Social Media & The Bench

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Why does it matter to me?

- People spend an average of 7.6 hours on social media per month
- Nearly 60% of Americans are on some social media platform
- 98% of those online are on social media
- Mobile technology has helped fuel growth

Social Media is the Messenger

- Different Platforms
 - Facebook
 - Twitter
 - LinkedIN
 - Instagram
 - YouTube
 - Website/Blogs

Landscape quickly changes

- Social Media is becoming enmeshed with apps
- As new apps come out, a new form of social media is born
- Snapchat, Tinder
- Most integrate with other apps

WHAT'S OUT THERE

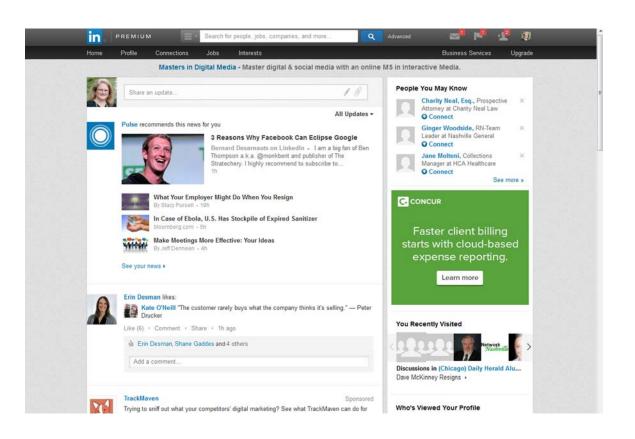
Facebook



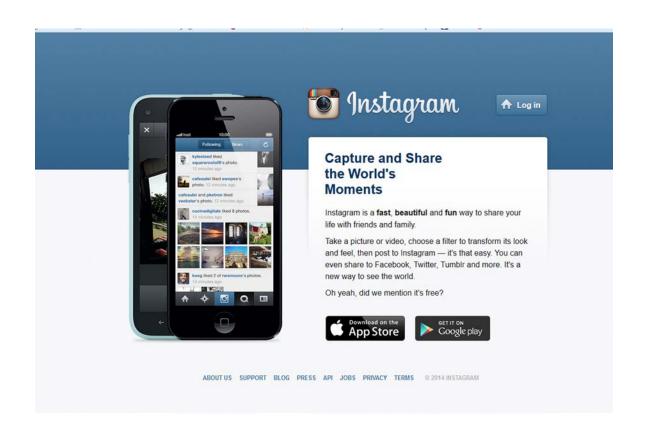
Twitter



LinkedIn



Instagram



Power of Social Media

Why Social Media

- Incredibly powerful communication tool
- Users apparently have control over:
 - Who they share with
 - What they share
 - What they consume
- Puts users in control

Users' Control

- They are putting their information "out there"
 - Privacy settings go only so far
- Hacking concerns
- Sometimes, only tells part of the story

WHY DOES THIS MATTER TO ME?

Professional

- May be integral to a case
- Professional relationships
- Impact on functions in a courtroom

In a case

- Trend is to allow more social media in courtrooms.
- •In 2014, 37 percent of the courts have a social media policy for their courtroom compared to about 29 percent a year ago.
- Court officials are less concerned about the media sending messages from the courtroom during proceedings
- More than 50 percent of court officials believe the media should be allowed, with some restrictions, to take photos and videos of a court proceeding.
- Court personnel still remain wary of social media use and three-quarters do not use any social media in their professional lives.

Professional Relationships

- Attorneys
- Other judges
- Litigants
- Court personnel
- Election time

Social media for your courtroom

- Purpose
- Who will maintain it
- Voice

Functions in your Courtroom

- Rule 30
 - Does not address social media
- Judges' discretion
- Consider "The Rule"
- •Who is a 'friend'?



- Recent TN Supreme Court Decision
 - State of Tenn. v. William Darelle Smith

Advisory Ethics Opinion

Personal

- Assume everything is public
- Would you say it:
 - In a courtroom
 - In front of a client?
 - To the BPR?

Rules of Professional Responsibility

- How they apply to social media
 - Confidentiality
 - Fraudulent behavior
 - Conflicts
 - Candor

How Social Media Can Help You

Resources

- Law blogs
- Legal news
- Sharing information
- Research

Networking

- Communities:
 - Legal
 - Local
 - Client

Entertainment

After all, it's SOCIAL media

Publications & Website