Class 3 Reading Materials

1. Bar License Problems (3 pages)
2. Ten Tips for Avoiding Ethical Lapses with Social Media, ABA Journal, March/April 2014 (2 pages)
3. In re Skinner (Ga. 2013) (2 pages)
4. How Social Media is Impacting Law Students, D Magazine, John G. Browning, December 2016 (6 pages)
5. Howard University Email Etiquette Excerpt (2 pages)

Please also read the Hidden Sources of Law School Stress by Lawrence S. Kreiger, pages 13-14. This booklet is included in your welcome packet.
HYPOTHETICAL PROBLEM #1

Lee Smith always wanted to become a lawyer. She overcame a number of difficulties in pursuing her education, including recovery from a serious illness that caused her to miss an entire year of school during college. Lee grew up in a series of foster homes, and consequently had no family support to assist in funding her education. She was responsible for all of her tuition and living expenses both as an undergraduate and in law school. When she graduated from college, Lee owed $150,000, but deferred repayment by immediately enrolling in law school. During law school, Lee took out an additional $150,000 in loans, for a total of $300,000. Some of her loans were federally-subsidized, and others were private loans. Over the course of her education, Lee signed dozens of loan promissory notes, never really taking the time to read the fine print. She just knew that she needed the funding, and she had to sign in order to receive it. After graduation, she unexpectedly found herself ill again, so sought a medical deferral, which was granted for a year. She recovered, sat for the New York bar, and passed the exam. She also successfully secured a job as an associate in a mid-sized law firm. One of the questions on the character and fitness application required Lee to disclose her loans. She asked for an accounting of the loans from her lenders, and learned that while the federal loans had been deferred due to her illness, the private loans were not and had accrued significant interest, with her debt now approaching $350,000. Lee included all of this information on her character and fitness application, because she knew the importance of full disclosure and honesty in the process. The committee of lawyers serving on the bar admissions authority for New York reviewed Lee’s application. They expressed concern about her level of debt and denied her application.

Discussion Questions

1. What options, if any, might be available to Lee now?
2. The majority of law students graduate with some amount of educational and other debt. Is the existence of educational (or other debt) a relevant inquiry for bar admissions committees? Why is a state bar authority concerned with a lawyer’s personal financial situation? Does one’s financial situation speak to character or fitness to practice law?
3. Should educational debt be treated differently in the character and fitness process than other debt, for example credit card debt or a home mortgage? Should the reasons for acquiring debt be taken into account?
HYPOTHETICAL PROBLEM #2

Kelly Jones graduated from law school in 1994, and was admitted to the Illinois bar. She practiced law for several years with a large, corporate firm. She decided to return to graduate school in 2006, financing her MBA with loans totaling $80,000. After business school, she held a variety of positions, including serving as president of a small start-up company in California and returning to law practice, though she found herself laid off from work in 2008 after the economy soured. Kelly neglected to make any payments on the loans used to finance her MBA. The debt collection agency reported her to the state bar disciplinary authority, which contacted Kelly about the situation. Kelly ignored requests for information from the disciplinary authority. Consequently, the bar authority filed a complaint alleging that Kelly failed in bad faith to repay her student loans and failure to respond to a lawful demand for information. The bar disciplinary authority complaint alleged:

1. Failure to respond to a lawful demand for information from a disciplinary authority in violation of ABA Model Rule 8.1(b);

2. Conduct that involves dishonesty, fraud, deceit or misrepresentation in violation of ABA Model Rule 8.4(c); and

3. Conduct that is prejudicial to the administration of justice in violation of ABA Model Rule 8.4(d).

Relevant Model Rules:

ABA Model Rule of Professional Conduct 8.1. Bar Admission and Disciplinary Matters. An applicant for admission to the bar…shall not: (a) knowingly make a false statement of material fact; or (b) fail to disclose a fact necessary to correct a misapprehension…or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority.

