



Harnessing the Power of the Internet

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key word or two into *Google*. Although *Google* and *Yahoo!* are still the most popular search engines worldwide, there are hundreds of other useful engines that are much more specific in getting the information needed.

Search technology is evolving very quickly. For example, there are RSS (Really Simple Syndication) news alerts and new feeds, aggregated search engines, meta search engines, as well as advances in web tracking and blog monitoring services. For the most efficient search ability, one must stay on top of the cutting edge of these ever-evolving search engines.

Filter out the "Noise"

Advanced searching techniques are only the beginning of a comprehensive social media study. As indicated earlier, a good online researcher must know how to narrow the scope and refine and focus a search so that it yields only the most important information. Social Media Analysis provides this online organization through social bookmarking sites and tagging websites. Sophisticated offline coding and classification of the vast amount of information obtained is necessary to distinguish the most useful information in your search.

There is no shortcut for in-depth social research into the public's attitudes and beliefs about a case or subject matter. You first must find and then listen closely to the conversations of the "communities of interest." The rigorous social media study that Social Media Analysis performs analyzes thousands of readers' comments in news stories, examines the multitudes of blogs that react to news stories or public events, and examines numerous posts on community websites and message boards as well as a large array of other online communications.

Applied Social Science Analysis

Effective analysis must be driven by knowledge about how people filter information and make decisions. DecisionQuest's years of social science expertise and jury



consulting experience applied to the case facts generates the first path we forge in conducting the analysis. What questions need to be answered? Why will this be helpful? Inevitably our search leads us to seek information about issues/attitudes we did not know existed when we started.

We know that the jury and other fact finders "filter" the world through their pre-existing attitudes, beliefs and values. These pre-existing attitudes and opinions influence the acceptance or rejection of new information, the evidence and the story you tell at trial. By reading the community message boards, comments on popular blogs, and reader responses to news media reports, we can begin to study the pre-existing attitudes and opinions that exist about a subject or case-related issue.

Focused Reporting

A focused Social Media Analysis typically begins with the development of an "issue tree" based on our years of jury research experience, a discussion with the trial team about case facts, legal issues, stakeholder groups, and of course, the trial lawyer's specific concerns.

The final comprehensive report contains useful information such as the top pro-plaintiff and pro-defense attitudes and what case facts not publicly known have the most powerful potential of swaying those attitudes. In addition, preliminary recommendations are made that could inform formal jury research and influence many areas of your case strategy (discovery, venue studies, settlement hearings, brief preparation, witness selection and preparation, motions, etc.). The controlled setting of formal jury research can test the actual responses of potential jurors hearing both plaintiff and defense arguments presented at trial.

The long-established methodology of formal jury research is an important tool for trial attorneys researching opinions about their case. However, without the vast information that is developed by Social Media Analysis, you could be missing valuable attitudes and opinions (both widespread and local) to test during jury research exercises. Utilizing a much different methodology, Social Media Analysis exposes unknown or little-known attitudes and opinions to supplement jury research and further inform trial practice.

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¹Jim Rotenberg and Adam Nagourney, *Melding Obama's Web to a YouTube Presidency*, *NYT*, Jan. 26, 2009