# **Blogging for Lawyers and Legal** Information Professionals

Abstract: Nick Holmes explains the advantages of the new web publishing formats for legal information professionals. He describes what a blog is, how to set one up and publish it. He lists the legal blogs or blawgs, and considers whether blogs are good for business.

**Keywords:** blogs; law librarians

## Introduction

Blogs are an increasingly important web publishing medium. But many have yet to discover this - perhaps put off by the unfamiliar jargon, or by the misconception that they are for geeks only and not worthy of serious consideration. This article explains what blogs are, and how they are used, and gives examples of the many law blogs that are now emerging. You can just read blogs as a source of current information, for entertainment, or to pass the time during idle moments, but you will get the most from them if you start to participate. That is the subject of the latter part of the article. Terms that have a particular meaning are highlighted in bold where they are explained. Terms explained later are shown in italics at first instance.

# What is a blog?

A blog (short for "web log" or "weblog") is a website or sub-site which follows a particular format. Its pages comprise reverse chronologies of items (or posts), with the most recent posts presented on the main (home) page, and older posts presented on archive pages, accessible via a side-bar menu, usually by month and sometimes also by category. A blogger is one who maintains a blog, and blogging is that activity or the act of posting an individual item. The world of blogs and blogging is known as the blogosphere.

To the uninitiated there is nothing remarkable about blogs compared with other websites. However, the blog format is a common ground all bloggers share, providing a framework for universal blog experiences and enabling social and business interactions. The combination of familiar format, frequent, topical posting and extensive cross-referencing, leads to a very rapid development and cross-fertilisation of ideas and concerns and establishes "conversations" between bloggers of like interests and

their audiences. These multi-way conversations are now an increasingly powerful influence: in politics, in business and in society at large.

The blog's diary format actively encourages writing; some of it is downright bad, the majority mediocre and a minority is as good as will be found in the best mainstream media (indeed much of the mainstream media has now adopted blogging). Blogging attracts anyone with something to say or something to share: the expert, the hobbyist, the self-publicist, the wacky, the disaffected. The talented and expert are quickly elevated; the mediocre nevertheless warmly accommodated. Millions of people are blogging and many millions more are reading blogs and joining the conversation.

# What are blogs used for?

The term "weblog" was coined in 1997 to describe the online diary format that was then developing. The first broadly popular American blogs emerged in 2001, centred on political discussion, and politics has continued to be a popular blog topic. Since then, blogs have developed a particular role in breaking and shaping news stories. The Iraq War of 2003 spawned a wave of bloggers, expressing passionate points of view that did not reflect the traditional left-right divide. The role of blogs as an alternative to the controlled, mainstream media was clearly demonstrated by Salam Pax — the "Baghdad Blogger" — who posted about his day-to-day experiences from amidst the mayhem on the ground. Having penetrated the public consciousness and with the aid of the easy-to-use blogging tools which were becoming available online, blogging took off and personal blogs of all hues quickly sprung up.

The vast majority of blogs are maintained by individuals, expressing their personal interests and points of view. But while for some the view of blogs as the ramblings of the semi-literate persists, gradually they have become accepted as a serious medium, with news

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services, politicians and businessmen increasingly using them as tools for communicating and conversing with their audiences. A blog maintained by an individual concerning developments and issues surrounding the business in which he is employed or in which he has a proprietary interest is often referred to as a **business blog**. Such blogs are designed to showcase the individual's expertise and to reflect well on the business.

Another type of blog of interest to all employers is the so-called **employee blog**, where an individual blogs - often anonymously and often to the displeasure of his employer - about his work-place. Several people may contribute to a **group blog**, expressing their common interests and concerns.

A blog published by an organisation, rather than an individual, is known as a **corporate blog**. Naturally, as it reflects the corporate voice, it tends to be more measured in tone and is primarily geared to promoting the organisation and encouraging (controlled) customer feedback. Blogs may be published for private, rather than public, consumption. In an organisation, an **internal blog** may be used, for example, to replace an in-house newsletter or to progress a particular project.

# Law blogs

A blog about law or legal practice is often referred to as a **blawg**. As in the sphere of business blogging generally, the majority of law blogs cover new developments, with comment on these issues and other passing thoughts and asides. However, law blogs are as varied as the individuals that write them, ranging from the focused and serious to the eclectic and irreverent. Given the development of blogging over the past few years, it is surprising how few UK law blogs there are as yet.

