

What We Will Cover

- Introduction to "Socialnomics" and Social Media
- Introduction to Common Legal Risks Associated with Social Media
- Assessment of Firm's Current Online Presence and Social Media Policies
- 9 Key Areas of Social Media and Each Areas Potential Legal Pitfalls
- Developing Your Online Policy
- Reputation Management
- Next Steps
- Resources



Socialnomics Video



https://www.youtube.com/watch?v=t-JVXjGc_Aw

Social Media - By The Numbers Erik Qualman, Author of Social nomics

- Every 2 seconds, 2 new members join LinkedIn
- YouTube is the 2nd largest search engine in the world
- 53% of people on Twitter recommend products in their tweets
- 90% of consumers trust peer recommendations, yet only 14% of consumers trust advertisements
- 93% of marketers use social media for business
- The Return on Investment (ROI) of social media is that your business will still exist in 5 years







Social Media - Business Goals

- Create Brand Awareness
- Strengthen Customer Loyalty
- Generate New Opportunities

Common Risks Associated with Social Media

- The use of Social Media continues to increase as does the ways it is used for branding, marketing, business development, socializing, sharing, promoting, etc.
- New opportunities also creates "new" potential pitfalls to common risks such as confidentially and ethics concerns, human resource issues, reputation management, and more.

Example: A simple post on a social media platform could quickly "go viral" and reach an audience of millions overnight resulting in loss of revenue, damage to the brand or worse.

Common Risks Associated with Social Media (cont.)

- The dangers law firms and their clients face from social media are common risks in new environments. (e.g. email, magazine articles, running for political office, etc.)
- Typically involve intellectual property violations, advertising rules and transparency or unintended consequences of user generated content campaigns

Current Online Presence

Over the last few years, think about a few examples of firm and individual (attorney and staff) outreach, business development (website, LinkedIn), due diligence, marketing, or client engagement activities have been affected/effected by online activities.



Questions:

- Is the firms current interaction with clients more restrictive or open?
- How does social media impact client relations (ethics, privacy, security, attorney / client privilege)
- What parts of the firm can be affected by social media?
- What components of the firm business development plan could include Social Media?
- Do you have an Online Brand / Branding Strategy?
- Do your current employee policies include Social Media?
- How are you currently monitoring and protecting the firm and/or your clients online reputation?



Tracking & Analysis

The Key Benefit of Online Marketing is the ability to track and analyze results, then quickly iterate and adjust for optimal performance

9 Key Areas of Social Media

- I. Website & Blog
- 2. Online Directories
- 3. Review Sites
- 4. Social Networks
- 5. Micro Blogging
- 6. Rich Media
- 7. Mobile Apps
- 8. Industry Specific
- 9. Event Promotion





Before We Start Opening Accounts...

- Companies have to be sure they own the rights to all content they post on sites
- Problems can arise regarding who owns the social media accounts employees use to promote the company; especially when that employee leaves the company.

. Website & Blog - Benefits

Google Ranking, Alexa Page Ranking, SEO/CRO, Blogger, TypePad, Wordpress

- Control the content.
 - A chance to tell your story.
- Define a clear message.
 - What do you offer?
- Create a medium for contact.
 - Invite feedback, questions...
- Provide links to other pages.
 - Share your FB, Twitter...
- Update your content.
 - Consistency in theme and info.





Piedmont Avenue Consulting is a San Francisco business development and marketing consultibrand awareness, strengthens customer loyalt generation by leveraging new technologies and business processes.

Website - Pitfalls

Overall

- Not having full control of content or website
- All Content moderated and vetted who writes content and what is checked.
- Security Issues
- Contact forms without disclaimers





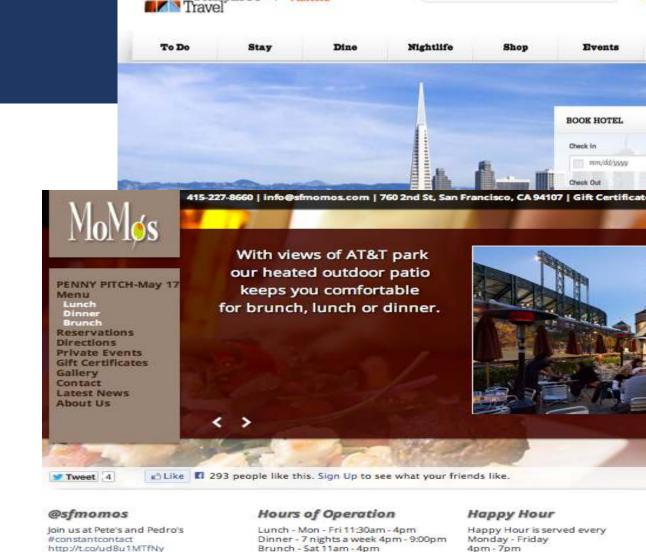
Constant Contact

Francisco, CA) http://t.co/KAMACZ9X3Y

HootSuite.

