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Beware of Risks Resulting From Use of Social Media

Use of social media can pose legal and ethical risks to a law firm and its clients or damage the firm’s reputation or business interests. Social media tools include LinkedIn, Facebook, Twitter, AVVO, YouTube, Instagram, Vine, Pinterest, Periscope, Snapshot, Foursquare, Google Hangouts, blogs and wikis. Among the risks are the disclosure of confidential client information, taking positions that are adverse to the interests of firm clients, inadvertent creation of attorney-client relationships, unethical comments about judges, violations of advertising rules, intellectual property rights or statutes prohibiting discrimination in the workplace. Hackers and cyber criminals review information posted on social media sites to learn information about individuals that can be used to carefully craft emails containing malware that is made to appear to be from someone the individual whose information has be hacked knows or trusts. Law firms should adopt a policy for the proper and improper use of social media, put the policy in writing and make sure the policy is disseminated to all lawyers and employees of the law firm. Each lawyer and employee should be required to sign an acknowledgement that she or he has read and understood the policy and agrees to abide by it.