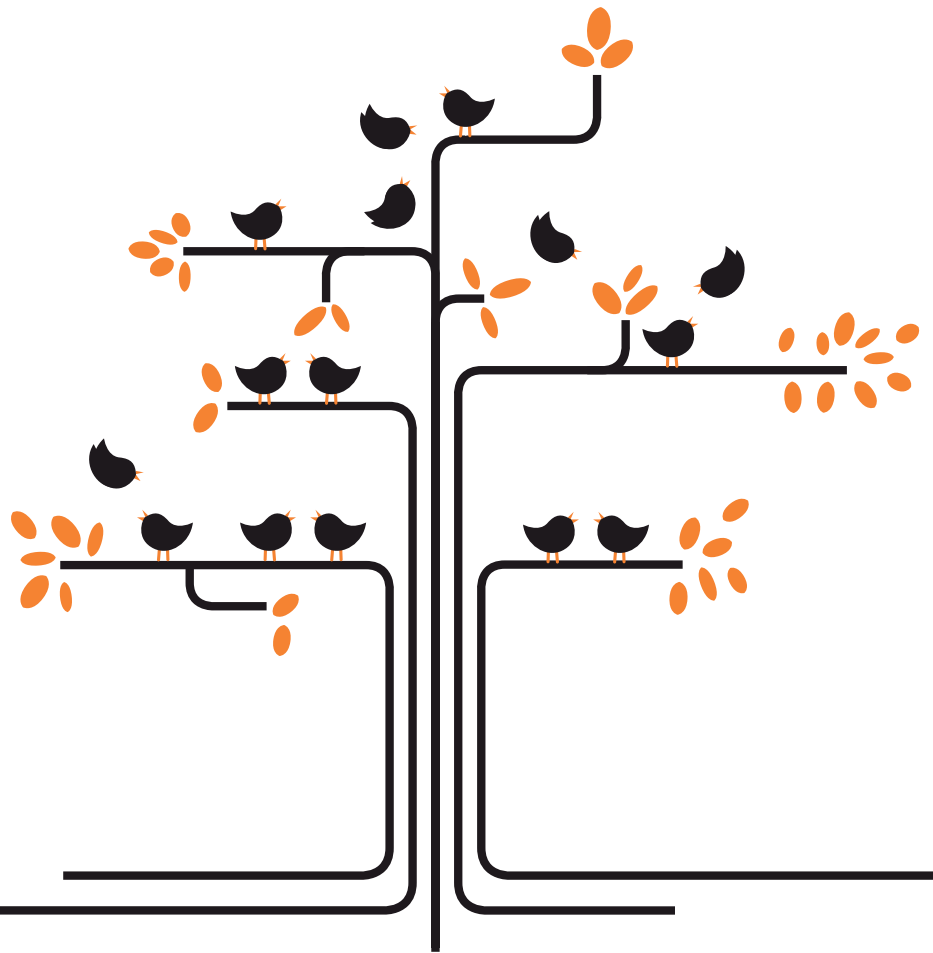


'The Law Says Tweet'

Law firms and social media

October 2013



Byfield Consultancy

Foreword



As someone who advises law firms on effective communications, I have seen the profession undergo somewhat of a transformation in recent years.

When I first started out in legal PR 15 years ago, in-house communications teams were rare and lawyers who truly understood and appreciated the benefits of engaging with the media, marketing and business development were even rarer.

Today the picture is different: law firms have become much more sophisticated in how they use communications to tell their corporate stories and manage their reputations in the process. For me, social media is the next big communications challenge for law firms. Get it right and it can be an effective part of the bigger marketing and business development puzzle. Get it wrong and it can be a time-consuming exercise that just generates noise and which can lead to crisis situations if badly managed.

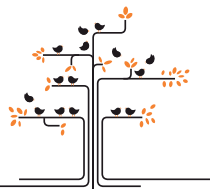
In commissioning this research we wanted to find out how the top 200 law firms are using social media; why they are using it; what’s working and what’s not working, and if and how social media is being integrated effectively into their marketing and business development strategies. We hope our study adds to the debate on the use and effectiveness of social media in legal communications and that you enjoy reading it.

Gus Sellitto
Managing Director
Byfield Consultancy

About Byfield

Byfield Consultancy offers market leading expertise in legal communications, litigation and crisis communications and intelligent research.

To find our more, visit www.byfieldconsultancy.com



Introduction

Social media in the law has plenty of evangelical advocates but it is perhaps unsurprising that, in a profession noted for its conservatism, lawyers have been slow to realise the online potential for social networking.

This report attempts to understand social media in the context of the law firm business. Many firms remain unconvinced about the business case for social media – in other words, is the investment in time spent on the new breed of social media really worth it? Can Twitter – a medium that involves a conversation based around ‘tweets’ comprising 140 characters – really make a difference to their bottom line?

Some lawyers regard social media with the same suspicion that a parent might reserve for the fads of their teenage child: they don’t understand it; they think it probably isn’t that great anyway and, above all, there lurks the fear that they are too old to learn.

Lawyers tend to ‘dismiss Twitter as yet another plaything for their children’, wrote Professor Richard Susskind in the 2010 introduction to *The End of Lawyers?*

Other lawyers, highlighted in this research, have embraced social media and are championing it to enhance their own reputations and that of their firms.

The purpose of our study was to examine how law firms engaged in social media by investigating which different social networking sites and approaches they used and for which purposes.

In particular, we wanted to explore the reasons why many law firms have been reluctant to take up social media; what the perceived risks were, and whether uptake of social media was likely to increase in the future. Our aim was to better understand the extent to which social media was used as a business development tool and whether, if at all, firms had won clients directly through social media.

Definition

Back in 2006 the online encyclopaedia Wikipedia defined ‘social media’ as online media which are ‘formed mainly by the public as a group, in a social way, rather than media produced by journalists, editors and media conglomerates’. Social media uses ‘web-based technologies to transform and broadcast media monologues into social media dialogues’. In short, social media uses the Internet as a way to broadcast a message from one person to many and to create a conversation about that message.

In this report we focus on Facebook, Twitter, LinkedIn, YouTube, Google+, as well as law firms’ corporate websites and blogs.

Executive summary

New business

Almost half of firms (47 respondents) had won clients as a direct result of social media activity.

Of those respondents, most new clients came through LinkedIn (48 per cent) followed by Twitter (38 per cent).

Embracing social media

Three-quarters of surveyed firms (75 respondents) encouraged their employees to engage in social media on behalf of the firm.

