



# **Web 2.0 for Lawyers: How to use the Internet to Market your Practice**

Presented by:

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## **Web 2.0 for Elder Law Attorneys**

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## **I. WHY THE INTERNET IS INDISPENSABLE TO YOUR PRACTICE**

The reason the Internet is indispensable to your practice is that marketing is indispensable to your practice. You cannot market today without using the Internet. But you can choose what form that takes for you. This paper will discuss the various options and opportunities available to you.

While marketing a practice may not necessarily be indispensable for everyone, it is probably vital for more lawyers and more elder law attorneys today than it ever was before. A decade ago, many elder law attorneys were pioneers in their communities and had more business than they could handle. That is not true today as more and more estate planners and general practitioners have gravitated to this field, both in order to serve their existing clients and as a refuge from the decline in their other legal specialties, especially tax planning and real estate.

The result for most elder law attorneys, whether new practitioners or grizzled veterans, is that they must market their practices and they must use the Internet to do so. Fortunately, the growth of the Internet at the same time as the maturing of the elder law field has created the opportunity to reach more prospective clients and referral sources than ever before.

### **A. The Growth Of The Internet**

Currently, 220 million Americans, 72.5 percent of the U.S. population, use the Internet. The number has grown 130 percent since the year 2000. Actual traffic on the Internet is expanding by as much as 50 percent per year, with more and more people using the network for more and more purposes. Who imagined YouTube eight years ago?

According to the Pew Internet & American Life Project, while 87 percent of those between ages 18 and 29 use the Internet, only 32 percent of those over age 65 do so as well. Yet, this is more than double the 2001 figure of 15 percent.

One of the great features of the Internet is that it's cheap. You can sign up for a service to send out a monthly e-mail to 1,000 of your favorite clients and referral sources for under \$1,000 a year. The same newsletter if printed and mailed every month could easily cost more than \$10,000. The Internet empowers the "little guy," which almost by definition means the elder law attorneys who are almost all solo practitioners or in small firms.

### **B. The Decline Of The Yellow Pages**

Depending on where you live, a quarter- or half-page Yellow Pages ad can cost \$3,000 to \$5,000 a year. A full-page ad can cost \$5,000 to \$8,000 a year. If you practice in a large city, the cost can be far more than this. Would you be better off keeping this money in your pocket or spending it on search engine advertising? Or doing both?

The problem with Yellow Pages advertising is that it is static and can provide little information to the prospective client. You have one shot at convincing the client to come to your firm rather than all of the other firms advertising. By contrast, your Web site can provide any information you choose; you can change it as often as you like; it can engage the client by offering useful information; and it can collect information from the viewer in exchange for an e-letter or other offering. You can also use other means that will be discussed below to direct people to your site.

All of these are reasons to have a Web site. But they're not necessarily reasons not to advertise in the Yellow Pages as well. Whether or not you should advertise in the Yellow Pages depends a lot on where you live and what results you are getting. So, the first step is to find out how your clients are finding you. Your advertising budget can then follow the data.

### **C. Web Site As Firm Brochure**

At the very least, every attorney needs a so-called "brochure" site that provides the kind of information you would provide in a brochure to any prospective client or referral source. This would include a description of your practice, your biography, contact information and directions to your office.

This site's purpose is not marketing in the sense that it would bring you clients who would not have found you any other way. But it is marketing to the extent that prospective clients who want to "check you out" are able to do so. When anyone searches your name in Google or another search engine, she should be able to find you. Not finding you may be a broken link in the chain that brings a prospective client to your door.

### **D. Or More**

A Web site can, however, be so much more than a simple brochure. It can bring new clients to your firm, engage prospective clients, and help you maintain contact with past clients and referral sources. Here are some of the items a Web site can include:

- Biographies of all of the attorneys
- Pictures of all staff members
- Directions to your office
- A list of upcoming speaking engagements
- Articles on issues of interest to your clients
- Links to other sites of use to your clients
- Podcasts
- Videos
- News feeds
- Sign-up page for firm newsletters, fax letters or e-letters
- Useful calculators
- Case histories showing how you have helped other clients
- Client questionnaires
- A password-protected site containing client documents
- A blog

## II. CREATING YOUR WEB SITE

### (A) URL

Your first step in creating a Web site is choosing an address or “URL.” It should be easy to remember and associated with your firm. It can be [www.smithlawfirm.com](http://www.smithlawfirm.com), or [www.smithelderlaw.com](http://www.smithelderlaw.com), or any other address you feel will work for you.

Many services will let you know if your proposed URL is available and reserve it for you at a reasonable cost. One is GoDaddy at [www.godaddy.com](http://www.godaddy.com), which will reserve your URL for as little as \$10 a year. It will also let you know if your proposed Web address is available.

Other sites that offer the same or similar services include [www.register.com](http://www.register.com), [www.networksolutions.com](http://www.networksolutions.com) and [www.buydomains.com](http://www.buydomains.com).

### (B) Hosting

Now that you have an address for your Web site, it must exist on a computer somewhere referred to as a “server.” The same sites that sell URLs also provide Web site hosting services. Again using GoDaddy as an example, it offers hosting services for \$5 to \$15 a month, depending on the level of services and memory on the server required.

Network Solutions offers a Professional Services package for \$15 a month which includes unlimited e-mail addresses, a document library, a contact management system, a form generator, a site search function, maps, search engine submission and customer surveys.

### (C) Design

Increasingly, Web sites are moving away from fancy designs. It’s more important that the site be easy to navigate and to take in than that it be beautiful to look at. The designs offered by the services listed above, while not groundbreaking, do the trick.

If, instead, you want something that is distinctive and unique to you and your firm, you will have to hire your own Web designer. This can be done on-line with Web designers located anywhere in the country (or worldwide for that matter) or in person with a local designer. At [www.designquote.com](http://www.designquote.com) you can post your project and get eight bids back from designers. At [www.logoworks.com](http://www.logoworks.com) you can have your site designed for \$1,000 to \$3,500 depending on the number of features you want included.

In short, with the advent and development of the Internet you have access to resources worldwide that were not available even a few years ago.

### (D) Law Sites

One of the first and biggest questions is whether you should go it alone or take advantage of one of the many services tailored specifically for attorneys – FindLaw, Lawyers.com or AttorneysOnLine – or for elder law attorneys in particular – ElderLawAnswers. This section will provide a summary of what each service has to offer.

**i. FindLaw**

FindLaw, owned by Thomson Reuters, is the leading legal site on the Internet. Alexa.com, a traffic ranking site, ranks FindLaw as the 4,500<sup>th</sup> busiest Web site worldwide. It provides both basic legal information – at least in estate planning and elder law, content licensed from an ABA book – and the ability to search for attorneys.

FindLaw is state-of-the-art. It provides very attractive Web site designs along with listings on its leading site. The Web sites can include flash animation, podcasts, videos and just about anything a firm may want. FindLaw can also offer content, including news feeds and e-letters. It provides search engine optimization and traffic reporting, as well as tutorials on how to use the Internet for law firm marketing.

FindLaw's biggest Achille's heel may be its great success. A search for attorneys practicing elder law in Boston provided 44 results, not all right in Boston and not all practicing elder law. It's not clear why the results are as expansive as they are, but it does force the prospective client to look at potentially irrelevant sites (perhaps bumping up the number of leads FindLaw can tell its customers it provides).

Another issue with the FindLaw search result listings is that they display prominently those firms that offer a free consultation. For those practitioners who do not do so, this can be a disadvantage.

While providing excellent Internet services, FindLaw has a somewhat pre-Internet business model. You cannot sign up for services or even find the cost of services on-line. You must work through one of FindLaw's sales representatives.

**ii. Lawyers.com**

Lawyers.com, owned by LexisNexis, is the second most active legal site on the Internet, ranked 12,500 by Alexa.com. It has more of a consumer-oriented feel than FindLaw, with the navigation bar at the top containing the following categories: Find a Lawyer, Understand Your Legal Issue, Discuss Your Legal Issue, Legal Help & Resources and Law Blog. It includes discussion forums, live chats with attorneys, and legal forms. Flash ads appear at the top of the page.

When you click on the For Lawyers link, you go to [www.martindale.com](http://www.martindale.com), where you can search for attorneys on the Lawyers.com list, not the Martindale-Hubbel list. It also includes access to *Counsel to Counsel* Magazine, a service to find experts and a Watch List, which allows you to see and compare comments made about particular firms or attorneys. Martindale.com is ranked about 35,000 by Alexa.com.

Like FindLaw, Lawyers.com will provide you with a professional Web site and listings on its sites. It appears to be somewhat less advanced in terms of Web offerings. But it also appears to recognize elder law in a way that FindLaw does not, elder law being a listed search term and Lawyers.com offering an elder law practice area newsletter.

Also, like FindLaw, a search for an elder law attorney in Boston, returned 34 results, including lawyers not in Boston and lawyers not practicing elder law. Lawyers.com also offers simple Web sites hosted on the Lawyers.com server. This has the advantage of simplicity, but the disadvantage of not creating a separate identity for the participating firm.

Finally, like FindLaw, you cannot find out the costs of various services or sign up for them on-line. You can only do so through a sales representative. This, no doubt, goes hand in hand with Martindale-Hubble's sales model, which has always been through sales representatives.

**iii. AttorneysOnLineInc.com**

In contrast to FindLaw and Lawyers.com, AttorneysOnLine does not include a destination site for consumers. It is simply a marketing resource for attorneys, including Web site design and hosting, search engine optimization, blogs, e-letters, 1-800LAWYERS and 1-800ABOGADO, and print marketing campaigns. Web sites begin at a \$295 setup fee for a 10-page site (see <http://www.attorneysonlineinc.com/gallery/designs.html> for the selection of available site templates). Customized sites start at \$2,500 plus a one-time setup fee and annual hosting. Flash elements can be included as well as the other features such as streaming audio/video, e-commerce and dynamic updates. Database-driven sites built for the law firm to maintain in-house via an online administrative portal add about \$4,500 to the base fee.

**iv. NAELA**

NAELA.org has an excellent attorney search function, which has several advantages over FindLaw or Lawyers.com. First, consumers can be more confident that the attorneys concentrate their practices in the field of elder law. Second, the results tell the user how many miles the attorneys are located from the town or zip code searched. The site provides no information about the member, but does provide a link to the attorney's own Web site.

NAELA.org provides only limited information to consumers. It is primarily a Web site for its members. As a result, it has relatively low traffic, ranked at about 1,300,000 in terms of traffic worldwide, and much of this traffic can probably be attributed to its 4,500 members. In short, all members should take full advantage of their listings on the site, including links back to their own Web sites, but they should not rely on NAELA.org as a significant part of their on-line marketing strategy.

**v. ElderLawAnswers**

ElderLawAnswers.com (in full disclosure, the author is the founder) is a web-based practice development service specifically for elder law attorneys. It enables the elder law attorney to have easy access to the latest information on case law as well as the tools to impart knowledge to clients and referral sources. ElderLawAnswers provides – firm listings, customizable content such as e-letters and website templates, blogs, and podcasts. It also provides many additional practice aides to members, including a weekly e-mail newsletter update, a database of elder law cases and other materials, a co-branded book on estate and long-term care planning, and regular teleconferences on both substantive and firm management issues.

ElderLawAnswers' most unique offering is the content itself. All ElderLawAnswers members have license to use any content on the ElderLawAnswers' website as their own without attribution. Members can choose from thousands of article written for consumers to use on their websites, seminar hand outs and newsletters.

ElderLawAnswers charges \$125 a month with additional charges for more than one member per firm and more than one office listing. With over 174 million hits in 2008 it is the most trafficked elder law website on the web.

vi. **AVVO.com**

[Avvo.com](http://Avvo.com) was launched in 2007 to give consumers a way to choose an attorney based on hard data rather than word of mouth or an advertisement. Now covering about a dozen states, the site's goal is to rate and profile every lawyer in the country.

Avvo gives lawyers a numerical rating between 1 and 10, with decimal point gradations in between. For example, an attorney earning a 6.4 rating is considered "Good," while one with an 8.8 rating is "Excellent." The ratings are based on how an attorney scores on a five-point scale in three categories: Experience, Industry Recognition, and Professional Conduct. In many cases, the differences in ratings appear to be mainly attributable to differences in the "Industry Recognition" category. A check of variations in scores among prominent elder law attorneys led ElderLawAnswers to question about how meaningful or accurate this particular category is. Attorneys can boost their ratings by "claiming" their profile on the site and then adding information to it.

