Expanding Your Web Presence Outside of Your Own Website: YouTube, Social Media and Beyond

By:

Toby J. Brown
Vinson & Elkins LLP

Jordan Furlong
Edge International

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**Toby J. Brown**  
Vinson & Elkins LLP  
Houston, TX

Toby Brown is the Director of Pricing for Vinson & Elkins (www.velaw.com). Toby’s primary role is working with firm partners and clients in developing alternative pricing arrangements. Prior to this Toby served in a similar role for Fulbright & Jaworski, where he also drove knowledge management initiatives. Before joining Fulbright, Toby served as the Communications Director for the Utah State Bar (www.utahbar.org). In his tenure with the Bar, he also served as the CLE, Access to Justice and Programs Director.

Toby presents and publishes nationally on legal technology, marketing and law firm management subjects. Toby has served on a number of legal services boards, bar association task forces and legal market organizations. He received the Peer Excellence Award, the President’s Award and the Anne Charles Award from the National Association of Bar Executives (NABE - www.nabenet.org). Toby received his BS and MS in Economics from the University of Utah.

Toby maintains the ABA award winning 3 Geeks and a Law Blog with 2 colleagues at: www.geeklawblog.com. He is active on Twitter as @gnawledge and can be found on LinkedIn at www.linkedin.com/in/tobinbrown.

**Jordan Furlong**  
Edge International  
Ottawa, Ontario

Jordan Furlong is a lawyer, speaker, and consultant based in Ottawa, Canada. He is a partner with global consulting firm Edge International, a senior consultant with legal web development company Stem Legal Web Enterprises, and an award-winning blogger at *Law21: Dispatches From a Legal Profession On the Brink*, honoured four straight years by the ABA Journal as one of North America’s 100 best legal blogs. Jordan specializes in delivering dynamic and thought-provoking presentations to law firms and legal organizations explaining the unprecedented change in the legal market and forecasting its future direction and impact. Formerly editor of three of Canada’s leading legal periodicals, he is a Fellow of the College of Law Practice Management and Chair of its InnovAction Awards.
Origins

Marketing, as we know it now, was born in the mid 20\textsuperscript{th} century. The growth of radio and TV provided the means and impetus to get the attention of customers and persuade them to purchase products and services. In those days the limiting factors were the scarcity of marketing channels. We had 3 commercial TV stations and a limited number of radio stations. There were daily, weekly and monthly papers and magazines as well. But the main point here is that the owners of the distribution channels were in a position to determine who had access to their growing list of listeners, readers and viewers.

Now

Over the past 10 or so years, this scarcity situation was changed dramatically. Now what is scarce is customers’ time and attention. The number of potential channels for delivering content to the market is now effectively infinite. So as a marketer, instead of competing for space in the channels, you are competing for position in the various channels along with individual customer’s attention.

The Next Layer

The persuasion aspect in the original marketing method directed content in one direction. Business crafted a marketing message and wrapped that up in various forms of advertising to push it in front of customers. Customers only served in a receive mode. To stay fresh, these messages became more dynamic and creative and actually drifted away from product descriptions to emotive appeals. Knowing your car had power breaks was useful, but imagining you powering through the curves on the Pacific Coast Highway was compelling.

With the rise of the Internet not only did the number of channels spike, but the ability for the customer to participate actively blossomed. This was Web 2.0. Here we saw the rise of Blogs and Wikis, followed by social media platforms such as MySpace, Facebook and LinkedIn. Beyond the scarcity dynamic, this Web 2.0 environment presented a qualitative change in the way customers consumed information about products and services. Instead of passively accepting the information presented by the provider, they could participate in the development of the marketing message.

What emerged was a conversation between business and customer. Although this continues to present a challenge to business, it also presents an incredible opportunity. Businesses can find out directly and almost immediately how customers react to a new offering, price and brand. And any deficiencies will be quickly identified with possible solutions coming right from the customer.
This new interactive environment also drove a shift from persuasion to value in the style of messages being presented by business. In addition to appealing to their emotions, customers now need to find some direct value in a message, even if it is just entertainment. In other words, to get customers’ attention, business needs to motivate them via their self-interest to consume marketing content.

Successfully meeting this new-style value challenge presents a qualitative increase in the value of marketing. Valuable content, combined with an interactive, participatory audience, leads to customers extending a message much deeper into a market. This multiplier effect means one customer finding value in content will pass it along to their own network with no additional cost to the business. Multiply this effect out and well-crafted messages can reach an audience of millions at a very low cost.

Where business has stumbled in this arena is attempting to deliver old-style, one-direction messages in this interactive environment. Businesses push out a message and then either don’t engage with the customers or attempt to defend their message when it is critiqued. As might be expected, customers have not reacted well to these attempts. Business continues to struggle with this challenge, as it is a bit of a moving target.

