

# Business Development

## Social Media: It's Debatable

By Jayne Navarre

The debate over whether or not law firms and lawyers should use social media is over—thank you very much. In fact, gains in adoption of the medium are making social business an imperative for everyone from Main Street to Madison Avenue. However, we're not at the pinnacle yet: There still remains a struggle for and debate over issues—enough to fill a newsstand—such as scaling, resources, data, ownership, leadership, risks, rewards, and on and on. How do law firms stack up in some of these debates? Let's take a look.

### Finding Return on Investment

#### – The debate

Social media can be approached scientifically to capture ROI, which is measured by traffic, links, leads, and client conversion rates.

vs.

There is not now, nor will there ever be, a direct return on investment any more than one can point to the monetary return of a display ad, brochure, or press release.

#### – The analysis

Those who treat social media like an ad, brochure, or press release will indeed find it tough to track ROI. For those in that camp, the business case just isn't there. Tending to a few tools may make them feel like they're not getting left behind, but they probably

are. This camp is also inclined to dump social media into a general marketing slush fund—it's a minor player, an irritant, and a cost center.

For the visionaries—the creative and scientific thinkers—social media is all about data, and data is 'da bomb. "Gee, will you look at these numbers! They 'like' us!" But numbers are meaningless without the right questions to answer. The data mash-up from social media can challenge even the best tacticians. However, the data for each social media tactic improves when it is attached to a well-defined business goal or goals. The data leads to better questions; questions + data lead to actionable answers; and the answers provide measured results or qualified information for further action or decision.

Here are two examples of how it works:

(1) Tackling the issues impacting XYZ audience, how many assists have we earned? When we get the assist, what happens next? What other actions could or should we be taking? Let's try this....

(2) Before we launched into a new, highly competitive foreign market, we geo-targeted social ad spend and monitored local conversations. Inquiries increased by X, survey responses produced Y leads, downloads and email subscriptions were flat. But, we were able to identify some gaps and adjust our content, which subsequently increased clicks, likes, and share count—enough to gain notice from local media; earning five mentions in the marketplace. Do we add, subtract, or get out of dodge?

In both examples, social data added a consumer perspective to business intelligence. If taken a step further, social performance data can be visualized among other data such as financials, human resources, operations, and etc. (One example of a dashboard technology that can do this for you is [DOMO](#).) This visualization will result in a measure of ROI, or at the very least provide a pathway to a more informed decision-making process.

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## Tools

### – The debate

Focus on the tools that give you the greatest footprint.

vs.

Go for purposeful coordination of targeted tools that reach smaller industry, geo, or topic specific audiences.

### – The analysis

Most footprints thrive with a variety of tools. Some consumer brands segment site usage by specific business purposes, i.e., Twitter exclusively for customer service issues, blogs for information, Pinterest for telling stories, and Facebook for fan engagement via surveys, contests, games, and media downloads.

If you can spare the resources, here's your game plan.

- (1) Two to three sites (plus search engines) for broad outreach, branding, advertising, or other enterprise need (i.e., customer service).
- (2) Four or five sites for engaging substantively with targeted audiences.
- (3) Two or three cloud services to support surveys, mass email, forms, etc.
- (4) One or two internal tools that visualize data and support coordination.
- (5) Outliers. For law firms this might include; collaboration systems, subscription services, directories, bidding and fee comparison sites, or expert databases.

The selection of tools, services, and segmentation can be approached as a science (employing data as described earlier), or by trial and error. In either case, a stated business purpose for each tool will sharpen the focus and allow better allocation of precious resources.

## Position the firm or the individual?

### – The debate

Legal marketing is ALL about positioning the law firm brand and owning share of mind when a client or potential client has a need.

vs.

Legal marketing is and has always been about positioning individual lawyers because no client ever hired the firm, only an individual lawyer with appropriate credentials.

### – The analysis

Since the beginning of time attorneys have tapped into social engagement and social events to build their business. Notwithstanding, some lawyers still pushback at the idea of socializing on the Internet, they'd rather the firm do the talking. However, the best move is to let the business goal(s) decide where and when to invest in an individual or the entity. It's good to have choices.