RT @RobTomasHawaii; I'm at MoMo's

Restaurant - @sfmomos (San



Brunch - Sun 10am - 4pm

Hours may vary on Game Days

Visitors Meeting Planners Travel Trade Media

Search for attractions, hotels, restaurants, etc.

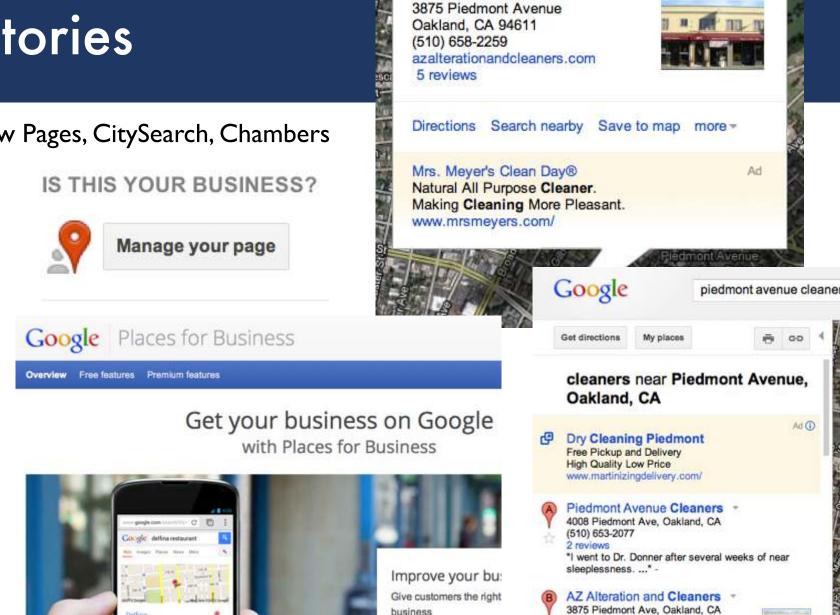
\$5 Cocktails

\$4 Drafts

4. Online Directories

Google Local/Maps, Yahoo Local, Yellow Pages, CitySearch, Chambers

- Search yourself.
 - The power of Google!
- Look for similar businesses.
 - If you're not listed, someone else is!
- Display correct contact info.
 - Location, phone #, hours, directions MUST be correct.
- Take a photo.
 - If they know what to look for, they'll find it.



Get started for free

AZ Alteration and Cleaners more info

(510) 658-2259

azalterationandcleaners.com

Ad

Online Directories - Pitfalls

- Trademark infringements around other sites showing up for your trademarked materials
- Misleading company information
- Inaccurate information leading to damages
- Slander or Defamation from search results



3. Review Sites

Yelp, Zagat, Chow, Lawyers.com

- Rely on word of mouth.
 - People trust personal accounts more than ads.
- Offer additional information.
 - Yelp is a mobile tour guide.
- Respond to reviews.
 - Thank those who provide feedback.
- Learn from your reviews.
 - Don't make the same mistake twice!



We have reached a point where:



Hours:

