



Perception is reality

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A friend of ours, in the not too distant past, put out a job offer. He narrowed it down to the final two, after interviews. His first pick? A young woman, we'll call her Ms. Smith, whose legal experience put her in the lead. He then did what many people these days do. He plugged the names of the final two into a search engine. Within the first few hits? A publicly accessible MySpace page. Now for some, having a desperately unhip MySpace page—this was before Justin Timberlake's group bought it—would have been enough. But there was more. Pictures of her—that she had posted—in various states of excessive inebriation, large bottles of hard alcohol in hand. The other applicant? References to a few classes in college, a paper and an updated LinkedIn profile.

Everybody's doing it

Google stalking is not just the bastion of jilted lovers. Jurors do it. Prospective clients do it. The media does it. Opposing counsel and adjusters do it. The worry? What are they going to find? The only way to tell is to do it too.

Google thyself

Most of us are so busy worrying about our clients, our opposing counsel and our experts that we forget there's another web presence out there. Yours. And if you think jurors aren't doing searches on you, you're either not reading the news or failing to follow your firm's website analytics. I'm illustrating this with jurors but it is true across the board.

There's the panel in Florida, where ten of twelve jurors conducted independent Internet research despite instructions not to. Our firm's website analytics regularly demonstrate that our website traffic increases during jury selection. The information is detailed enough to show that the increase is from a particular region and focused on particular lawyers. It is not detailed enough to tell us precisely who it is.

An aside—have your website professional install Analytics and learn how to log on to view it or receive weekly email updates. Review the results. You'll be surprised what you can learn about who comes to your site and what draws them there.

You are your brand

So what does all this mean to you? That you are your brand. And the way most people correlate your brand to real life is by checking your web presence. That presence—their perception of it—becomes their reality for you. So you must zealously protect that brand. This includes protective measures, i.e. keeping information that clashes with your brand out of the public eye. And it also includes making sure you update your web presence to make the right information easy to find.



Protective measures

Keeping the wrong information out of the public domain requires a few simple rules. Assume anything you post may be seen by a juror or client. I don't care how you set your privacy restrictions on Facebook. Stuff just has a tendency to seep out. And it is not just you. When your friend tags the photo you really did not want taken from that bacchanal? Untag it immediately. Another simple rule—don't post, email or tweet after having a drink or taking medication—prescription or otherwise. This is Brian Garner's Rule 1.19 (Garner, *Ethical Communications for Lawyers* (2009) pp. 33–34.) There's a reason those politicians' crotch shots are sent in the wee hours—it is not sobriety.

Influence your top 10 results

Internet searches can yield all sorts of information. Your goal is to make sure your footprint is uniform, positive and consistent with how you present in real life. Uniformity means you take the time to update information across the various platforms out there. Your firm bio, LinkedIn profile, Avvo information, Martindale, Facebook and Google Profiles, to name a few, should all have the same information. The more common or infamous your name, the more important it is to post in as many places as possible and update. When you have a major change, you need to take the time to change the information everywhere. Keep a profiles checklist. Once a quarter, take an hour or two to update the various sites. Too busy, too important, or not technically savvy? Work with a trusted admin, a social-media savvy associate or the person in your household who has mastered your iPad (you know exactly who I mean, just look it over to make sure your offspring spells everything right and have a deadline calendared to make sure the updating occurs.

Typically, people's searches bob along, finding consistent information that reassures them that what they initially believed is true. Good bio. Avvo score of 10. AV rating. Good comments on Yelp. But all it takes is one hiccup for them to dig down and decide you are not trustworthy. That hiccup loses potential clients and can turn off potential jurors.

So who got the job?

Do you really have to ask? Our friend is no prude. But he also runs a professional office. When faced with someone who had no qualms posting party pictures for all to see versus someone whose web presence conveyed stability, he took the conservative route. As any employer, potential client or jury instruction-violating juror is wont to do.