ABA Model Rule of Professional Conduct 8.4(c). Misconduct. It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

ABA Model Rule of Professional Conduct 8.4(d). Misconduct. It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.
The Restatement of the Law Governing Lawyers is a summary of the common law and rules applicable to the legal profession produced by a group called the American Law Institute. The following section is relevant for responding to the problem:

Restatement of Law Governing Lawyers § 2. Admission to Practice Law. In order to become a lawyer and qualify to practice law in a jurisdiction of admission, a prospective lawyer must comply with requirements of the jurisdiction relating to such matters as education, other demonstration of competence such as success in a bar examination, and character.

**Discussion Questions**

1. Should Kelly be disciplined based upon violation(s) of these rules? If so, what sort of sanction should be applied? To help you consider this question, a list taken from the ABA’s Standards for Imposing Sanctions follows below:
   a. Disbarment
   b. Suspension
   c. Reprimand/Public Censure
   d. Admonition/Private Censure
   e. Probation/Supervision
   f. Monetary Sanction
   g. Limitation on Practice
   h. Retake the Multistate Professional Responsibility Exam
   i. Attend Continuing Education Program
   j. Participate in a Rehabilitation Program

2. Should institutional reforms be implemented to help avoid situations like ones Lee and Kelly found themselves in?
   a. For example, should a cap be placed on educational borrowing, or should students be prohibited from financing their education with debt?
   b. Should students be required (rather than just advised) to create a repayment plan before receiving student loans?
   c. What about the timing of the character and fitness certification? Should this occur before a student chooses to invest three years and significant finances in her legal education?
   d. How would these types of policies impact who becomes a lawyer? Does it matter who has access to a legal education? Why?
TEN TIPS FOR AVOIDING ETHICAL Lapses WITH SOCIAL MEDIA

By Christina Vassiliou Harvey, Mac R. McCoy, and Brook Simmons

You may be among the thousands of legal professionals flocking to social media sites to expand your professional presence in the emerging digital frontier. If so, have you paused to consider how the ethics rules apply to your online activities? You should. This article provides ten tips for avoiding ethical lapses while using social media as a legal professional.

1. Know that social media profiles and posts may constitute legal advertising. In many jurisdictions, lawyer and law firm websites are deemed to be advertisements. Because social media profiles (e.g., blogs, Facebook pages, and LinkedIn profiles) are by their nature websites, they, too, may constitute advertisements.

2. Avoid making false or misleading statements. The ethical prohibition against making false or misleading statements pervades many of the ABA Model Rules of Professional Conduct (RPCs), as well as the analogous state ethics rules. ABA Formal Opinion 10-457 concludes that lawyer websites must comply with the RPCs that prohibit false or misleading statements. The same obligation extends to social media websites.

3. Avoid making prohibited solicitations. Solicitations by a lawyer offering to provide legal services and motivated by pecuniary gain are restricted under RPC 7.3 and equivalent state ethics rules. Some state analogues recognize limited exceptions for communications to other lawyers, family members, close personal friends, persons with whom the lawyer has a prior professional relationship, and/or persons who have specifically requested information from the lawyer.

By its very design, social media allows users to communicate with each other or the public at large through one or more means. The rules prohibiting solicitations force legal professionals to evaluate—before sending any public or private social media communication to any other user—who the intended recipient is and why the lawyer or law firm is communicating with that particular person.

4. Do not disclose privileged or confidential information. Social media also creates a potential risk of disclosing (inadvertently or otherwise) privileged or confidential information, including the identities of current or former clients. The duty to protect privileged and confidential client information extends to current clients (RPC 1.6), former clients (RPC 1.9), and prospective clients (RPC 1.18). Consistent with these rules, ABA Formal Opinion 10-457 provides that lawyers must obtain client consent before posting information about clients on websites.

5. Do not assume you can “friend” judges. Different jurisdictions have adopted different standards for judges. ABA Formal Opinion 462 concluded that a judge may participate in online social networking but in doing so must comply with the Code of Judicial Conduct and consider his or her ethical obligations on a case-by-case (and connection-by-connection) basis. Several states have adopted similar views, including Connecticut, Kentucky, Maryland, New York, Ohio, South Carolina, and Tennessee.