Mon-Sun 7 am - 1:30 am

Good for Kids: Yes

Accepts Credit Cards: Yes

Parking: Street

Attire: Casual

Good for Groups: Yes

Price Range: \$

Takes Reservations: N

Delivery: No

Take-out: Yes

Waiter Service: Yes

Outdoor Seating: No

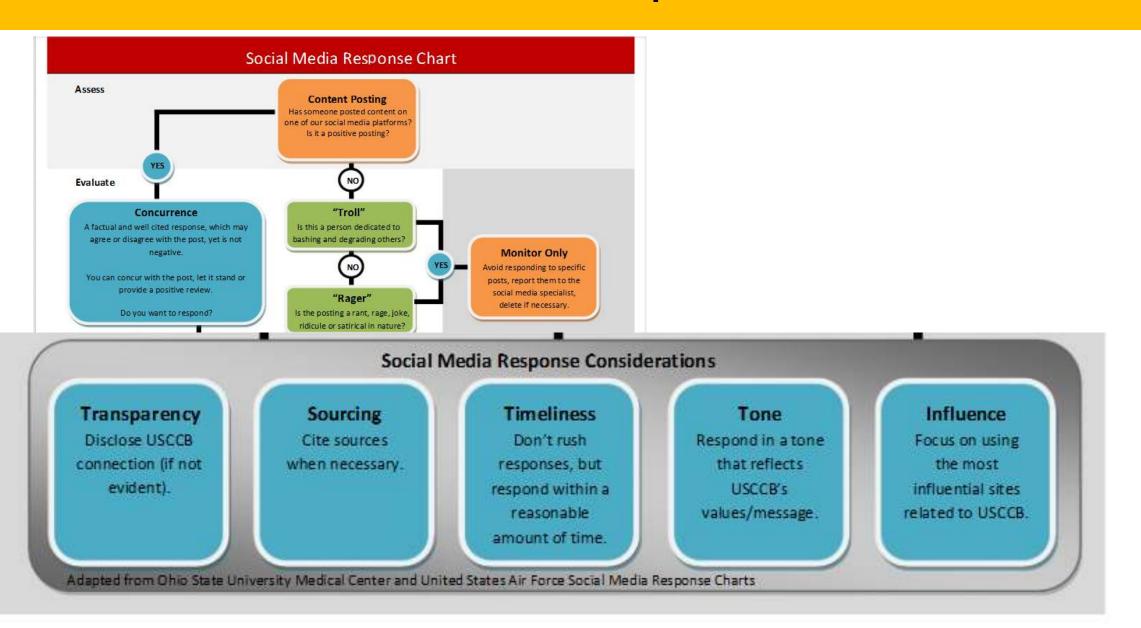
Wi-Fi: Free





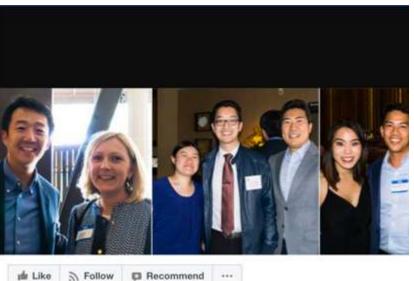
Mork Here? Unlock This Business Page

Social Media Response Chart



4. Social Networks





Message

301 Battery St Fl 3

9:00AM - 5:00PN

Facebook, LinkedIn

- Communicate with clients.
 - Be involved with the conversation.
- Connect.
 - Associate your business with related pages and people.
- Establish a following.
 - Invite past clients/customers to view your page.

Facebook - Pitfalls

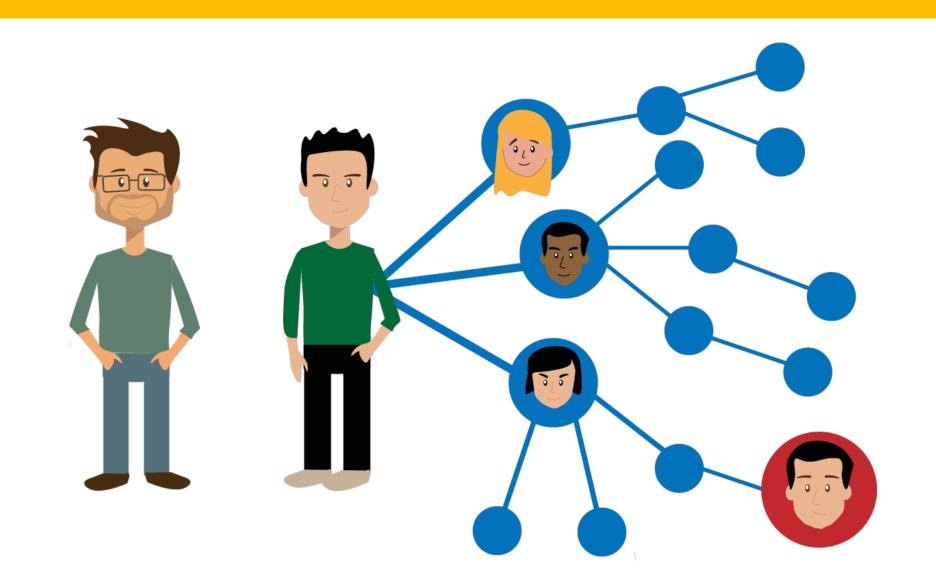
- Do not friend judges—North Carolina judge was found in the wrong for friending a lawyer on FB during a case and exchanging messages about the case. The judge was accused of exparte communications and the independent gathering of facts.
- Unintended attorney-client relationships—if general legal information posted turns to pointed, opinionated legal counsel for legal situations at an individual, an unintended attorney-client relationship is likely to be forged. Practicing outside of the jurisdiction in which you are licensed—avoid extensive back and forth interactions on any social media outlet representing your law firm is the best way to circumvent this problem.
- Marketing or sales person's role may include using social media to reach prospects and customers. All the personal use risks apply, but an employer can be held responsible for an employees action if they are part of their job

Facebook - Pitfalls (cont.)

The Philadelphia Bar Association did an <u>opinion on an investigation</u> of a witness researching their Facebook page. In the opinion, a lawyer asks a third party to send a friend request via Facebook to the subject of an investigation. The opinion came to the conclusion that the lawyer could not be a participant in the investigation. The lawyer could no longer participate because it violated Pennsylvania's rules of deceit, truthfulness in statements to others and the responsibilities of lawyers with regard to non-lawyer assistants.

However, Facebook has a variety of security settings that would be viable to do research through. For instance, an investigator may have a subject within his/her "network" via a friend of a friend. Therefore, certain personal information may be available if the investigator's target's privacy settings are set just right.

Social Media - The Power of Reach



Linked in

"LinkedIn is the current primary tool for online professional networking."

