

Dealing With Digital Detractors: What You Need to Know About Responding to Negative Online Reviews

UT Law CLE
First Friday Ethics
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Online Reputation is More Important for Attorneys Than Ever Before

- April 2014 study by FindLaw.com & Thomson Reuters
 - Internet is the most popular resource for people in need of legal services (38% would use the web first, while 29% would ask a friend or relative)
- 2014 study by Hinge Marketing shows 81% of people view a lawyer's website, 63.2% use an online search to find a lawyer

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Who's Talking About You Online?

- Sites include AVVO.com, lawyerratingz.com, and others
- Consumer review sites, including Yelp and RipoffReport.com

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How You Respond to an Online Review Can Lead to Disciplinary Action

- January 2014: Chicago employment lawyer Betty Tsamis gets reprimand for revealing confidential information in a public online forum by responding to a client's negative review on AVVO.com

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- 2013 – *In Re Skinner* (Georgia)
 - Lawyer disciplined for posting personal and confidential information about client in response to client’s negative reviews on consumer website.
- 2013 *Gwire v. Bloomberg* (California)
 - Former client accuses lawyer Gwire of “horrific fraud” and gives summary of his “incredibly unethical history”
 - Gwire responds with post calling client “proven liar,” “mentally unbalanced,” and making references to his divorce file.

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One Possible Response: Defamation Suit

- *Pampattiwar v. Hinson et al.* (2014 WL 943230, Ct. App. Ga. Mar. 12, 2014)
 - Divorce lawyer responds to client’s online reviews calling her a “crook” and “extremely fraudulent” with a libel suit; \$405,000 trial court verdict upheld on appeal
 - But beware the risks: the “Streisand effect,” the odds of client statements being protected opinions, potential anti-SLAPP implications, etc.

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