It makes no sense that a lawyer would not establish and maintain social connections for business purposes and to build their personal brand, nor would the law firm not take advantage of positioning itself using social media. The key here is brand solidarity. Without coordination and oversight it is very easy to dilute a brand or worse, create brand confusion in the marketplace. For example, while I do not believe that a lawyer's blog needs to have the same look as the firm's website (or be hosted there), the relationship between the two should be transparent. Not only to avoid confusion, but to build each other up.

## Who owns social?

### – The debate

Waiting for the lawyers to engage is not as effective as our marketing team taking the lead.

vs.

The marketers can set the stage but lawyers must engage.

### – The analysis

While a centralized marketing function may have a designated individual(s) or outside contractor(s) handle essentials such as content coordination, design, production, monitoring and reporting, this is no substitute for the individual voice. Even an entity account on Twitter should identify the person(s) speaking for the firm. Whether that is a lawyer, marketer, or CEO, people like to communicate with people, not entities. Appeal to them.

Notwithstanding, businesses empower executives to own specific, business critical roles. As social becomes a larger component in developing business, we will see more social executives in law firms who (1) have not drunk the Kool-aid, (2) take a business-intelligent approach to social media, and (3) do not answer to a committee of consensus brokers. Nor will the executive exist in a silo—in fact, just the opposite. The opinions of proven rainmakers can be extremely helpful to the social executive, as well as regular contact with everyone in the firm who engages on social media. But, the executive clearly owns the success or failure of business goals, decisions, and staff, while reporting to executive management.

## Mitigating risk

### – The debate

Anyone using the firm's hardware, Internet connection, email address, or associates their employment on a social profile must attend mandatory training sessions every six months.

vs.

We trust our people—they are expected to read and abide by the criteria in our social media policy. The ethics committee and our marketing team are aware of the risks and counsel users when necessary. (Ed. "Let's just hope its not too late.")

### – The analysis

Public communications always carry risk—even traditional advertising or media quotes can be the subject of brutal criticism or even liability. But, social media is an especially public forum with few or no editorial filters and, worse perhaps, the web never forgets. Arguably, most professionals today are aware of these facts, but expecting people to self-monitor in a fast paced social environment strewn with minefields may be a bit naïve. From a revealing article, "Are we all braggarts now?" (Wall Street Journal, August 14, 2012):

"...[t]alking about ourselves feels good. According to the results of a series of experiments conducted by Harvard University neuroscientists and published in May in the Proceedings of the National Academy of Sciences, the reward areas of our brain—the same areas that respond to 'primary rewards' such as food and sex—are activated when we talk about ourselves. We devote between 30% and 40% of our conversation time to doing just that..."

Should we let the inmates run the asylum? A 2011 study by Symantec says no. A social media policy is considered the top remedy for risk, closely followed by employee training. (Note: reading a policy and understanding it are entirely different. Training is the bridge.) The policy and training should detail what is expected of users, as well as address privacy issues and actions that can cause security breaches. It takes only one little slip of the finger to make an otherwise private post go public or an un-edited status update go live. In seconds, an off-color joke or offensive review of a client's product can go viral and embarrass the whole organization. Spam blockers are not reliable. Knowing the warning signs of suspicious messages can decrease risk to the entity, its clients, and the recipient.

Notwithstanding, a social media crisis plan with a qualified spokesperson(s) should be in place before you need it. A network of loyal fans that can be mobilized in a crisis situation won't hurt, either—just ask some of the largest global corporations what they learned about that.

## Public relations

### – The debate

Relationships with journalists have moved to social media. We receive more earned media mentions than ever before and have reduced our dependence on traditional PR tactics.

vs.

Traditional PR tactics are critical for media outreach to counter act the noise on social media—adding a social media layer to publicize firm milestones, announcements, and community involvement is only marginal.

### – The analysis

The shelf life of a printed newspaper is exactly the time between distribution and the next edition being printed. The shelf life of Internet media is indefinite. The online release is tagged with searchable terms, names and places, and returns in search results time and time again. In an era when 59% of adult Internet users search the web daily to find information, according to February 2012 data from the Pew Internet & American Life Project, how can an online public relations program be marginal?

Social media for law firms, generally, is moving out of the margins as I predicted in 2008. ("Humans Seek Connection: The case for online social networking . . ." a Legal Marketing Association white paper.) The Internet revolutionized communication infrastructure. The marketplace has always had a social component. Together they make doing business a little better through social communication—it's not debatable.

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