



## Lawyer's Guide to Foursquare & Yelp

Submitted by Christopher B. Hopkins  
and Diana L. Martin on behalf of the  
Technology Committee

Lawyers were fairly quick to catch onto the trend of Twitter and Facebook. Deposition questions about email and social networking habits now frequently arise, while online lawyer marketing and blogging have become fairly commonplace. In fifteen minutes, you can master two new Internet services that will help you both market your law practice and obtain clever information for your cases.

Surprisingly, these opportunities do not come from either Microsoft Bing or Google Buzz, the recent products heavily advertised by two cornerstones of the Internet. Instead, the new model is location-based social networking, through Foursquare and Yelp, which build upon Facebook and Twitter. Unlike previous Internet enterprises, which encourage users to remain fixed to desktop machines, this new wave of Internet service encourages users to visit the outside world and report back by typing a short message via iPhone, Android or Blackberry.

Yelp is a restaurant/bar/hotel/business locating "app" on your phone that uses GPS to provide the names of nearby establishments along with short user reviews. A robust community has developed, especially now that users can "check in" when they arrive somewhere – letting friends (real and internet-y) know where they are via Yelp, Twitter, and/or Facebook. It also gives businesses a chance to offer specials for Yelp users. In February, I saw a Yelp sticker at a business and, when I fired up the iPhone app, it beamed me a 10% off coupon while I was in line to pay. Presumably, thereafter, the customer reports something favorable on Yelp and the advertising becomes "viral."

Foursquare is a similar, if not more alluring, concept which, in their words, is "a cross between a friend-finder, a social city-guide and a game that rewards you for doing interesting things." Like Yelp, you can share your check-in locations via Twitter and Facebook. Each time you check in to a place, such as the Yacht Club for lunch or the movies at CityPlace, you receive Foursquare points. If it is a new place, you get additional points. As you check in to different types of places, you get badges. As you drop "tips" about a restaurant, business or place, Foursquare will reward you bonus points and badges.

A leader board among your friends (or people worldwide) shows points accumulated between Monday-Sunday each week. Following the model of (once seemingly worthless) Xbox Achievement Points, this Barnum-like tool does, indeed, drive participation into the millions. When you check-in using either service, you can see anyone else who has checked-in, which might lead to... a real-life conversation. If you visit a business and check-in on Foursquare more than anyone else, you become "The Mayor," which is a badge-of-honor visible to everyone who subsequently checks in to the same place.

Sound unlikely or even ridiculous? Don't be fooled. Techcrunch.com recently reported that Foursquare processes over one million check-ins each week (competitors, such as Brightkite.com, vie to create a "universal check-in" while Facebook is working on its own check-in function). Just as the initial criticism of "I don't care what someone just ate" was swept away by the broad success of Twitter, discrediting the location-based social networking trend brought about by Yelp and Foursquare – each backed by tens of millions of dollars and

users – may be short-sighted. Businesses like the free word-of-mouth while consumers may find good suggestions or even a discount.

So how does this help lawyers? From a marketing standpoint, Foursquare and Yelp can direct clients to your office simply by using the app on their phone. If someone checks-in at nearby destination, your firm (and available information) can appear on the list of nearby businesses. The viability of location-fixed references – such as a plaintiff firm adhering its contact information to the Foursquare location of a dangerous intersection or a defendant's business – is presumably ahead of us (in a more positive light, consider the potential goodwill of being "The Mayor" of the public library).

Yelp lists law firms under "services" and can direct nearby users to your door and provide an opportunity for comments. While the Bar deters user-review sites for lawyers such as Avvo.com, Yelp or Foursquare comment windows may be affirmatively used by a law firm to accurately describe its area of practice (Bar advertising regulations presumably apply). Both Yelp and Foursquare serve as an interactive map, which further directs real-life clients to your doorstep. The potential exists for unique advertising opportunities, such as the Foursquare-based scavenger hunt sponsored by Bravo TV. According to the February 2010 issue of Inc. Magazine, some retailers have even abandoned print advertisements for specialized Yelp placement.

Yelp and Foursquare also provide unique insight into a specific business's reputation. The comment and tip sections on either service allow everyday consumers to be one-line critics, which provides a previously-unavailable "picture" of a business. A slip-and-fall in a bookstore, restaurant, or nursing home may take a new turn if the operator is aware (or should be?) of numerous Yelp reviews complaining of poor service or unkempt premises. Compliments and complaints floating in the virtual Foursquare cloud above a doctor, dentist, investment house or contractor's office could yield witnesses or clients.

**If a business owner has numerous negative comments, a smart lawyer may be the first person to bring it to the client's attention and discuss the need for taking legal action, like sending a cease and desist letter, filing a defamation claim, or even drafting a sound social media policy. Alternatively, friendly reviewers or even "The Mayor" may be potentially positive, yet independent, fact witnesses. At this point, finding and tracing the steps of specific Foursquare users is difficult to impossible online, starting with the fact that usernames are first-name-and-last-initial (and the search engine is fairly crippled). If you know someone's identity on Yelp, on the other hand, his or her prior comments are fairly easy to access. Both services, however, want your primary attention to be on destinations. Through the simple step of loading the two apps onto your phone and checking in at your office for a few days, the firm will appear when people nearby use Yelp or Foursquare – and give directions. A short note, in compliance with the advertising rules, might indicate your practice area, website, and phone number.**

Try Foursquare or Yelp for a week (total time: about 15 minutes) and you will see the appeal and business potential. And don't forget to check in at the Palm Beach County courthouse – where one of us is already "The Mayor."