(E) **Content**

The key to a successful Web site is content. Good content in terms of articles, tools, news, checklists, recommended links, or anything else a consumer can use will reap benefits in many ways. It will make users stay longer on the site, making it more likely that they will remember (or bookmark) and return to the site and, more importantly, remember you. They will refer the site to others as a useful resource or as a place to get specific information – such as your state's transfer penalty figure. And content will help you with search engine optimization. While there are gimmicks, Google, Yahoo, Ask, and MSN are all seeking to identify the sites most useful to their users. A site with reliable, up-to-date content is going to be more useful than one that is simply a firm brochure, and will thus rank higher in the search results, bringing more traffic to your site and more business to your firm.

While good content helps your site, poorly written or, more likely, out-of-date content hurts your site both with users and with search engines. Make sure your site doesn't list your speaking engagements from 2006 as if they're still coming up. Make sure it doesn't list the 2007 CSRA and MMMNA figures. Such out-of-date information hurts the credibility of your site. You are better off not including any material that needs to be updated than out-of-date material.

The problem with content is that it has to be created, and the more ambitious you are with your site, the more content you need to provide and keep up-to-date. It's not unusual to get started during a slow period in one's practice, and then lose track of the site when things get busy. It is



important to calendar and systematize work on your site so that every month or every quarter, you or someone on your staff takes a survey of what's on the site and what needs to be deleted, corrected or updated.

Make sure that all of your content is written in English (or Spanish or another language depending on your clientele), not legalese. Most of the services described above provide content that you can use for your Web site to make it more robust and up-to-date.

**(F) Make It “Sticky”**

Your Web site is “sticky” if people stay on it and want to return to it. Content, as is discussed above, will help do that. But if you're creative you may be able to do more. Surveys can help, since they get users to do something other than just read. Checklists can be very useful to potential clients and can help them determine if they need your services. Real-life stories can be interesting and show what you do rather than just say what you do. Games, crossword puzzles, calculators, videos, blogs, and podcasts can all make your site “stickier,” keeping users there and bringing them back again.

**(G) Get A Response**

In designing your Web site, keep in mind what you want visitors to do. Of course, you want them to hire you, but they're unlikely to do that on the first visit or just by looking at your site – no matter how marvelous. You may just want them to see what you're all about, in which case a brochure site is sufficient.

But you may want to use your site to turn someone surfing the Web into a prospective client. To do that you will need to collect contact information so that you can have a way of putting your firm and your practice in front of them again. The more information you can collect, the better. But most people are wary of giving out too much information.

You may, however, be able to collect at least an e-mail address by offering something free – such as a downloadable paper on Medicaid planning. Some users will willingly sign up for an e-mail newsletters. Others will sign up for a print newsletter or print publication, in which case you will collect names and addresses – even better than an e-mail address. In short, any way you can get potential clients to part with their contact information, you have added a member to your community of potential clients. The next step is nurturing that community through mailings and e-mailings that provide them with important information and a reason to see you as the expert resource you are.

### **III. SEARCH ENGINE OPTIMIZATION**

**(A) Difference Between Natural Listings And Sponsored Listings**

There are two distinctly different ways your firm's Web site can display as a search result on one of the major search engines: as a *natural listing* or as a *sponsored listing*.

- i. **Sponsored listings** display on the very top and right side of a search engine result page. They are *paid listings*, meaning, an advertiser or Web site owner will pay the search engine if a consumer clicks through to their Web site from the ad displayed on the search engine result page. The way the advertiser pays for this ad is by bidding on *keywords*—words an advertiser thinks a consumer will enter into a search engine that relate to the advertiser’s business and that will entice the consumer to visit the advertiser’s Web site.
- ii. **Natural listings** display as a result on a search engine page according to an algorithm that the search engine uses to search the Web for matches to a keyword entered by a consumer. This algorithm is also known as a “Spider” or a “Web Crawler.”

The search engine spider indexes the content on your Web pages and ranks the relevance of the content to the search word or phrase that the consumer entered into the search engine. This is how the search engine determines what order to display Web sites on the results page.

## **(B) Difference Between Search Engine Optimization (SEO) And Management (SEM)**

It is important to make the distinction between the methods you would employ to have your Web site appear as either a natural or sponsored listing, because they require different skill sets, ongoing management and costs.

### **i. Search engine optimization**

The methods you would use to optimize your Web site to display as a *natural listing* are called search engine optimization or, as referred to in the industry, “SEO.”

Search engine optimization involves the content on your site such as articles, practice area descriptions, biographies, etc; and in the actual code behind the Web page.

When developing your Web site, a Web developer will insert onto each Web page HTML coding containing key words that consumers would be likely use to search for an elder law attorney. The position of the keywords in the HTML code is critical to the way search engines index and “rank” your Web site as relevant to the particular keywords a consumer is using for their search.

*SEO should take place during the initial development of your firm’s Web site, although it can also be done as an update or when adding new pages.*

When developing a new Web site or adding new pages to your existing Web site, you should make sure to submit the Web pages or URLs to the search engines for indexing. This will improve your SEO over time. Don’t expect overnight results,

however. It can take as long as six months for your Web site to begin showing up on the major search engines as a result.

To submit your Web site to Google, you can go here:

<http://www.google.com/addurl/>

To submit your Web site to Yahoo, you can go here:

<http://siteexplorer.search.yahoo.com/submit>

There are free submission services on the internet like Submit Express, which can be found here: <http://www.submitexpress.com/submit.html>. However, you must use caution. These sites will try to get you to opt into an e-mail advertising list, so read the fine print carefully.

You can also use software to submit your site, analyze its SEO and also manage your Pay Per Click Campaigns (“PPC”) campaigns. One such software program is *Web CEO*.

You can download a free version of it here: <http://www.webceo.com/>. Be prepared to take some time learning how to use this software. There will be a learning curve and you might not see results right away.

Here is a laundry list of SEO elements that your Web developer should consider when developing a new Web site or adding pages to your existing site for you:

- **URL**

The URL (Web address) a Web page uses plays an important role in SEO. Not only do “clean” URLs make it easier for users to remember the address, but it also makes it easier for search engines to index your page. For example, <http://www.yourfirm.com/resources/article/funding-special-needs-trust> is easier to read and contains keywords that can be indexed, whereas <http://yourfirm.com/resources/article.asp?id=5622&section=4&state=> is not easy to remember and does not help describe the page it points to.

- **META Description**

This is a short, one- to two-sentence description of the content of the page and possibly what your site’s purpose is. The contents of this tag usually display as a short snippet beneath your site’s name on search engine results.

- **META Keywords**

This is a list of keywords that pertain to your page’s content. You should choose keywords that would be contained within the average user’s search query that are relevant to your content.

- **Title**

This is the text that appears in the title bar of your browser window. The title should contain keywords that are related to the overall subject matter of your page.

- **H1-H6**

These tags are Heading tags and consist of levels 1-6. Level 1 is the highest and should represent the most important heading level of the page. This may correlate to your page's title text since it likely pertains to most of the page's content. The other subheadings should be relevant to the paragraphs or content below them.

- **Bold and Strong**

These may also contain keywords intended to be used for SEO. Be sure to use these only when Headings are not applicable.

- **Images**

All image tags should contain "alt" text. This is the text that will be displayed if images are turned off in the user's browser or if an image fails to load. It is also the text that allows search engines to "read" images within a Web page. Without such tags, Google cannot understand what the graphics on your page are and your page will not pass "w3c validation."

- **Links**

Links used to be considered a good place to put keywords, but because so many sites abused this strategy, some believe that caution should be used with the number of links contained on a page and also how keyword-rich the links are. Keep the number of links under 100 per page and you should be fine.

ii. **Search engine management**

The method you would use to have your Web site display as a sponsored listing is called *search engine management*. SEM refers to the management of ad campaigns or sponsored listings on the major search engines like Google and Yahoo. These are also called Pay Per Click Campaigns (PPC) because the advertiser only pays for the ad when a consumer clicks through to the advertiser's Web site.

(a) **Where to start**

Although you can place ads with Yahoo and Microsoft as well, most search engine traffic for the last few years has come from Google searches.

| U.S. Core Search Engines by Search Share, July 2008  |               |               |              |
|--|---------------|---------------|--------------|
| Core Search Entity   | June 2008 (%) | July 2008 (%) | Point Change |
| Total core search  | 100.0         | 100.0         | N/A          |
| Google sites   | 61.5          | 61.9          | 0.4          |
| Yahoo sites  | 20.9          | 20.5          | -0.4         |
| Microsoft sites  | 9.2           | 8.9           | -0.3         |
| Ask Network  | 4.3           | 4.5           | 0.2          |
| AOL LLC  | 4.1           | 4.2           | 0.1          |
| Notes:<br>1. Locations include home, work, and universities.<br>2. Data are based on the five major search engines, including partner searches and cross-channel searches. Searches for mapping, local directory, and user-generated video sites that are not on the core domain of the five search engines are not included in the core search numbers. |               |               |              |
| Source: comScore, 2008   |               |               |              |

**(b) Setting up an account**

Setting up an account on one or more of the search engines “search engine marketing” programs is fairly simple and self explanatory. The time-consuming part of SEM is in the management of the PPC campaigns. By far, Google has the easiest-to-manage program with the greatest market share of consumers.

Here is where you would set up PPC accounts on four major search engines:

- Google: [adwords.google.com](http://adwords.google.com)
- Yahoo: [advertising.yahoo.com](http://advertising.yahoo.com)
- Ask.com: <http://sponsoredlistings.ask.com>
- Microsoft: [advertising.microsoft.com](http://advertising.microsoft.com)

**(c) Choosing keywords**

To get started you must do some market research. You can start by entering keywords and phrases into a Google search and see which words will bring up your competitors or similar businesses as a result. Create a list of these words and note the ranking/positioning of the Web sites on the results page.

Google has excellent tools for keyword analysis; find them all in Google Adwords:  
<https://adwords.google.com/select/KeywordTool>

The tools will tell you the average ranking of a keyword, the average bid, how often the keyword is entered into a search engine, etc.

Google also has a tool to give you more suggestions for keywords. You can find many more tools to help you select keywords for your Web site on this page:  
<https://adwords.google.com/select/Tools>

(d) **Writing your ads**

Once you have chosen your keywords, you must begin to write the ads that will display as a result when consumers enter in the keywords you are bidding on.

It is important that your ad, and the destination Web page the ad clicks through to, leads to content relevant to the text in the PPC ad. Google will factor this relevance into a *Quality Score*. The *Quality Score* will make your ad more competitive when bidding against other Web sites for the same keyword.

Google defines a quality score this way:

*“Quality Score is a dynamic variable calculated for each of your keywords. It combines a variety of factors and measures how relevant your keyword is to your ad text and to a user's search query.*

*A Quality Score is calculated every time your keyword matches a search query—that is, every time your keyword has the potential to trigger an ad. Quality Score is used in several different ways, including influencing your keywords' actual cost-per-clicks (CPCs) and estimating the first page bids that you see in your account. It also partly determines if a keyword is eligible to enter the ad auction that occurs when a user enters a search query and, if it is, how high the ad will be ranked. In general, the higher your Quality Score, the lower your costs and the better your ad position.*

*Quality Score helps ensure that only the most relevant ads appear to users on Google and the Google Network. The AdWords system works best for everybody—advertisers, users, publishers, and Google too—when the ads we display match our users' needs as closely as possible. Relevant ads tend to earn more clicks, appear in a higher position, and bring you the most success.”*

You can read more about *Quality Scores* here:

<http://adwords.google.com/support/bin/answer.py?hl=en&answer=10215>

This is the structure of a PPC ad:

|                                     |  |
|-------------------------------------|--|
| <b><i>Headline</i></b> ••           | <a href="#">Get Medicaid Information</a>   |
| <b><i>Description Line 1</i></b> •• | <b>State Specific Medicaid Information</b> |
| <b><i>Description Line 2</i></b> •• | <b>Find Local Elder Law Attorneys</b>      |
| <b><i>Display URL</i></b> ••        | <b>www.elderlawanswers.com</b>             |
| <b><i>Destination URL</i></b> ••    | <b>http://www.elderlawanswers.com</b>      |

**Headline:** Max 25 characters

A headline should be short – two to four words that will attract a consumer’s eye. It should tell the consumer that the Web site they will click through to will fulfill the need for information that they were searching for. It should be action-oriented. It will link to the destination URL or Web page.