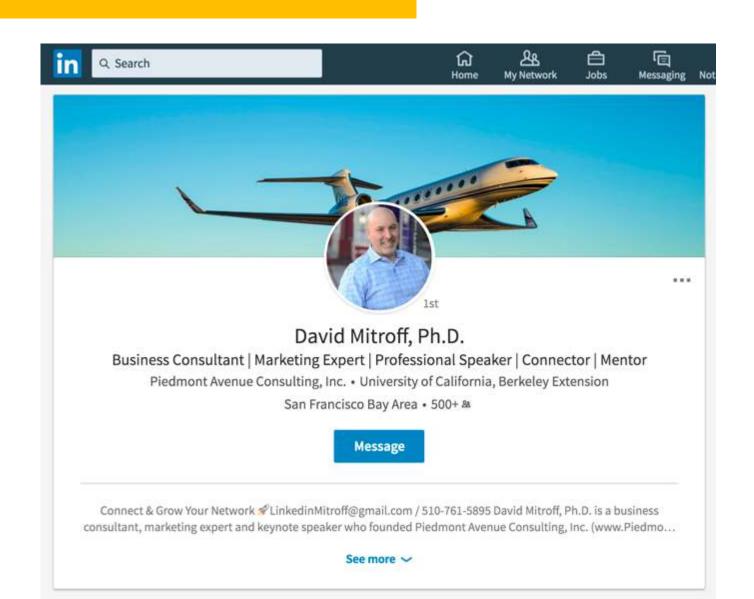
Overview of LinkedIn

- World's largest professional network with over 300 million
- 94% of recruiting & staffing agencies use for global recruitment
- Hub of connecting with current business contacts
- Limitless network of professionals
- Perfect for Business Development
- 86% of B2B Marketers use Linkedin

LinkedIn Profile (Part 1)

☐ Custom URL

- ☐ Title = Story
- ☐ Photo (good one)
- ☐ Privacy Settings



LinkedIn Profile (Part 2)

- ☐ Websites☐ Summary☐ Keywords☐ Include Contact info
- ☐ Google Voice #☐ Job Descriptions

Connect & Grow Your Network David Mitroff, Ph.D. is a busine: Consulting, Inc. (www.Piedmoi awareness, strengthen loyalty

He has held numerous consult Providian Financial Corporatio

Consulting clients include San (FashionKnit, Rarebird, Az Clea Jerry's, T-Mobile, Sandler Train start-up companies (Starrforce entrepreneurs.

Through consulting, lectures, t been featured media expert for and more. He is currently an In and a Mentor for the Google La

Extensive educational backgro with coursework in Business Ax

Born in San Francisco and raise Bay Area and a comprehensive Professional Connector (www.i

Media (9)

Experience



Founder & CEO - Chief Consultant

Piedmont Avenue Consulting, Inc.

2001 – Present • 16 yrs san francisco bay area

Business Consultant, Marketing Expert and Professional Speaker who helps clients create brand awareness, generate leads and strengthen customer loyalty.

Piedmont Avenue Consulting, Inc. (www.PiedmontAve.com) is a San Francisco Bay Area business process consulting firm specializing in leveraging new technology for business development and marketing. We integrate Google, Salesforce, Constant Contact, Yelp, Facebook, and other new technology solutions with businesses to improve productivity, monitor performance, and expand marketplace presence. Our clients include restaurants, hotels, law firms, financial services firms, high-growth start-up companies, real estate agencies, individual entrepreneurs, retail stores and other diverse organizations.

Dr. Mitroff works with his consulting clients along with delivering keynote talks and workshops all over the world. David speaks over 50+ times a year and has been the featured speaker at events for AT&T, Mass Mutual, Chevron, Staples, Wells Fargo, Restaurant Executive Summit, Liberty Tax, California Board of Equalization, Constant Contact, New York Life, Sandler Training, Action Coach, San Francisco Small Business Week, California Writers Club, Better Homes & Gardens, Diocese of Oakland, among many others. He makes information more accessible and useful by combining together technology with case studies from his work as a business and marketing consultant. Whether your group has 20 people or 1000 David excites and motivates people to take action. David is a dynamic keynote speaker who has given keynote talks to very diverse groups and can customize his keynote or workshop to meet your organizations needs.

