



NYSBA News Release

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NYS BAR'S COMMERCIAL AND FEDERAL LITIGATION SECTION RELEASES UPDATED SOCIAL MEDIA GUIDELINES FOR ATTORNEYS

As the use of social media by attorneys and clients continues to grow, so do the ethics issues facing lawyers. In response, the Commercial and Federal Litigation Section of the New York State Bar Association has updated its *Social Media Ethics Guidelines* to assist lawyers in understanding these social media challenges.

“Whether you are a litigator, transactional attorney, in-house counsel or attorney who uses social media to communicate, blog, or solicit business, you should know the risks and benefits of social media use,” said Mark Berman (Ganfer & Shore), chair of the Commercial and Federal Litigation Section. “The latest edition of the *Guidelines* continues to lead the New York State Bar Association efforts in this regard.”

First issued in 2014, the third edition of the *Guidelines* follows the structure of its predecessors, and contains new guidance on attorney advertising, responding to online reviews, and potential conflicts regarding an attorney’s social media posts.

The new edition reflects and references, both in revised text and footnotes, developments in case law and ethics opinions from around the country. The latest version also aims to help lawyers by providing a new appendix of key social media terms and descriptions of popular social media platforms.

This updated version of the *Guidelines* is the first since 2015. The section’s original 2014 version received national recognition and has been cited in ethics opinions of other bar associations. The section’s Social Media Committee is co-chaired by Ronald J. Hedges (Dentons) and Ignatius Grande (Hughes Hubbard & Reed).

“The original intent of our committee in issuing these *Guidelines* was to make it easier for attorneys to comply with the various ethics opinions, which have been issued over the past 10

years addressing social media,” said Grande. “We are proud of the impact that the *Guidelines* have had not just in New York, but throughout the country.”

The *Guidelines*, which are advisory, are available at www.nysba.org/SocialMediaGuidelines17.

The 72,000-member New York State Bar Association is the largest voluntary state bar association in the nation. It was founded in 1876.