**Description Lines 1:** Max 35 characters

The description lines should let the consumer know something about the page that they are clicking through to—what will they find that is of importance to them.

**Description Lines 2:** Max 35 characters

Line 2 can expand on line 1 but should not string together. It could also describe another action item that can occur on the destination Web page.

**Display URL:** Max 35 characters

The display URL (Web page address) is not hyperlinked. It is an advertisement for your domain (www.yourfirmname.com)—it is not the destination Web page that the consumer will click through to.

**Destination URL:**

This is the Web address you choose that will link to the *Headline*.

(Source: *Google Ad Words Analysis, Gladworks, Pawtucket, RI, [www.gladworks.com](http://www.gladworks.com)*)

(e) **Setting up your campaigns**

Once you have determined a set of keywords you think consumers will use when looking for elder law attorneys and you have written your ad copy, you will need to set up campaigns that connect the two. This is done by setting up a *campaign*. The campaign will consist of the following elements:

- Keywords
- The ads that will display when consumers enter a keyword into a search engine
- The amount you will bid on the keyword
- Your daily budget

Google will give you the ability to localize your ad so it will display as a search result only to consumers in certain geographic areas. This could be very useful to the elder law attorney who is targeting his or her own state for referrals.

(f) **Ongoing management**

If you do not have a PPC campaign already you will want to start out slowly. Don't pick hundreds of words, pick 20. Write five or six ads to start. Watch the performance of these ads and determine which are the most effective. You may want to change the ads, add new keywords, increase your bid, etc.

Google and the other search engines have tools that you can measure the performance of your campaigns. They will tell you the ranking of your ad, how much it costs to serve up the ad, how many times your ad is being displayed to consumers and how often a consumer is clicking through to your site. You can monitor all these performance criteria on a daily, weekly or monthly basis.

Because managing a PPC campaign can be labor intensive, you may want to hire a Search Engine Management Consultant. The upfront costs on a consultant's fees can be expensive; however, the amount of money you spend on an experienced professional may be less than what it might cost *you* to manage your PPC accounts, rather than seeing clients. Also, there is so much information on SEM and SEO it could fill the Library of Congress, and the rules keep changing so advertisers don't learn how to cheat the system. A PPC consultant is devoting much more time and energy learning various SEM strategies and may be able to implement a more effective PPC campaign in less time than you could.

Here are a few things to look for in PPC consultants:

- They should be a *Qualified Individual* in the *Google Advertising Professionals* program
- They should be managing the accounts of multiple clients
- They should set up specific monthly goals for the performance of your campaign, e.g., increase click-through rates, increase your Web site's ranking on the result page, optimizing your PPC budget.
- They should be willing to supply you with activity reports on a monthly basis and explain what these reports mean and how the campaign will be adjusted as a result.

#### IV. **MAINTAINING YOUR WEB SITE**

As is discussed above, if you want your site to be more than a brochure site, you will have to keep it updated. For that matter, even a brochure site cannot be ignored completely. Any information about yourself or your firm needs to be accurate. So, the site should not include



information about personnel who are no longer working at your firm, and it should include information on new people who have been hired. If you were an officer of the local NAELA chapter or other organization and no longer are, or if you have become an officer since creating the site, you need to update your site accordingly.

One way to make sure that your site stays up-to-date is to create a schedule for reviewing and updating it with a particular member of your firm assigned to this role, whether that is you or someone else. If you have a simple brochure site, you can review it quarterly. If you have a more active site, you will have to review it monthly, weekly or even daily. Following are some steps you can take to keep your site up-to-date and appearing active to the user.

**(A) Current Information**

All information on your site, whether about your firm or not needs to be up-to-date. It is not too difficult to be a resource for users by providing current information on Medicaid numbers – the CSRA, MMMNA and transfer penalty. If you can become a community resource for upcoming meetings of the Alzheimer’s Association and for other community groups, you will provide users a reason to keep returning to your site. And you will provide a community service that can only burnish your image and keep you “top of mind” when people in your community are seeking an elder law attorney.

**(B) Seminars**

Your first step beyond a simple brochure site is to list your future speaking engagements, including both seminars your office sponsors and your speaking opportunities before other organizations. But if you do this, make sure you keep this up-to-date. Nothing will send a user away from your site quicker than a seminar listing for 2005. Your listing should include information on how the user can register or obtain additional information.

**(C) Surveys**

The next step in making a site “sticky” – meaning getting users to stay on the site – is to give the user something to do. An easy way to do this is to include a survey on the site. You can ask any number of questions whether related to elder law or not. For instance, does the current recession affect your users’ retirement plans? How many have long-term care insurance? Where should the estate tax unified credit be -- \$2 million, \$3.5 million, or unlimited? Let your imagination be your only limitation.

A number of services make this easy, including [www.constantcontact.com](http://www.constantcontact.com) and [www.zoomerang.com](http://www.zoomerang.com). As with everything else, it’s important to change the survey periodically.

**(D) Call To Action**

Call to action is the term of art for including a feature on your Web site that calls for the user to be active himself or herself. Calls to action engage the user. Filling out a survey is a call to action. Even better calls to action help you collect information about the user so that you can take further steps to engage her and hopefully turn her into a prospect and ultimately a client.

A call to action can include any of the following:

- i. Survey
- ii. E-letter sign up
- iii. Blog update sign up
- iv. Sign up for information about future seminars
- v. Order information about long-term care planning, Alzheimer's disease, home care, choosing a nursing home, or whatever you would like to write on

## V. DRAWING VISITORS

It's wonderful to have a great Web site, but just like the tree that falls in the forest with no one to hear it, if no one sees your Web site it will be as if it creates no sound. In Section III above, we discussed ways to make sure your site is found on the Web when potential clients are searching for elder law information and elder law firms. But that is only one way to draw users to your site. There are many others both on-line and off-line that are discussed below.

### (A) E-letters

An e-mail newsletter or e-letter may be the best and most cost-efficient way to stay in touch with clients, potential clients and referral sources on a regular basis. They are relatively easy to prepare and much cheaper than print newsletters since there's no printing or postage cost. Unfortunately, e-letters have become somewhat less useful in recent years as all of our in-boxes have become inundated with spam and non-spam e-mails from listservs, friends, colleagues, clients and everyone else trying to contact us. E-letters can get lost in the flood.

To make sure that your e-letter floats to the top and gets read, you have to make it useful and interesting to read. A good rule of thumb is to keep a ratio of three articles of general interest to every article about your firm or its activities. More of an emphasis on what you are doing will be seen as the self-promotion it is and cause your users to unsubscribe.

The second most important rule of thumb is to keep your articles short. According to a recent study of e-letter use, "users' most frequent complaint was about newsletters that **arrived too often**. And, when we let them vent, the most frequent advice study participants had for newsletter editors was to **'keep it brief.'**" The study found that 57 percent of participants "skim" the newsletters they receive. So the articles need to be short and to the point.

This can, however, be used to your advantage. While the newsletter article itself must be brief, it can link to a more comprehensive article on your Web site for those readers who want more information. This serves as one more way for you to bring readers to your site.

If you choose to create an e-letter, you need to choose a schedule and keep to it. Generally, e-mails are sent out on a monthly or quarterly basis, though some law firms do so as often as weekly or bi-weekly. Even if you have a quarterly newsletter, you can send out alerts to important events occurring in the interim.

Collect e-mail addresses whenever and wherever you can. Have a place to sign up for the e-letter on your Web site. Whenever you give talks, invite participants to subscribe and circulate

and a sign-up sheet. E-mail everyone you have in your Outlook and that of your employees to ask them if they would like to subscribe. (The alternative is simply to sign them up and give them the opportunity to Unsubscribe. This may violate the rules against attorney solicitation in some states if any of the people on your list are not already clients.) Invite your clients to sign up when you meet with them or when they call in for an appointment. Send out a postcard to all of your existing clients and referral sources inviting them to sign up.

Using these methods, you can quickly create a wide readership for your e-letter that will keep growing over time. The next question is how do you produce the e-letter? Two solutions are below.

**i. Constant Contact**

The leading service facilitating the creation of e-letters and related e-mails, such as holiday cards, can be found at [www.constantcontact.com](http://www.constantcontact.com). It is relatively simple to use and reasonably priced. It provides a wide variety of templates to choose from and permits you to modify them as you choose. Its software facilitates the maintenance of your contact lists. The cost depends on the size of your list. You can get started for \$15 a month if your list has up to 500 addresses. For 2,501 to 5,000 addresses, the fee is \$50 a month. This covers as many mailings as you choose to make each month. As is mentioned above, ConstantContact also offers a facility for conducting surveys.

Other services with which we are much less familiar include [www.icontact.com](http://www.icontact.com), [www.verticalresponse.com](http://www.verticalresponse.com), and [www.jangomail.com](http://www.jangomail.com).

**ii. ElderLawAnswers**

ElderLawAnswers offers its own monthly client e-letter service for members. Its software is much less versatile than that offered by ConstantContact, currently offering two newsletter designs. Nevertheless, it has two great advantages. First, it is provided monthly ready-to-go. The attorney does not have to worry about preparing it or keeping on schedule. Once a month, a notice appears in her in-box telling her that her newsletter is ready to be sent out. She enters the site, checks the newsletter, makes any changes she wants, adds any new recipients, and sends it out.

The second great advantage is that the content for the newsletter is ready-made. ElderLawAnswers creates a complete newsletter of original articles each month. The user can change the newsletter to substitute her own articles about her firm activities or news from her community. She can also replace the standard links in the e-letter to local links more relevant to her readership.

A third advantage is cost. There is no extra charge to ElderLawAnswers members for making use of the client e-letter.

**(B) Blogs**

The next best way after an e-letter to bring your market to your site is through a blog. A blog is essentially a Web site or page on a Web site that permits the blogger to write whatever he

likes and allows others to comment on what is written. In general, the writing is more casual and shorter than in a more formal newsletter. The software for blogs facilitates including links to other sites of interest, so a blog post can be as simple as an introduction to an interesting article found elsewhere on the Internet, including on someone else's blog.

As with the rest of your Web site, you need to have interesting, fresh content and you need to get people to read your blog. So, if you have a blog, you need to update it on a regular basis – daily, weekly, or monthly – and you need to promote it however you can. Your other on-line marketing material – Web site and e-letters – can contain links to your blog. Your print marketing material can tell readers how to find your blog. And you can join the so-called blogosphere by reading blogs by other writers, exchanging links and commenting on their blog postings, including links back to your blog. (The last part may take more time than any practicing attorney has available.)

Following is a discussion of some of the software and sites available for the creation of your blog and ways to enhance its usefulness to readers.

**i. WordPress**

Your blog may be hosted on your site or on another site with a link from your site. With WordPress you can go either way, create a site hosted by WordPress or download software to host the site yourself. Using a WordPress hosted site is definitely easier. The address of the site would read: username.wordpress.com or, for instance, margolis.wordpress.com. The way WordPress keeps its two parts separate is that for blogs that it hosts you go to [www.wordpress.com](http://www.wordpress.com) and for software that you download, you go to [www.wordpress.org](http://www.wordpress.org). Either way, this is free shareware, though users should contribute to WordPress so that it can continue to offer and develop its software.

**ii. TypePad**

TypePad is quite similar to WordPress, the major difference being that you have to pay for this service. But the price is reasonable, from \$5 to \$15 a month depending on which features you choose. They will let you try it out at no charge for the first two weeks. Given that the fee is low, in choosing between WordPress and TypePad, you should be guided by the site with which you are more comfortable rather than the cost. Our impression is that TypePad is easier to use for non-technical users, which means most attorneys. And, while we can't say for certain, we suspect that TypePad offers more user support than WordPress. It does not appear from its site, however, that it permits you to host the software on your site, so all URLs appear as username.typepad.com.

**iii. Blogger**

A third option, which appears easier to use than WordPress, but, like WordPress is free, is [www.blogger.com](http://www.blogger.com). Whether you consider this an advantage or disadvantage, Blogger is owned by Google. Unlike TypePad, you can let Google host your blog at username.blogspot.com or choose your own URL, which the Blogger interface makes easy. Even if you use your own URL, Google will host your blog at no charge. If you are considering starting a blog, check out all three and then use the one with which you are most comfortable and that best fits your needs.