Media (5)





David Mitroff, Ph.D. is a Business Consultant, Marketing Expert and Keynote Speaker



Press & Media Expert





Featured in San Francisco Magazine

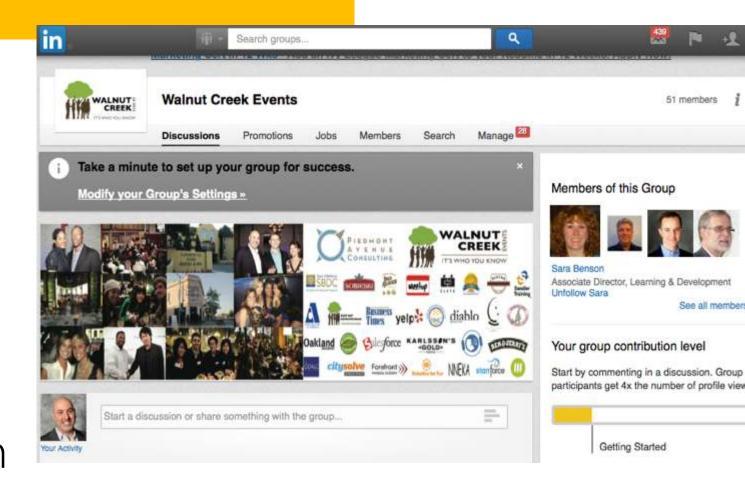
into Reality

How Small Businesses Can Turn Growth Goals into Reality



LinkedIn - Groups

- Join Groups:
 - Up to 50 of them.
 - Increases your 3rd
 Level Connections!
- Linkedin Open
 Networkers Search
 Linkedin for "LION"



Social Media - Pitfalls

- How does your personal brand effect your professional brand?
- What is the firms policy in general about employee conduct outside of work hours?
- Endorsements regarding skills and expertise from Linkedin contacts create potential legal issues.

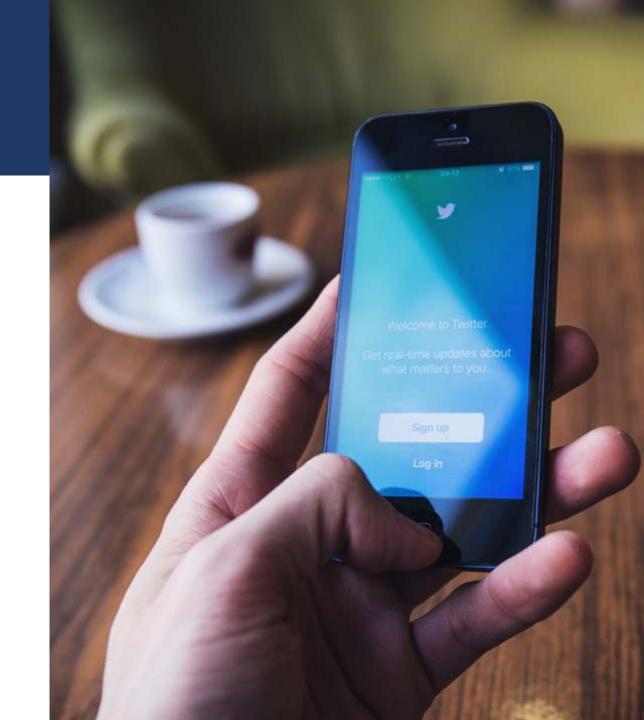
Example #1 - An employee can use an endorsement from a manager as an example for performing in an acceptable manner and that their termination was wrongful.

Example #2: If you give an alumni speech to your college fraternity are you still representing the firm? Are you still bound by California Professional Code of Conduct?

5. Microblogging

Twitter, Pinterest

- Interact with daily events.
 - How can you relate to what's happening?
- Remind everyone about events.
 - Update information leading up to the event.
- Invite new customers.
 - Friend of a friend of a friend...



Twitter - Pitfalls

- Gilbert Gottfried fired from job as the voice of the Aflac duck after he tweeted jokes about the earthquake and tsunami disaster in Japan
- Kenneth Cole using #Cairo to promote his spring line with insensitive tweet
- Celeb Boutique did not research why #aurora was trending the day of the shooting in Aurora, Colorado and assumed it was regarding their aurora dress Kim Kardashian wore
- Chrysler contractor accidentally tweeted to company account instead of his personal account about bad drivers in motorcity



Twitter - Pitfalls

• Example: an employee and phone reviewing site PhoneDog and the company. The twitter handle can be changed without affecting the followers, an employee changed his company account to a personal account when he left the company. There was no policy in place governing the ownership of the account.

• Unintended consequences of a twitter campaign: idea is positive marketing and engaging with customers but also allows detractors to participate—can result in harming the brands reputation Ex: a fan can make a claim about a product from a company other than it's intended use—the company should respond by not endorsing that statement



6. Rich Media

Youtube Videos, iTunes Audio PodCast, Flickr

- Appeal to the senses.
 - The eyes are drawn to an image/video first!
- Attract new customers.
 - If the website quality is great, then people assume the business quality is great, as well.
- Entertain your audience.
 - Get creative with images and videos.

Rich Media - Pitfalls

- Getty Images
- Using others video content
- Posting photos to Facebook



Social media has vast and fast-growing potential in the meetings world, but planners should proceed with a healthy dose of caution — and some good legal advice. The very nature of sharing online messages, images and videos can lead to serious problems, says Terrence Canela, Esq., associate general counsel to the American Institute of

Architects.