In contrast, states such as California, Florida, Massachusetts, and Oklahoma have adopted a more restrictive view. Florida Ethics Opinion 2009-20, for example, concluded that a judge cannot “friend” lawyers on Facebook who may appear before the judge because doing so suggests that the lawyer is in a special position to influence the judge.

6. Avoid communications with represented parties. Under RPC 4.2 and equivalent state ethics rules, a lawyer is forbidden from communicating with a person whom the lawyer knows to be represented by counsel without first obtaining consent from the represented person’s lawyer. This prohibition extends to any agents who may act on the lawyer’s behalf. These bright-line restrictions effectively prohibit lawyers and their agents from engaging in social media communications with persons whom the lawyer knows to be represented by counsel. This means that a lawyer may not send Facebook friend requests or LinkedIn invitations to opposing parties known to be represented by counsel in order to gain access to those parties’ private social media content. On the other hand, viewing publicly accessible social media content that does not precipitate...
communication with a represented party is generally considered fair game.

7. Be cautious when communicating with unrepresented third parties. Underlying RPC 3.4 (Fairness to Opposing Party and Counsel), 4.1 (Truthfulness in Statements to Others), 4.3 (Dealing with Unrepresented Person), 4.4 (Respect for Rights of Third Persons), 8.4 (Misconduct), and similar state ethics rules is concern for protecting third parties against abusive lawyer conduct. Issues commonly arise when lawyers use social media to obtain information from third-party witnesses that may be useful in a litigation matter. As with represented parties, publicly viewable social media content is generally fair game. If, however, the information sought is safely nestled behind the third party’s privacy settings, ethical constraints may limit the lawyer’s options for obtaining it.

Of the jurisdictions that have addressed this issue, the consensus appears to be that a lawyer may not attempt to gain access to non-public social media content by using subterfuge, trickery, dishonesty, deception, pretext, false pretenses, or an alias.

8. Beware of inadvertently creating attorney-client relationships. An attorney-client relationship may be formed through electronic communications, including social media communications. ABA Formal Opinion 10-457 recognized that by enabling communications between prospective clients and lawyers, websites may give rise to inadvertent lawyer-client relationships and trigger ethical obligations to prospective clients under RPC 1.18. The interactive nature of social media creates a real risk of inadvertently forming attorney-client relationships with nonlawyers.

The use of appropriate disclaimers in a lawyer’s or a law firm’s social media profile or in connection with specific posts may help avoid inadvertently creating attorney-client relationships, so long as the lawyer’s or law firm’s online conduct is consistent with the disclaimer.

9. Beware of potential unauthorized practice violations. A public social media post knows no geographic boundaries. If legal professionals elect to interact with nonlawyer social media users, then they must be mindful that their activities may be subject not only to the ethics rules of the jurisdictions in which they are licensed, but also potentially the ethics rules in any jurisdiction where the recipient of any communication is located. Under RPC 5.5 and similar state ethics rules, lawyers are not permitted to practice law in jurisdictions where they are not admitted to practice. Moreover, under RPC 8.5 and analogous state rules, a lawyer may be disciplined in any jurisdiction where he or she is admitted to practice or in any jurisdiction where he or she provides or offers to provide legal services. It is prudent for lawyers to avoid online activities that could be construed as the unauthorized practice of law in any jurisdiction where the lawyer is not admitted to practice.

10. Tread cautiously with testimonials, endorsements, and ratings. Many social media platforms heavily promote the use of testimonials, endorsements, and ratings. These features are typically designed by social media companies with one-size-fits-all functionality and little or no attention given to variations in state ethics rules. Some jurisdictions prohibit or severely restrict lawyers’ use of testimonials and endorsements. They may also require testimonials and endorsements to be accompanied by specific disclaimers. Lawyers must pay careful attention to whether their use of any endorsement, testimonial, or rating features of a social networking site complies with the ethics rules that apply in the state(s) where they are licensed. If not, then the lawyer may have no choice but to remove that content from his or her profile.
292 Ga. 640
Supreme Court of Georgia.
In the Matter of Margrett A. SKINNER.