You will find a comprehensive catalogue of the blogs that I know of on the infolaw site at www.infolaw.co.uk/lawfinder/browse\_type.asp?typ=Blogs. The following are some of the more notable and long-standing.

Blogs covering developments in specific areas of practice include Tessa Shepperson's Landlord Law Blog (landlordlaw.blogspot.com); John Bolch's Family Lore (familylawsolicitor.blogspot.com); Corporate Blawg UK (corporatelawuk.typepad.com); and Jolyon Patten's Re Risk on insurance law (www.rerisk.net).

Two criminal practice blogs, both well-trafficked as they attract the public at large, are the anonymous Diary of a Criminal Solicitor (criminalsolicitor.blogspot.com) and the Magistrate's Blog (thelawwestofealingbroadway. blogspot.com).

Information technology law is well served by bloggers for obvious reasons. Two of the few law firm (i.e. group as opposed to individual) blogs are Naked Law, from the IT team at Cambridge solicitors Mills and Reeve (nakedlaw.typepad.com/naked\_law), and IMPACT, from the IP and Technology team at Freeth Cartwright (impact.freethcartwright.com).

Legal information issues are also well covered. Steve Wood maintains a long-standing UK Freedom of Information and Open Government Blog (foia.blogspot.com); I blog on legal information issues at Binary Law (www.binarylaw.co.uk); Scott Vine, an information officer at Clifford Chance, is the Information Overlord (www.in formationoverlord.co.uk); and Justin Patten champions the cause of blogging for lawyers at Human Law (humanlaw.typepad.com) (see page 100).

And finally to those who don't take life too seriously: two pseudonymous bloggers who are attracting readers due to their style and humour are Charon QC, blogging on legal education, politics, sport and anything that takes his fancy (charonqc.wordpress.com), and Geeklawyer plus sidekick Ruthie, barristers who rant mainly on IP and civil liberties issues (geeklawyer.org/blog).

# How to read a blog

Reading a blog is for the most part intuitive and, as all blogs follow a broadly similar format, one quickly develops a feel for reading and navigating blogs in general. However, the following description of the make-up of a blog should both benefit those new to blogs and fill in some gaps in the knowledge of the more experienced. An illustrative blog page is shown at the end of this section.

#### **Posts**

The page is the de facto unit of measurement on the web in general and content is formatted accordingly. Blogs, however, employ a smaller, more concise, unit of measurement - the **post** - which utilises the medium to its best advantage. A blog post is a self-contained, topical unit. It can be as short as one sentence, or run to a full-length article, but most commonly is somewhere between these two extremes.

Blog posts may be presented in a variety of ways, depending on the particular template employed, but all will display the following elements:

- The date (or "timestamp")
- · The title
- The content, which may include text, images, links and any other standard web formats
- · The author
- The category or categories to which the post has been assigned (if this feature is available); each category will be linked to the archive page for that category
- A link to the post page where the post stands alone (the permalink); the permalink is sometimes activated from the title, sometimes from explicit "Permalink" text

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 A link directly to the comments section of the post page, indicating how many comments are attached to the post.

# Post collection pages

Posts are presented, latest first, on **post collection pages**. The home or **main page** consists of the most recent posts. Accessible from the *sidebar* are **archive pages** which present older posts by date, usually by month, but sometimes by week or even - for prolific bloggers - by day. If the blog employs categorisation, then archives will also be presented by category. On group blogs, archives are often also presented by author. Navigation between post collection pages is via Next (more recent) and Previous (older) links at the head and/ or foot of the page.

#### Post pages

An important feature of blogs is the ability to link directly to and comment on individual blog posts. This is achieved via the **post page** where a single post is presented on a page. Beneath the post content are presented any **comments** that have been made (again, most recent

first) and beneath that a form for submitting further comments. Within the comments are sometimes also presented **trackback** entries. Trackback is a facility offered by some blogging services, which enables a blog automatically to discover other blog posts that reference (i.e. link to) it. The trackback entries in the comments section will display excerpts from any posts on other blogs that link to the post in question.

#### The sidebar

Each blog page will have one or two sidebars, including some or all of the following:

- Links to the About or Profile page giving information about the blog and the author.
- Links to other "static" information pages maintained on the blog site (alternatively these may be in a header bar).
- Links to the archive post collection pages by date and category.
- Links to the most recent posts and comments.
- Links to other blogs that the blogger reads (the blogroll).