IMAGE FINDER

One surefire way to avoid copyright or trademark infringement is to use Creative Commons (search.creativecommons.org), where hundreds of millions of videos, songs, images and more are uploaded by license-holding users around the world and can be then downloaded at no cost. Planners can use these materials without fear of violation; however, some works require accreditation, while others stipulate that they cannot be altered or changed. Before using works from the site, read the licensing agreements for each specific item.

"They're fixed, fast and unforgiving. Once you post it, it's just out there where millions of people can see it immediately."



Following are common pitfalls

Terrence Canela, Esq., American Institute of Architects

for planners and how to avoid them.

Copyright/Trademark Infringement Copyright laws protect original works of authorship, which include everything from pictures to videos to

text. For planners, this issue surfaces most often in marketing materials. "There's such an eagerness to

7. Mobile Apps

FourSquare, Urbanspoon, Yelp, iPhone, SMS Text

- Stay in contact
 - People are ALWAYS on their smart phones.
- Solidify your relationship.
 - Make the client feel special for receiving extra attention.
- Go the extra mile
 - This shows that you're following through.



Professional Appointments Booking System For Your Business



It's easy to join our mailing list!

Just send your email address by text message:

Text

DAVID

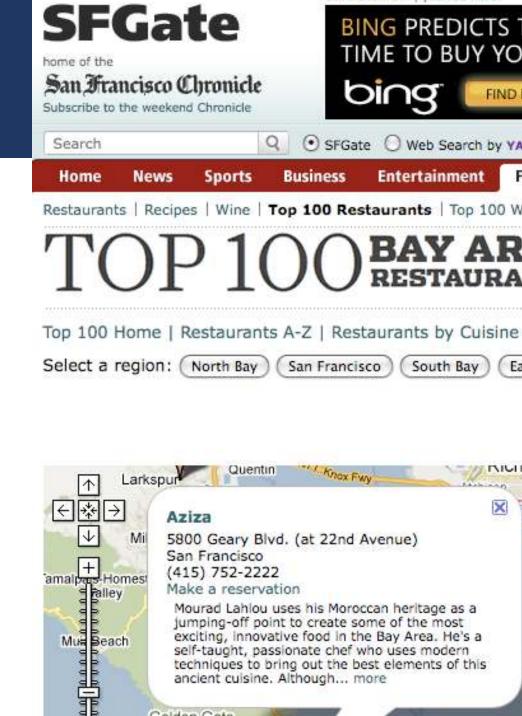
to 22828 to get started.



8. Industry Specific

East Bay Express, San Francisco Chronicle, DiabloMag.com

- Network within your group.
 - Get the scoop on what's the latest and greatest.
- Surround yourself with what you want to become.
 - Hang out with like-minded businesses.
- Help those who help you.
 - You never know when you'll need something.