Synopsis
Background: Disciplinary proceedings were brought against attorney. Attorney petitioned for voluntary discipline. A special master issued report and recommendation that attorney be reprimanded.

Holdings: The Supreme Court held that:

[1] attorney violated rule, and


Petition rejected.

Attorneys and Law Firms


Opinion

PER CURIAM.

*640 Following the issuance by the State Bar of Georgia of a formal complaint against respondent Margrett A. Skinner, a member of the State Bar since 1987, and the appointment of a special master by this Court, Ms. Skinner filed a petition for voluntary discipline in which she admitted having violated Rule 1.6 of the Georgia Rules of Professional Conduct and sought imposition of a Review Panel Reprimand for her infraction. The Office of General Counsel of the State Bar recommended that the special master accept the petition for voluntary discipline and, after noting the circumstances of the violation, Ms. Skinner’s lack of a record of prior disciplinary action, and the personal and emotional problems she faced at the time of the infraction, the special master found imposition of a Review Panel Reprimand to be an appropriate recommendation and recommended that this Court accept the petition for voluntary discipline.¹

¹ Rule 1.6 of the Georgia Rules of Professional Conduct requires a lawyer to maintain in confidence all information gained in the professional relationship with a client unless the client consents to disclosure after consultation, excepting disclosures that are not present in this case. Rule 1.6(a), (b). The duty of confidentiality survives the termination of the client-lawyer relationship (Rule 1.6(e)), and the maximum penalty for violation of Rule 1.6 is disbarment. In her petition, Ms. Skinner admitted that, after the client had notified Ms. Skinner that the client had discharged Ms. Skinner and had obtained new counsel, Ms. Skinner posted on the internet personal and confidential information about the client that Ms. Skinner had gained in her professional relationship with the client. Ms. Skinner posted the information in response to negative reviews of Ms. Skinner the client had posted on consumer websites.

**173 While this Court has not been faced with a violation of Rule 1.6 by means of internet publication, the supreme courts of two states have. The Supreme Court of Illinois accepted a petition to impose a 60–day suspension on consent of an attorney who, among other things, had published in a blog related to her legal work confidential information about her clients and derogatory comments about judges, and had included information from which the identity of the clients and the judges could be discerned.² The Supreme Court of Wisconsin imposed reciprocal discipline, i.e., a 60–day suspension, for the attorney’s conduct, quoting extensively in its opinion from documents filed in the Illinois proceeding. See Office of Lawyer Regulation v. Peshek, 334 Wis.2d 373, 798 N.W.2d 879 (2011). In In Re Quillinan, 20 DB Rptr. 288 (2006), summarized by the State Bar of Oregon in http://www.osbar.org/publications/bulletin/07jan/discipline.html, the Oregon disciplinary board approved a stipulation for discipline that suspended for 90 days an attorney who drafted and transmitted an e-mail disclosing to members of the Oregon State Bar’s workers’ compensation listserve personal and medical information about a client whom she named, and suggesting the client was seeking a
new lawyer. The lawyer maintains confidentiality of information relating to the representation in the client-lawyer relationship. Comment [4], Rule 1.6. The observance of this ethical obligation "facilitates the full development of facts essential to proper representation of the client ... [and] encourages people to seek early legal assistance." Comment [2], Rule 1.6. While we recognize the existence of mitigating factors in this case, based on the lack of information concerning Ms. Skinner’s violation that is in the record before us, we reject the petition for voluntary discipline that seeks a Review Panel Reprimand, the mildest form of public discipline authorized by the Rules of Professional Conduct, for the violation of Rule 1.6.

Petition for voluntary discipline rejected.

All the Justices concur.