- Links to the site feed(s) for the blog.
- A search box.

# Is blogging good for business?

The so-called blogosphere (the world of blogs) now occupies the position that the web itself did 10 years ago. Hands up those who, in 1996, did not appreciate the significance of the web? So now with blogs - you can't afford to ignore them. Blogging is first and foremost about independent, individual voices. Do blogs published by, or with the support of, an organisation - reflecting the corporate voice - contradict this idea of a blog as an independent voice? Can they work to the advantage of a business?

For the sole proprietor or small business the answer is unequivocal. In this context the interests of the individual and the business are at one. Blogging offers a way for the business owner to engage with his or her audience, offering a personal view of developments and issues surrounding the business in a way that is designed to reflect well on it. It is no surprise that the majority of current law bloggers are sole practitioners or from small firms. There are few barristers blogging as yet, though in principle the same arguments in favour apply.

For larger organisations, the answer is less straightforward. A corporate blog that is seen as simply a thinly-disguised marketing medium will fail. The aim should be to interact with clients, associates and other contacts, to collect feedback on products and services, and to showcase expertise, providing and exchanging useful information and ideas. To engage with its audience the corporate veil needs to be lifted, exposing - at least to some extent - the personality of those blogging. Some close-knit teams of lawyers are already blogging in this way.

Organisations must also pay attention to the risks of blogging by their employees, whether privately or on the corporate blog. Struan Robertson, Editor of OUT-LAW.com in a recent article entitled "Corporate blogs are a liability" (www.out-law.com/default.aspx?page=6818) gives the following examples which highlight the importance of drawing up an appropriate blogging policy:

- · The risk of defamation.
- · Unhappy bloggers generating negative PR.
- Copyright and trade mark infringement (particularly easy).
- · A joke provoking a sexual or racial harassment claim.
- Reader feedback sealing a contract without that vital small print.

Good business and corporate blogs will raise profile, showcase expertise and communicate in plain English, not marketingspeak or legalease; they will bring out your personality and make your business more approachable; they will generate business. Blogging is a communication tool that will help your business to survive, but as John Naughton recently observed, writing in the Observer

(observer.guardian.co.uk/business/story/0,1749762,00. html):

"The decision to adopt that tool requires a sea change in corporate attitudes. ... markets were originally conversations, but the arrival of mass production and of mass markets created by mass media changed that, and the gap between the people who ran businesses and those who bought their products began to widen, bringing in its train a pathological distrust that made consumers increasingly resistant to broadcast messages.

The internet, by enabling conversations between consumers on a global scale - and potentially between consumers and businesses - will turn the clock back, and make markets more like conversations again."

Another, very important, benefit of blogging is that it will increase your visibility in the search engines. Search engines like blogs, favouring them over the typical, more static, pages on a conventional website. Why? Because blogs are rich in relevant content, distributed over many topic-specific pages, and they are constantly refreshed with new content. The search engines therefore index blog sites frequently and the many individual post pages will each be highly relevant to specific search terms. Further, if you blog effectively, you will encourage inbound links to your blog - one of the prime factors used by the search engines in measuring the "authority" of a website and ranking its pages.

# Publishing a blog

Blogging services such as Googles's Blogger (www.blogger.com), Six Apart's TypePad (www.typepad.com) and WordPress (www.wordpress.com) provide the forms and templates that enable you to publish a blog site with little or no expertise: you can set up an account, select a template and start publishing your blog within minutes, just by "pressing buttons".

It is so easy to set up a blog that little planning is required: you can just start your blog and make decisions as you go along. However, it is sensible to opt for an initial phase for private blogging, during which you will learn the mechanics of blogging, investigate the features of your blogging service, develop the tone and content of your initial posts and review other blogs in your field of interest. After review and reflection and tweaking your blog site, you'll then be in a position to go public with confidence. Effective blogging is a commitment. You will need to find at least a couple of hours per week to maintain your blog and keep it fresh with new posts. This time will more than be paid

back, but if you really feel you can't afford the time, don't blog. There is little to be gained and much to lose from a stale blog.

#### Initial decisions

Most decisions relating to your blog can be changed once you have set it up; there are just two you do need to make beforehand: choosing a blog service and choosing a sub-domain name.

