

Who do you think you are?

Unlike most other persons and professions, the legal industry is made up of individual lawyers who are their own brand — they are public entities with a personal reputation that must be managed. How well or how poorly a lawyer manages that brand — through expertise, accomplishments, marketing, and public activity of all kinds — directly affects the success of that lawyer's career. In the online world, this gets complicated.

The simple truth is that everyone leaves a trail online, and the average legal consumer knows it: the smart ones routinely look up a lawyer's name in Google before considering an in-person contact. The problem, and unlike the offline world, is that bad profile on the web does not go away. And with the increasingly tabloid nature of modern society, it's becoming more common for negative profile "blips" to occur.

Anything that goes into the public body of knowledge online must be considered a potential landmine when it comes to building a lawyer's professional reputation. Consider the vast number of ways a lawyer can be identified, associated with and connected with online, including through association memberships, political affiliations, public companies and advisory boards.

Now think about the growing number of online media properties and the increasing number of digital documents in which a lawyer's name can be mentioned — getting quoted in the newspaper, being named in a court case, speaking at events. If it isn't already, very soon every aspect of a lawyer's life will be codified on the public web.

The idea of skeletons in one's closet obviously isn't new, but the long-term effect of negative events on one's online reputation is. Consider those lawyers who work on high-profile trials or those whose names are regularly included in well-linked court decisions. A client or ex-client with an axe to grind can easily post something publicly online that reflects poorly on the lawyer. That post doesn't fade away with time.

Your personal reputation is at the heart of your legal practice — but many lawyers aren't aware of how their brand is being broadcast on the Internet.

Here's how to get control of your identity and reputation online, and reap the rewards.

By Steve Matthews

Illustration by Stephen MacEachern



Here's an offline analogy: the same nasty "letter to the editor" that used to go out with the day's recycling? It now shows up in Google whenever anyone searches your name. And unless that newspaper restricts its online archives, that blip could become a permanent fixture within the Google search results, and inadvertently, an important piece of your online CV.

Online reputation management isn't a question of blogging gone badly, or someone posting drunken pictures in Facebook (although both are possible). It's a business issue for every lawyer who practises, and it requires some form of monitoring and, more often than not, active attention.

But do lawyers understand the impact of the web on their professional lives? Some might, but the average Canadian lawyer likely falls into one of two camps — either silent and disengaged, or active online but unaware of the potential fallout from his or her participation.

So, scare tactics aside, what do lawyers need to know about how they use the modern web that may reflect on their professional practice and business development efforts? Here are some points to consider.

Protecting your online brand

Most online brands can be deconstructed into several layers, including publishing, search and reputation. A good start for most lawyers would be to identify which web-published documents include their name.

But even more importantly, lawyers should know what comes up when searching their name in Google; and specifically, whether there are any items — within the first three pages of search results — that could negatively influence a prospective client.

Perhaps surprisingly, it is not the lawyers who participate online who are most vulnerable to negative reputation risks. More often, it's lawyers without a web publishing presence, and with a related dearth of content about them, who are at the greatest risk. Unfortunately, in many firms, that group includes the senior members of the partnership — they might not be as tech-savvy as junior lawyers, but they certainly have higher profiles and are therefore easy targets for the press and bloggers.

So if bad profile on the web lingers in the search engines if it isn't addressed, and if the adage of keeping silent and letting things blow over no longer works, what does? The answers come in the form of personal web publishing and developing one's online voice. When a client or prospective client goes hunting for content about a lawyer, that content should accentuate the positives and help bury the negative.

Almost without exception, dominant online brands for modern professionals are built around the personal weblog, or blog. A blog is nothing more than an exclusive personal website. It is one of the few places on the web today that can be completely dedicated to a lawyer's (not a law firm's) individual brand. It is also the centerpiece of most other online marketing efforts. Think of it as a CV on steroids!

Lawyers who actively publish on the web to promote their legal services can often become insulated against negative Google events. Their blog content tends to rank highly when their names are searched, and over time, their product can become a buffer against the visibility of more negative content.

Developing an online network

Having your expertise available online is one thing; disseminating it is another. An easy publishing platform such as a blog

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Être maître de son image

Votre réputation en tant qu'avocat est cruciale autant dans le monde réel que virtuel. Pourtant, plus d'un avocat ignore la façon dont son image est véhiculée sur l'Internet. L'ABC vous fournit tous les moyens de prendre en main votre identité de façon à pleinement profiter de votre notoriété sur le Web.



