

Legal Information and Social Media

A report on the public legal education conferences hosted by Éducaloi in Montreal, October 2010:

- *Create, Collaborate, Connect*
- *Explaining the Law to Others: Message Received. . .and Understood!*

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Introduction

Conference events

This report highlights what Courthouse Libraries BC learned about social media and public legal education and information at the 2010 annual conference of the Public Legal Education Association of Canada (PLEAC) and the larger companion conference on plain language and the law, organized by PLEAC member, Éducaloi.

Éducaloi hosted both of these events in Montreal, October 2010.

Background

Every year, the national PLEAC conference brings together individuals and agencies from across the country and beyond, all with an interest in improving access to justice through education.

The title of the one-day PLEAC conference in 2010 was **Create, Collaborate, Connect**. The context for this conference was explained as follows:

After Generation X and Y, here comes. . . Generation C. Coined in Quebec, this term describes 12 to 24-year-olds who have grown up with computers and the internet and use them to create, collaborate and connect as never before.

The conference posed questions that included:

- What technological tools can PLEAC member organizations use to collaborate as a group and increase the impact of their activities?
- Do you think you will be missing the boat if you don't use social media to connect to your audience?

The companion event to the PLEAC conference was Éducaloi's two-day conference, **Explaining the Law to Others: Message Received . . . and Understood!** Participants included lawyers, judges, government communication specialists, academics, and non-profits involved in communicating the law. These varied groups came together to look at how we can communicate more clearly to our diverse audiences, be they clients, the courts, decision-makers, or the public.

Web 2.0 technologies and social media

A central theme of the PLEAC conference was Web 2.0 technologies and social media.

Web 2.0 technologies give users the ability to interact or collaborate with each other and create user-generated content, in contrast to older websites, where users are limited to the passive viewing of content that was created for them.

Full conference proceedings of *Explaining the Law to Others: Message Received... and Understood!* will be available at the Éducaloi site: www.colloque.educaloi.qc.ca/en.

This report focuses on the information from both conferences that relates directly to the potential of social media for delivering public legal education and information.

It concentrates on two sessions:

1. **Connect: Delivering PLEI to the Right Audience Using Social Media.** This was a session at the PLEAC Conference, *Create, Collaborate, Connect*.

At this workshop, blogger and author Julien Smith posed the question, “How can PLEAC members use social media?” The discussion focused on how using social media opens doors to connecting with different audiences that need public legal education and information.

2. **Providing Legal Information Using Social Media.** This was a two-part workshop at the Éducaloi conference, *Explaining the Law to Others*.

At this double workshop, speakers took participants to the heart of the virtual world of social media. The theme of the workshop was that these new communication tools have become a must for accessing information.

Connect: Delivering PLEI to the Right Audience Using Social Media

In this PLEAC workshop, Julien Smith aimed to bring people up to speed on social media. His comments provided insights into what makes social media effective.

Julien Smith is an author and consultant who speaks frequently on the subject of social media, authenticity and differentiation in the digital space. His book, *Trust Agents: Using the Web to Build Influence, Improve Reputation, and Earn Trust* (www.trustagent.com), co-authored by Chris Brogan, made it to the New York Times bestseller list.¹

Julien Smith began his presentation by creating a scenario:

Imagine you’re on a boat. It’s Christmas Eve, 1905. You are one of the crew on the boat, using the radio and equipment. The equipment beeps like you expect it to.

Suddenly you hear a violin playing and the sound of “Silent Night” coming from the radio. And then you hear a voice. “Is anyone there?”

An inventor – Canadian Reginald Fessenden – found he could use radio not just for beeps, but for voice and music. He looked at the equipment that had been developed for one purpose and found something new.



Julien Smith, presenter at the “Connect” workshop

¹ From Julien Smith’s website at <<http://inoveryourhead.net>>.