## Choosing a blog service

Blogger, Typepad and WordPress are the three leading blog services, all offering hosted services — i.e. your blog is published and managed on their servers, so you need not worry about the technical infrastructure. Blogger and WordPress hosted services are free, while Typepad charges a small monthly or annual fee, with three levels of service.

Millions of blogs are published using these services and many thousands of these are well-respected and popular. There is a wide range of templates available for each and in the main they offer similar features; there are technical differences which may sway your choice, but they are all continually developing. The services offer different levels of control over aspects of your site. For example, WordPress allows you to create pages that live outside the blog chronology, enabling you effectively to create a fuller website. If a full feature set and more control over your blog publishing databases and templates are important to you, then you will want to consider services which can be hosted on your own server. These include the installable, open source, version of WordPress (wordpress.org/download/) and Six Apart's Movable Type (www.sixapart.com/movabletype/). For most, though, the hosted services are the hassle-free way to go and all will serve you well. My personal recommendation would be WordPress. The guidance that follows refers to the three hosted services. At the time of writing, Blogger is in transition to a new release (currently in beta testing) and the notes refer to functions of the new release.

#### Choosing your sub-domain name

When setting up your blog on a hosted service you will choose a sub-domain name and your blog URL will then be in the form *yoursubdomain.blogservice.com*. You will not be able to change this later without effectively starting a new blog, so for obvious reasons you should give this careful thought. Your blog title can be changed later, but it is preferable if your blog sub-domain directly reflects your title. You will be limited in your choice of sub-domain as your preferred name may already have been taken, so line up a few variations before you start.

#### Setting up your blog

#### Initial set-up

To set up your blog you'll first need to create an account with the blogging service, specifying your email address and choosing a password (your login details) and a username (your name or a nickname by which you'd like to be known). You'll then use your login details subsequently to access your account and manage your blog or set up new blogs. When first setting up an account, you will be prompted to create a new blog. You'll need to choose a sub-domain name and a blog title (you should have already given some thought to these see Initial decisions above).

With Blogger you'll then need to select a template for your blog and will be prompted to write your first post; WordPress sets your blog up with its current default template (or "theme") and sets up a dummy first post. From your blog "dashboard" you can access your blogs and manage your posts, comments and settings, using a set of easy-to-use forms. The dashboards also display other information related to your blog: recent incoming links, recent posts and comments and your blog statistics.

#### Creating and managing posts

WordPress, Blogger and TyepPad provide two modes for creating posts: in a WYSIWYG editor (the default in WordPress; Blogger calls it Compose mode) or as raw HTML. Naturally you'll opt for the WYSIWYG editor! The toolbar provides buttons for most basic formatting, so you can just type away and then select the appropriate paragraph or character style from the toolbar – there's not much to learn.

Inserting links and pictures will take some practice. You'll need to get used to cutting and pasting URLs into the link dialog. Pictures of course need to be uploaded and positioned.

You'll also need to select the category(ies) to which you wish to assign the post, creating new ones as necessary and remembering to uncheck the default category. More advice is given on categorisation in the "Developing your blog" section below. You can save your post as a draft rather than immediately publishing it, and it's generally a good idea to do so unless you're an old hand; there will always be some errors to correct, or things you'd like to say differently. TypePad gives you an option to publish posts at a specific time in the future.

From the list of posts you can view, edit and delete posts and, when you're ready, (re)publish them. If you edit a previously published post other than to make minor changes, it is good practice to indicate this in some way so that those who might previously have viewed the post are aware that it has changed. Of course, if you have something new to say, write a new post, don't update an old one.

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#### Templates and themes

The look and feel of your blog is governed by the template you have chosen (called a "theme" in WordPress) and it is worth spending some time reviewing the alternatives. In Blogger click the Template tab and Pick new; you can then preview the various templates before selecting to apply one. In WordPress, your blog is initially set up with the default theme; click the Presentation tab to view the alternatives; selecting a new theme immediately applies it to your blog, but you can immediately switch back, of course. In TypePad your choice of pre-defined templates is determined by the level of service to which you subscribe; and the higher the level, the more you can change the design.

You'll probably be primarily influenced by the overall graphic designs. But you should look carefully at the detail of the layouts. The templates present the various components of the blog - the elements of the posts themselves, the sidebar links to post collection pages and so on - in different ways, so it is important to choose a template that arranges the components the way that you want, not necessarily the one that is most visually appealing to you.

