



# SOCIAL MEDIA, ETHICS AND TMI: WHY YOU WON'T BE ROFL

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## ROAD MAP

1. Duty to Become and Maintain Competence in a Digital World
2. Pitfalls in Using Social Media
  - Online Legal Advice and Unauthorized Practice of Law
  - Rules Imputed to Nonlawyer Assistants
  - Online Lawyer Forums
  - Responding to Negative Online Reviews
3. Takeaways
4. Texas Center for Legal Ethics & Ethics Question of the Month

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# COMPETENCE

Rule 1.01 of the  
Texas Disciplinary Rule of Professional Conduct

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## TDRPC RULE 1.01

A lawyer shall not accept or continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence.

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## TDRPC RULE 1.01, COMMENT 8

A lawyer is responsible for becoming competent and maintaining such competence in the practice of law:

“Because of the vital role of lawyers in the legal process, each lawyer should strive to become and remain proficient and competent in the practice of law, including the benefits and risks associated with relevant technology.”

## PITFALLS

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