

Jurors are Tweeting... Legal Marketers – It's Time To Lead The Way For Our Industry

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If you are a legal marketer still in the midst of “trying to figure” it out, time has passed to stop trying and take actions that produce results. The NY Times reported on a case in Florida, of a defendant who was accused of selling prescription drugs over the internet, which resulted in a mistrial due to jurors sending updates out via Twitter.

It's common knowledge that the legal industry is historically behind technologically in comparison to other business sectors. Unfortunately, in today's world of fast moving innovations, law firms are not the only ones suffering, and our legal process is being compromised.

The bottom line is judges and attorneys have to include social media within the instructions they give juries.

The bad news: Enforcement of these rules goes beyond what a judge's instruction can do. We're in time where knowledgeable people on juries are opting not to say anything, in order to “save time”, reflecting the lack of integrity, that up to now in “business as usual” we've been fine with .

“ Seth A. McDowell, a data support specialist who lives in Albuquerque and works for a financial advising firm, said he was serving on a jury last year when another juror admitted running a Google search on the defendant, even though she acknowledged that she was not supposed to do so. She said she did not find anything, Mr. McDowell said.

Mr. McDowell, 35, said he thought about telling the judge, but decided against it. None of the other jurors did, either. Now, he said, after a bit of soul-searching, he feels he may have made the wrong choice. But he remains somewhat torn.

“I don't know,” he said. “If everybody did the right thing, the trial, which took two days, would have gone on for another bazillion years.”

Mr. McDowell said he planned to attend law school in the fall.

It's up to all of us to generate the legal conversation to change this. Otherwise, our legal system's complex rules of evidence will continue to be jeopardized.

Please see the NY Times article in it's entirety:

[Mistrials Abound As Jurors Use Web For Research, Blogging](http://www.nytimes.com/2009/03/18/us/18juries.html?_r=1)
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