L'image de marque d'un avocat constitue un élément décisif pour l'obtention de contrats, d'où l'importance de faire valoir son expertise et ses réalisations sur l'Internet. D'ailleurs, nombreux sont les clients qui effectuent une recherche en ligne avant de rencontrer un avocat pour lui confier un mandat.

Dans de telles circonstances, aucun avocat ne peut se permettre de laisser sur le sillage de la toile électronique un profil désobligeant ou une mention désagréable à son égard. Il reste que si un élément défavorable existe sur le Net au sujet d'un avocat, il est difficile de le faire disparaître, en raison de la nature de plus en plus publicisée de la société dans laquelle nous évoluons. Google ne fait pas non plus de cadeaux en ce sens, faisant plutôt apparaître à long terme une information sur vous que vous préféreriez occulter.

Qui êtes-vous sur le Net?

Commencez par une enquête sur votre

image en effectuant une recherche Google afin d'identifier les sites qui contiennent une mention sur vous. Ensuite vérifiez si les premières pages Web à votre sujet comportent quelque élément négatif que ce soit qui puisse dissuader un client potentiel de faire affaire avec vous. Le cas échéant, il existe des solutions pour y remédier. Une participation régulière sur le Net afin de promouvoir vos services juridiques fera en sorte que, bientôt, les mentions négatives se dissiperont pour devenir secondaires. Gageons que plus vous publierez d'informations considérées comme pertinentes, plus elles apparaîtront en premier lieu sur les moteurs de recherche.

À ceux qui seraient tentés de ne pas emprunter du tout les dédales de l'Internet par peur de ternir leur réputation ou à ceux qui ne répliquent pas pour remettre les pendules à l'heure, sachez qu'un manque de visibilité est à déconseiller.

Une réputation inexistante pourrait être

interprétée comme un aveu implicite de votre part d'être dans le tort. Si vous n'avez rien à vous reprocher, votre préférence de rester emmuré dans un long silence numérique n'est pas à votre avantage non plus. Vous devez, au contraire, passer à l'action pour ne pas risquer d'être relégué aux oubliettes.

Saisissez plutôt le taureau par les cornes sans plus attendre pour que votre image en ligne ne soit pas laissée au hasard des pages Web et des rumeurs!

Les recettes pour augmenter votre visibilité sur Internet

Et si vous déployiez votre voix en ligne par l'intermédiaire d'un blogue personnel? Dès maintenant, considérez ces espaces virtuels comme des sortes de curriculum vitae bien plus performants que votre C.V. en format papier!

Disposer d'un réseau de contacts en ligne qui se chargera de véhiculer vos écrits aux multiples points du Web améliorera considérablement votre visibilité sur Internet.

De plus, vous gagnerez à apparaître comme un expert dans telle ou telle discipline, de façon à vous démarquer de vos concurrents. Pour obtenir cette reconnaissance, vos pairs sont importants, certes, mais également vos activités en ligne.

En plus de rédiger des textes et d'effectuer des présentations, vous devez veiller à garder votre champ d'expertise bien circonscrit pour conserver votre statut d'expert et renforcer vos initiatives en publicisant vos contenus en ligne.

Et sachez que si vous parvenez au statut de «leader d'opinion», vous bénéficierez certainement d'une notoriété et d'une influence optimales sur Internet! ■

— Yasmina El Jamâi

is a critical part of the first step, but achieving the second requires a substantial network of online contacts. Publishing online without such a social network in place can severely limit the impact of a lawyer's web presence.

The web is a mix of two kinds of people: those who innovate and come up with ideas, and those who diligently spread the word about those ideas. Success can be found in either capacity, but a balance between "subject expert" and "online rainmaker" is probably the best approach for most lawyers.

One of the terms frequently cited in online circles is "evangelist." An evangelist will not only read what you say online, but will also relay or extend your news or thoughts to a network of loyal followers.

Compared to the offline world, the distinguishing features of online network development is the quantity of relationships and the speed at which they can be developed. Kevin O'Keefe at Seattle's Lexblog frequently analogizes the combined effect of blogs and social networking to holding a rotary meeting in a football stadium.

Understanding how to "seed" online conversations to promote a lawyer's knowledge and interest is one of the keys to establishing and exporting a legal presence online. Those who get it succeed, while those who don't often end up dismissing the web as a business development tool altogether.