#### iv. Content

As with your Web site and your e-letter, blog content is king. Boring, useless, self-promoting or out-of-date content will turn off the reader. Fortunately, with a blog, it's much easier to create content than for a Web site or e-letter. Blogs are much less formal. You can write something that is practically stream of consciousness, or a short report on a recent article or recent NAELA meeting you attended. Write it, link it, post it, and you're done.

That's what makes blogs fast, fun and easy. What makes them more difficult than your Web site and e-letter is that they are meant to be fresh. As long as you don't have anything that's out-of-date, you can leave your Web site alone for three months. Your e-letter can be on a monthly or quarterly schedule. But if you don't post anything new to your blog for a month or more, it's going to look old and tired. So only start a blog if you are prepared and organized to post at least once a month, every other week being much preferable.

You can generate the content from your own experiences and research. You can subscribe to services like NAELA News and the ElderLawAnswers Weekly to provide you with good content. You can also subscribe to the Google news feed, which will provide you e-mail links to article of interest. Anyway you choose, you can collect good and interesting information to pass along in your blog along with your own comments. But you have to be prepared to do so on a regular basis, or don't bother.

#### v. RSS feeds

To quote Yahoo, "RSS stands for 'Really Simple Syndication' -- it's a format for distributing and gathering content from sources across the Web, including newspapers, magazines, and blogs." USA Today describes it as follows: "RSS, sometimes known as Really Simple Syndication, is a popular means of sharing content (such as news headlines) without requiring readers to constantly visit a Web site to see what's new. RSS feeds contain headlines and hyperlinks to longer articles or Web pages."

In effect, RSS is a news feed that you can use either to send your blog postings and news articles to others who subscribe or for you collect information from news feeds that interest you. For instance, you can subscribe to Yahoo news feeds by going to [news.yahoo.com/rss](http://news.yahoo.com/rss) and choosing from a number of suggested news feeds or creating your own (for any news article mentioning elder law, for instance). Or you can use a news aggregator such as AmphetaDesk, NetNewsWire, or Radio Userland.

Whichever system you use, one of the advantages of an RSS feed is that it bypasses e-mail. Rather than going through all of the e-mails you receive every day for the news you want, you go to your RSS reader to view the most recent additions.

In the same way, you can add RSS capability to your blog or articles so they will be read by your subscribers instead of being lost in a tsunami of e-mails.

#### (C) Podcasts

Podcasts are a way of having audio segments either on your site or sent by e-mail to

others. They can play on the site or be downloaded to an mp3 player, whichever the user prefers. They offer a way to make your site more dynamic and, if you are the one speaking, users of your site can hear your voice. ElderLawAnswers offers its members the ability to include ElderLaw Radio segments on their sites. These are interviews with leaders in elder law and related fields. On members' sites they are co-branded as the law firm's Internet radio program -- for instance, titled "Jones & Smith Radio."

**(D) Video**

Even more dynamic than podcasts are videos, which provide a short film clip instead of an audio file. Like podcasts, they can be viewed on your site or downloaded by the user to his or her computer. They can also be uploaded to YouTube. Video takes a bit more production capacity to do well than do podcasts.

**(E) Non-Web Promotion**

We've discussed many ways to encourage prospective clients and referral sources to come to your Web site, including search engine optimization, pay for click advertising, e-letters, and useful and interesting content on your site. You can also use non-Internet based methods of steering users towards your site. Here are a few methods.

**i. Advertising**

Any ads you run, whether in local newspapers promoting your seminars, in senior publications, in the Yellow Pages, in newsletters of special needs organizations, or on the radio, should include the address of your Web site. If you have useful information on your Web site that could be downloaded, this could be promoted in your advertising. This way, you can leverage the advertising you are already doing by using it to steer readers to your Web site. To the extent they go there, you have turned one contact with a potential client into two contacts.

**ii. Newsletters**

If you have a regular or irregular print or fax newsletter, that is another vehicle for promoting your Web site. Include a reference to it in every issue, as well as news on any changes or additions to the site. You can also do this in other correspondence you have with clients and referral sources.

**iii. Postcards**

You can cost-effectively send out postcards announcing the creation of your Web site or the addition of new features. There are a number of services that will produce postcards for you at very reasonable prices. One, [www.postcardmania.com](http://www.postcardmania.com), will produce 500 standard-sized postcards for \$299 and will design the card for \$199 if you don't have your own graphic designer. Using their design service, that works out to 10 cents a card plus postage, a good way to reach people easily, remind them that you're there, and steer them to your Web site.

## **VI. SOCIAL NETWORKING**

Social networking is the big craze for the younger generation. Everyone seems to have a Facebook or MySpace account, or both. Users participate in groups, link to lots of friends, exchange information, videos, songs, etc. And when they're not doing that, they're Twitting their minute-to-minute activities to their circle of friends.

That's great for them, but what does it mean for us still communicating by telephone, e-mail, fax and listserv? It's somewhat hard to tell at this point, but this does seem to be the wave of the future. The software of these sites is terrific in terms of how they permit the exchange of information. Having a social networking site for NAELA or another organization seems like an obvious next step. With the notable exception of Ning (see below), however, it seems that any group needs to be created within one of the existing sites. For instance, NAELA can create a group for NAELA members only on the Facebook site, but Facebook and the other social networking sites will not make its software available to NAELA to create its own social networking section on its site.

Given that social networking is at least one wave of the future, which may or may not take over the legal and related professions, we all need to keep an eye on it. Here's a primer on some of what is available now.

### **(A) LinkedIn**

LinkedIn, the most business-oriented social networking site, was created as a way for professionals to network without initially meeting face to face. Following the basic concept of all social networks, LinkedIn ties you not only to your individual connections, but to their connections as well, creating a vast web of potential contacts, collaborators and clients. For instance, one user with 30 direct connections has 2,400 connections two degrees away, and 262,000 connections three degrees away. If you want to meet someone several degrees away, the service allows you to obtain an introduction through your shared contact, or link, much like a typical in-person networking meeting. The easy-to-use Web-based service allows users to create a profile, attach resumes and Web sites, and send emails to other users. The site also allows members to recommend your work via testimonials, which can be viewed on your public profile, turning up when people search for your name using an Internet search engine. Since LinkedIn caters to professionals, you can search for people by name, company and field, among other options, making it easy to pinpoint contacts and associations who may be helpful to your particular practice. Visit <http://www.linkedin.com>.

### **(B) Facebook**

The reigning champion (in terms of users) of the social networking sites, Facebook was famously developed in a Harvard dorm room and still maintains a very loose structure, focusing on the personal over the professional. Like other sites, Facebook allows users to develop a personal profile that includes basic biographical information. Users can post unlimited numbers of photographs organized into albums, and can "tag" the people in their photos, allowing other users to search for pictures that they are in. The central portion of the Facebook profile is "the wall," where friends and contacts can write messages to you and post video and photos.

Facebook allows users to create groups centered around common interests and affiliations. Unfortunately, it is currently very difficult to control access to these groups, making it easy for people to infiltrate and cause problems for the serious users.

Recently, more and more companies have started searching potential employees' Facebook profiles during the hiring process (or even afterwards). Because the content is wide-ranging and typically personal, it is easy for employers to see how "social" some of their workers really are. In one well-documented case, an employee was fired after he called in sick, only to post pictures of himself at a Halloween party that same day. Because of this and other privacy concerns, professionals with Facebook profiles should exercise caution when posting anything that a potential client or associate might find offensive or off-putting. Visit <http://www.facebook.com>.

**(C)            MySpace**

Very similar to Facebook, MySpace began as a pure social networking site and has evolved into a more commercial vehicle. One key usability difference between the sites is MySpace's customization options, allowing users to edit the HTML code of their profiles. For professionals, this feature leads to greater flexibility and the ability to stress brand identity, making MySpace a helpful platform for advertising a firm or service. MySpace also caters to musicians through MySpace Music. MySpace maintains group pages, and also supports real time chat rooms. Members can set up their own blogs, and the fluid blogging software is easy for even a beginning blogger to use. Visit <http://www.myspace.com>.

**(D)            Ning**

Ning is a relatively new site that allows users to create and modify their own social networks, instead of working within the public platform of Facebook or MySpace. Once a user creates his own network on Ning, he has the authority to admit or deny new members, and can customize all of the typical profile features based on his specifications. While this service does move towards a completely freestanding social network, all of the information on the network is hosted by Ning, and designers must use Ning's proprietary software for creating and modifying their networks.

Ning offers several layers of service, beginning with a free network with 10 GB of storage (approximately 5,000 photos) and 100 GB of bandwidth. Users can purchase more storage space and bandwidth in units of 10 additional GB of storage and 100 additional GB of bandwidth for \$9.99 per month. Further customizations include the ability (for a fee) to use your own domain name, purchased from an outside source, for your social network. Visit <http://www.ning.com>.

**(E)            Twitter**

Taking social networking to an entirely different level, Twitter is a program that encourages users to post extremely short pieces of information about their daily lives. Operating much like a blog, Twitter users are allowed only 140 characters per post, with the company's stated goal being to answer the question "what are you doing now?" This could be anything



from "taking the subway to work" to "going out for coffee." Users choose to "follow" their friends, so when someone updates their Twitter profile, all of the people following them know what they are doing. Of course, you can also limit who receives your postings.

Unlike other social networks, which require users to access the network via a Web page, Twitter users have several ways to post and review content, including a standalone program for cell phones and an instant messenger. Visit <http://twitter.com>.

**(F)            Wikis**

More of a concept than a specific program or site, a Wiki is a type of Web site that allows its users to easily modify the materials posted there. The most famous example of the Wiki format is wikipedia.org, an online encyclopedia developed and maintained entirely by its users. Most Wiki pages offer a simple, text-based format and multiple links to other pertinent Wiki documents, and do not require extensive knowledge of computer coding. The main goal of Wiki pages is to enable its users to share information, making it an ideal method for drafting articles among a disparate group of people with different ideas.

The Wiki concept does not have to operate as a standalone Web site, but can be incorporated into a more typical platform. For instance, an estate planner may want to allow his clients limited access to update information in their draft estate planning instruments, and can offer a small program on his Web site where clients can log in and do so. Wiki documents often track the changes individual users make, leaving a record that can be referred to later.

**(G)            Digg and Reddit**

Digg is a Web site that ranks Web content (news stories, blog entries, etc.) based on votes from site users. Every article submitted to Digg has a count of how many Diggings the story has received. Visit <http://digg.com> Similar to Digg is Reddit, which aims to "democratize" the traditional news model. Content is submitted by users who get to vote on news articles they like or dislike. This trains a filter to give them more personalized content in the future. Visit <http://www.reddit.com>.

**(H)            Newsvine**

This site allows visitors not just to read the news but to become a part of it and profit from it as well. Casual visitors can read thousands of Associated Press articles, purportedly posted faster than any other site. Those who want to become more involved can discuss news stories, write their own column (and collect the ad revenue from it) or create their own public trail of news stories they find interesting. Visit <http://www.newsvine.com>.