Nearly half of the firms regarded LinkedIn as ‘very important’ (49 respondents) and almost one in three firms (31 respondents) regarded Twitter as ‘very important’ as a profile-raising tool.

Eight out of 10 firms said LinkedIn was ‘important’ or ‘very important’ in relation to recruiting staff.

Social media strategy

Less than a quarter of those questioned (23 respondents) had fully integrated their social media strategy into their wider marketing and PR plan.

Sixty one firms of the 101 surveyed spent less than five per cent of current marketing budget on social media.

Almost two-thirds (64 respondents) believed that spending on social media would increase in the future.

Risk

Nearly six out of 10 respondents (58 respondents) actively managed their social media activity.

Almost half (41 respondents) insisted that employees using social media had a disclaimer.

More than six out of 10 firms regarded ‘breach of confidentiality’ as ‘high risk’ (63 respondents) in terms of employees’ social media activity.

Engagement

Almost eight out of 10 firms (79 respondents) used Twitter and over half used LinkedIn (56 respondents) to keep in touch with journalists.

Half of the firms surveyed (50 respondents) believed blogs to be a ‘very important’ tool for sharing content and opinion pieces.

Nearly three-quarters of firms (72 respondents) believe that online media will be more important than print media in the future.

Methodology

This report draws on a survey of 20 multiple choice questions* which were sent out to Communications teams within the UK top 200 law firms.

Out of the 101 respondents, 60 per cent were UK top 50 firms.

A number of respondents were subsequently interviewed in-depth about the themes that emerged from the analysis.

The main objectives of the survey were:

- To explore how law firms were engaging in social media and which channels they were using;
- To identify how social media was integrated into law firms’ wider marketing and communications strategies and budgets;
- To identify the risks, perceived or otherwise, that law firms associate with social media;
- To explore whether social media uptake would increase in the future, and
- To identify if law firms had won new business through social media.



The business case for social media

This report rebuts the notion that there is no business case for social media activity. Almost half of firms (47 respondents) had won clients as a direct result of social media engagement. Of those firms that attracted new business, LinkedIn was deemed to be the most effective platform (48 per cent)* and then Twitter (38 per cent). Around one in five of those respondents that had won new work, did so through blogging (23 per cent) which underlines the power of this medium for business development purposes.

“Social media exposes you to opportunities you would never get near and puts you in touch with people you would never get near,” says Steve Kunczewicz, Head of IP and Media at Bermans, a commercial law firm based in Liverpool and Manchester.

Valentina Moressa, Media Relations Manager at TMT firm Olswang, states that the potential for winning business via social media is a huge attraction. “LinkedIn has been useful in getting new business by making it quick and easy to keep in touch with key contacts. Ultimately, business is all about relationships and LinkedIn is a very efficient tool to keep relationships alive and keep track of movements in the industry.”

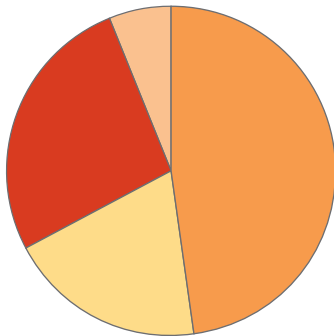
Valentina adds, “Twitter has also been a very effective PR tool. The key is to tweet not just from a corporate account, but also empower individual lawyers to be on Twitter to increase the firm’s online share of voice and PR impact. Partners who tweet have been approached by journalists to provide comment on topical issues in the sectors they specialise in and have subsequently been featured in articles, which then got the firm noticed by prospective clients.”

**Ben Rigby @Bert_Digby**

Those individuals who have set up specific LinkedIn Groups or take active part in social media have I think, enhanced their positions; I can think of bloggers whose use of the art have made them go-to sources.

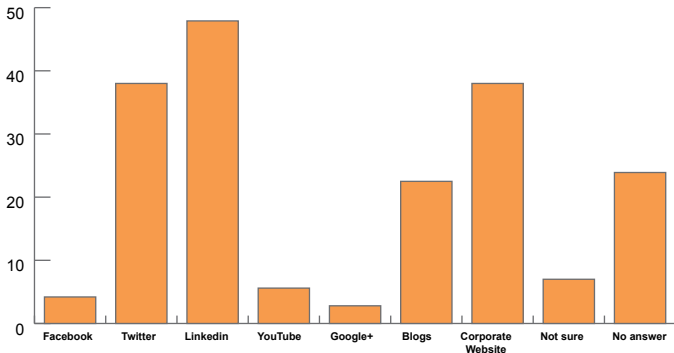
Ben Rigby, freelance legal journalist

Have you won any clients as a direct result of your social media?



Answer Options	Response Percent	Response Count
Yes	48.0%	47
No	19.4%	19
Not sure	26.5%	26
No answer	6.1%	6
answered question		98
skipped question		3

If yes, from which platform(s)?



Answer Options	Response Percent	Response Count
Facebook	4.2%	3
Twitter	38.0%	27
LinkedIn	47.9%	34
YouTube	5.6%	4
Google+	2.8%	2
Blogs	22.5%	16
Corporate website	38.0%	27
Not sure	7.0%	5
No answer	23.9%	17
Other (please specify)	1	1
answered question		71
skipped question		30

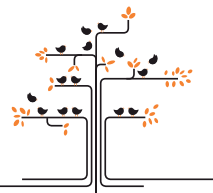
Elliot Moss, Director of Business Development at Mishcon de Reya agrees: “Yes, we have won clients via Twitter and LinkedIn, for example, individuals living abroad and needing to resolve IP issues, and also on the corporate side.”

**Jon Robins @JusticeGap**

I think there is potential for enterprising lawyers to harness social media to make themselves more accessible to clients, prospective clients and the outside world (including journalists). I’d stress the word potential.

Jon Robins, freelance legal journalist and Editor of the Justice Gap

*Results were calculated by the total number of responses to the question.



Case study:

‘Social media is an enabler for business development’

Clare Fanner, Marketing Director at Trethowans, says the firm has enjoyed striking success winning clients through social media. “Social media is definitely an enabler for business development; it is another form of networking but it’s far less costly than spending on long lunches and after work events,” she adds.

Clare Fanner cites the role played by social media in a personal injury case. A young girl sustained horrific injuries in an accident. Her father was very active on Twitter. Trethowans represented the family who secured deserved and needed compensation. The father tweeted news of the positive result to followers and well-wishers on Twitter, including Southampton Football Club fans. He was contacted by the club and the story was reported in the local newspapers. The coverage dramatically increased the firm’s profile locally and that led directly to new referrals and to new business.