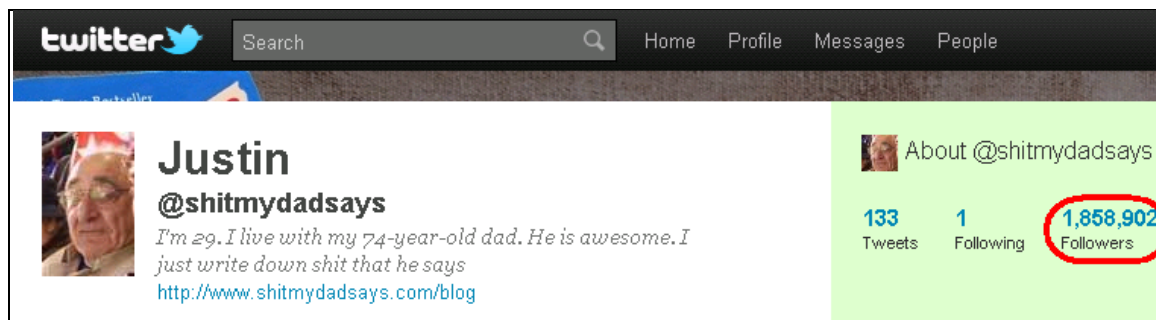
Smith likened this to “touching the burner” – we might touch it once, find it’s hot, and never touch it again. We stop being curious and stop taking risks. Julien Smith’s advice is to “touch the burner.” Embrace risk. It may hurt, but we learn something new every time.

With Web 2.0, everyone can own their own channel

Channels, Julien Smith commented, used to be costly. To acquire a radio tower or a printing press was expensive. And only those who could afford to buy a channel had their voice heard.

Today, channels are fundamentally different. They are cheap. A channel can be created by anyone with a computer or a phone. Anyone can set up a blog or a Twitter feed and develop a huge audience, for virtually no cost. We can now all be creators and owners of media. We need to take advantage of that.

For example: “Shit My Dad Says” is a Twitter feed started in August 2009 by a semi-employed comedy writer, offering quotes from his curmudgeonly father on various subjects. Less than a year later, the Twitter feed had more than a million followers.² It had “gone viral” on Twitter (at <http://twitter.com/shitmydadsays>).



People gather around simple material like this because it makes them feel they have something in common.

Hype dies, but the channel is forever. You own it, and as long as you pay attention to your audience, you’ll keep them. Controlling your future means controlling the channel. If you take care of your channel, your followers will stay with you.

Channels are two way: both sides send and receive information, and have the ability to help each other.

Build your network; facilitate the exchange of social capital

Julien Smith recalled a piece of advice from his father that has resonated with him: develop your network of friends. Building tribes is critical.

Julien Smith argued that social networks both on and offline influence our ideas, our emotions, health, relationships and behaviour. What we do does have an impact on the network. He recommended the book, *Connected: The Surprising Power of Our Social Networks and How They Shape Our Lives*, Nicholas A. Christakis and James H. Fowler (<http://connectedthebook.com>). The book explores how social networks form and how they operate.

² Jennifer Schuessler, “Inside the List”, New York Times, May 14, 2010, available online at <http://www.nytimes.com/2010/05/23/books/review/InsideList-t.html>

Using social media means building a specific place where people can gather and talk about common interests. To do this effectively, we need to care about the audiences we engage with.

In his book *Bowling Alone* (www.bowlingalone.com) Robert D. Putnam famously claimed that “social capital is dwindling.” Julien Smith’s counter argument is that social capital is in fact growing - through online social media.

How you can become involved

Julien Smith described ways in which PLEI practitioners can become involved in social media:

Participate. If you participate in social media, it has the potential to lead to good things, but you won’t know what that will be *until you are participating*.

Be authentic and human. People don’t trust companies; they trust people. It’s important for even big companies to behave like people. For example, during the soccer World Cup, Google made icons on their site play a vuvuzella sound. It was an annoying joke, but the site was behaving like a person playing a practical joke.

Be part of the conversation. Conversations are now happening in public spaces about you and issues that you’re involved in. Have a sense of humour and learn how to engage with people.

Be part of the social community. This is different from being part of the financial market. Social norms are different from market norms. You make friends; you don’t buy friends. You don’t pay \$100 to the host of a dinner party, even though you’d happily pay \$100 for that same meal in a nice restaurant. We need more connection and community.

Use the language of your audiences: Every culture has an “insider language.” You need to use it to get into the social circle of that audience. This requires an investment of time, but if you understand its importance, it will give you the ability to connect with lots of audiences.