The Reaction

As with most new technologies, there have been mad rushes to adopt certain channels as the ‘go to’ options for getting customer attention. These rushes have also been followed by the traditional backlash, with businesses not realizing hoped-for returns on their marketing efforts for a given forum. With all this chaos and constantly changing environment, it is challenging for businesses to focus and direct their marketing in the right channels with the right kinds of messages.

In some respects, it is back-to-basics for marketing professionals as they need to re-examine their customers’ wants, needs and habits. What is different are the dimensions of those factors. Now different customers chose different channels for their content. And they even chose different channels for different types of content. For example, someone may read a hardcopy morning newspaper, but then immediately switch to RSS feeds for their industry updates. So a business not only needs to understand the type of customer they want to reach, but also the probable methods for how these customers prefer to consume content related to their products and services.

What Does This Mean?

Marketers need to look at the entire universe of channels and plug into the high value ones with the appropriate messages. And as they do this they need to engage with their customers in a positive dialog. The return on that effort will be valuable, direct customer input along with new messages actually designed by the customers and passed on to their own, expanding networks.
Web 2.0 Marketing Channel Options:

**Blogs**: Require on-going efforts to keep content fresh. Should not be a series of ads, but instead provide some value to the readers. Expect these to take some time to develop a following before they become valuable.

**Wikis**: Require significant coordination to drive participation and input from an identified audience. Usually better for well-defined groups of customers or users.

**Social Media Platforms** (Facebook, LinkedIn): Require very regular participation by marketing staff. Again content needs to remain fresh and customer interaction is highly valued. Use of “like” features and references to external content increase value. Can be used for creative promotions, driving spikes in traffic around specific campaigns. Caution needed as interconnection of relationships can impact a brand or site. Make sure the platform suits the targeted audience. For instance, LinkedIn is a known professional network. Facebook has been more focused on retail and personal networks, but is growing in to the business-to-business environment.

**Micro-blogs** (Twitter): This high-volume stream of content requires active participation as well. It also requires a new level of brand and content monitoring by marketing staff. Hashtags (#) and other methods need to be understood and well-utilized. Value dependent on developing an effective list of followers.

**Video** – YouTube: Requires reasonable video production resources with non-traditional methods. Videos must have appeal to an audience, as distribution is viral. Easy to embed into other marketing channels.

**Industry Specific Social Media Platforms** (Legal OnRamp): Value limited to size and quality of participating audience. May be effective for highly targeted audiences, such as in-house counsel.
Explaining social media and why it’s ideal for lawyers


It’s probably an understatement to say that the nature and impact of social media are not yet fully understood within the legal profession. So I want to try making two points in this article. The first is to explain to lawyers what social media actually is. The second is to go much farther and demonstrate that, at least in one respect, social media is virtually tailor-made for lawyers.  

For more than a century, newspapers, radio and television have dominated public discourse, to the point that we collectively think of them as a colossal wave of content called the “media.” But that’s not accurate. Newspapers, radio and TV don’t create content — they distribute it. The word “media” actually signifies empty vehicles or containers used to carry something of substance. Reporters create content; radio playwrights create content; sitcom producers create content; newsprint, radio waves and TV signals don’t. The “media” are simply the mechanisms by which this content is profitably sold and efficiently circulated to the end user (at virtually no charge, thanks to advertising).

We need to understand Facebook, LinkedIn and Twitter in the same way: they’re media. None of these gargantuan social networks creates one ounce of content (and neither does Google, by the way). They distribute other people’s content to their users, and they’re working on essentially the same advertising-driven business model as newspapers and TV. The significant difference between “old” and “new” media is that in the latter case, the content’s consumers are often also the content producers. (Often, but not always: Hulu should eventually trump YouTube, for example, because more people want to watch professionally produced content than home videos of babies and kittens. And while Twitter amplifies official news, it doesn’t create it.

Now, blogs are not media. Blogs are content. A blog is a one-person (or one-organization) publishing house with a narrow editorial focus, very low costs, and an extremely small number of authors. In terms law firms are familiar with, a blog is an electronic newsletter published on a web page and updated in real time. Your law firm can create and maintain a blog because your law firm produces content — principally through your lawyers’ expression of their knowledge and insights in their subject areas.

Your firm might be quite good at creating content (although 80% of what lawyers write and say could be written and said far more clearly and usefully, from their audience’s perspective). But your firm, in all likelihood, is not very good at distributing content. Your mail and email lists are small, and anyway, unsolicited content delivered through these media nowadays is very likely to be quickly recycled or deleted. And it’s not like you own a printing plant.

