard of Pinterest, Snapchat, and Instagram, but we may not view them as worthwhile from a business standpoint. I would not be so quick to dismiss the marketing opportunities, depending on your area of practice.

Pinterest. Pinterest is a website that allows users to share ideas by uploading images (referred to as pins) to collections known as pin boards. The images can be photos, graphics, business cards, videos, or other marketing materials.

As I used the search bar to find attorneys who have established a presence on Pinterest, I easily found the pin board of a Phoenix estate-planning firm owned by attorney Randolph Wolfson. With 2,525 followers, he has built a small community with which to share his pithy and impactful messages. His board provided a direct link to his engaging website, which portrays him as an accessible and caring attorney. I'm sure that individuals seeking services of an estate-planning attorney will strongly consider calling Wolfson after reviewing components of his online presence.

Snapchat. Snapchat is an app that allows a person to send images and video clips, both of which will self-destruct soon after the recipient views them. By and large, Snapchat users do not fall within the target audience sought after by most lawyers. Therefore, I would not add Snapchat to your 2017 marketing plan. Snapchat's ability to raise \$3.4 billion in a recent IPO demonstrates investors' confidence in the company's future success, however. This capital will, no doubt, be utilized in part to expand the platform's capabilities. We'll keep an eye on shifts in its user demographic.

Instagram. Like Snapchat, Instagram is a social networking app made for sharing photos and videos. With Instagram, the photos or videos do not disappear but remain on your profile until deleted by you. An advantage of Instagram is the ability to use hashtags to make your message searchable. Although Instagram promises great potential to engage with your target audience depending on your area of practice, there may be more efficient ways to market your services.

Social Media Pitfalls

Bad reviews. Make sure to keep a cool head when handling adverse online remarks and reviews about your services. A well-crafted response written with a positive tone can enhance your reputation, whereas a negative response will not reflect well upon you. If you choose to respond, encourage the person with the complaint to contact you off-line so that perspectives can be discussed outside the public eye.

Adverse Yelp reviews have been the subject of a number of lawsuits instituted by attorneys throughout the country. Florida attorney Ann-Marie Giustibelli was awarded damages of \$350,000 when a divorced couple posted libelous statements about Giustibelli, who had represented the wife. Texas lawyer Tuan A. Khuu did not fare as well. His suit against a former client was dismissed under the state's Strategic Lawsuit Against Public Participation (SLAPP) Act, and Khuu was ordered to pay \$26,831.55 in counsel fees.

Alienation of connections. Although broadcasting political views through social media is currently in vogue, it may be risky because those who disagree may shy away from hiring you for legal matters. On the other hand, some lawyers have galvanized their brands by taking strong public political stands. For example, the female clients of a feminist matrimonial attorney are now even more loyal to her since she became a political activist. They frequently engage with her, bringing their friends and others into the conversation.

Supervisory responsibilities. Attorneys who choose to delegate social media initiatives to another lawyer, staff member, or outside vendor must keep in mind their ultimate responsibility for compliance with ethical standards. Case law and ethics opinions throughout the nation make it abundantly clear that ethical obligations cannot be delegated. Attorneys in law firms have an ethical duty to supervise subordinate lawyers and nonlawyer staff to ensure that their conduct complies with applicable rules of professional conduct. (See ABA Model Rules of Professional Conduct 5.1 and 5.3 and related local rules.)

Law firm social media policy. Even the strongest policy won't stop you or others in your firm from injudicious middle-of-the-night tweeting. Several years ago, a prominent Pittsburgh attorney released a tweet intended to reach SCOTUS stating, "Go f@ck yourself and die." The firm's press release in response to this gaffe indicated that this type of communication was in fact against law firm policy. Yet, the offensive words live on in cyber-eternity.

A social media policy remains an essential component of the business manual of any modern law firm. Whether you are online or in line, the same rules should apply: keep client confidences; avoid the appearance of establishing a client-attorney relationship; be polite; don't get into arguments; and don't bad-mouth your law firm, colleagues, or judges.

A well-crafted social media policy will at the very least clarify the expectations of the firm in this regard.

Conclusion

Because it is never too late to create and deepen relationships via video or social media, why not start today? In time you will have built an online history that boosts your credibility as well as your SEO.