**White Paper 2.0.1**

Presented By  
*Jaffe Associates, Inc.*  
November 28, 2008

# **Lawyers Getting Social:** *Web 2.0 and PR 2.0*

The Way Jaffe Looks At The Present and the Future



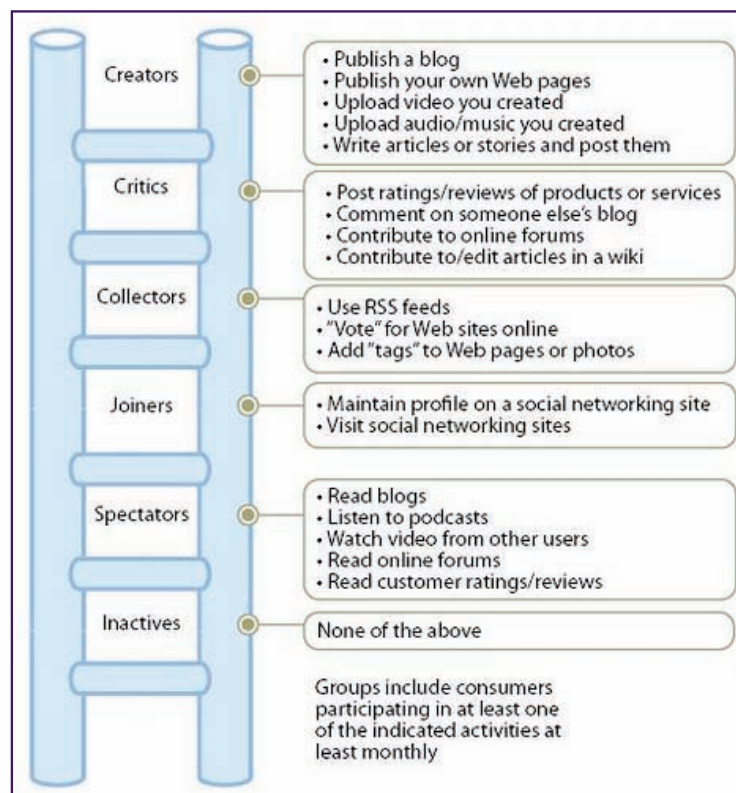
**Jaffe**

## WHY YOU NEED TO BE MORE SOCIAL

Only three months ago, Jaffe published a white paper “Web 2.0 and PR 2.0 -- The Way Jaffe Looks at the Present.” The original document remains intact here, but there’s even more evidence for acting now. We have distinguished the new material from the original version by presenting all new information in blue.

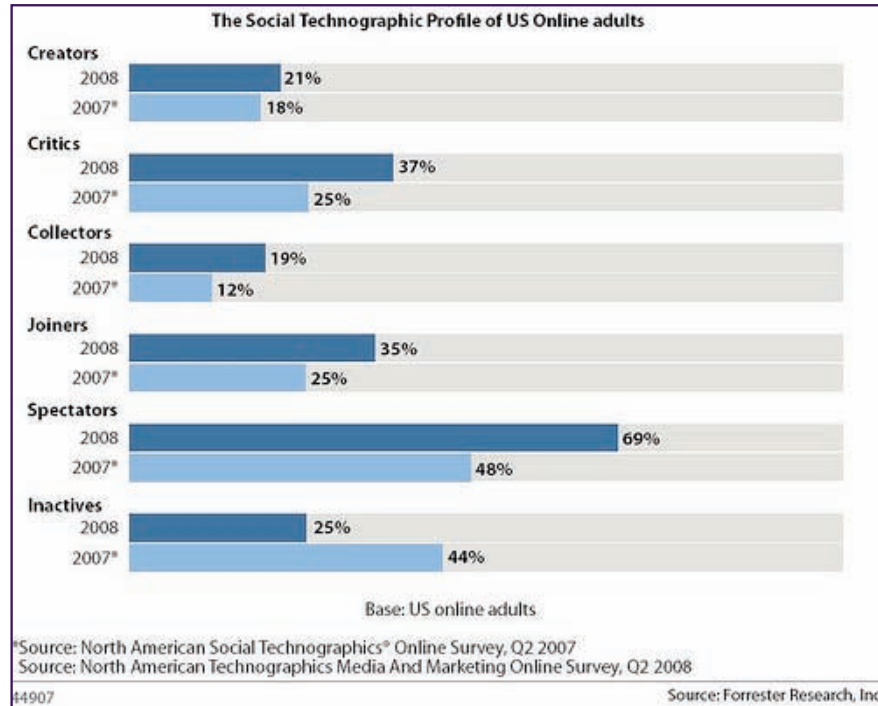
The Web world, and communication in general, is changing faster than we can possibly imagine. Almost everyone who is online is using the web in ways they couldn’t imagine even months ago. More than ever before, they’re engaged in social media, technology considered a “teenage thing” not that long ago. Forrester Research just released a report, “*The Growth Of Social Technology Adoption*,” by *Groundswell* author Josh Bernoff, which shows that the use of social technology mushroomed over the past year. “Three in four US online adults now use social tools to connect with each other compared with just 56% in 2007.” Bernoff’s conclusion? “Marketers have to get on board with social technology now — more advanced marketers will speed up customer-driven innovation, sharpen metrics, and improve customer experience. Those who wait to join in will find it increasingly hard to catch up.”

Here’s how Forrester looks at how we engage online:



From the Forrester report, those who are actually creating their own content aren't growing all that much; where the real activity has grown is with "Spectators," those who are jumping on social sites to get their information and be entertained.

Here's where Forrester says US adults are now in terms of 2.0 activities:



**ANOTHER FACT TO CHEW ON:** Your clients and audiences are spending a great deal of time online. According to a September 16, 2008 article in *e-marketer*, "[Affluent Spend the Most Time Online](#)," there is a "strong link between income and Web time." The study, conducted by Ipsos Mendelsohn, found that users in the top income tier went online an average of 25.9 times every week. The same group is online for longer, too. According to a study conducted in May 2008 by Illuminas for Cisco Systems, cited in the same *e-marketer* story, adult Internet users in the US spent an average of 21 hours per week online.

The reality is that whether clients are looking for a lawyer right now or a year from now, the client base is already online, searching and actively engaging in social media activities.

Even though not everyone is blogging or uploading homemade videos, the majority are consuming social media, many through sites that demand less of their time, such as professional networking communities. Even more interesting, these web consumers are as likely to be grandkids as they are grandmothers. To talk to them, and for them to find you, you need to be online and in the conversation.

Your colleagues are online, too, looking for information. But only a tiny percentage of lawyers are establishing a foothold online for thought leadership by actively contributing content to the discussion. According to a recent presentation given in New York City by the Legal Marketing Association on Social Networking, only eight percent of firms and only two percent of lawyers maintain a law blog. Only four percent of firms and fifteen percent of lawyers have joined social networks.

Lawyers have yet to take advantage of the efficiencies to be gained by using the Web to expand their networks. Being late to the game means missed opportunities to establish one's firm or practice as a thought leader, to recruit summer associates and to showcase expertise, notes Doug Cornelius, senior real estate and knowledge management attorney at Goodwin Procter. He says that firms and attorneys can also use social networking sites to reach potential clients.

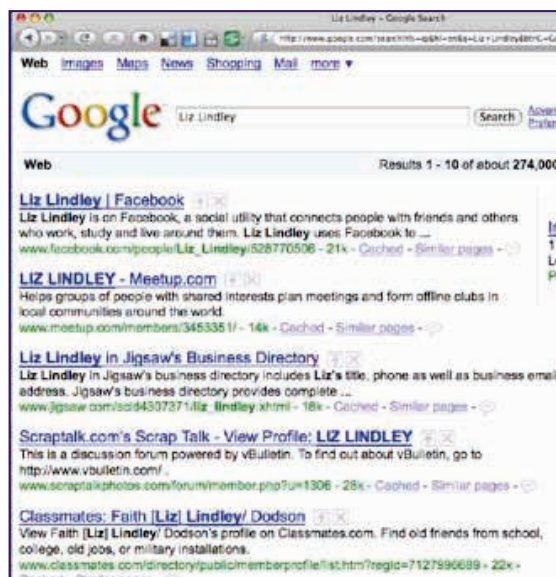
Why the need for the shift now? There's so much social media already out there, it's very likely that many people can't distinguish between Web sites that are still in 1.0 mode, or Web 2.0. What they do understand, however, is that the Web 2.0 experience makes participation easy. At its core, Web 2.0 is much more interesting, exciting, engaging and energizing. It's the ideal medium to get work done efficiently with their clients, colleagues and communities; in other words, the people with whom lawyers need to interact every day in order to do their jobs successfully.

As such, we wanted to take this opportunity to enhance and update our original white paper before Web 3.0 takes hold (and it will not be long, trust us!).

## THE BASICS

Go ahead—right now, Google yourself, your firm or your practice area and see what shows up. Only the very first page of results represents your reputation in the robust world of Internet enterprise. If you're not there, you're nowhere!

The results of a lawyer's or a law firm's search can be positive, negative, or completely non-existent. When the same search is performed by a client, potential client, researcher, recruit or a reporter—and you know that it will be, the results will determine whether or not you get the call.



## Content Is King – Some Things Never Change

Good content—textual as well as oral—has always been of utmost importance in the field of public relations for lawyers and law firms. It is what sets you apart from your competitors as a thought leader in your selected area of practice.

Content provides tangible proof of three important claims: that you know your area of the law, that you know how to apply the law in order to solve problems for your clients, and that you have mastered the legal and business issues of your clients' industries.

The value of content has not changed. What *has* changed dramatically, especially in the past five years, is the number of ways lawyers and law firms can effectively distribute their content—and the number of ways Internet users can find this content.

Originally, a lawyer's textual content was presented in print publications. Oral content was presented in radio, television and before live audiences.

With the birth of the World Wide Web, a lawyer's textual and oral content received even wider distribution when it could be posted on a Web site—and sent in an electronic version via email to a select list of clients. These are still very important tools, and Jaffe offers these services to lawyers and law firms.

In the current era of Web 2.0 and PR 2.0, a lawyer's thought-provoking text and informative oral content can now be disseminated via exciting new PR 2.0 tools to reach a virtually unlimited audience of viewers on the Web and to maximize results on search engines.

## Networking Is Critical – But Sometimes Things Do Change

Every successful lawyer knows the value of networking—the creation of trust-based relationships that are the foundation of successful business development.

Originally, a lawyer networked by meeting the right people in the right groups at the right "real world" events—and cultivating the relationships. Often, you had to "pay to play" in some of these groups. These are still very important tools, and Jaffe offers these networking services to lawyers and law firms.

In the Web 2.0 environment, networking no longer operates under "real world" constraints like geography and time. Networks and influential interest groups are formed online, usually for free.

The World Wide Web has completely changed the way that lawyer and law firm content can be distributed and networks cultivated—and the way new legal business will be developed.



## Web 1.0 – You May Already Know This, But Here’s A Quick Refresher

Within the history of the Internet, Web 1.0 refers to the first generation of initiatives that took place between approximately 1994 and 2004. Lawyers and law firms launched Web sites on which they posted reputation-enhancing content about the firm, its lawyers, and their work. To get to these sites, a user had to know the URL. As a result, a lot of PR during the early part of Web 1.0 involved letting people know your URL—“where to find you” online.

At the same time, lawyers and law firms, often reluctantly, started to use email to correspond with clients and to send electronic versions of their print content—including press releases, brochures, newsletters and alerts—to specific lists of people.

Just 10 years ago, search engines appeared—sparking a revolution in the way people use the Internet. Google was founded in 1998, went public in 2004, and was added to mainstream dictionaries as a verb in 2006. A Web user in search of information—a phone number, a map, a definition, a product or a service—can now simply enter a name or keywords into a search engine and be taken to a list of reliable results.

Within this environment, any referral source, potential client or media reporter will enter your name into a search engine before deciding whether or not to make a referral or give you a call.

How do search engines find you? Via complex algorithms called “spiders” that ceaselessly sift through and rank every bit of content posted to public sites on the Internet.

Just like spiders in the real world, Internet spiders are attracted by anything new that falls into their “Inter-net.” Lawyers and law firms that want to maximize their Internet profile must feed the spiders with a steady diet of fresh content posted to the Internet.

Spiders also look for “keywords.” Lawyers and law firms should determine the best keywords—the actual words that people would use to search for them or their services—and include these in both the content itself and the coding behind the content. There is a science and an art to doing this well; copywriting has become content writing. Even articles originally written for print should anticipate an eventual home on the Internet.

## Web 2.0 – This Is The Stuff You May Not Know Yet

Web 2.0 evolved from the widespread use and acceptance of Web 1.0. While still in its infancy, this next Web generation is growing with hyper-speed leaps and bounds. Web 2.0 is interactive, open to user-generated content and very inexpensive when compared with traditional media.

Its tools and technologies are often referred to under the heading of “social media.” Simply put, a Web 2.0 site is launched and users are asked to contribute to (and often to rank) the site’s content.

Web 2.0 is all about sharing content—and lawyers and law firms generate a lot of useful content in the course of doing business. It is an ideal medium.

Some popular examples:

The founders of Wikipedia built a site on wiki software, primed it with information that was already in the public domain, and then opened it up to the entire world.

The founders of LinkedIn, Facebook and MySpace put up social networking sites, and then opened them up to anyone who wants to post a profile and create a network.