So you need a better distribution system for your content. Up until about five years ago, you’d have had to try getting your lawyers’ articles or insights featured in newspapers and magazines. But those media have very narrow doors through which tons of legal content is trying to squeeze;
the entry costs are high. But then along came Facebook, Twitter and LinkedIn, and suddenly you had a range of extraordinarily powerful and accessible distribution platforms within easy reach. Hundreds of millions of people collectively access content through these services every day, and you can add your content to these vehicles with tremendous ease.

So this is the first thing lawyers need to understand: they are content producers, but they are not content distributors. Facebook, Twitter and LinkedIn are distributors, and law firms should channel their content (through blogs, newsletters, podcasts, videos, whatever) into these vehicles. When you hear someone say that “lawyers ought to be using social media,” this is what they mean (or what they should mean, anyway).

That’s the first point. Here’s the second: social media are actually ideal for lawyers, because both social media and law practices rely on the same functionality: the recommendation.

Twitter lives and breathes through the ReTweet: a recommendation (through repetition or forwarding) by one user of insightful, funny, or important content in another user’s Tweet. The ReTweet rewards the creator of a high-quality Tweet with peer recognition and a wider audience for his or her information, but this only works because the ReTweeter’s readers trust his or her judgment and will pay attention to his or her endorsement.

Facebook’s Like button, which was on zero websites when it first launched and is on 2.5 million one year later, is nothing but a recommendation engine: one user’s decision to lend his or her credibility to a person, place or thing via an endorsement. (It’s also the basis of Facebook’s advertising hopes, by the way). If your friend Likes something, you’re more inclined to give it a look because of that recommendation.

LinkedIn drives users’ desire for better career prospects through its Recommend function: if a direct contact in your network has recommended the work of another, that person earns instant credibility with you. But you don’t even need a specific Recommendation: just the fact that a person on LinkedIn is directly connected to your colleague or friend can provide at least a small degree of confidence in that person’s bona fides.

And the recommendation, as we all know, also happens to be the core business development tool of the legal profession. A potential client might come to you because she was dazzled by an article you wrote or an interview you gave. She might come to you because you were charming and approachable at a community event. She might come to you because your Yellow Pages ad was the biggest and yellowest.

But more often than not, a client comes to a lawyer because a family member, friend or colleague whom she trusts recommended that lawyer. It’s a truism that the best marketing a lawyer can do is to serve a client successfully and well; lawyers who accomplish that feat can and do expect new business to flow in through the client’s recommendations.
That’s what I think lawyers should keep in mind when considering how to use social media in their marketing and business development efforts. What powers social media and what powers legal marketing is really the same thing: the trustworthy recommendation. So you might want to think about ways to expand that common ground between your practice and the increasingly crowded and chaotic — but really remarkably simple — social media world.

**Jordan Furlong** is a Senior Consultant with Stem Legal Web Enterprises, where he advises lawyers and law firms on social media, online content, and communications strategy. He also helps lawyers and law firms navigate the extraordinary changes in the legal marketplace as a partner with Edge International. Contact him at [jordan@stemlegal.com](mailto:jordan@stemlegal.com).

**Comments on the original post**

*Carmen said,*
If it were only that simple. In many states, lawyers must obtain permission for all advertisements posted online. This can include posting a messaging concerning a courtroom legal victory. Censure has even been imposed on lawyers for “friending” others online, as it could be taken as violating their impartiality. The rules that govern lawyers are still too murky and not for the faint of heart. Check out a recent article by Dine Karpman in the California Bar Journal for a peek into this world.

*Shawn E. Tuma said,*
Fantastic job! I loved your article because it provided the “substantive meat” that I so rarely find in articles concerning social media for lawyers. It seems the vast majority of people talking about social media in the legal profession just want to say “do it” and “you should do it” and “if you do it you will get business” and blah blah blah — but no one digs any deeper than that and gives you the true rationale behind it. Your article said (a) what we should really be doing (i.e., providing substantive content) and (b) how to do it and then use social media to distribute it — that is real content! That is what I am trying to do with my blog! Thank you very much,

*Lowell Steiger said,*
Excellent article. I believe that other lawyers are phenomenal referral sources. With that in mind, I’ve used Facebook to develop a large lawyer friend contingency. In particular, I have about 140 or so Southern California lawyers to whom I send out monthly “Facebook Friend Feast (i.e. Lunch)” invitations. We meet at a nice restaurant and simply chat. There is no structure per se. These lunches have facilitated new relationships with other lawyers with whom various levels of trust and confidence gave developed.

*Richard Pettet said,*
Good article but I think long term that niche industry specific networks will take priority over the current big three.