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The Shift.

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By James D. Crosby, Attorney at Law

Social media is not something to be ignored by attorneys. It is a big shift, a game-changer, with attendant risks and benefits. It is also another “great equalizer” for small practices competing with bigger firms for work. I invite other practitioners to weigh in on this tectonic shift to social media.

A case in point. A couple of weeks ago, I was talking with a lawyer friend of mine. He is a death-penalty qualified, criminal defense attorney and has been practicing about 30 years. He is a fine lawyer, someone with a wealth of courtroom experience. I would turn to him for my family and friends if the need arose. But he has not been a big embracer of new technologies. In our discussion, he seemed genuinely rattled about the future of his practice. He explained that he had been in court waiting to make an appearance. A young lawyer sat down next to him, pulled out an iPad and started to conduct business, a not-so-uncommon event these days. For my friend, it was a wake-up call, maybe even an epiphany. “How can I compete with that?”, he thought. His comments had undercurrents of real concern and perceived unfairness. Why should he have to adjust to all this new stuff to compete for work this long into his career? While I don’t share his sense of unfairness, I was struck by his great concern that new technologies will hurt his business. It is one thing not to embrace a new technology if you can effectively compete without it. It is another for my friend to feel that not embracing new technologies will hurt his business. If this smart man believes this, it means that something big and structural is happening.

My recent discussions with a marketing consultant reinforced that point. Specifically, it was the difference between our discussions of several years ago and our discussions over the last few months that struck me. The last few years, I had been working for a single client. That gig had ended earlier this year and I was focusing again on generating new cases for my litigation practice. I was talking about that with this consultant. This person is highly qualified, very experienced and very successful. She has assisted many San Diego law practices and professionals. Several years ago, our discussions had been about my stationary, how to create a static website, what business sectors I should focus on, target audiences, whether I should host events, etc. Our recent discussions are completely different. They focus on social media, LinkedIn, Facebook, Twitter, search engine optimization, Google algorithms, digital media, content-spamming, social media protocol, something called The Cluetrain Manifesto, . . . All very interesting stuff. Yet, it was not the substance of these discussions that struck me. Rather, it was simply the fact that we are having them. If this highly qualified, very experienced, very successful



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"The Shift" to social media.

Attorneys ignore it at their peril.

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marketing expert is talking about this stuff, this is the real deal.

For further proof, one need only look around. Large corporations, major news entities, magazines, law firms, even the White House, are all on Facebook and Twitter. Why is that?

There has been a big shift. The rules have changed. Social media is a force to be reckoned with. And attorneys ignore it at their peril. Do you agree? Social media also presents great opportunity. Computers, legal software, emails, cell phones, cable/T1 internet access, online research, websites, smart phones, the shift from paper to digital, texting . . . these things are “great equalizers”. Now, smaller firms can compete for bigger and more complex cases that once only went to larger firms with enough bandwidth and personnel. Social media is leveling the playing field even more, offsetting the marketing power of large firms with big budgets. What do you think?

Next time, I'll comment about perceived ethical dangers of this shift to social media.

About James D. Crosby, Attorney at Law



James D. Crosby is a civil trial attorney with 27 years experience. Mr. Crosby represents entities and individuals in general and complex business, commercial, intellectual property, unfair competition, securities, business tort and real property litigation in state and federal courts. Mr. Crosby is admitted to practice in all state and federal courts of the state of California, and has represented clients not only in California but also in state and federal courts in New York, Nevada, New Jersey, North Carolina and South Dakota. He has tried numerous jury and non-jury cases, and has represented clients in JAMS and AAA business arbitrations, as well as NAFTA arbitration under UNCITRAL Rules. Mr. Crosby is AV Preeminent peer review rated by Martindale-Hubbell for ethical standards and legal ability - the highest possible rating indicating that his peers rank Mr. Crosby at the highest level of professional excellence.

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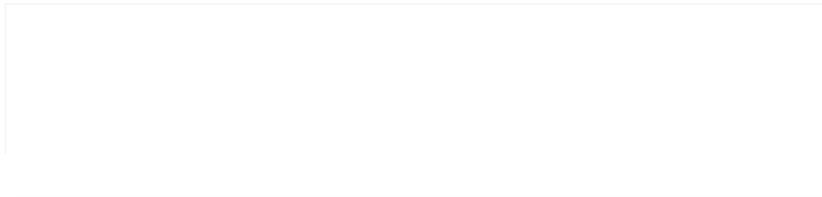
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