## Settings

Using the Blogger or Typepad Settings section or the WordPress Options section you can modify the overall settings for your blog: its title, your preferred date format, how many posts should appear on a page, what type of archives you wish to maintain, who is permitted to leave comments and so on. If, as recommended, you are opting for an initial phase of private blogging, in Blogger you should select not to add the blog to Blogger's listings. It will not then appear in your Blogger Profile and will not be shown anywhere on Blogger.com, nor consequently will it be indexed by Google (which owns Blogger) nor picked up by the other search engines, though it will still of course be available on the internet. WordPress gives greater control over privacy with options to allow your blog to appear in search engines and in public listings around WordPress.com, to block search engines but allow normal visitors or to be visible only to users you choose. With TypePad you choose whether to have your blog posts submitted to search engine in the Publicity setup.

#### Going public

Having set up your blog, familiarised yourself with creating and managing posts and settled on a suitable template and settings, you can feel confident about going public. Before doing so, complete your Blogger Profile or edit the default About page in WordPress to tell your audience about yourself and the blog, with contact information, if appropriate. First-time readers of your blog will then immediately get a feel for who you are and what the blog is intended to achieve. Now change your

settings to list your blog and it will then start to be crawled and indexed by the search engines.

Basic steps to take initially to publicise your blog include:-

- Add other bloggers with like or overlapping interests to your blogroll and contact them directly by email to advise them, requesting a reciprocal link.
- Submit your blog for inclusion in the infolaw catalogue of law blogs which I maintain (www.infolaw.co.uk/ lawfinder/browse\_type.asp?typ=Blogs).
- Submit it to other specialist law blog directories such as Blawg.org (www.blawg.org), a US site with a World Blawgs section.
- "Claim" your blog at the specialist blog search engine Technorati (www.technorati.com).

But the best way to promote your blog is to write frequent and useful posts, so readers keep coming back and, more importantly, to link in your posts to other blog posts that interest you. This will gradually get you recognised in the blogosphere, earning you inbound links and improving your position in the search engines.

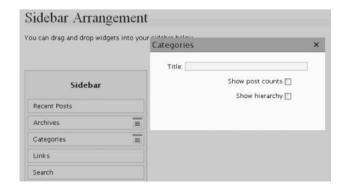
## **Developing your blog**

Once your blog is up and running you can turn your attention to improving its overall structure and features to suit your needs.

## Editing your template or theme

The selection and positioning of elements in your blog pages is determined by the template or theme you have selected. To amend the positioning of elements you need to edit your template.

In WordPress, using the Presentation section you can upload and apply a custom image to the header, and you can add or move around the sidebar "widgets" (the archive, blogroll and other components) using drag-and-drop. The unhelpfully-named "Meta" component includes a link to your site feed. You can also create custom widgets containing text or lists of links.



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## Arranging widgets in WordPress

Template editing is much improved in the new release of Blogger. In old Blogger this involved editing the underlying HTML file - daunting for the inexperienced. In new Blogger you can arrange elements using drag-and-drop. In TypePad, select Edit - Current Design. This will enable you to either change the theme or adjust the layout.

#### Developing your blogroll

You position your blogroll on the page as described under "Editing your template" above.

Adding links to your blogroll and other link groups points readers to other sites you find interesting and extends their horizons. In WordPress you add link URLs, titles and descriptions in the Blogroll section, assigning them either to the default Blogroll category or to a custom category. With the new Blogger you add them to a link list on the page layout in the Template section. In TypePad you create an index template. You can also sort your links.

#### Site feeds

A site **feed** is a way of "syndicating" your updated blog content - i.e. making it available to others without the need for them constantly to visit your blog site - using an XML data format known as RSS. As more and more people are starting to rely on feeds for updates, it is increasingly important that you provide them. All blogging services now produce feeds as standard, but you should check and adjust your settings to make them available as desired. In Blogger, click Settings - Site Feed; in WordPress, click Options - Reading. In Blogger, check that Publish Site Feed is set to Yes. Decide the number of posts you want to include in the feed and whether you want to publish the full text or a short summary. Now check your template and, if necessary, add a link to your feed. In TypePad, you'll need to create a new index template link. Include the appropriate category name in the output filename and use a .xml extension. This will be your feed file.