YouTube did this for audio and video podcasts, and Flickr and Photo-bucket did it for photographs.

The other component of Web 2.0 success is the RSS feed. Any content posted in a Web 2.0 tool includes a bit of code called an RSS feed—which is like a fat, juicy, wiggling fly to the hungry search engine spiders.

An RSS feed “syndicates” each item of lawyer or law firm content widely and attractively over the Internet—just like the *New York Times* traditionally syndicated its stories to other newspapers (it also now uses RSS feeds to syndicate its Web site content). This content can be text, audio or visual, or a combination.

Web sites launching in the Web 2.0 era are usually built on RSS-enhanced blog software and include a variety of text, audio and visual Web 2.0 tools.

Blogs are perhaps the best-known of the Web 2.0 tools (see below). Blogs encourage the consistent posting by their hosts of new content. The “categories” feature emphasizes keywords. Each post automatically generates an RSS feed. As a result, search engines tend to rank blog content higher than most Web site content. Readers can join the conversation by commenting on and ranking the usefulness of what has been posted.

Many major news stories are now routinely being “broken” by bloggers and other citizen journalists. Recently, a military law blogger discovered and posted about an error in the U.S. Supreme Court decision dealing with the constitutionality of the death penalty for those who rape children. The next morning, the blogger’s story was the basis of an article that appeared on the front page above the fold of the *New York Times*.

Lawyers or law firms in search of reputation-enhancing publicity must continue to target reporters and their media—but also all of the bloggers who cover their target market. In addition, a robust online presence means that a reporter or a blogger doing a search on a story will find you to talk to—instead of your competitor.

## WIIFY - What's In It For You?

What does Web 2.0 mean for the PR and marketing functions for lawyers and law firms and those who work in the legal environment? PR and marketing continue to focus on the use of content to build reputation and the use of networks to find new business—but the opportunities for distributing that content and building those networks are now vastly expanded.

To promote good news, there are many more ways to get your message before the public. A lawyer or law firm should incorporate Web 2.0 tools into its own PR 2.0 and marketing strategies and online materials.

In addition, lawyers and law firms can contribute informative content to the user-generated content and social networking sites of others. As part of this process, the content will be RSS coded and syndicated across the Web. Just as you need to target which print, radio or TV audiences to target, you need to target the Web 2.0 sites that will best meet your needs. A consultant can often help with this process.

The control of negative news is a two-step process. First, you need to know what is being said about you. Lawyers and law firms can use Web 2.0 tools to monitor the Web for any hints of negative publicity—sort of like the traditional news clipping service—but supercharged. There are many free products that will do this—like Google Alerts. There are also more comprehensive subscription products like Andiamo.

Second, when negative items about you or your firm are showing up on the first page of a search, you need to know how to control them before they spread. News and rumors can be posted by any “citizen journalist” with a cell phone (text and photos). They can travel around the world in real time and spread virally via blog links.

The conventional wisdom about real world customer satisfaction applies to the Web as well: “A happy customer will tell four people. An unhappy customer will tell 21.” Substitute “post” for “tell” in this statement—and supercharge it with the viral nature of the Web—and you can see the potential need for damage control. Once negative content has been posted, it is difficult to get rid of, but countervailing positive content is usually enough to push it off the first page of search engine rankings.

The Obama for President campaign, for example, benefited greatly from Web 2.0 tools when it came to its promotional, networking and fundrais-

ing efforts. Campaign managers saw the need to set up a separate Web site ([www.fightthesmears.com](http://www.fightthesmears.com)) just to deal with the Internet rumors concerning the candidate and his wife. If you put “Obama rumors” into a search engine, the first page of results no longer yields the negative rumors—just positive news about the new Web site.

Law firms have come to fear the power of sites—blog [www.abovethelaw.com](http://www.abovethelaw.com) and message board [www.greedyassociates.com](http://www.greedyassociates.com)—that often feature gossip and conversation about law firms. Above the Law attracts 100,000 site visitors daily. When Nixon Peabody recorded “Everyone’s a Winner at Nixon Peabody”—a firm anthem created to raise morale—someone immediately posted it to YouTube, where it was linked to by Above the Law—generating a tsunami of negative publicity for the firm.

The need to monitor for negative conversation is not limited to computers. In a modern-day version of whispering to your neighbor, audience members at events are using a micro-blog platform called Twitter, which works on cell phones as well as computers to comment to others in the audience about public speakers—while the speaker is making a presentation!

Lawyers and law firms must continuously monitor their online reputations—taking steps to enhance the positive and mitigate the negative. The opportunities for PR and marketing professionals to assist with this process are virtually untapped.

## General Guidelines for PR 2.0 – And All Of These Might Change Tomorrow

### *You must give in order to get.*

Lawyers and law firms are used to charging by the hour for everything that they do and keeping a close hold on their contacts. Web 2.0 is not built that way. Those who *give* (by generously sharing their content and their contacts) will get, in the form of an enhanced Internet profile and search engine results, leading to enhanced “brand” recognition and more and better business.

### *You can manage, but not control.*

In the days of traditional media and the early days of the Web, a lawyer or law firm exercised complete control over most aspects of its content (unless it was dealing with a reporter). To take full advantage of the rich opportunities offered by Web and PR 2.0, lawyers and law firms will need to relax, to share and to use criticism not as an attack—but as an opportunity for conversation.

You can create a blog, for example, around a practice area. Thousands of lawyers and law firms have done so. You then have three options: you can disable the comments feature; you can censor comments on your content, only posting the positive comments; or you can allow all comments



(eliminating only those that violate legal ethics rules). Lawyers will naturally gravitate to the first two options; only the last one will be perceived as a true blog that gains you respect in the blogosphere.

As mentioned above, anything newsworthy that is posted to the Web will spread fast. This is a two-edged sword. When the news about you is positive, it is good. When the news is negative, it is not so good. There is virtually nothing that can be done to control the spread of content via PR 2.0. It can be managed and mitigated, however, by a steady stream of positive content.

### ***Timing is everything.***

In the days of traditional media, it might take weeks to get approval of the wording of something as simple as a single-page press release. PR 2.0 operates in real time. It is true that most bloggers post multiple stories every day and are eager to scoop the traditional media.

If someone puts the news out there before you do, with their spin on it instead of yours, that is the version that will control the story—without a lot of management and mitigation work on your part. If a blogger emails you or calls you—it is wise to treat this person just like you would a traditional journalist. Respond immediately.

### ***Be completely authentic.***

When it comes to spin, the PR 2.0 environment is even less forgiving than the traditional environment. Your version of the news will be dissected by readers, listeners or viewers and ruthlessly dissected in comments. Not even U.S. Supreme Court decisions are exempt from this process.

The social media are all about straightforward conversation. In the Web 2.0 world, this is called transparency. They provide wonderful opportunities for professional service providers like lawyers to start or join conversations on pertinent subjects and contribute valuable information.

A major caveat: do not solicit for business on a Web 2.0 site (unless you have bought advertising and it is clearly labeled as such—like the ads that appear on a page of Google results). If you solicit, you are in violation not only of the written rules of legal ethics in all states but also the unwritten laws of Web 2.0. Never use Web 2.0 tools to spam a blog, members of a social network, or members of the media. The response will be immediate and painful.

### ***Think twice before you hit “submit.”***

In a traditional environment, a flawed document, letter or tape could often be recalled and destroyed before it had a chance to do too much harm. Not so in the Web 2.0 environment. As soon as content is posted, those hungry spiders (and aggregators, which we will discuss later) get to work.

A nasty comment you make in the middle of the night on the blog of a competitor in Denver can be bookmarked, forwarded or printed out two minutes later by a blog subscriber in Taiwan. By the time you wake, it could be all over the Web and you could be answering phone calls from reporters. Because of the nature of links on the Internet, it is virtually impossible to completely recall a mistake. You can issue a corrective comment and/or hope to push it down with new content—but it will **never** go away.

## **PR 2.0 Content – Here Comes The Leverage**

Social media allow lawyers and law firms to put existing content to work on the Internet, where it can be found and ranked by search engines. Content can consist of words, art, photographs or podcasts (audio or video), or any combination of these elements.

Content can also be another program inserted into a Web site in order to increase its interactivity—like a blog or a wiki or any of thousands of “plug-in” mini-programs known as “widgets.” The mini-program that inserts the current date and time on a Web page is a widget. A survey is a widget. Most Web 2.0 programs encourage users to create widgets that will work with the program.

In the course of doing business, law firms generate a significant amount of written content—including print bios, practice area descriptions, case studies, proposals, brochures, legal documents and books.

Traditionally, when dealing with clients, print or electronic versions of written content were distributed to a specific mailing list. When dealing with the media, print or electronic versions of press releases, articles or other content were distributed to publishers of newspapers, magazines or directories.

A written speech was delivered to a specific audience at an event, often using PowerPoint slides. It could be a one-time event, or it could be recorded as an audio or video podcast and posted on the firm’s Web site—perhaps even put on a disk and sent to a mailing list.

In the world of PR 2.0, a lawyer’s bio can appear not only in print and on the firm’s Web site, but can also be posted for free on any number of content and social networking sites. It is not sent to a limited mailing list; it is posted to the Internet where it can be found by anyone, anywhere, anytime. The more content that is posted to the Internet with an RSS feed, the more you dominate and control your Google results.

In the Web 2.0 universe, a book can appear not only in print but as an e-book, where it can be kept current by the author(s) in real time as the law evolves, where each section is optimized for the search engines, and where readers can contribute content and comments.

In the PR 2.0 universe, a press release can appear not only in print but also as an interactive online document—offering not only traditional content, but also links to background information, photos, graphics, audio and video resources, related Web and blog sites, and the email addresses of sources. The PR 2.0 press release comes with its own RSS feed and can be enhanced with tags and bookmarks (see below).

In the PR 2.0 universe, a podcasted speech can be enhanced with an RSS feed on a firm’s private site, including Web sites and blogs. It can also be submitted to a wide range of public sites like YouTube—where it can be accessed and circulated by others who are interested in the subject matter.

When writing PR 2.0 content, it is important to understand the differences between writing copy and writing content. For example, it is extremely important to understand the keywords that users would use to search for your area of expertise and to intentionally use those words—liberally but not annoyingly—in the article, its headlines and subheads, and its coding. These “keywords” attract the search engines. In the case of audio and video—which have no written words—tags are essential.

## Enhancements to Web 2.0 Content – And Here’s Even More Leverage

Content on a Web 2.0 site is meant to be shared and commented upon. There are a number of tools that make this possible.



As mentioned above, an RSS feed is a bit of code that can be added to a piece of content. This code “feeds” or syndicates the piece of content across the Internet—where search engines and aggregators can pick it up. If a user likes the content, he or she can subscribe to the RSS feed in order to get more content like it in the future—by clicking on the orange RSS icon and following the simple instructions.

## Aggregator

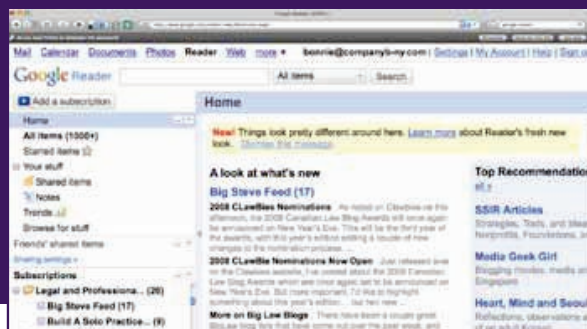
If an RSS feed “pitches” content, an aggregator (or feed reader) “catches” it. An aggregator, also known as an RSS Reader, is a user-created program that automatically searches the Internet for certain RSS feeds and collects (aggregates) them in one place. You no longer need to visit Web sites you like to see if anything has been added; any update to the site attracts the attention of the aggregator and is automatically brought to your desktop.

In addition to RSS feed subscriptions, you can also put keywords (or tags) into an aggregator—creating a customized search engine that is constantly scanning the Internet for terms of interest and delivering the results to your desktop. Among the best-known RSS aggregators are NewsGator, Bloglines, FeedDemon, Google Reader and Technorati. Quite specific to the legal profession, LexMonitor is a recently launched aggregator of law blogs and journals. Lastly, Mac users have built in RSS readers in the Safari and Apple Mail applications.