Create something unique. There must be something unique about your website and your content so that an emotional connection is formed and so that people want to engage.

In summary, Julien Smith stressed the following key points about successful social networking:

- Use signals of trust and **be human** on line.
- Provide a story that’s **authentic**.

Providing Legal Information Using Social Media

Moderator Simon Chester played the 4 minute video “Social Media Revolution.”³

The video offers statistics about the astounding growth of social media. For example:

- Over 50% of the world’s population is under 30-years-old; 96% of them have joined a social network

³ Available at <<http://socialnomics.net/2010/05/05/social-media-revolution-2-refresh/>>.

- Facebook tops Google for weekly traffic in the U.S.
- Social media has overtaken porn as the #1 activity on the Web
- 1 out of 8 couples married in the U.S. last year met via social media
- 80% of companies use social media for recruitment
- The fastest growing segment on Facebook is 55-65 year-old females
- There are over 200,000,000 Blogs

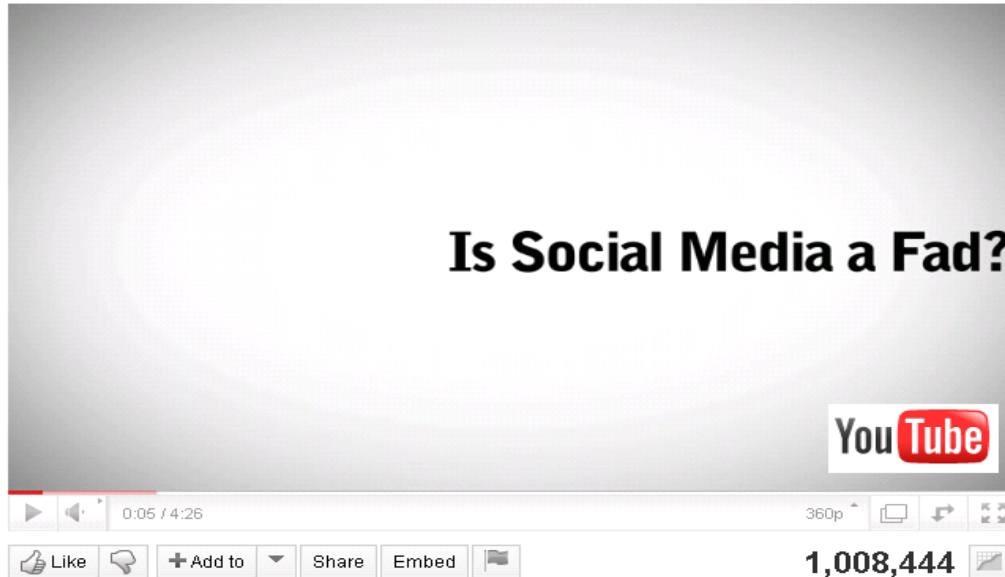
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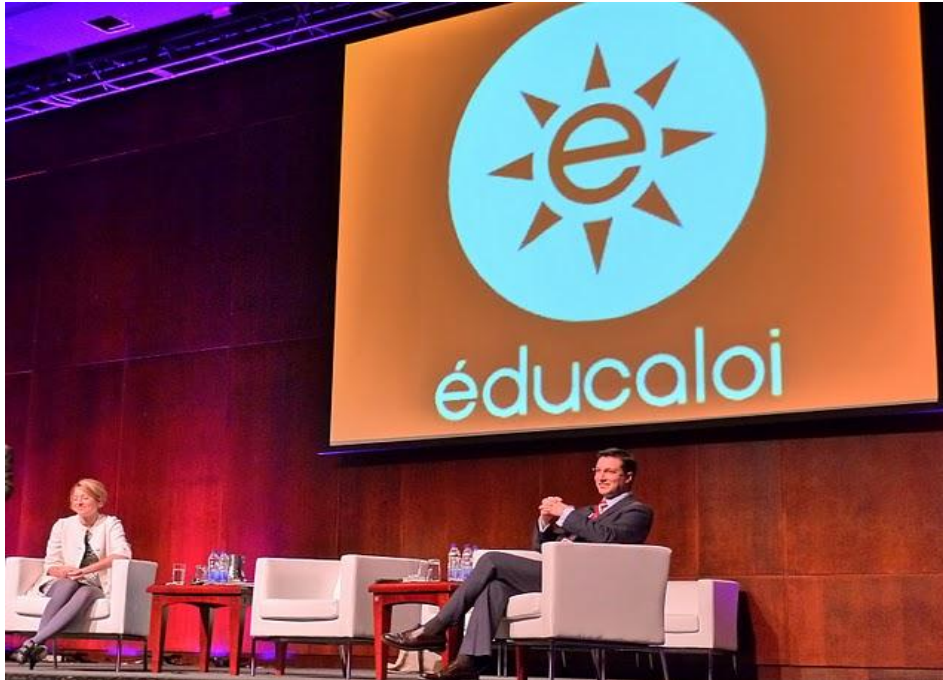
Part 1: Insights from outside the legal world