Industry Specific - Examples

Best of Sites







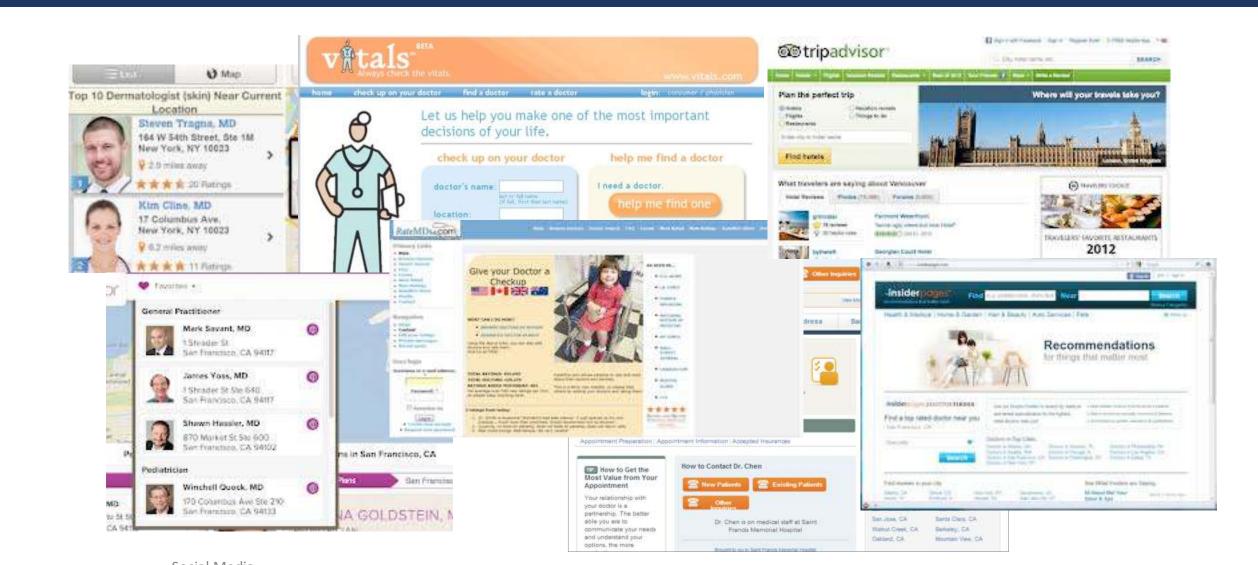








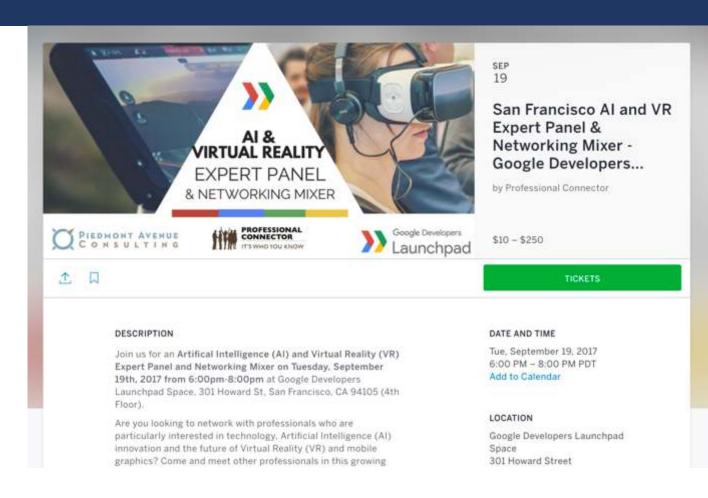
Medical Industry Examples



P. Event Promotion

Eventbrite, Meetup, Constant Contact, SproutConnections, Events, PlanCast, FullCalendar.com

- Promote what you've got.
 - An event can attract more business.
- Collaborate with others.
 - Get other businesses involved.
- Feature your calendar.
 - The internet is a great way to publicize!





FullCalendar - Event Promotion www.sfbayarea.fullcalendar.com

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Where are you today?

• depends on your audience and what you want them to do

Developing Your Online Policy

An Online Policy (for employee handbook) Includes:

- I. Aligned with current BAR code of professional conduct and current HR employee ethical/conduct
- 2. Transparency so all employees understand why policies are in place and what the objectives are
- 3. Not so restrictive that people cannot do business development, research, etc.
- 4. Industry Specific
- 5. Event Promotion

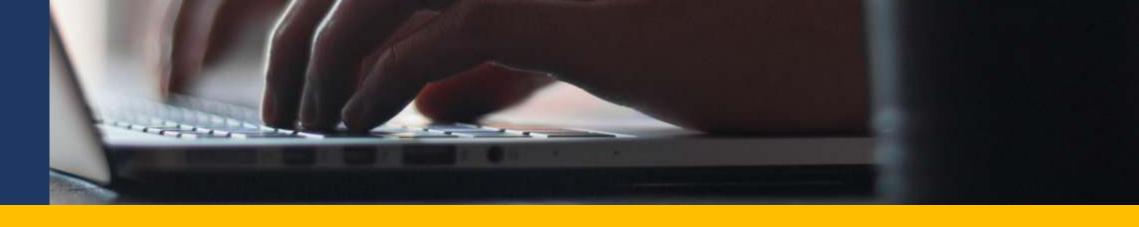
Reputation Management



Domino's Pizza



http://www.cc.com/video-clips/h3mxst/the-colbert-report-alpha-dog-of-the-week---domino-s-pizza



1. Assess Your Online Reputation

Start with simple searches

Your name

Company Name

Brand

Product

High Profile Employees

Handles and Usernames

Record results and determine if there are any problems

2. Identify Potential Problems

- If search results are not about you and your company
- Results are not relevant or positive to your business needs
- Negative comments and responses
- Bad news coverage or false information

3. Build Your Reputation

Protect your name

Register your username and purchase all relevant domains as well as register on social networking sites

Set Privacy Settings

You can control whether your social network pages appear in search and what is on your page

4. Monitor Your Reputation

- Google Alerts to track results, news, blogs, video and groups
- Twitter Search—makes it easy to search twitter for any mentions of a particular keyword phrase
- Stay connected to coworkers, clients, business partners, etc. on networking sites.
- Be accessible via email and social media
- Respond to criticism



What should I monitor?

I. **Your Brand.** Think about all its possible spellings/configurations.

For example: Far and Away Bicycles, Far&Away, Bicycles, Bikes, etc.

2. **Your competitors.** Spot successful tactics being used by others in your industry (and the not-so-successful)

For example: Does the pizzeria down the street tweet daily? Do the other consultants in your area of expertise have LinkedIn profiles?

- 3. **Categories, topics, and keywords** of your business. For example: Pets, Dog Day Care, Cat, Dog, Pet-sitting, Animals, Rescue, etc.
- 4. The experts and influencers in your business.



Popular Tools Used to Monitor, Manage, and for Content Ideas

Popular time management and monitoring tools include:

- Google Alerts
- HootSuite
- TweetDeck
- RSS
- NutshellMail



Social Media Success for Business and Organizations

- Set up specific engagement campaigns to track social media programs that drive to your website (Google analytics)
- How many have read your blog?
- Watch how many are clicking on the social media icons in your own emails.

