

As an employee of a law firm, you are in a special position with regard to the degree of care you must exercise when communicating online. Due to the nature of our business, it's important that you review and understand the firm's guidelines for participating in social media sites. These guidelines have been created with the goal of protecting the firm and its personnel. Personnel who fail to adhere to these guidelines may be subject to disciplinary action up to and including termination.

While we have set out specific guidelines below, we believe the overarching principle to online communication is that everyone should exercise good judgment when participating. Don't publish anything online that you wouldn't want to be viewed by your family, clients, colleagues or the general public. Remember: what you publish online will be public for a very long time.

These guidelines apply to – but are not limited to – the following sites:

- Personal blogs and web sites
- LinkedIn
- Twitter
- Facebook
- MySpace

Social media sites are powerful and massive communities, and we think they present numerous opportunities for networking and business development. The social media arena is growing at an extraordinary pace, and new questions and challenges arise almost daily. As such, our policy and guidelines will change to reflect new issues and new rulings from state bar regulators, courts, lawmakers and other professional organizations.

Identify yourself You are responsible for what you post online. You are personally responsible for any and all online activity conducted using your firm email address, and/or activity that can be traced back to the firm's domain or the firm's technology assets. Using your firm email address implies you are communicating or acting on behalf of the firm, so when creating online accounts or posting material online, you should use your personal email address as specified in the firm's Electronic Asset Use Policy.

We respect the rights of our employees and their freedom of speech. However, if you choose to associate yourself with the firm online – either by using your firm email address, using firm assets or by publishing the firm's name as your employer – then you should regard all communication on that network as you would workplace communication. For example, if you list [Firm Name] as your employer in your Facebook profile, you should understand that all information posted by you is thereby affiliated with the firm.

When posting content online, you should use your name rather than an alias, and should not post anonymously.

Never be dishonest or misleading in your online activities with regard to your employment by, and position with, the firm. Your online bios and/or profiles should be accurate, including your title as listed by the firm in its Human Resources files.

When posting comments that can be associated with the firm, either by explicit identification of the firm as your employer, or by use of firm assets to post the information, include a disclaimer that your comments are your own views and do not necessarily reflect the views of the firm.

Use of firm assets As outlined in the firm's Electronic Asset Use Policy, the use of firm technology assets (computers, Internet access, email, etc.) is intended for purposes relevant to the responsibilities

assigned to each employee. Employees who choose to access social networking or other sites for personal participation via firm assets and/or during work hours should only do so for a reasonable and limited amount of time.

The use of firm assets to post threatening, defamatory, inaccurate, harassing or confidential information is strictly forbidden. Employees who do so may be subject to disciplinary action up to and including termination.

Get approval if needed Certain online communication requires extraordinary care to avoid any appearance of impropriety or ethical concerns. As such, you are to contact Human Resources to obtain approval for the following types of online communication:

- Responding to a negative item related to the firm, its clients or its employees.
- Providing a recommendation for a colleague, employee or former employee.
- Requests from journalists for comment

If you have any questions or concerns regarding any type of online communication that is not specifically listed here, contact XXX for guidance or answers to questions.

Maintain confidentiality Work for clients, and the identities of our clients, must be held in the strictest confidence. The firm's confidentiality policy applies to all online communications. Furthermore, respect the privacy of your colleagues by obtaining their permission before posting information or photos related to them.

Be respectful Rumors and gossip spread quickly online. Be mindful and respectful of your colleagues, the firm and our clients. Always fact-check information before posting. If you inadvertently post information that you later determine is not accurate, acknowledge and correct the error right away.

Avoid engaging in personal attacks, online fights and hostile communications. You are free to voice your opinions, but the firm asks that you do so in a reasonable manner. This means avoiding the use of any language that is defamatory, harassing, discriminatory or inappropriate. You should also refrain from making statements that conflict with the interest of the firm and/or its clients.

Follow the law While this is true in all regards, be particularly sensitive to the law as it relates to securities and copyright violations, as well as harassing, defamatory or discriminatory language.

All employees are to abide by the Terms of Service or Terms of Service set forth by the sites on which they participate. Be sure you have reviewed these Terms and are clear as to their requirements before you participate on any site.

Use of firm logo The firm's logo may not be used without explicit permission, in writing, from the firm's Marketing Department.

Employee or Peer Recommendations Some sites, such as LinkedIn, allow members to write recommendations of peers, colleagues or former colleagues. To avoid liability and ethical concerns, the firm prohibits its personnel from providing these types of testimonials without first consulting with Human Resources.

Be conscientious of associations If identified as an employee or partner of the firm, ensure your profile, connections, and related content are consistent with how you want to present yourself to colleagues and clients. Additionally, consider whether establishing an online connection connotes a client relationship.

The firm strongly urges managers and employees to avoid creating online connections with one another which could result in the disclosure of information that would otherwise not be disclosed in the workplace.

Online Profiles When posting a professional profile, use your firm-approved biography, which is available on the firm website or by contacting the Marketing Department.

Channel-Specific Guidelines

Blogs, Blog Comments & Twitter

- There should be a prominent disclaimer or link to a disclaimer on the main page of your blog, as well as in the “About” portion of your blog. See XXX for an appropriate disclaimer.
- If your blog discusses topics relevant to your position (e.g, a blog which discusses developments in health care law) it must be approved by the Ethics Committee.
- Media inquiries related to your blog should be handled like any other media inquiry, and require the approval of the Ethics Committee.
- Neither the title of the blog nor the URL of the blog may include the firm name.
- Bloggers may allow others to comment on posts. As comments may be attributable to the blogger, you should be prepared to moderate comments and to delete any inappropriate comments.
- If you have questions about what is appropriate to discuss on your blog, or the content of a specific post, contact XXX prior to publishing.

LinkedIn

- Avoid answering legal questions. It is very easy to inadvertently create an attorney-client relationship. The line between supplying legal information and legal advice is very gray.
- LinkedIn includes a Recommendation feature by which members can solicit recommendations from other members, or can provide recommendations on behalf of members. In some jurisdictions these may be viewed as testimonials and attorney advertising. All firm employees are to contact Human Resources if they are solicited for a recommendation. Furthermore, attorneys employed by the firm should not solicit recommendations from members. If you receive a recommendation, contact the Ethics Committee.
- Attorneys should not list areas of law in the Specialties section of their LinkedIn profile. The ABA prohibits attorneys from advertising that they are “experts” or “specialists” in a particular field of law without having obtained specific certification as such.

Facebook/MySpace/Other Social Networking Sites

Although these are primarily social tools, if your profile or activity can be associated with the firm by listing the firm as your employer, registering an account using your firm email address, or using firm

assets to access and post to a site, then your activity impacts the firm as well as your personal image. As such, the firm's guidelines are applicable to your use of these sites.