“The way we incorporate social media into our business development plan is evolving,” she says. “Social media enables us to create opportunities in a different way. It helps us widen our network, increase our geographical reach and reach out to people we wouldn’t ordinarily meet through traditional networking.”

Embracing social media:
‘Tweet, and the world doesn’t collapse’

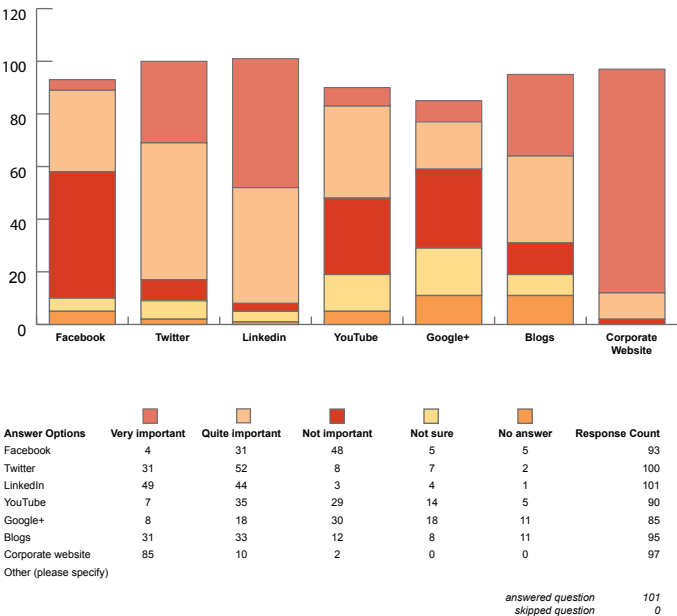
Unsurprisingly, the corporate website is still viewed as one of the most important platforms for building reputation: most firms (85 respondents) regarded their website as ‘very important’ when it comes to profile-raising. What is far more striking is the degree to which the new generation of sites such as LinkedIn and Twitter are valued by law firms.

Ninety-three of the 101 firms who responded to the question said that LinkedIn was ‘very important’ or ‘quite important’ as a profile raising tool and 83 out of 101 firms regarded Twitter as either ‘very important’ or ‘quite important’ as a profile-raising tool.

A significant number of respondents valued LinkedIn as a recruitment tool with eight out of 10 (81 respondents) saying it was either ‘very important’ or ‘important’ for recruitment purposes. More than half (55 respondents) saw Twitter as ‘very important’ or ‘important’ and four out of 10 (43 respondents) regarded Facebook as ‘very important’ or ‘important.’ More than four out of 10 firms used Facebook as a means of engaging with potential trainees (42 respondents). In comparison 55 respondent firms used Twitter and 51 used LinkedIn to engage with trainees. Social media tools such as Google+ and YouTube are used far less, however in the follow up interviews, a number of respondents remarked that their firms were set to increase spend on video content in the future.

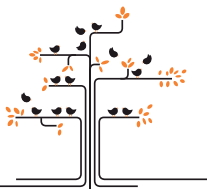
Twitter and LinkedIn are regarded as fairly established platforms and used by the Top 200 to engage with a range of different target audiences. Over two-thirds used Twitter and LinkedIn to engage with clients (72 and 79 respondents respectively). Almost eight out of 10 firms (79 respondents) used Twitter and over half used LinkedIn (56 respondents) to keep in touch with journalists.

How important are the following platforms as a tool to raise your law firm’s profile?

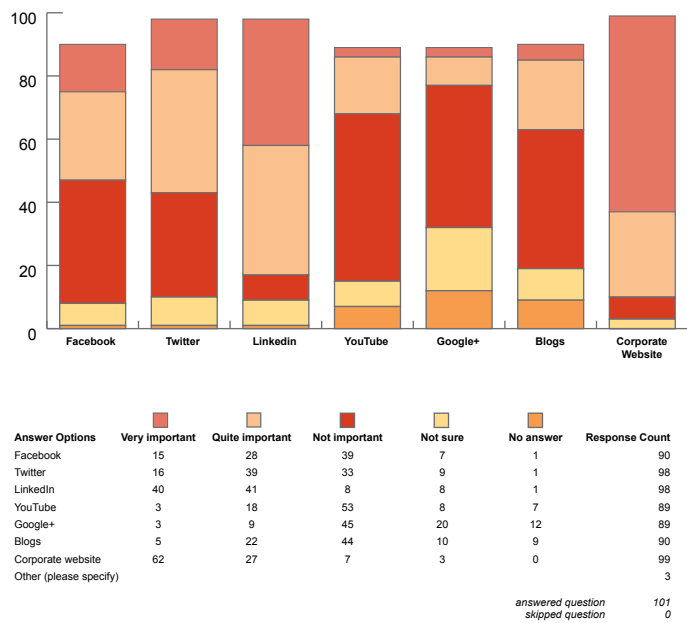


Elliott Moss notes: “We ventured into Twitter about three years ago. It offers us another platform to amplify our messaging and to create a virtual community that is interested and involved with our thinking.”

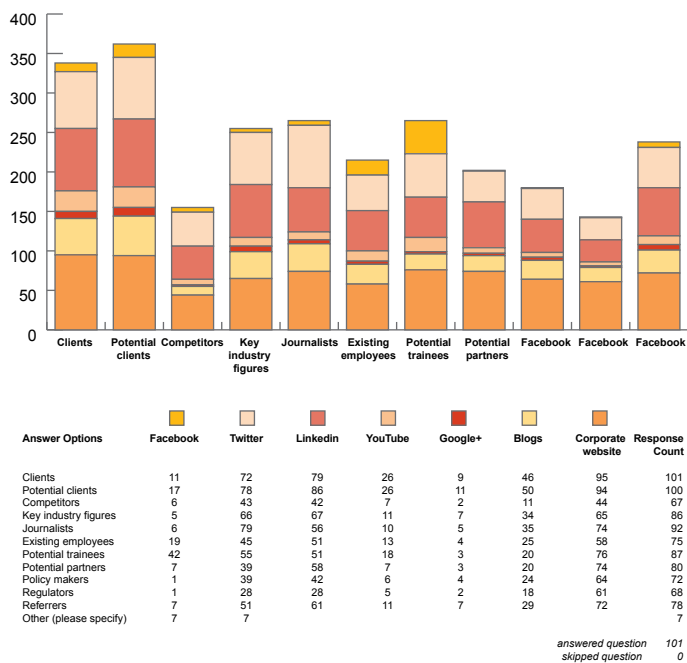
There was a growing expectation on the part of firms for their lawyers to embrace social media. Seventy-five respondent firms claimed to encourage their employees to engage in social media on behalf of the firm.