### A TIP:

*How to use an aggregator: Setting up an aggregator with keywords is simple and the value of using it, quantifiable. You will save time and stay informed about topics of interest to you and your practice. A reader presents the headlines from your favorite blogs, online periodicals, news topic alerts and other search strings that you set it up to “catch.”*

*Google Reader is a popular, easy-to-use aggregator. To set up a free account in Google, if you don’t already have one, click on Google Reader, follow the instructions to add your favorite blogs and online periodicals and search term strings, and you’re ready to go. Then bookmark your Google reader page on your web browser and you can jump right in and read any time you want to. When you find a new blog you’re interested in reading, click on the orange RSS button to add the new blog to your aggregator. And, if you have an iPhone, you can download the reader application on your phone and scan your feeds on the go.*



## Search Engine Optimization

This white paper focuses primarily on the distribution of quality content enhanced with RSS feeds in order to achieve search engine optimization (SEO). This is called “natural” SEO and is the main focus of PR 2.0. Clients can also buy advertisements on the search engines that are set apart from the “natural” results. This is called “paid” SEO and is how Google makes most of its money.

## Tags

Tags are used like a file system to organize content on a blog. Also called categories, they are created by authors or viewers, depending on the system. A blog with no tags would just go on and on like a journal—organized by when posts were written, not by subject matter. It would be hard to locate what you were looking for.

A lawyer writing a blog on the subject of climate change law, for example, might include as tags/categories “coal,” “carbon markets,” and “Clean Air Act.” When adding content to a public site, posters can choose from a list of “official” tags so that the site knows under which subject to store it. Search engines and aggregators look for tags.

Tags are particularly useful when dealing with text-less audio and visual content like podcasts, art or photos. Without tags, there is nothing for the search engines to read.

## Social Media: Where to Post Your Content – Ask A 12-Year-Old How This Works

Deciding where to post depends on your goals: do you want to put a friendly face on your practice, contribute to a professional discussion, reach out to former colleagues and college friends, or pursue your hobby with like-minded individuals?

The tools are just that, tools to be used when and where you need them. You wouldn't use a Phillips head screwdriver to tap in a nail. Understand that content marketing through social media is all about getting to your audiences efficiently. Before staking your digital claim and contributing, analyze what type of social community fits the needs of your audience.

Social media are Web sites that accept user-contributed content and comments—providing a wealth of new opportunities for lawyers and law firms to enhance their reputations on the Internet.

Most of these tools can be accessed for free via a wide variety of public sites. Often, these sites offer enhanced and/or advertisement-free products for extra cost. In addition, the software behind social media can be purchased by lawyers and law firms and used to build proprietary sites over which you have more control—like your own blog or wiki.

More than one type of social media will often be “mashed up” on a single Web site.

## Blog Sites



A blog is an inherently interactive Web site. All new content is automatically coded with an RSS feed. The first blogs looked and functioned pretty much like online journals. Today, they are starting to look and function like supercharged entity Web sites.

A lawyer or law firm can create a blog around a defined area of interest—like employment law for builders in Colorado. Since blog posts are generally short, posting content to a blog is much easier than writing an article. Since they appear immediately, blog posts are a perfect way to address breaking issues in the law.

Each blog post will be sent automatically in real time to those who have subscribed to your blog's RSS feed and to those who have the post's keywords in their aggregators: clients, potential clients, industry experts and media around the world.

Bloggers often use their own aggregators to keep current with breaking news and other bloggers in their fields. By including links to these posts in your blog, you enhance search engine optimization. By intelligently commenting on posts that appear on other sites and blogs, you enhance your reputation as an expert in your target market.

Lawyers and law firms can use blogs to enhance their profiles and search engine results on the Internet.

Recently, on the “Real Lawyers Have Blogs” blog, Kevin O’Keefe posted a checklist for best practices for legal bloggers, “[Law firm blog policy: LexBlog’s sample](#)” by Kevin McKeown, Lexblog’s VP of client development. McKeown is also a lawyer.

A quick summary of that list is below.

1. Decide who owns the blog. The firm or individual lawyer(s)?
2. Identify and approve all blog authors and blogs.

3. **Define the blog's purpose and niche – the narrower, the better.**
4. **Draft guidelines for blogging.**
5. **Draft a blog disclaimer and privacy policy that states that no attorney/client relationship is being formed and no legal advice is being dispensed. Consider making it a pop-up.**
6. **Decide whether or not to restrict blog content to be general and informational similar to email newsletters and alerts.**
7. **To be successful, link to and reference other blog posts.**
8. **Typically, don't blog about existing clients and current firm matters.**
9. **Determine your firm's comment policy. Allowing comments adds legitimacy to your blog.**
10. **Add blog content at least once a week. Keep posts short.**
11. **Connect with the firm's marketing department to maximize the marketing potential of the blog. Decide who responds to media requests directed to blog authors.**
12. **Ensure quality control by training everyone who touches communications in best practices. Commit to updating the training consistently as the technology and issues change.**

### Content Sites

Content sites are sites external to a law firm that allow for the posting of many types of content. The basic service is usually free, with enhancements available at a charge. Because of the search engine strength of popular external sites, content posted on these sites is likely to rank higher in results than content posted on your own Web site.

Some content sites are more like directories, focusing on the posting of lawyer and law firm profiles (which also form the basis of social networking sites, see below). Potential clients can search these directories when looking for representation.

AVVO, for example, uses state bar association data to post the profiles of every lawyer in a state and then ranks them based on certain criteria. To improve rankings, lawyers and law firms must visit the site and edit the profiles—providing the level of detail that AVVO is looking for. AVVO is also a public rating site—allowing visitors to comment on their actual experience with a lawyer or law firm.

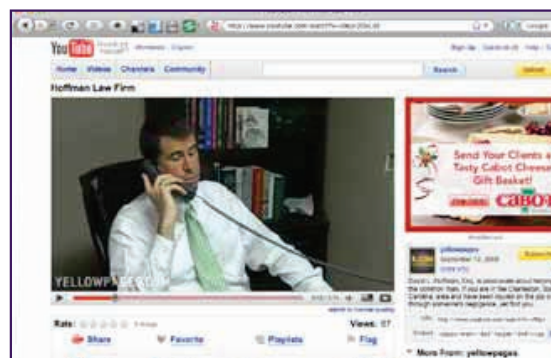
Other sites are more focused on content. There are online “e-zines” that focus on almost every legal and business topic under the sun. These sites

are always interested in quality user-contributed content, which they will post along with your tagline and contact information. (In addition, you can always create and post your own e-zine.)

Another category of content site focuses on legal documents—which in a social media environment can be searched for free rather than by subscription. JDSupra, for example, accepts not only lawyer and law firm profiles, but also actual articles and legal documents which can be searched by potential clients looking for a work sample, by other lawyers looking for research on a legal topic, and by reporters (there is a special “Scoop” section) looking for background and sources for articles they are writing.

YouTube is an example of a content-contribution site that is focused on videos. Flickr is a content-contribution site that focuses on photos. CNN.com is a mainstream news outlet that has opened its pages to user-generated content. Through its iReports feature, CNN.com accepts user-contributed text, photos, audio and video from “citizen journalists.” It also solicits reader opinion via its daily “Quick Vote” survey.

Lawyers and law firms can contribute to content sites to enhance their profiles and search engine results on the Internet.



### Entity Web Sites

Most successful business Web sites have been enhanced to maximize their effectiveness in a social media environment. Most lawyer and law firm Web sites, however, have not. At the very least, traditional sites should focus on adding a steady stream of new keyword-rich content. The sites should be retrofitted to allow RSS feeds. Any Web site being created or revised today should be built on a social media platform.

A Web 2.0 lawyer or law firm Web site can include traditional (although RSS-fed) Web site content along with various social media applications that encourage two-way interaction with clients—like blogs, visitor surveys, social networks, and wikis. They can include a stream of real-time subject-specific headlines and news generated by an aggregator. They can include mini-sites, in which a practice area can focus on its unique keywords and RSS-enhancement efforts.

Lawyers and law firms should rebuild their entire Web sites in order to enhance their profiles and search engine results on the Internet.



### Message Board Sites

Message board sites, forums and Listservs are the original social media Web sites. They are usually organized around groups or interest areas—much like the LMA Listserv provides a forum for members of the Legal Marketing Association. A user poses a question or comment, and other members provide answers or additional comments.

Because they have been around so long, message board conversations are more difficult to enhance with RSS feeds. Many social networks (see below) are adding the question/answer capability to their sites—and it's likely that the "message board" function eventually will be assumed into the social networking function.

If an organization you belong to has a message board, join it and use it. It is yet another low-cost way to demonstrate your expertise and get your name and contact information in front of a targeted audience. Do not use the medium to solicit. Monitoring the constant flow of questions and answers lets you know what is on the minds of potential clients.

When posting an answer on the message board, keep the text short enough so that your email signature appears on the first screen. To make it easier for users to follow up with you in person, include your tagline and links in your email signature. To keep your name and expertise top of mind among listserv members, try to post at least once a month.

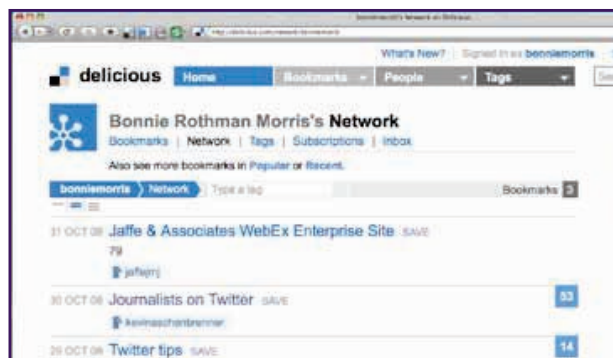
Lawyers and law firms should join and participate in message boards in order to enhance their profiles and search engine results on the Internet.

### Social Bookmarking Sites

Internet users can share their favorite items (including their own items) on a certain subject with others on the Internet by posting the links to social bookmarking sites like Del.icio.us or Digg. By subscribing to these services and using their existing tags, lawyers and law firms can add their icons at the end of each item of content.

By clicking on the icon, Internet users can weigh in on the value of the content they have just read, listened to or viewed. As a result, good and informative content on a subject rises to the top of results. Bad or self-promotional content sinks to the bottom. Social bookmarkers can also post comments about your content. You can also "share" a list of items you have bookmarked with visitors to your own Web site.

Lawyers and law firms should submit links to their content to social bookmarking sites in order to enhance their profiles and search engine results on the Internet.



### Social Networking Sites

By now, everyone has heard of public online social networking sites like LinkedIn, Facebook and MySpace. There is also a wide range of more specific public and private social networks like Legal OnRamp for the legal industry. Like other social media sites, social networks provide an opportunity for you to post your own content—in the form of an RSS-feed enhanced profile. Profiles can include links to Web sites and blogs.

Unlike other social media, social networks also use keywords and other data to track and reveal the (often hidden) relationships that exist among members of a social network.

Once you post a profile on a social network, you can have the program search your personal contact files for individuals who belong to the same network. You can use the program to invite them to be your friend or connection. Once they accept, you have access to all of their connections—as well as the connections of their connections.

LinkedIn, for example, which focuses on a more professional membership, tracks and reveals relationships within three degrees of separation. Depending upon the activity level of your connections, this list can grow exponentially. This author has just 34 carefully selected first-degree connections in the field of legal marketing—but 16,300 second-degree connections (approachable using a connection) and 1,876,100 third-degree connections (approachable using a connection of a connection).

Your list of connections can be searched using a wide range of criteria like employment skills and geographic location in order to come up with a list—like the network profiles of all forensic accountants in Omaha. As a result, social networks are very popular with headhunters—who pay extra for full access to the public lists. In addition to searching, most networks allow members to ask and answer questions (like a message board).

Most social networking sites allow users to form affinity groups of members—around an entity, like all lawyers, incoming summer associates or alumni of a particular law firm, or members of an organization—or around an idea, like all those interested in a conversation based on intellectual property law for medical devices in China.

Lawyers and law firms are even creating avatars (a computer user's representation of himself or herself) and participating in visual online social networking systems like Second Life. The avatars of Harvard Law School intellectual property law professors teach the avatars of online students (some with wings) in online classrooms in Second Life. Law officers operate and collect fees.