- Encourage and track how many people are joining your list from social media.
- Monitor Twitter for mentions and retweets; reward those influencers.

Test to learn what works!

Home Why Google Analytics Mobile App Analytics Grow with Premium

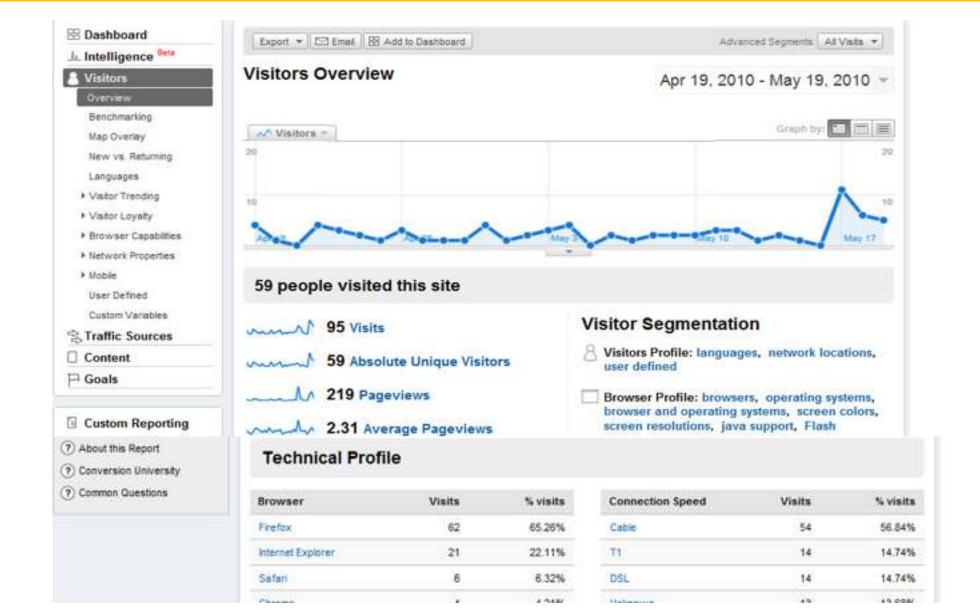


Features

Want to find information on all the new product releases? Have a question about a feature you've used for years? Look to Google Analytics to provide a comprehensive set of best practices, techniques, and how-to's to make the most out of your measurement planning.

Monitoring - Big Data

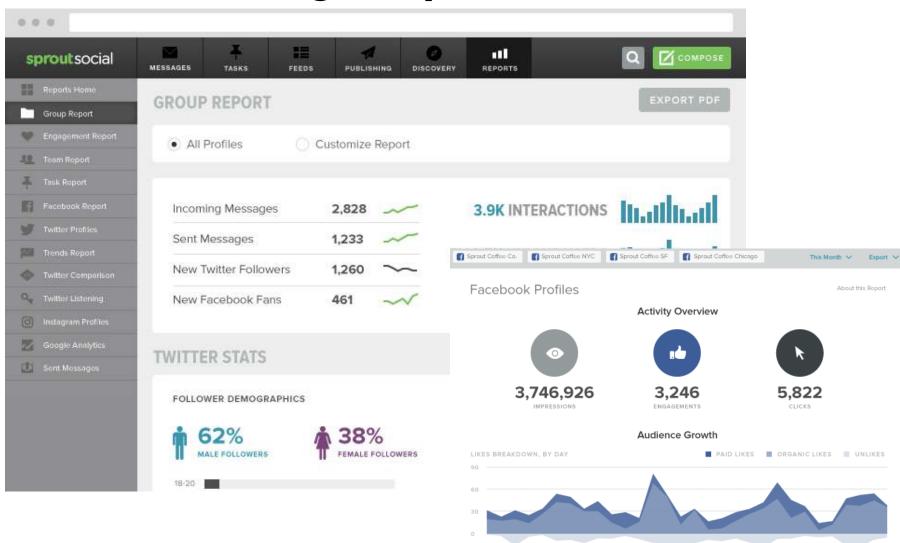
Google Analytics



Monitoring - Nutshell Mail



Monitoring - SproutSocial



Next Steps

Start listening to your passionate customers

2 Increase your Brand Awareness

3 Keep Learning and Improving

Today

- Sign up for Hootsuite to manage your Social Media Posts
- Sign up for a free NutshellMail account at www.nutshellmail.com
- Use email newsletters to encourage your passionate customers to talk about you on Facebook, Twitter, Yelp...



Next 30 days

- Make adjustment to your online Business and Professional Presence (test and see what works)
- Work on increasing your brand awareness on Social Media



Next 60 days

- Develop a more comprehensive marketing plan based on your initial tracking and experiments in social media.
- Attend another workshop or event.

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About the Speaker

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