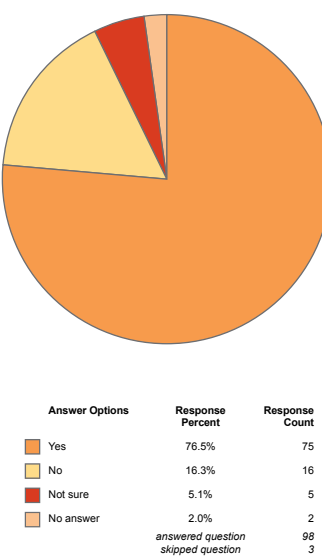
How important are the following platforms for recruitment purposes?



Which platform(s) do you use to engage with your target audience(s)?



Do you encourage employees to engage in firm-wide social media?



 **Zoe Lynch @Sackerspensions**

Lawyers have been slower to adopt social media than the creative industries. There is a natural suspicion among lawyers that social media is a form of advertising and therefore not for the legal profession – a hang back to the pre-1980s, before lawyers were allowed to advertise.

Zoe Lynch, Partner at Sackers

Engage, don't broadcast

That said, there was a ready acknowledgment in our interviews that the legal profession had not been quick to embrace the potential for social media and to easily dismiss Twitter as a fad. Respondents noted the inherent conservatism of lawyers when it came to adopting new media approaches. As David Sayce, Head of Digital at international law firm Ince & Co says: "Partners now know they can tweet and the world doesn't collapse around them."

For many firms, the value of social media is finally being realised. Clare Fanner of Trethowans, a top 200 law firm with offices in Salisbury and Southampton, states: "Technology is evolving and we have to be involved. It's a no-brainer. The majority of the partners can see that and embrace it with open arms." Tony Brown, of Pellys, a commercial firm which practices from offices in Bishop's Stortford, Saffron Walden and Cambridge, agrees that social media is becoming increasingly vital for firms. "Social media is about visibility and is essentially free advertising," he says; adding that simply signing up to a social media site was not enough. To stay ahead of the game, he reckons law firms needed to ensure that their social media presence was "topical and slightly different." There is little value in signing up to social media without actually participating, he adds.

Most of our respondents stressed the importance of using social media to have a conversation with the outside world and to showing off a personality. As David Sayce says, firms need "to engage with clients more, not just broadcast. We used to tweet our news and simple information but now there's much more of a conversation going on."

Giselle Daverat, PR & Communications manager at Howard Kennedy FSI, a top 100 law firm based in London, agrees, saying that individual lawyers added more value in terms of an effective social media presence rather than the firm as a whole. "Firms would be better off having individuals tweeting so a two-way conversation develops and they gain followers." She advises lawyers embarking on social media not to use it as a 'dumping ground.' "If you're using Twitter make sure you develop a personality."

Charlotte Edmond, Acting Editor at Legal Week, succinctly summarises the problem: "Do it properly or not at all."

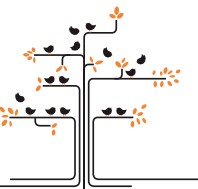
Fred Banning, PR Manager at international firm Pinsent Masons, errs on the side of caution. "The potential for getting it wrong is significant so you have to take a considered approach. If you dip a toe in, it is difficult to take it out again. We don't actively encourage nor discourage staff to use social media", he says; adding that that was the position at least whilst the firm develops and agrees its firm wide policy.

For others, encouragement only goes so far. David Sayce, from Ince & Co, argues that to engage in social media, many partners would "need education". He decided to set up one-to-one meetings with staff and helped set up profiles for them in order to give them a much-needed push into social media. "Once you've gone through this, you see a better response," he adds.

 **Clare Fanner @ClareFanner**

We suggest to partners that they treat their entry into social media a bit like networking when you have to enter a room for the first time. You need to listen, not just barge in. They should observe on Twitter rather than jumping in headfirst.

Clare Fanner, Trethowans



Risk: ‘from careless Tweet to full blown crisis’

It is not hard to find high profile examples of indiscreet, intemperate or just inaccurate throwaway comments on social media sites ending up in the news and leading to serious embarrassment and libel writs. Lord McAlpine’s victory over Sally Bercow proves that words on social media should not be taken lightly.

The wife of Commons Speaker John Bercow sent her infamous tweet a couple of days after BBC’s Newsnight programme wrongly linked a leading Conservative politician to sex abuse claims. “Why is Lord McAlpine trending. *innocent face*”, tweeted Bercow.

More recently, law firm Russells Solicitors was left red-faced following an indiscretion on social media. Chris Gossage, a Partner at the firm, inadvertently revealed the true identity of J K Rowling’s pseudonym, Robert Galbraith, to his friend Judith Callegari who subsequently took to Twitter to spread the news. It went viral, and Rowling successfully obtained damages from Russells Solicitors for breach of confidentiality.

The risks of lawyers causing embarrassment to their law firm employers are obvious. As the Law Society noted in 2011 (in its practice notes for use of social media): “One of the fundamental considerations that those participating in social media activity should take into account is the potential blurring of the boundaries between personal and professional use, and the importance of recognising that the same ethical obligations apply to professional conduct to an online environment.”

Unsurprisingly, our survey reported that the platforms which respondent firms believed to be the most risky were Facebook and Twitter. Clare Fanner, Marketing Director at Trethowans, believes that Facebook poses the greatest concern because it is “such a personal space. The nature of it is that people use it in their ‘downtime’ when they are not in work mode and they will not be thinking with a professional head.”

