



Federal Bar Association

Policy No. 5-1: Social Media

Approved By: Board of Directors

Date Approved: January 29, 2011

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Policy:

The Federal Bar Association supports the use of social media platforms (including, but not limited to Facebook, LinkedIn, Instagram, and Twitter) to increase member engagement, build community, and improve access to information, resulting in greater value to our members and the public. These tools are another method to communicate with a variety of audiences but may not be appropriate in all instances nor for all kinds of outreach.

The following policy and guidelines apply to FBA staff members, boards, sections, divisions, chapters, committees, members, volunteers and related groups (“entities”) wishing to use the FBA’s name and/or logo in conjunction with a social media platform that identifies itself as being affiliated with the FBA.

Administering Social Media Presence

The Executive Director or his/her designee will have exclusive rights to post items on the FBA’s official Facebook page, LinkedIn profile, and Twitter account. The Executive Director or his/her designee will serve as the administrator for each social media platform; all items for posting must be submitted to the administrator. The FBA will constantly monitor the sites for inappropriate posts and retains the right to remove posts deemed to be inappropriate. Entities and individuals who fail to exercise good judgment, or who fail to comply with these guidelines, may forfeit the right to participate in social networking activities sponsored by the FBA. FBA staff members can become a “fan” of the FBA’s Facebook page and a “follower” of the FBA’s Twitter account; however, staff will refrain from posting directly to the page or account. Additionally, FBA staff members will refrain from sending and/or receiving “friend” requests with FBA members.

If at any time an FBA entity wishes to create a social media presence (e.g., Facebook page; LinkedIn group), the entity must contact the Executive Director. The FBA will serve as the “creator” of the social media platform and then designate as an “admin” the entity’s site administrator. Each entity will be responsible for: (1) appointing a site administrator; (2) content development and management; and (3) compliance with FBA social media policy and guidelines.

FBA Social Media Guidelines

In sum, be professional, respectful and discreet in your online dialogue. Represent the FBA and your profession well. Exercise good judgment. FBA members who fail to do so, or who fail to comply with these guidelines and the FBA's Standards of Professional Ethics and Conduct, may not only forfeit the right to participate in social networking activities sponsored by the FBA and may be subject to removal from FBA leadership positions, but may also be subject to penalties and discipline by their licensing body for failing to adhere to applicable Rules of Professional Conduct, as well as civil or criminal liability and penalties, as warranted.

1. **Be responsible.** You are personally responsible for the material you post. All statements must be true and not misleading. Carefully consider content; what you publish will be widely accessible for a long time and, in some cases, indefinitely. Protect your privacy and the privacy of others, and adhere to all statutory proscriptions and Professional Rules of Conduct governing the privacy of individuals and confidential information of your clients.
2. **Identify yourself.** Your honesty—or dishonesty—will be quickly noticed in the social networking environment. Always speak in first person, and identify yourself in your postings. Make it clear that your views are your own and not those of the FBA. Only the Web Content Editor, with prior approval from the FBA executive director and/or associate executive director, is authorized to speak for the FBA.
3. **Respect your audience.** Do not use defamatory, abusive, threatening, offensive or obscene language, or post illegal material.
4. **Do not harass.** Harassment of employees, FBA members, or members of the public while in the course and scope of conducting FBA business will not be tolerated. Blogs or communications through social networking services should not violate FBA's conduct-related policies, including the Employee Conduct Guidelines, Equal Employment Opportunity, and Sexual & Other Harassment policies. When participating in online social networking or posting to a blog, FBA staff and others with "material connections" to the FBA may not be discourteous or disrespectful of any co-worker, customer, member, volunteer, or member of the public while in the course and scope of conducting FBA business. FBA staff and members should assume that people, including co-workers, members, and volunteers, are reading your posts. Even after deleting a post, certain technology may still make that content available to readers, so FBA staff and members are encouraged to use discretion and good judgment.
5. **Admit mistakes.** Be the first to respond to your own mistakes and quickly provide the correct information.
6. **Add value.** Add value by providing worthwhile information and perspective. Contribute knowledge, not promotion. Write about what you know.
7. **Respect copyright, fair use and financial disclosure laws.** Always give people proper credit for their work. In general, it's good practice to link to others' work rather than reproducing it on your site.
8. **Protect confidential, proprietary or other privileged information.** Make sure to comply with all professional and ethical rules governing the use of others' materials.

9. **Protect personal information from unlawful or potentially harmful use or disclosure.** Refrain from posting your personal information or sharing personal information of others in a way that may result in acquisition or use by other persons for identity theft or other fraudulent or harmful purposes. Disclosure of financial account numbers, Social Security numbers, driver's license numbers, and private health information should be avoided. Use of applicable social media privacy settings to share other categories of personal information (to include date of birth, phone number and address) only with friends and trusted persons is recommended.
10. **Refrain from endorsements of political candidates.** As a membership organization, the FBA must avoid the appearance of endorsing or financially supporting candidates for political office.
11. **Refrain from making uninformed or unsubstantiated endorsements.** You should not make any qualitative claims about your experience with an FBA program, service, product or activity unless you have personally used the service or product or participated in the program or activity. Endorsements should not be misleading or unsubstantiated.
12. **Include appropriate endorsement disclosures.** FBA staff and others with "material connections" to the FBA should clearly and conspicuously disclose their relationship to the FBA when endorsing its programs, services, products and activities on social media platforms. Such disclosures are necessary to ensure that third-party readers are appropriately informed of the connections and can take them into account when considering the endorsement. A material connection may exist if you are employed by or receive compensation or other significant considerations from the FBA, or in situations where the audience would not reasonably expect a specific relationship between you and the FBA. The disclosure does not have to be elaborate or complex, but it must be clear and easy for others to find.
13. **Comply with rules for lawyer advertising.** Comply with all restrictions governing legal advertising as may apply when posting content to the FBA's social media platforms.
14. **Do not violate antitrust laws.** Antitrust laws prohibit postings that encourage or facilitate agreements between FBA members concerning the following, as they pertain to legal services: prices, discounts or terms/conditions of sale; salaries; profits, profit margins or cost data; market shares, sales territories or markets; allocation of customers or suppliers; or any other term or condition related to competition.

Purpose:

To formalize the policy of the Association regarding its use of social media as a communication tool.

Change Notice: Amended 3-16-2017