Parallel Citations
740 S.E.2d 171, 13 FCDR 610

Footnotes
1 State Bar Number 650748

2 In addition to the allegation that Rule 1.6 had been violated, the Formal Complaint filed against Ms. Skinner averred that Ms. Skinner had violated the Georgia Rules of Professional Conduct in other aspects of her representation of the client by wilfully disregarding a legal matter entrusted to her, without just cause and to the detriment of the client (Rule 1.3), by failing to keep a client reasonably informed of the status of the client’s legal matter and by failing to provide an itemized statement as requested by the client (Rule 1.4); and by failing to honor the client’s request to deliver the client’s file to the client’s new attorney and by initially refusing to refund to the client the unearned portion of the fee paid by the client (Rule 1.16). Because the client and Ms. Skinner had conflicting factual accounts underlying these charges, the special master believed it appropriate to consider only Ms. Skinner’s petition for voluntary discipline that contained admissions of violating Rule 1.6.

3 See In re Peshnek, M.R. 23794, 09 CH 89 (May 18, 2010). In addition to a violation of Rule 1.6, the Illinois attorney admitted “conduct which tends to defeat the administration of justice or bring the courts or the legal profession into disrepute,” and, for failing to inform the court of a client’s mis-statement of fact to the court, violations of Illinois Rules of Professional Conduct, Rules 1.2(g), 3.3(a)(2), and 8.4(a)(4), (5). Office of Lawyer Regulation v. Peshek, 334 Wis.2d 373, 798 N.W.2d 879 (2011).

4 Ms. Quillian’s 90-day suspension was for her violations of Rules 1.9(c)(1) and (c)(2), in addition to her violation of Rule 1.6.

5 Mitigating factors are Ms. Skinner’s lack of a disciplinary history, her refund of the fee paid by the client, her statement of remorse, and the emotional and physical effects of her own surgery and the deaths of both her parents.

6 Among other things, we note that the record does not reflect the nature of the disclosures (except that they concern personal and confidential information) or the actual or potential harm to the client as a result of the disclosures.
How Social Media is Impacting Law Students

Graduates are grappling with their presence while navigating an increasingly competitive job market.

BY JOHN G. BROWNING | PUBLISHED IN D CEO DECEMBER 2016

... They were the sort of offensive, cringeworthy online posts that one might expect to see on a teenager’s Facebook page. They included thing like: “That girl is hot as f***,” “Straight NUTT in that b****,” “who is the [gay slur] that made this video?,” and a reference to improving videogames by getting rid of “gay s***.” Yet these online musings were posted not by a
teenager, but by a recent law school graduate, Otion Gjini, applying for admission to practice in Maryland. The online statements, many of which were made during Gjini’s final year of law school, were cited by the Maryland Court of Appeals this July in denying Gjini’s admission to the bar on “character and fitness” grounds. Although the majority of the court based its ruling on Gjini’s lack of candor about his brushes with the criminal justice system, the judges were clearly troubled by these “patently offensive” comments. The court quoted the chairman of the Maryland State Board of Bar Examiners Character Committee, Benjamin Vaughan, who said, “The very fact that such expressions directed at any person within our community would continue to find any degree of acceptance in our culture, pop or otherwise, might be the most compelling reason why they should not be tolerated among members of the legal profession. The legal profession cannot aspire to justice on behalf of just some members of the community to the exclusion of others.”

Given the prevalence of social media—Facebook now boasts more than 1.7 billion users worldwide, with 293,000 status updates posted each minute—wannabe lawyers are being scrutinized through the unforgiving lens of social networking. As far back as 2011, a Kaplan Test Prep survey indicated that 37 percent of law school admissions officers reported checking out applicants on social media—a far higher percentage than admissions officers for colleges and business schools. A 2015 survey by recruiting software company Jobvite found that 52 percent of recruiters say they “always search” candidates’ online profiles during the hiring process. And, according to a 2013 Careerbuilder study, 43 percent of hiring managers disqualified applicants based on information found online, including provocative photos (50 percent), posts about alcohol or drug use (48 percent), badmouthing a current or former employer (33 percent), making discriminatory comments
related to things like race, gender, or religion (28 percent), and lying about qualifications (24 percent).

Wannabe lawyers are being scrutinized through the unforgiving lens of social networking.