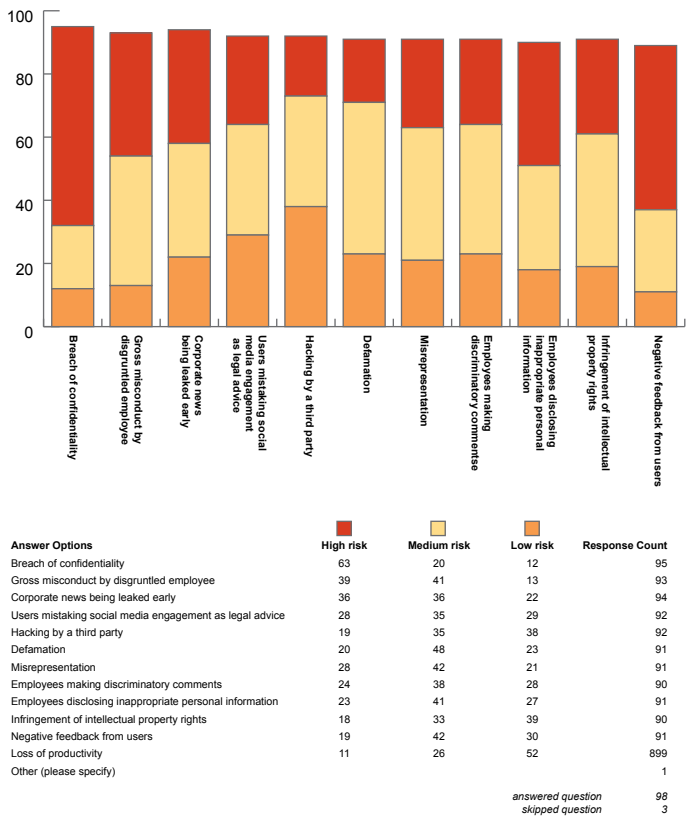
Trethowans also insists that staff attend a two hour in-house session from an external specialist about the pros and cons of Twitter before signing up to the platform. David Sayce, Head of Digital at Ince & Co, calls Twitter the most “renegade area” of social media. Despite the recognition of the potential for risk to reputation, Twitter remains the most popular social media channel for firms to engage in.

Steve Kuncewicz reckons that the risks of social media are inescapable, but says that that “the biggest risk is entering into it without knowledge and guidance.”

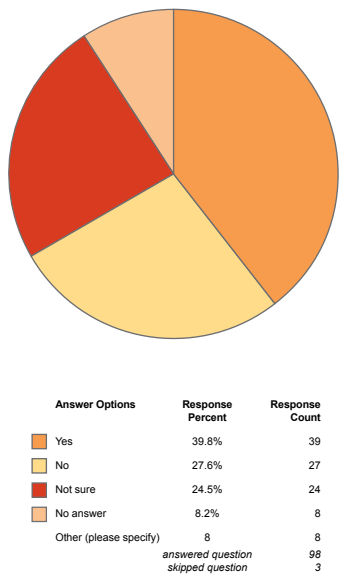
High risk
‘Breach of confidentiality’ was identified as the biggest risk for firms. More than six out of 10 firms recognised this as ‘high risk’ (63 respondents). “There are areas that lawyers don’t think about – for example, partners may stress that a new win is confidential but then a more junior lawyer may get a recommendation from that client on LinkedIn which immediately suggests to people that the firm is working with that client,” comments Giselle Daverat, PR and Communications Manager at HKFSI.

The actions of a disgruntled employee were also a ‘high risk’ concern for almost four out of 10 firms (39 respondents) and one in five firms saw the potential for libel/defamation actions in the same way (20 respondents). Almost four out of 10 respondents (37 respondents) were concerned about the loss of productivity from lawyers tweeting and spending time on Facebook. Worryingly, just four out of 10 respondents said staff knew how to respond in the event of a social media crisis.

What are the biggest risks law firms should be aware of when using social media?



Do your staff know how to react in the event of a social media crisis?

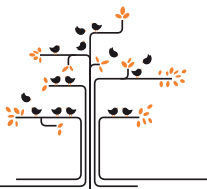


A sensible of use social media policy

Aron Pope, an employment lawyer at the City employment law specialists Fox Williams

Whilst the professionalism of lawyers ought to mitigate against the risks, it is prudent for firms to roll out a “sensible use” social media policy to remind employees of the potential pitfalls of posting on social networking sites without due care. Such a policy may include the following:

- Limit the amount or recreational use at work, setting out the time and scope with specific references to social networking sites;
- Notify employees that comments posted online may be public and not private;
- They should be reminded of their obligations not to disclose confidential information, say anything derogatory about the firm (or its clients), or to make offensive remarks at any time;
- Deal with ownership of LinkedIn networks or Twitter feeds which are used for promoting the employee’s professional skills and experience and
- Clarify that inappropriate social use outside of the work-place and on the employee’s personal equipment could still result in disciplinary action.



'When the tweet hits the fan'

Richard Elsen, Byfield Chairman and litigation and crisis PR expert

Most law firms can expect to eventually find themselves facing a crisis that plays out very publicly through social media. A tweet by an angry client, a pressure group or perhaps a rogue or simply careless employee can quickly see a firm caught in a whirlwind of negative and damaging publicity. It's crucially important to be prepared for such a situation.

A law firm should have a social media crisis plan in place – if it doesn't then it should develop one, preferably before taking the plunge and engaging stakeholders through the various channels that exist today.

Here are some steps to consider:

- **Develop a Social Media Crisis Protocol** – have a plan that accounts for crises responses, so that potentially damaging situations can be dealt with effectively. Devise rules for dealing with offending posts, whether created internally or externally and ensure that an appropriate chain of command is in place.
- **Act quickly and be sure to follow through** – it's vitally important that offending posts are deleted quickly and apologised for, perhaps with a public retraction. Do not avoid questions or concerns that are raised; if necessary debate the issue. This approach will demonstrate that the firm is serious about its reputation, it doesn't hide and that it monitors its social media engagement.
- **Be authentic when responding** – try and ensure that responses are genuine and not cut and paste, as this is definitely a sure way to anger and alienate your audience, which of course is the exact opposite of the desired outcome. It's important to take responsibility, never shift blame, and to be as open as possible.
- **Be aware of timed posts** – many firms use technology which, while great for getting timed messages out there, can be disastrous in a crisis situation. Ensure that 'business as usual' marketing messages are held back until the crisis is under control, in line with the social media crisis plan.
- **Evaluate your performance post crisis** – once the crisis has receded, the firm should evaluate how its strategies and tactics performed. Learn lessons and adapt the social media crisis plan accordingly so as to learn from any mistakes made.

Additionally, it should be remembered that most social media experts have no real expertise in the realm of traditional media. Law firms should be aware that all too often social media crises spill into broadcast and print press. This can cause further damage to the firm, prolonging its discomfort, and requires the attention of crisis PR experts.

'The collision of personal and professional life'

Aron Pope, an employment lawyer at the City employment law specialists Fox Williams

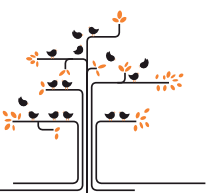
To be a successful lawyer in private practice, you need to have a good network from which to source work and referrals. For this reason, firms increasingly encourage their lawyers to use social media to grow their network and enhance their profile. However, firms need to be mindful of two main problem areas: the collision of personal and professional lives, and loss of control over access to contacts and sensitive information. The reality of these risks is highlighted in a number of employment tribunal and High Court cases.