The first half of this two-part workshop featured two speakers from outside the legal world, Mélanie Joly and Guillaume Lavoie. Both talked about changes in their fields generated by the use of social media. Mélanie Joly is managing partner of the Montreal office of a global communications firm, and is also a lawyer, while Guillaume Lavoie is the executive director of a firm that assists Quebec organizations in developing networks in countries of strategic interest for Quebec and Canada.

Mélanie Joly made the point that in Quebec, there has been a 40% increase in participation in social networks over the past year. Over 50% of Quebecers now participate in social networks.

We ask friends for advice and recommendations

Reflecting on her experience in public relations, Mélanie Joly commented that we have trust in people we know. We always asked friends for advice or recommendations over coffee. Now we use the web to do the same thing.



Presenters Mélanie Joly and Guillaume Lavoie at the workshop, “Providing Legal Information Using Social Media”

Show you have the expertise and the credibility

Mélanie Joly made the point that we understand how the web helps to sell products, such as iPhones and sweaters. But what about its relevance to services? The key to success is to show that you have the expertise and you have the credibility.

She provided some examples of successful communication through social networking:

- Propaganzzi.com: Within two months, a marketing “newbie” was widely known through her participation in social networks, where she shared her emerging expertise freely.
- Droit-Inc.com: This blog targets the 23,000 practicing lawyers in Quebec.

Mélanie Joly provided the following strategies for getting value out of participating in social networks: Define the product; define the value; differentiate your product; make it last over time.

Her advice for workshop participants was that “ultimately you must communicate more.”

Even little blogs can have an impact

Guillaume Lavoie reflected on the impact of social networking on politics. While social media itself didn’t elect President Obama, it provided the means to extend conventional campaigning methods tenfold. Social media provides worldwide digital access to networks of people. It’s fast, cheap and effective, but still requires the same good content that a regular conversation requires: engaging your audience with sound ideas.

He commented: “There is a food chain of visibility.” In a world where media has a three-day window, a little blog can start a media storm. Information can move up the food chain from a little blog to the mainstream media:



Lavoie also gave his opinion about the impact of well-known social networking sites: Facebook is king; Twitter is a network of elite and influencing figures; YouTube is low cost, with a low barrier to entry.

Part 2: Where does the legal community fit in the world of social media?

The second half of the workshop looked at where the legal community fits in the world of social media.



Simon Fodden speaking at the workshop, “Providing Legal Information Using Social Media”.
Seated are: (LtoR) Vincent Gautrais, Simon Chester, Mélanie Joly, and Guillaume Lavoie.

Concept of global internet is challenging for us

Speaker Simon Fodden is professor emeritus at Osgoode Hall Law School and the founder of Slaw, a cooperative Canadian weblog on law: www.slaw.ca.

He commented that in law, “We are comfortable inside our jurisdictions. It’s like a suit – it’s tailored for me, it’s comfortable. But the internet is global. This concept is challenging for us . . .”

Simon Fodden likened the internet to the Ontario tourism slogan: *Friendly, familiar, foreign and near*. Within this framework, he commented on where the law fits within social media.

Friendly & familiar

Technology is just a pencil. The internet is just a tool. Technology has to obey us. We know this, but we need to remind ourselves of it.

