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Gary, Lori & Joe

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Happy New Year!



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# The KEY to choosing an ATTORNEY



**Y**ou may not need an attorney right now, but certain instances may arise when you need an attorney. If you decide to get married, you are left an inheritance, you are wrongfully cut out of a Will, your parent is being unduly influenced or you get into a car accident, you may need an attorney to represent you.

No matter what your circumstance, finding the right attorney can seem like a daunting, confusing task. Honestly, just trying to sort through the maze of lawyer advertising that's out there can be a little overwhelming.

We recommend that you start out by researching and learning what you can about your legal problem. Nowadays, with the wealth of information available online, it's relatively easy to track down good information and explanations about what you are facing.

Next, find the names of potential lawyers in your local area. Call them or visit their websites, and then request written information from them. We recommend using Avvo.com to research an attorney. This site allows you to search for attorneys near you who specialize in your specific legal matter. It also provides ratings, reviews, and disciplinary records for lawyers in all states.

Once you have a solid list of possible attorneys in place, you should set up in-person interviews with them to get a better feel for how they handle cases and if they are a good fit for you.

Below are some tips to help you choose the attorney that is right for you:

- Decide what kind of attorney you need.
- Make sure the attorney is licensed in the State of Texas.
- Find out how much experience the attorney has with your type of case.
- It is important to know how the attorney handles their billing.
- Ask important questions to make sure that you feel comfortable with the person you choose.

Once you've done your research and made your comparisons, you should be in a good position to select the right attorney for your case.

*"I always tell potential clients that the key to choosing an attorney is to hire an attorney as you would your own family doctor."*

- Gary Ashmore



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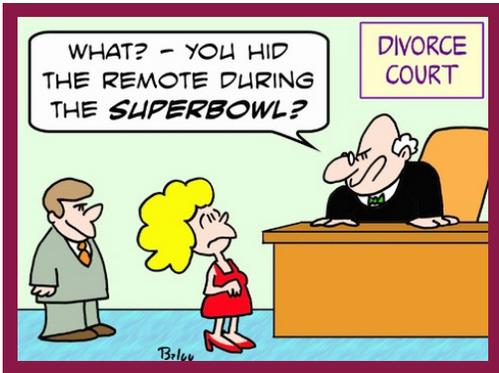
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# Social Media: FRIEND OR FOE?



Article by our own Whitney Keltch for The Dallas Association for Young Lawyers' publication, *The Dicta*.

## *Status Update, Hashtag, Like, Tweet, Retweet, Instagram, Message, Check-In, and Share.*

These are all social media actions that can truly impact any case. Most clients don't know when they walk into an attorney's office and begin litigation that each piece of information on their social media accounts is discoverable. These pit falls often come into play in personal injury and family law cases.

For example, I had a colleague who tried a personal injury case and the plaintiff had "checked-in" to a paintball field days after his alleged injury and continuously "checked-in" to the gym with "#killingit." Needless to say, that Plaintiff was zeroed out on damages, despite the Defendant being at fault for the accident.

Additionally, I had a child custody case where Father was trying to get more time with his children and had concerns with Mother's alleged drug use. My first exhibit at the hearing was Mother's entire Instagram account, which was full of pictures of marijuana and drug based slogans. The Judge was not pleased and ordered Mother to take an immediate drug test following the hearing.

As attorneys, it is our obligation to warn our clients of these dangers within social media, but also to not engage in any ethical violations. The first thing I tell my family law clients is to either censor their social media accounts moving forward or to make them

inactive during the pendency of any case. However, I also warn my clients to not delete any accounts, as that is considered spoliation. If someone intentionally destroys their social media account, such as deleting the entirety of their Facebook with litigation on the horizon, the Court could potentially sanction the Client for this destruction of evidence.

The second thing I do once I have been engaged to represent a client is search the opposing party's social media accounts, if any exist. Many people do not make their accounts private, and I usually find evidence within the opposing party's Facebook or Instagram that will be helpful at a hearing. Additionally, if and when I send out Requests for Production, I always include this request: "A complete print out of the activity on your facebook page, which can be obtained by logging into

facebook, clicking the "down arrow" on the upper right hand side of the page, and selecting activity log. Please make sure that "all" on the upper left hand side of the page is selected prior to printing out the activity log." This request ensures that all messages, posts, status updates, and check-ins are included in the printout.

While social media is intended to be fun and is a great tool for staying connected, make sure you are cautious when posting things in cyber space. You never know who could access your prior posts in the future and how those posts could be used against you. ■

*"The first thing I tell my family law clients is to either censor their social media accounts moving forward or to make them inactive during the pendency of any case."*

# Firm Events

- Christmas Party -



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