An employer may be vicariously liable for the acts or omissions of its employees in the course of employment, whether or not such acts were specifically authorised by the employer. This is a wide test and the fact that the employee is using a personal computer or is not physically at work or under instruction may not be sufficient for an employer to argue it is not vicariously liable. In *Smith v Trafford Housing Trust*, a manager posted comments on Facebook stating that the legalisation of gay marriage in churches was "an equality too far".

The posts were made out of work time, but a number of his colleagues were members of his Facebook network and were offended. Following a disciplinary process, the Trust, which had its own policies dealing with Facebook comments, decided that Mr Smith was in breach of those policies and guilty of gross misconduct. The High Court, hearing the manager's subsequent claim, said that frank discussion of views may cause upset or offence but this is a "necessary price to be paid for freedom of speech". The Court found that he had not failed to treat his colleagues with dignity and respect and that his comments were not made on behalf of the Trust, even though his Facebook page identified him as employed by the Trust.

On a similar note, many lawyers are 'friends' with current and former colleagues on Facebook, thereby giving them access to their social lives and often their views on subjects which are not commonly discussed at work. Whilst most lawyers ought to be sensible enough not to cross the line and make offensive, defamatory or derogatory comments, firms should be wary of this risk. For example, in *Novak v Phones 4U Ltd*, an employee sought to rely on entries posted by a colleague on his Facebook page as evidence of disability discrimination by his employer.

Lawyers under pressure at work might also feel the need to let off steam by commenting on particularly 'challenging' clients. Such behaviour is likely to warrant dismissal for gross misconduct if the client is identifiable. In *Preece v JD Wetherspoons*, a pub manager was found to have been fairly dismissed for gross misconduct after posting negative comments about two customers. Even though the posts were made in the employee's personal cyberspace, the employment tribunal concluded the dismissal was justified because of the risk of damage to the business's reputation. Furthermore, in an effort to promote their capabilities on social media, lawyers might carelessly or inadvertently disclose the firm's confidential information. In *Flexman v BG International*, an employee was disciplined for doing just that on his LinkedIn profile. In terms of client information, case law tells us that contact lists on LinkedIn, despite their usual mixture of personal and professional contacts, may still be the property of the employer (see *Hayes Specialist Recruitment (Holdings) Ltd v Ions* where a recruitment agent uploaded his employer's database of candidates to his personal LinkedIn account).



Social media policy: 'Twittiquette'

Our research found that over two thirds of firms (69 respondents) reported that employees were trained in social media.

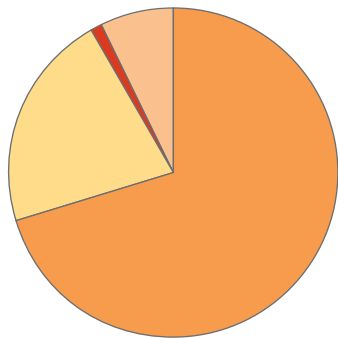
Nearly six out of 10 (58 respondents) actively managed their social media activity, however more than a third (37 respondents) said they did not actively manage or only periodically managed social media activity. This suggests there is room for a more joined-up approach to integrating social media into law firms' wider communications strategies but also points to the difficulties of managing and monitoring the social media space.

Almost eight out of 10 respondents had a policy or corporate guidelines in place for firm-wide use of social media (77 respondent firms). According to Media Relations Manager Valentina Moressa, Olswang spent around three months developing its firm's policy with input from members of the firm's employment, litigation, online and communications departments.

**Keith Hardie @KeithHardie**
Play around and try a few things. Start small.
Find your partner champions.

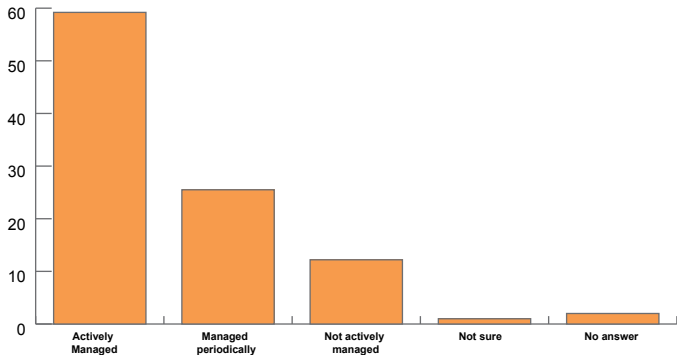
*Keith Hardie, Head of Marketing Communications,
Bird & Bird*

Have you trained staff how to use social media?



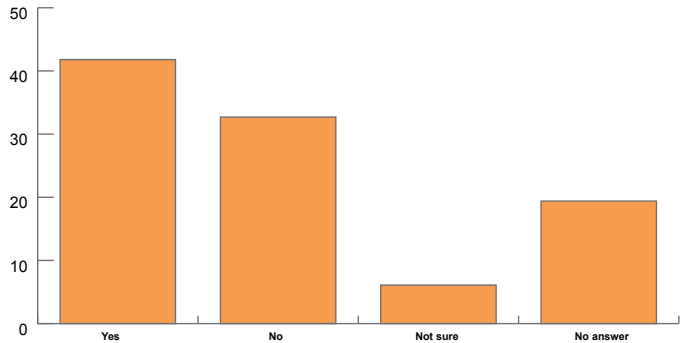
Answer Options	Response Percent	Response Count
Yes	70.4%	69
No	21.4%	21
Not sure	1.0%	1
No answer	7.1%	7
answered question		98
skipped question		3

Is your social media actively managed?



Answer Options	Response Percent	Response Count
Actively managed	59.2%	58
Managed periodically	25.5%	25
Not actively managed	12.2%	12
Not sure	1.0%	1
No answer	2.0%	2
Other (please specify)		4
answered question		98
skipped question		3

If employees are encouraged to use personal social media, on the firm's behalf, do you insist upon an appropriate disclaimer?



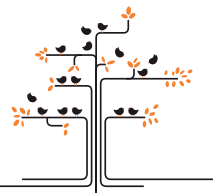
Answer Options	Response Percent	Response Count
Yes	41.8%	41
No	32.7%	32
Not sure	6.1%	6
No answer	19.4%	19
answered question		98
skipped question		3

Olswang offers graded training (beginners, intermediates and advanced) for its lawyers. Training ranges from advice on "Twitter etiquette" to assistance with online monitoring tools. Bimonthly sessions are offered by the communications team for individuals or specific teams. This training also forms part of the firm's induction process so that all new employees are trained in how to use social media on behalf of the firm. Since the training has been put in place Olswang has seen a "noticeable increase in uptake" of social media. That said, nearly one in five firms (20 respondents) did not have a policy in place or were not aware of the policy, potentially placing themselves at risk if employees act inappropriately on social media.