Christopher Hopkins is a shareholder at Butzel Long and Diana Martin is an associate at Leopold-Kuvin. Twitter: @cbhopkins and @Martin\_di.



## Welcome New Members!

*The following represents each new member's name, hometown, law school, and date of admission to the Florida Bar and law firm association.*

**IAN ALI** – Trinidad & Tobago; American University; Sole Practitioner, West Palm Beach

**GAIL D. BAKER** – New York; Nova Law School, 1987; Associate in Kelley Kronenberg, Gilmartin, Fichtel & Wander, P.A., Plantation

**ARI S. BARGIL** – Florida; Florida State University College of Law, 2009; 15th Judicial Circuit, West Palm Beach

**JASON A. BRODIE** – Maryland; University of Miami, 2000; Partner in Brodie & Friedman, P.A., Boca Raton

**JORDAN E. BUBLICK** – Michigan; Ohio State University, 1983; Sole Practitioner, Jordan E. Bublick, P.A., West Palm Beach

**ANDREW B. CARRABIS** – University of Florida; Law Student Member, Gainesville

**CHRIS D. CONNALLY** – Florida; Nova Southeastern University, 2001; Associated with Law Offices of Patricia Garagozlo – Nationwide Trial Division, West Palm Beach

**CAROL L. DUTRA** – Florida State College of Law, 1998; Sole Practitioner, Law Offices of Carol D. Ellis, Palm Beach

**KIMBERLEE A. FOWLER** – Michigan; Thomas Cooley Law School, 2005; Associate in Tiller Law, Palm Beach Gardens

**JOSHUA K. FRIEDMAN** – New York; New York Law School, 2000; Partner in Brodie & Friedman, P.A., Boca Raton

**ROBERT S. GLUCKMAN** – New York; St. Thomas University School of Law, 1999; Partner in Hurley Rogner Miller, Cox, Waranch & Westcott, P.A., Ft. Pierce

**THOMAS A. HEDLER** – Florida; Florida State University, 2002; Associate in Sternberg & Hedler Law, P.A., West Palm Beach

**AMANDA B. HOFFMAN** – Florida; Barry University School of Law, 2007; Associate in Allan L. Hoffman, P.A., West Palm Beach

**NICHOLAS C. JOHNSON** – Jamaica; St. Thomas University, 2007; Office of Public Defender, West Palm Beach

**MARTIN B. KOFSKY** – New York; St. Thomas University School of Law, 1992; Partner in Ward, Damon, Posner, Pheterson & Bleau, West Palm Beach

**SCOTT L. LAMPERT** – New York; Nova Southeastern, 1996; Sole Practitioner, Scott L. Lampert, Esq., Delray Beach

**ANDREW M. LOEWENSTEIN** – Indiana; University of Miami, 2009; Associate in Cole, Scott & Kissane, P.A., West Palm Beach

**NICHOLAS MANIOTIS** – Florida; Nova Southeastern University, 1985; West Palm Beach

**JOSHUA H. MARKS** – New Jersey; University of Florida, 2009; Associate in Anderson, Mayfield, Hagan, and Thron, P.A., West Palm Beach

**JOE MARYUMA** – Florida; Florida International University, 2006; Palm Beach Public Defender's Office, West Palm Beach

**DIANA J. MCCLUSKEY** – Florida; Law Student Member, Jupiter

**KRISTIN J. MENTZER** – California; University of Florida, 2008; Associate in McClosky, D'Anna & Dieterle, LLP, Boca Raton

**THOMAS F. MEYER** – New York; University of Miami, 1991; Sole Practitioner, 4 Disputes, Delray Beach

**LAWRENCE NEWMAN** – New York; St. Johns University, 1974; Sole Practitioner, Boca Raton

**BERTHA E. PENENORI** – Miami; St. Thomas University School of Law, 2003; Associate in Kelley Kronenberg Gilmartin Fichtel & Wander, P.A., Greenacres

**EDWARD N. PORT** – Thomas Cooley Law School, 1993; Sole Practitioner, The Port Law Firm, PA, West Palm Beach

**VINCENT P. ROLLO** – Massachusetts; New England Law School, 1995; Sole Practitioner, Vincent P. Rollo, Jr., Palm Beach Gardens

**MELISSA SCHLUTOW** – Associate in Law Office of Christina M. Sanabria, Ft. Lauderdale

**ANDREA C. SHWAYRI** – Massachusetts; University of Florida, 2008; Associate in Greenberg Traurig, P.A., West Palm Beach

**MATTHEW B. WEISSBERG** – Florida; Nova Southeastern University, 2009; Associate in Sternberg & Hedler Law, P.A., West Palm Beach

# WELCOME

## ALEXANDER "SANDY" MYERS, ESQUIRE

*Mediator/Arbitrator*



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- Florida Bar Board Certified Civil Trial Lawyer (1983-2007)
- Florida Bar Board Certified Emeritus Specialist Civil Trial Lawyer (2007-Present)
- Florida Certified:
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1665 Palm Beach Lakes Blvd., Ste 1000

West Palm Beach, FL 33401

Office (561) 689-8335 • Fax (561) 689-8337

Cell (561) 758-7300 • email: samyersesq@aol.com