Every lawyer should understand that writing a blog, alone, will not make you an online success. Doing so within a strong social network (think of it as an online wolf pack!) is a recipe for success.

Succeeding through expertise

Selling the notion of expertise has always been a crucial element for lawyers seeking to market themselves and their services. Why else would lawyers with heavy billable targets take months of their valuable time to write a book? A lawyer's web brand is no different: expertise is critical.

Whether you're looking to differentiate your services from your competitors or create a measure of professional qualification, a key success factor is managing to become recognized

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as an expert in your chosen field. But do “experts” arise from the ranks and develop through peer acknowledgment, or are they merely entities created and carefully crafted through profile building and marketing? It’s a little of both.

We all know exceptional professionals or academics who are very well respected, but only within small circles and who only receive limited exposure. And we all know so-called “experts” ubiquitous in CLE sessions and through various media outlets who can best be described as “all sizzle and no steak.” Lawyers shouldn’t settle for either end of the spectrum.

When it comes to crafting their own personal brand, most lawyers are excellent at creating the substantive content that forms the foundation of their practices: writing papers, giving presentations, and so on. Those lawyers fully in command of their brand online, however, take two additional steps:

- they maintain their subject focus, tracking developments in their specific chosen field with a passion and constantly forging new relationships in those areas; and,
- they get the word out, through a substantial online network that extends the reach of their content and, therefore, their expertise.

The rewards for establishing and spreading the word about your expertise are substantial. Successful bloggers benefit from increased media exposure, a devoted business referral network, offers to do speaking engagements, more writing and publishing opportunities, a dominant presence in search engines, and finally, behind-the-scenes exchanges with other experts, which increases their exposure to the industry’s leading strategies and tactics.

Becoming a thought leader

The ultimate goal in online brand management? Become a “thought leader,” a term used in online communities to describe individuals who have become “hubs” within online conversations. Their words are read daily by hundreds, if not thousands, and their online publishing power is driven by their social network as much as by the merit of their content.

Being a thought leader is an interesting position, and sometimes a precarious one, for the simple reason that not everyone who reads your work agrees with you. In some cases, the naysayers can outnumber the supporters. It’s not that thought leaders’ opinions are necessarily the most respected (although ideally, they are), it’s that their voice drives others to respond.

In the result, thought leaders set the direction and tone of online conversations in their areas of interest. If they enter into a discussion of a particular issue, that issue will be heard. They carry an immense amount of “web profile” power.

If a lawyer wishes to drive his or her personal brand through the roof, becoming a thought leader on the web can deliver a tremendous payload. Done properly, it’s a position that can create value for the length of a professional career.

But even if all you want to do is control and direct your online brand, there are plenty of steps outlined here to help you make that effort. Your brand, your personal reputation as an expert professional, has always been your greatest asset. The Internet creates traps and pitfalls for those who don’t keep tabs on their brand online; but for those who do, the rewards are many and multiplying all the time. ■

Steve Matthews is the founder and principal of Stem Legal, a Vancouver-based company dedicated to bringing web visibility to the legal industry (<http://www.stemlegal.com/>). He maintains the Canadian Law Blogs List (<http://www.lawblogs.ca/>) and writes the Vancouver Law Librarian Blog (<http://vancouverlawlib.blogspot.com/>).



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Department of Justice Canada Seeking Comments on the Third Series of Proposals to Harmonize Federal Law with the Civil Law of the Province of Quebec

The Department of Justice Canada is seeking comments from stakeholders and members of the legal community regarding the *Third series of proposals to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law*. Comments from this consultation will be considered during the preparation of a potential third harmonization bill.

This third series proposes amendments to the *Canada Business Corporations Act* and the *Expropriation Act*. These harmonization proposals have been prepared in cooperation with the federal departments responsible for the selected acts and with the support of a number of experts in the field. Harmonization of federal legislation serves to better address four legal audiences: civil law in French, civil law in English, common law in French, and common law in English.

The series of proposals is available on-line at <http://www.justice.gc.ca/en/bijurillex/consult/consult.html>. Print copies may be requested by telephone at 613-957-0038, by e-mail at consultation.harmonisation.2008@justice.gc.ca, or by mail to:

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The deadline for submitting your comments is **April 30, 2008**.

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