Firms were split as to their use of disclaimers to try and limit their employer's liability. More than four out of 10 respondents (41 respondents) did insist that employees using personal social media had a disclaimer and a similar number either didn't insist on disclaimers or were not aware whether they did or not (38 respondents).

**Ben Rigby @Bert_Digby**
There is a tendency to use social media as a corporate outlet and so it's not a vehicle for personal authority. Those that do well have a range of individual and corporate accounts on the various social media outlets that let both personality and professionalism shine through.

Ben Rigby, freelance legal journalist



Strategy: joined up thinking

Whilst many respondents appeared to have embraced social media, less than a quarter of firms (23 respondents) had fully integrated their social media strategy into their wider marketing and PR plan; although close to six out of 10 respondents (58 respondents) indicated that that might be a work in progress (describing their strategy as ‘partially integrated’).

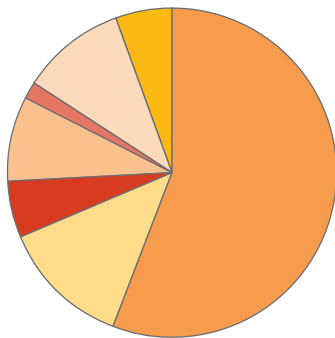
One firm that had given more thought than most to its social media strategy is Olswang. Valentina Moressa recognises the need to avoid “spreading oneself too thin” on social media so the firm only uses Twitter and LinkedIn, preferring a more ‘selective’ approach and the firm’s strategy is reviewed every six months.

When it came to budgeting, social media remained very much a peripheral activity. Six out of 10 firms (61 respondents) spent less than five per cent of current marketing budget on social media, with just two firms spending more than 20 per cent.

Expect that figure to increase. Sixty-four respondents believed that spending on social media would rise in the future. This suggested that law firms were beginning to recognise the value of social media. Indeed, just one firm reckoned that the budget for social media will decrease in the future – a striking figure given the competing pressure on law firms at the moment.

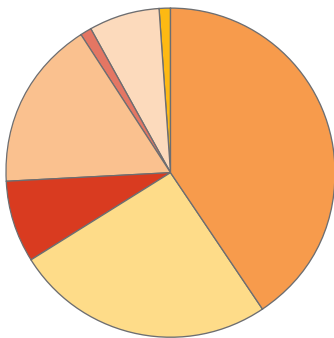
The speed of change in the world of social media is dizzying. A fact that was reflected in the finding that almost half of the firms we spoke to (41 respondents) evaluated their social media strategy every six months.

What percentage of your current marketing budget is spent on social media?



Answer Options	Response Percent	Response Count
Less than 5%	60.4%	61
5-10%	13.9%	14
10-15%	5.9%	6
15-20%	1.0%	1
More than 20%	2.0%	2
Not sure	10.9%	11
No answer	5.9%	6
Other (please specify)		4
answered question		101
skipped question		0

How often do you evaluate your social media strategy?



Answer Options	Response Percent	Response Count
Between 0-6 months	40.6%	41
Between 6-12 months	25.7%	26
Between 1-2 years	7.9%	8
Rarely	16.8%	17
Never	1.0%	1
Not sure	6.9%	7
No answer	1.0%	1
Other (please specify)		6
answered question		101
skipped question		0

Social Media Best Practice Case Study: “It’s fun, but it also works. We get business through it.”

The Story

Dirkzwager (<http://english.dirkzwager.nl>), a top 15 Dutch law firm with more than 240 staff members, including 120 fee earners, is starting a revolution.

The story begins almost five years ago when Managing Director, Marcel Hielkema, joined the firm. Marcel’s background is, perhaps surprisingly, in hospitality. Before joining Dirkzwager Marcel sat on the Board of Bilderberg, a chain of 20 hotels in the Netherlands, owned by Goldman Sachs.

The move into the legal sector was not such a giant leap as one would think. “When you compare the industries they look entirely different, but in reality they are not. Both sell an intangible product – service. Both are built on quality, reputation and time; whether it is a night in a hotel or a six minute slot in a law firm.”

As in hospitality, when Marcel joined he asked the question, “What makes us different?” For a hotel differentiation is easy, but for Dirkzwager and many other law firms, they equate differentiation as “understanding the client and being experts.” However, if every law firm has the same unique selling point, how is that different? Indeed as Marcel notes, “if you don’t have those, you shouldn’t be a lawyer.”

In reviewing this, Dirkzwager agreed that what makes them different is knowledge. Not, the ability to have knowledge, but to share it.

Sharing Knowledge

The firm reviewed how it currently shared knowledge with its stakeholders. Like so many law firms, this had been achieved through traditional methods: newsletters, workshops and events and publications.

Instead, the firm thought about how it could deliver their knowledge differently. One key change is the library. In a hotel the lobby is the nerve-centre and using this principle, Marcel set out to turn the reception area of Dirkzwager into something similar. This involved moving the entire law library from the fifth floor to the reception area. There is now a coffee shop - anyone can register - and membership is free. The library now boasts over 1000 members and is the largest legal library in the area.

As well as providing accreditation for Dirkzwager’s training, clients were also encouraged to attend training originally solely provided for employees. Marcel noted that whilst this was initially scary “because you are admitting to clients that you don’t know everything” the discussions that arose from the training led to better understanding and deeper relationships with clients. Together, these changes caused a surge in take-up of the training and the firm had over 3000 people attend its various training and seminars last year.

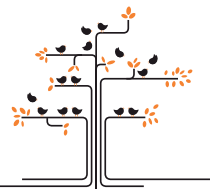
Sharing Social Media – ‘The Candy Shop’

Social media was a logical step in Dirkzwager’s ‘sharing knowledge’ journey.

Step 1. Websites – “content is King”

Dirkzwager has a total of nine websites, outside of the company homepage; each is dedicated to a different area of law. Surprisingly, none of the websites are branded under the firm’s name, as according to Marcel, this makes them more successful as they are not regarded as a commercial venture.

Continued over



Also surprising is the level and extent of new content that the firm is producing. “Content is king”, Marcel says, as continuous new content increases the search engine optimisation of the websites. For many a marketing person this is well known, but in a sector that is so time sensitive, it can be difficult to convince fee-earners to dedicate time to producing articles. However, Dirkzwager has achieved this. It has taken time and involved a culture shift, but with only 120 fee-earners they are producing 1000 articles a year. How is this done? No article is longer than 400 words, “it should only take half an hour” Marcel continues and the process to upload articles is easy and simple so that fee-earners do not have to worry about the technological side.

