



How Jurors and Lawyers Use Social Media and Technology

by Christopher B. Hopkins

As a lawyer, you may be tasked with picking a jury in the courtroom as well as implementing policies in your law firm. In court, most lawyers (finally) realize they can research jurors' Facebook and Twitter posts... but what about Instagram? Are social media posts a true insight into a person's mindset? Back in the office, are your associates researching or playing 2048? Are competing law firms buying iPhones for lawyers or using a bring-your-own-device (BYOD) policy? Don't pick a jury or sign off on the firm's budget without knowing how the rest of society (and your competitors) use technology.

How Jurors Use Technology

Forget Facebook: Among teens, Instagram is the preferred social network (30%) followed by Twitter and then Facebook. 5% of teens use no social media (*Piper Jaffray*).

Something Happens and People Tweet: Millennials (ages 14-34) report that tweeting about an event makes it more fun (71%). Other frequent tweets are: random thoughts (67%), fun activities (57%), current events (53%), humor (46%), and sharing photos (42%) (*Twitter*).

But What They Say May Not be Candid: People self-censor on social media if they believe others will disagree with their position. In one study, "peer pressure is alive and well" as people were twice as willing to discuss a controversial topic in person rather than online (*Pew/Rutgers*).

We Don't Like Our "Friends": Almost 70% of us are Facebook-friends with people we do not like because we want to see what the other person is doing. Otherwise, we stick with them because: they are family (57%), they are current or former colleagues (54%), or the person would cause a scene if de-friended (50%) (*CouponCodesPro*).

iPad Time: iPad owners tend to cruise the web between 9-10 p.m. (4-5 p.m. is the least active time) (*Chitika*).

Pornography: A person who searches for pornography typically spends 9 minutes on such sites (*PornHub*).

Sexting: One survey reveals that sexting messages are most frequently sent on Tuesdays between 10 a.m. - noon (*Retina X Studios*).

Work Time: Men are more likely than women to use the internet for personal reasons at work (*Journal of Computer-Mediated Communication*).

Not Using Security: 51% of people give their usernames and passwords to friends and family (*Help Net Security*).

Should be Using Security: One out of 100,000 Floridians were subject to a mobile wiretap in 2013 (15th nationwide) (*uscourts.gov*).

Probably a Game: Most adults (65.5%) download a new smartphone app less than once per month (*ComScore*).

2048 and Candy Crush: The casual video game 2048 is installed on mobile devices almost 22,000 times per day. Candy Crush is played by 8 million people per day (*thinkgaming.com*).

Women are "Gamers": Nearly 60% of Americans play video games. Almost half (48%) of "gamers" are women (due to casual games). Half of US households have a game console (*Entertainment Software Industry*).

No Landline: 40% of Americans ditched their home phone. Low income people are more likely than the rich to only have a

cell phone. 3% of adult Americans have no phone (*CDC*).

Bitcoin: 3% of Americans have used bitcoin. Then again, 20 years ago, only 4% of us paid our bills online (*MA Division of Banks/Yahoo!*).

Drones: 73% of Americans are concerned about commercial or recreational drones causing property damage -- but nearly 25% of us want one. People accept law enforcement using drones (66%) despite the frequency of state laws outlawing police drones (*Chubb Insurance*).

They What? 26% of Americans either disbelieve or are unsure that we landed on the moon (*Rasmussen*). Compared to the average American, Floridians are three times more likely to drink alcohol every day (#6 in the country) (*Blowfish*).

How Lawyers Use Technology

iLawyers: Nationwide, 68% of lawyers use an iPhone and 86% of tablet-carrying lawyers are on an iPad (*TechnoLawyer/iPhoneJD*). In Florida, 63% of lawyers use an iPhone and 42% use an iPad (*Florida Bar*).

Vista? Really? In Florida, Windows Vista (34%) is the most frequently used Windows platform (followed by Windows 8 and then XP) (*Florida Bar*).

BYOD: 74% of lawyers own their phone vs. the firm providing a phone (part of a trend away from firm-provided phones) (*ABA*). But are law firms doing enough to secure client data? A study of law firms in the UK revealed 84% of legal professionals accessed client data from a personal device, regardless of the firm's policy. Worse, 63% of laptops had no anti-theft protection and 41% would bypass company data policy if their personal device was more convenient (*Sony UK*).

BYOD, Florida: In Florida, 33% of firms provide their lawyers with a smartphone (21% provide a mobile data plan) (*Florida Bar*).

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