#### Developing your categories

With the introduction of "labels" in the new release of Blogger, all services now allow you to categorise your blog posts. You can choose whatever categories suit your blog. It is a good idea to give some thought to a full list of categories and enter their details at an early stage, as otherwise your categories will grow in an unstructured manner, and you will find yourself needing to go back and apply newly-created categories to your earlier posts.

## Adding static content pages

WordPress allows you to create web pages that live outside the blog chronology. Your About page is an

example. These "static" pages are designed for information you want to publish on your site which is of a timeless nature. You can create as many static pages as you wish and you can assign pages to a "parent" page. Links to your parent pages will be displayed on your blog pages, either in a header bar menu or in the sidebar, depending on the theme you have chosen. You can also choose one of your static pages as your home page (in place of the most recent posts). You can thus effectively create a full website with WordPress. In Blogger and TypePad, your About page or Profile is of course static content, but to add other pages of static content you will need to use posts (which can be as long as you like and include any valid HTML, images etc). To prevent them showing as recent posts, backdate them.

# **Effective blogging**

We've covered the mechanics of blogging in the sections above, but achieving the full potential for your blog is more about *how* you blog. After all, a blog is just a publishing format; it's what you put into it that counts. So here are some top tips for effective blogging.

# Keep it fresh

Post often - a few posts a week is probably the minimum necessary to sustain the interest of your readership. Sometimes you won't have time for a longer, more thoughtful post. In that case just post a one liner, linking to something that has caught your attention, with a brief comment.

#### Blog about what interests you

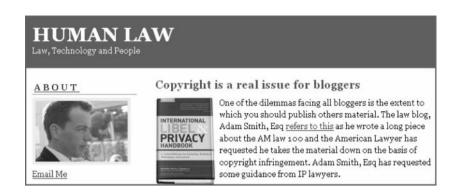
Don't let blogging become a chore. You may have started out with the intention of covering a particular topic comprehensively, but you'll soon find your interest in some aspects of it waning. Just post about the aspects that interest you - your blog will have a narrower focus, but will be the better for it.

#### Keep on topic

Don't use your business blog to post about your family, pets or other personal interests! The odd reference is fine to show you are human and give a glimpse of your life outside, but off-topic posts will be of interest to only a small minority of your readers and may start to alienate the majority.

#### Blog smart

"Blog smart" is a term coined by Microsoft and is apparently the only blogging guidance it gives its employees. By this it means, think of the consequences of what you are posting and rein yourself in where necessary. Because posting is so easy, you risk publishing comments or information which on reflection you should



have kept to yourself. Always have in mind not just potential legal liabilities — as to copyright infringement, defamation, breach of confidentiality, privacy and so on but also simple good manners and respect for other bloggers. If you do blog something you later regret, edit or delete it immediately; if more than a short time has elapsed, damage may already have been done, so post a suitable apology or retraction.

#### Link, link, link

Links to other blogs and other sites are helpful to your readers and beneficial to you. I've already mentioned above developing your blogroll. More importantly, use links extensively in your individual blog posts to reference and credit the sites where you have gleaned information or where more information is to be found. Linking connects you to other bloggers; using a system known as "trackback", implemented by the blogging services, the other bloggers will quickly discover you have linked to them, perhaps contacting you or linking to you in consequence. Your network will expand; your visibility will increase.

#### Excerpt and attribute

An effective and quick way to write some of your blog posts is to excerpt a quotable passage from another site

and comment on it or add something that develops the argument or topic. Using your post editor, style it as a block quote and edit it if appropriate to make it more compact, using the usual conventions for omitted ... or [amended] wording. Always credit it to its source with a link. If you are not quoting but rephrasing and following up on something you picked up from another source, don't claim ownership; credit the source.

#### Converse

Don't just talk to your audience; ask questions; venture opinions; stir things up! Do not be upset if you receive few comments; most people are quite reticent, but they will become bolder as they become more used to the blogosphere.

#### Don't be goaded

By blogging you are inviting comments. If you do get comments, these will usually be constructive, but there will be some that are badly expressed, ill-thought through, or otherwise negative or even hostile. Don't respond immediately. Catch your breath and decide on a considered response - which may sometimes be silence.

# **Biography**

Nick Holmes is a publishing consultant specialising in the legal sector and is Managing Director of Information for Lawyers Limited. Nick blogs on legal information issues at www.binarylaw.co.uk and manages the infolaw UK legal web portal at www.infolaw.co.uk.

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