Step 2. Build an app

Dirkzwager was the first law firm to launch a legal app in Europe. Unlike many of their counterparts, whose apps were directories of lawyers, the Dirkzwager app provided free legal content. The most recent version also allows for two-way communication as members can leave comments on the published articles (to access all content you must register). The app can also be adapted for clients, and many have asked for versions to be uploaded either directly onto their intranets or put onto every single one of their companies’ desktops so employees can access the content directly.

Step 3. Cross-selling

Cross-selling across all platforms is actively encouraged. Fee-earners utilise several channels beyond the expected: LinkedIn, Twitter and Facebook; they also use Google+, Pinterest and 4Square.

ROI, and policy and costs, oh my!

“It’s fun, but it also works. We get business through it”, Marcel notes in summarising the benefits of social media. The continuous production of new content has ensured that the firm has one of the highest Google rankings. Furthermore, new business has increased substantially (eight per cent last year in a declining market), including outside their traditional geographical reach, “It is a candy shop. You are exposed to audiences that traditionally would have been difficult to reach”, says Marcel.

The cynics amongst you will now be thinking of the ‘fortune’ that Dirkzwager must have used in implementing these new strategies. In fact, the firm only spent five per cent of the marketing budget on social media. “It’s cheap, but it does cost time”. Indeed, the firm has only recently had external help on the latest edition of the app, and the earlier versions were created in-house by its three-person IT department.

The recent J K Rowling/Russells debacle will also have hearts pounding over the ‘fear’ and ‘risks’ of social media. Dirkzwager rejects this attitude and encourages staff to use social media as much as possible. To achieve this, there is no formal policy, only guidelines, and Marcel and his team proactively ask fee-earners if they want training in social media. “Lawyers are smart people” Marcel muses, “and if you only see risks nothing will ever be done. The positives far outweigh the negatives.”

The Future

Dirkzwager continues to innovate and be a leader in the sector. The latest addition is an English language website called www.legalknowledgeportal.com which brings together articles from over 50 law firms worldwide including Europe, the Americas and the BRIC countries. In the UK, Wedlake Bell is participating in this Dirkzwager hosted platform. Many would shy away from sharing how they have succeeded, but it is that – the sharing – that is instrumental to their success. Sharing with clients, perspective clients and the wider world is hardly detrimental when what you are doing is producing new business and is cost effective, and as Marcel concludes, “having a shed with all the tools still doesn’t mean you can build everything.”

The legal media

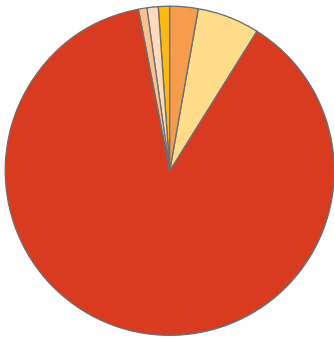
We also asked firms how they engaged with the legal press through social media and with which publications. An overwhelming majority – 88 firms – said that they valued print and online equally in terms of their respective abilities to raise the profile of their firms. Only a tiny fraction (three firms) preferred print to online.

Almost three-quarters of those questioned (72 respondents) believed that online would overtake print media in terms of importance. The old-fashioned notion that coverage doesn’t count unless it makes it into print is a thing of the past.

The top sources for legal market intelligence were The Lawyer; Legal Week and Legal Business, reflecting the preponderance of City

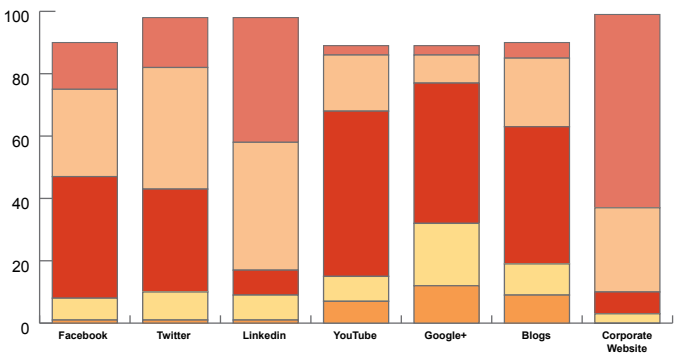
and commercial firms amongst our respondents (60 per cent of our respondents were UK top 50 firms). Further proof of the increasing significance of Twitter can be seen below: over half of respondents followed The Lawyer on Twitter (52 respondents). The ‘real time’ news coverage of Twitter is the preferred way to keep up to speed with developments.

When thinking about your raising your firm’s profile, is it more important for you to be featured in the print editions of the legal media, their online versions or both?

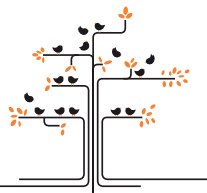


Answer Options	Very important	Quite important	Not important	Not sure	No answer	Response Count
Facebook	15	28	39	7	1	90
Twitter	16	39	33	9	1	98
LinkedIn	40	41	8	8	1	98
YouTube	3	18	53	8	7	89
Google+	3	9	45	20	12	89
Blogs	5	22	44	10	9	90
Corporate website	62	27	7	3	0	99
Other (please specify)						3

Which social media channels do you use to engage with the following legal media online?



Answer Options	Very important	Quite important	Not important	Not sure	No answer	Response Count
Facebook	15	28	39	7	1	90
Twitter	16	39	33	9	1	98
LinkedIn	40	41	8	8	1	98
YouTube	3	18	53	8	7	89
Google+	3	9	45	20	12	89
Blogs	5	22	44	10	9	90
Corporate website	62	27	7	3	0	99
Other (please specify)						3



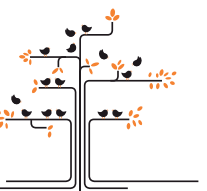
Conclusion

The legal profession, not known for its speedy embrace of change, is beginning to see the true value in social media. Many of our respondents readily acknowledge that firms have come quite late to the social media party but firms are engaging online to raise their profile, improve client relationships and attract new business.

Social media allows firms to show off their expertise and personality of the firm and of individual lawyers in a totally different way. The reach of social media means profile raising goes further than managing reputation. The benefits are tangible. Firms are actually winning business.

That said, there has been no shortage of social media horror stories to ensure that the risks involved in social media are patently clear.

However, there is no reason that these risks cannot be managed and planned for. A well-drafted firm-wide policy and a properly integrated social media strategy should hold firms in good stead to derive maximum benefit from the online world without fear and without hesitation. Those who are confident and allow their personality to shine will reap the rewards.



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