Law students and recent law graduates today have to navigate one of the most challenging job markets in recent history. The National Association for Legal Placement recently reported that the class of 2015 secured fewer private practice jobs than any class since 1996. And they are doing so having come of age in the era of Facebook, Twitter, and Instagram, where comments and content that can sink a career are just a few keystrokes away, preserved for posterity, and sharable with an online audience of millions. Florida law student Taylor Chapman recorded and posted a racist rant about employees at a local Dunkin’ Donuts in 2013, only to see the video go viral and jeopardize her chances at legal employment. In 2012, a newly licensed South Carolina lawyer, Dannitte Mays Dickey, was disciplined by that state’s Supreme Court for grossly exaggerating his experience and credentials—even lying about the year he graduated from law school—in his online profiles. Of course, even older lawyers aren’t immune to social media missteps that can jeopardize employment or professional standing.

So, do such Facebook foibles mean law students and young lawyers should remain cloistered from the digital realm? Of course not. But they do have to find “the right balance between their personal lives, their friends and family and hobbies, and their soon-to-be professional lives,” says Stephanie Kimbro, a North Carolina lawyer and Stanford Law fellow who taught a course on “e-professionalism” for law
students. Actually, positive use of social networking platforms can help law students find jobs and jump-start their legal careers. Patrick Ellis was a Michigan State law school student and avid blogger, when he began reaching out to like-minded lawyers on Twitter, via blogs, and at legal technology conferences like New York’s annual LegalTech. Today, Ellis works in the office of the general counsel at General Motors, a job he landed thanks to social media. Nowadays, the importance of social media to the job search is undeniable. An Aberdeen Group study revealed that 73 percent of 18-34 year olds found their last job through a social network, and a nearly identical percentage (72.1 percent) of college graduates indicated that they use online profiles to showcase their experience and search for work.

While technology may offer law students and young lawyers ample opportunities to put their worst foot forward, it also provides plenty of ways in which they can enhance their professional development. The University of Nebraska College of Law, for example, unveiled a first-of-its-kind app in August designed to help students develop 27 distinct professional skills, from problem-solving and networking to conflict resolution, research and information gathering, and client and business relations. For law students and recent law graduates, blogging can showcase critical writing and analytical skills in a more immediate, accessible way than attaching a lengthy writing sample to a résumé or LinkedIn profile. Those interested in niche practice areas, like white collar criminal defense, might consider following influential leading practitioners on sites like Twitter, and retweeting, commenting on, or sharing quick takes on developments in those fields. Arturo Errisuriz, assistant dean of career services & bar relations at Texas A&M University School of Law, cites one recent graduate who connected through LinkedIn with a California patent law firm. That led to a recommendation and
then a job offer for the young grad from a New York intellectual property firm.

Although law schools in general have lagged in incorporating technology into their curriculums, career services professionals have championed the use of social networking platforms to connect with potential employers and clients. Karen Sargent, assistant dean in SMU Dedman School of Law’s Office of Career Services, is a believer. So is SMU third-year law student Jillian Bliss, a former journalist whose active Twitter presence and following among state officials has helped lead to internships with state agencies and points to “tweets that let them know I am very interested in what goes on in our state government and want to be involved.”

Few law schools, however, have embraced social media the way Texas A&M has. Dean Errisuriz says that the school doesn’t stop at just lecturing students on the importance of social media. “We actively help them with their profiles,” he points out. “LinkedIn is one of the resources we are really pushing. We have a staff photographer available to take professional-quality photos for students’ LinkedIn profiles, since hiring partners and recruiting coordinators tell us all the time that they are checking candidates’ social media profiles.” In fact, Errisuriz says that the school’s commitment to social media is also a financial one. “We pay for each student to have a one year LinkedIn premium job-seeker account, which is not cheap. We’ve also brought in a LinkedIn representative to give presentations to students and faculty alike on leveraging their social media connections.”

And after all, it’s also not a bad thing for a future legal employer to note a robust social media presence at a time when the internet and social networking platforms in particular are assuming greater importance in generating business. A recent FindLaw survey showed that 69 percent of American adults between the ages of 18 and 44 are more likely
to hire a lawyer who is active on social media. The same study found that 34 percent of consumers already use social networks to help them find legal services.