Technology is an aid to help you solve a problem. If you want to be a good teacher, you need a good lesson plan. If technology helps, then use it. The medium is not the message. It shapes the way the message is delivered but it is not the message.

Law is a very large social medium. We relate to clients. A court is a blog, receiving comments and emitting judgments. Law is about communicating.

Foreign & near

We don't know what's coming and it's coming very soon. Change is accelerating. Law is moving onto the internet. We will have to participate and manage it to some extent.

It is very nearly the case that blogs are passé. We have the feeling that blogging is going to end, but we don't know what will take its place.

Law firms are rewriting their documents to make them simpler and clearer – there is concern from firms about the effort involved in doing this. But that is the least of the problems for a law firm. The nature of the document is going to change. It will still be digital but the structure will be different. We are uncertain as yet as to how it will change, but it will certainly evolve. It will still be a fish, but a different looking fish.

Blogging is a way to become involved with social media. Blogging is writing a few paragraphs to create a short message that needs to be clear, and delivered quickly. Blogging is good discipline, it teaches you to be clear and concise, and allows you to get your hands dirty with technology. It's easy to learn and it helps you follow developments.

Reasons for Slaw's success

In just a few years, Slaw has grown into a highly successful publishing venture, with a large readership (120,000 visits per month) and a diverse community of contributors and followers posting comments.

Simon Fodden offered the following thoughts on the reasons for Slaw's success, and identified the strategies that are applicable to those involved in public legal education and information.

1. **We were first.** When Slaw started, there was no pan-Canadian law blog. Find a niche where there isn't competition and occupy that niche.
2. **People were motivated to give us content for the pleasure of it.** Don't overvalue money as a motivator for the internet. We tend to think that if we don't pay, we don't get anything. But people contribute for other reasons: passion, marketing, a desire to share.

3. **We were very smart and involved law librarians from the start.** Many librarians know more about information technology than lawyers. They were out in front. Don't be blinded by traditional roles; don't stereotype. Look around you and see your colleagues on the same plane. The talent is available and in places you might not expect.
4. **We had a large number of contributors** which allowed us to cover a range of topics. Don't have a hierarchical structure. Form a community. Let them take responsibility for the community.
5. **We persisted, even when things looked bleak.** Don't quit. Continue when things look bleak. It helps to have a strong community.
6. **Time.** It helps that I'm retired! Look for talent that is overlooked, under-appreciated, retired people, youth, all sorts who are able to contribute.

A more critical perspective

A more critical perspective came from Vincent Gautrais, an associate professor at the University of Montreal's Faculty of Law.

As a specialist in technology law and business law, Vincent Gautrais has grown skeptical of the value of blogging and no longer blogs. He finds Facebook an awkward mix of the professional and personal, while he sees Twitter as being more useful and quicker.

Vincent Gautrais is now focusing on developing websites with his students. Websites create a place for dialogue where lawyers, teachers, students are both the producers and the consumers of content.

Summary workshop comments

Comments from the workshop's discussion can be briefly summarized as follows:

- As lawyers, we write and speak all the time. It is now very easy to recycle this work and publish it online.
- The barriers we face in using social media include: the aim for perfection, the structure of committee work, clearing things with clients, clearing things with others.
- The internet is transformative and changes your views on marketing and the law. It also changes your writing.
- Blogging – you have to want to do it; it can't be a chore.
- Lawpro.ca published a social media guide for lawyers and those who work with them.⁴
- Just begin; the rest is easy.

⁴ "Social Media: What", available online at <<http://www.practicepro.ca/LAWPROMag/SocialMediaWhat.pdf>>, and "Social Media: Pitfalls to Avoid", available online at <<http://www.practicepro.ca/LAWPROMag/SocialMediaPitfalls.pdf>>.

About this report

Courthouse Libraries BC prepared this report, with assistance from Éducaloi. At Courthouse Libraries BC, we coordinate Clicklaw (www.clicklaw.bc.ca), an online portal for public legal education and information.

On **February 23 & 24, 2011**, Courthouse Libraries BC and Clicklaw are hosting a national conference, "Just a Click Away." The conference is aimed at those who provide and support public legal education and information. It will focus on how the internet and emerging technologies can be used to deliver PLEI.

www.justaclickaway.ca



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