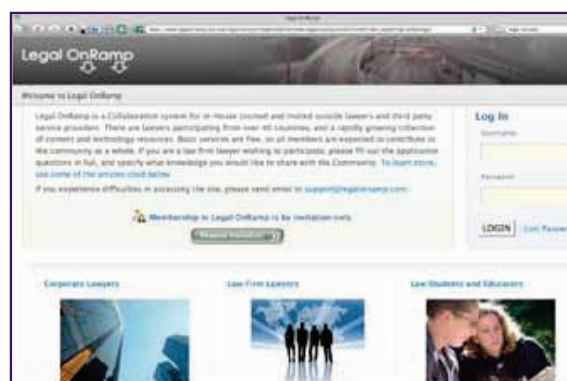
According to Bob Ambrogi, a Massachusetts lawyer, writer, media consultant and [blogger](#), attorneys are slowly recognizing that social networking sites have the potential to transform the way business is conducted. Social networking sites can be used to reach potential clients, reach new recruits, keep in touch with colleagues, show expertise and generally broaden lawyers' reach online.

For example, Facebook can be an effective tool for connecting with recruits. LinkedIn, as mentioned above, is best for business-to-business connections. And lawyers-only social networking sites can be powerful and valuable, says Goodwin Procter's Doug Cornelius. Legal OnRamp and Martindale Hubbell Connected (launching in January 2009, but Jaffe has seen the pre-launch site and its features) in particular give attorneys the opportunity to shine and show other attorneys what they know. There is thoughtful discussion on these sites as lawyers demonstrate expertise in their areas of practice. Legal OnRamp can be a safe environment where lawyers are talking to other lawyers and the only price of admission is knowledge.

David Johnson, from Legal OnRamp says that the site is building a central network for the legal world, where attorneys and legal

professionals can network, learn and share. The site offers open and restricted areas making it easier to manage potential client conflicts and keep sensitive information private.

Lawyers and law firms should take advantage of social networks today—to post their profiles, to create, search and question networks, and to form groups—in order to enhance their profiles and search engine results on the Internet.



## Twitter and Micro-Blogging

[Twitter](#) is a social media Web site that asks, “What are you doing?” and lets users post answers in 140 characters or less. In 2007, Twitter had 1,000 users. Today, [Compete.com](#) reports that there are 2.5 million visitors each month. Twitter is a relatively new phenomenon – and relatively unknown amongst the majority of regular Web users. But Twitter and Facebook have made a big enough impact on online behavior to warrant a feature story in the *New York Times Magazine*, “[Brave New World of Digital Intimacy](#)” that examines the phenomenon of what the author, Clive Thompson, calls “co-presence.” And early adopters are calling Twitter no less than the next communication phenomenon. It’s worth paying attention to.

Basically, Twitter users (some of whom call themselves “Tweeple”) use Twitter to share interesting links with one another, to comment on business issues, but also to report on the comings and goings of their lives (Twitter messages are referred to as “Tweets”). Spend enough time on Twitter and you are likely to discover how your associates take their coffee. But, that’s the point. One thing that Twitter is about is showing personality quickly. It’s popular because it doesn’t take a lot of time to write 140 characters.

Twitter has spawned its own subset of applications to enable users to use it more strategically and efficiently. Some are for listening. A useful application that’s been developed for Twitter is called Twitter Search. This tool lets you search Twitter to listen to topics that are important to you. Another is Tweetbeep, which is the “Google Alerts”

for Twitter, letting you monitor conversations on any topic you tell it to look for. Others let users find like-minded individuals. For example, if you want to find people who are interested in your legal specialty, [twellow](#) helps. Clicking the law category in twellow will turn up scores of pages of conversations related to legal issues on Twitter. Brian Solis, a leading thinker in Web 2.0 marketing, recently posted "[Twitter Tools for Community and Communications Professionals](#)" on his blog listing many more applications.

Lawyers are still relative neophytes on Twitter, but attorneys and marketing directors are starting to toss around ideas for how to make Twitter useful and applicable to the legal world. One recent posting by a West Coast marketing director on the Legal Marketing Association Listserv discussed the successful use of Twitter to communicate brief but important messages with staff during the wildfires in the Los Angeles area.

At its most basic, here's how Twitter works:

You create a simple/brief profile, as you would on a social networking site, then you write your 140-character post, which can include a URL, a photo, etc. Once you have a few posts, you will begin to build your network of "followers." Twitter is largely based on reciprocal relationships. You follow people who are of interest to you, and, in turn, they follow you. This is best accomplished by asking your friends and colleagues who are already on Twitter to follow you. Then, similarly to LinkedIn, you can scan their followers, begin to follow them, and pretty soon, they will be following you, too.

An example of a successful marketer that uses Twitter to personalize the brand is [Zappos.com](#), a footwear and fashion retailer. The CEO, [Tony Hsieh](#), Tweets at least once every day. He has over 15,000 followers who read about the conferences he's attending, the cocktails he's consumed and, of course, when Zappos is being featured in the mainstream media such as on the Oprah Winfrey show. Hsieh's followers get a real sense for what it's like to run a fast-growing, high profile company. He puts a human face on a big brand, and, of course, he has a platform to discuss what the company is up to.



## Wiki Sites

The best-known Web site built on wiki software is the user-generated Wikipedia—an encyclopedia in which users contribute all the content.

The founders of Wikipedia primed the site with information that was already in the public domain and then opened it up to the entire world for addition, comment and correction. When Wikipedia first launched in 2003, the scholars scoffed. Today, it is among the top 10 Web sites in the world—home to 10 million articles in more than 250 languages.

What's more, research shows that the content on Wikipedia is just as accurate as and certainly more up-to-date than that content in mainstream encyclopedias (electronic as well as print). Scholars themselves now post to Wikipedia.

A lawyer or a law firm could create and post an issue-related site on wiki software— branding it with its own name and priming it with its own content categories and documents, but opening it up to the content and comments of others. What you give up in control by allowing others (including your competitors) to participate in the wiki, you gain in reputation as a confident thought-leader.

Lawyers and law firms should take advantage of wikis in order to enhance their profiles and search engine results on the Internet.

## NOW THAT YOU'VE HEARD ABOUT THE TOOLS, WHAT NEXT?

There are well-defined methods for marketing success in social media, and they hold true whether they're for marketers of Legos or lawyers and law firms. Social media is a powerful way to build with efficiency a reputation for passions and expertise, to find like-minded individuals for even the most obscure topics, to personalize that which previously had been impervious to personalization, to build networks, spark lively conversation and debate and, finally, to sell things, ideas and services both inside and outside the firm.

Ruth Ward, the head of knowledge systems and development at Allen & Overy, LLP, provided compelling insight into how her law firm and others are using various social media tools to increase efficiencies, in [an article](#) published in *Managing Partner* in June, 2008: "Know-how to Network." Here is her take on how firms are using Web 2.0 across the enterprise:

**Recruiting:** The firm uses employee blogs and Facebook and MySpace pages to put a personality on the firm in order to interact with potential recruits.

**Improving Staff Engagement:** A few firms are using internal, private “Facebooks” to be more efficient in identifying employees’ skill sets and experience, to keep track of recent work, or to foster the development of communities, be they amongst working moms in the firm, trainees, or the firm’s softball league.

**Working Smarter and Faster:** Micro-communities (smaller sites within the firms’ larger shell) can help foster collaboration and communication across practice areas and offices. These sites are member-specific and can include a group blog, news tied to an RSS feed, shared bookmarks and a wiki for sharing information. Ward argues that these sites, in use by her firm in over 50 states, are more effective than e-mail and document management. For example, group blogs are a better way to get answers to the “does anyone know?” questions, rather than e-mail blasts.

**Wiki-Efficiency:** Sharing information on an internal wiki, particularly FAQ resources on particular topics, such as new legislation, gives all attorneys who need insight instant access, and a means to share their knowledge broadly. As new questions are answered, they are added to the wiki, for example, expanding the knowledge base.

**Client Communications:** Currently, Web 2.0 is not widely used for client-facing work. But, points out Ward, Legal OnRamp and other business networks are opening up opportunities to “create, and participate in, open and closed groups within third-party networks.”

Where to begin? Part of making interaction work is a willingness to share and to be open. But perhaps more importantly, the key to success is to be very clear about your goals before jumping in.

According to an ebook, “[The Essential Guide to Social Media](#),” by Brian Solis, the rules of engagement are to:

1. Start by listening. Once you know what you want to achieve, find out where other experts in your field are congregating online and observe how they’re interacting. Legal OnRamp might be the place. Or LinkedIn, or through an interconnected web of bloggers. There are so many ways that your stakeholders are online (using any of the tools listed above). Chart your journey visually so you can see where you need to go.
2. Identify the most valuable, active and viable conversations to determine with whom to engage. Keep in mind that online engagement should be part of an ongoing, consistent strategy in order for it to be effective. That requires resources.
3. Make your approach. Web 2.0 is about being personal (remember our Zappo’s.com CEO example on Twitter). Don’t start “selling” right away. Share insight, information, original thoughts.

4. Understand that you may not be speaking the same way to different audiences. You would likely adopt a different tone to find recruits on Facebook than you would on Legal OnRamp to find an expert on nursing home regulations in New Jersey.

5. Establish policies and guidelines for everyone in your firm, even if they are not actively participating in firm-“sponsored” social media activities. Train them.

## What Is Most Important For You To Know Right Now?

Maybe the most important thing for you to know and recognize is that we are all going through a period of major change in the way we communicate. And, as soon as you learn everything we have talked about in this white paper, it will probably be obsolete.

Is there a lot to learn? Of course there is, and that is the hard part, but on the other side of the coin are opportunities for communication that we can only just now begin to imagine. We will be able to communicate with our chosen audiences better, faster and with feedback that we were never able to get before. It is a challenge today and not something that can or should be left only for the “young” to figure out at some point in the future.

Web 2.0 and PR 2.0 is about all of us and must now become an integral part of our professional skill set. While some might equate the current change as moving from a quill to a ballpoint pen, we see this change as moving from crawling to rocket launching in the time frame of only a few years. And, don’t blink now, for you are sure to miss something. Stay tuned for **more**. . . .

Listen to this. The “more”, mentioned above, is a doozy. In October, *Wired* magazine, the mouthpiece for trends in the entire tech industry, declared that blogging is dead. There’s been a low buzz about this for some time. However, as aptly noted in the social media blog [socialtnt](#), *Wired* reported its observation in a blog post! Clearly, the report of the demise of the blog is greatly exaggerated.

But, what has become obvious is that communicating online is something that more people are doing more often and in more places, like with their mobile devices. And there are tools available that make communicating easier to achieve, without the need to build and maintain a full-blown blog. If you like to speak your thoughts rather than write them, Utterz lets you micro-podcast. If talking into a camera on your computer is your thing, [Seesmic](#) makes it easy to post and build a community around conversations. Qik is an application that lets users stream live video from their cellphones. For now, these tools are being used mainly for social purposes and by very early adopters, but it’s only a matter of time before professional networks and marketers migrate to using them, or to using



newer tools being developed for professional audiences. The Flip digital video camera, which lets users automatically upload video content to YouTube and other video sites, was one of Oprah's favorite things in 2007. Today, many marketing and PR professionals regard the simple-to-use tool as important as the press release. There's no reason why lawyers, who are preternaturally well-spoken, cannot take advantage of simple technology to provide rich, compelling content to relevant communities online.

Clearly, experts in Legal 2.0 agree that Web 2.0 has enormous potential for lawyers. And, if you didn't need another reason, consider these ten reasons why an online community is suited for the law, according to Paul Lippe, founder and CEO of Legal OnRamp:

1. Law is a social profession.
2. Legal content and expertise are developed and shared socially.
3. A social platform is the easiest way to go global.
4. A social platform can address clients' demand for greater efficiency.
5. A social platform can be used to manage privileged work.
6. A social platform gets lawyers closer to clients.
7. Social platforms will change the competitive dynamics of the law.
8. Participating in the broader community is the best way to energize your own community.
9. An online community could prevent future shock.
10. Social platforms are not about technology, they are about people.

Finally, Web 2.0 is about communicating and sharing interests and expertise. Getting started always seems like the hard part. Start by listening. Listening to the conversations is the best way to find out where potential colleagues and clients are spending their time and to learn what they're interested in talking about. Then, dive in.

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## **Lawyers Getting Social:** *Web 2.0 and PR 2.0*

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