Nevertheless, at a time when breaking into the legal job market is more difficult than ever, it is critical for young lawyers to stand out, and not in a bad way, from the rest of the pack. So while that wild spring break in Cancun may have been fun, or while that Facebook page may have more bong references than a Seth Rogen movie, no good can come of letting those personal glimpses overshadow one’s professional presence. As professor Jan Jacobowitz of the University of Miami School of Law, an authority on legal ethics and social media, sagely reminds us, “The takeaway for law students and lawyers alike remains: beware of what you post. Membership in the legal profession affords you both 24/7 privileges and obligations.”
Howard University School of Law – “E-Mail Etiquette”

Source: http://www.law.howard.edu/845, last visited: 22 May 2014
The text below is excerpted from the full article.

Introduction
This document is intended to offer guidance to users of electronic mail (e-mail) systems.

This is not a “how-to” document, but rather a document that offers advice to make you more computer-worthy (probably more worthy than you desire) and to prevent you from embarrassing yourself at some point in the near future. [. . .]

Reply To All
The ‘Reply to All’ button is just a button, but it can generate tons of unnecessary e-mails. For example, if I send a dozen people an e-mail asking if they are available at a certain time for a meeting I should get a dozen replies and that’s it. However, if each person hits the “Reply to All” button not only do I get a dozen replies, but so does everyone else for a total of 144 messages!

I’m not saying that the ‘Reply to All’ button should not be used. I’m saying that it should be used with care.

Don’t Be A Novelist
Messages should be concise and to the point. Think of it as a telephone conversation, except you are typing instead of speaking. Nobody has ever won a Pulitzer Prize for a telephone conversation nor will they win one for an e-mail message.

It’s also important to remember that some people receive hundreds of e-mail messages a day (yes, there are such people), so the last thing they want to see is a message from someone who thinks he/she is the next Dickens. [. . .]

Abbreviations
Abbreviation usage is quite rampant with e-mail. In the quest to save keystrokes, users have traded clarity for confusion (unless you understand the abbreviations). Some of the more common abbreviations are listed in the table below. I would recommend that you use abbreviations that are already common to the English language, such as ‘FYI’ and ‘BTW’. Beyond that, you run the risk of confusing your recipient. [. . .]

Salutations
The question here is “How personal is too personal?” or to be more specific, how do you open your e-mail: “Dear Sir”, “Dear Mr. Smith”, “Joe” or none of the afore-mentioned.

If you posed this question to Miss Manners, I expect she would come back with a quick answer - use the standard formalities — but I don’t know that I would agree.

In a non-business situation, I would recommend that you bypass the standard formalities. At most, I would only include something along the lines of “Dear Virgil” or just “Virgil”.

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In the business situation, things are much more complicated. Each situation will need to be evaluated on its own, but in general, I would use the following as a guide: If you normally address a person as Miss/Mrs./Ms./Mr. Smith then that’s the way I would initially address them in e-mail. If you normally call them by their first name then I would either omit the salutation or follow the guideline specified in the prior paragraph. If you are unsure, stick to the formal salutation. It’s the safest bet.

**Signatures**
If you had to guess what a signature was (the e-mail version), you would probably be close. [. . .]

If your e-mail address is a business address, I would include your [name,] title and company name in the signature. Normally, this might be part of a letterhead, but in the e-mail world letterheads are not used (wasted space).

You will sometimes run across a user’s signature that contains a quote (as in “…the secret to life is that there is no secret.”) after the person’s name. This has become a fairly common practice. If you choose this option I would recommend that the quote be something that is a reflection of yourself. Keep it short. You don’t want the quote to be longer than the message.

Also you will run across signatures that contain images built out of keyboard characters. These are kind of hard to describe unless you’ve seen one, but you will surely know one when you see it. As with the quote, the image should be a reflection of the person.

Whether you choose to add a quote, an image or both, I would recommend that you keep the total number of lines for the signature down to four or less.