



Episode 125: Maintaining a Professional Profile in the Digital Age

Alison Monahan: Welcome to the Law School Toolbox podcast. Today, we're talking about how to maintain a professional profile in the digital age where so much of your life is online, maybe for better or worse. Your Law School Toolbox host is Alison Monahan, that's me, and Lee Burgess. We're here to demystify the law school and early legal career experience so you'll be the best law student and lawyer you can be. Together, we're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website, [CareerDicta](#). I also run [The Girl's Guide to Law School](#). If you enjoy the show, please leave a [review](#) or rating on iTunes, and if you have any questions, don't hesitate to reach out to us. You can always reach us via the [contact form on lawschooltoolbox.com](#) and we would love to hear from you. With that, let's get started.

Lee Burgess: Welcome back. Today, we're talking about how to maintain a professional profile in the digital age, where so much of your life is online. So, Alison, first off, why do people need to be so careful here?

Alison Monahan: Well, I mean, to be honest, I think a lot of this is kind of just common sense, and somehow, people forget that they should act like grownups and not be a total jerk. And by this, I don't even mean just law students. I mean, there was a really crazy story I heard a few years ago, which went viral on Above the Law, where there was a law firm partner who was on the Amtrak between, I think Washington and New York, or New York and Boston. You know, one of those lines that has a lot of eyes and ears who might be lawyers, might be law students. And this guy was talking loudly on his cell phone about who they should lay off, by name. And, you know, I mean, you just kind of wonder, like, "What are you thinking," at that point. This is not your office. You know, this is a public space. This is a train. People are listening to you.

So of course, someone happened to be on the train who was ... I don't remember if they recorded it or they were taking detailed notes, but they sent this to Above the Law. And basically, Above the Law published and knew, before the people who were going to get fired the next day, who they were. And you just think, "Are you crazy?"

Lee Burgess: Yeah, I know. There's a similar story from the firm I worked at. Not about layoffs, but that counsel was telling me that they were at a pool at a hotel, like over a holiday break, and someone on opposing counsel was also there, talking on their cell phone, about the case, like, at the pool. And this guy and his wife were both lawyers and were like, "Oh." They were talking about things that definitely should have been kept private. I think people do need to be careful about the idea that technology is omnipresent and, you know, what you do out

in the world, whether or not it be online or not, can be picked up by other people.

Alison Monahan: Right, and I think that's the point here. I mean, you know, we'll talk in more detail about actual online things, but part of the point now is just, it's so much easier for information to spread.

Lee Burgess: Yes.

Alison Monahan: I remember, you know, my first law jobs, they were like, "Look, the elevator is not a private space. This is not your office, so you can't be talking about things in the elevator that relate to our clients, like, ever. It is a fireable offense to mention anything work related, regardless of who you're talking to, in the elevator." And now, it's so easy for things to go viral.

You know, if you are that person in the restaurant talking about the case, or in the elevator, or on the train, it's not just the five people around you who might be like, "Oh, that's kind of interesting," and maybe they tell one or two people. Within minutes, that can be all over the world, and you could be recorded. You know, it could be a video. It doesn't just have to be, "Oh, I heard this thing," you know, it's photographs, it's videos, and they can all spread really quickly.

Lee Burgess: Yeah. I mean you definitely have to be a little thoughtful if you're trying to talk about anything that should be private.

Alison Monahan: Right.

Lee Burgess: I think you always have to have, you know, an idea that probably what you're doing in a public place is not private. And in a way, the internet is kind of like a public place. What you do on the internet, not really private.

Alison Monahan: Yeah, and this applies in law school, too. You know, you're talking about the professor you hate, and you don't know that their friend is standing beside of you in the elevator. Even if you're not on campus, you know, you just run into people in the craziest places. I remember once I was in a hotel in Hanoi in Vietnam, and these people were talking about a professor, that had taught me in architecture school, who was at that hotel. And it was just one of those moments where you're like, "Oh, I know her," and they're like, "Wait, what?"

Lee Burgess: Oh, yeah.

Alison Monahan: You know?

Lee Burgess: Yeah. I mean I've run into people I know on overnight trains in Spain, in museums in different countries or in different cities. I mean, like, the world is very small in a lot of ways, and you have to keep that in mind.

Alison Monahan: Yeah, and getting smaller-

Lee Burgess: Yes.

Alison Monahan: You know, every day.

Lee Burgess: Yes.

Alison Monahan: So, I think, you know, a good starting point is just be judicious about what you're talking about in public. I mean, think about what public is. There's another crazy story that I can't even tell all of, because some of it's confidential, about someone who overheard something in a car, where they had picked up people in a casual carpool, which is where people go, they get in like in Berkeley, they get in a car with a stranger, they drive across the bridge in the carpool lane, and then everyone goes off about their day. Someone in the car was talking about something that was, you know, interesting information, and it was relevant to the law firm that I worked at.

Lee Burgess: Wow.

Alison Monahan: And it eventually got back to various people, and things happened. You know?

Lee Burgess: Yeah, I mean-

Alison Monahan: So ...

Lee Burgess: UberPOOL, and like, Lyft pool, and all of those pooled services too, you have to remember you're not alone in those cars.

Alison Monahan: Right. Whether you're on your phone or whether you're making chit chat with other people. You know, I just think you have to be cognizant of where this information could end up. And, I mean, that's leaving aside completely all the information that you're voluntarily putting out there.

Lee Burgess: Right. That's very, very true.

Alison Monahan: You know, let's talk about that for a while.

Lee Burgess: Oh, my gosh. Yeah. And I think the other thing that folks often forget when social media's concerned, is some of us are careful to, like, set our profiles to private, or things like that, but I think, you know, their constant, social media outlets are constantly changing their privacy settings, and, you know, I think often times some of us have been surprised when a post we have written, somebody's commenting on it that we've never heard of. And then it's like, how did that person see that post?

Alison Monahan: Yeah, exactly.

Lee Burgess: Well, you know, because a friend commented on it, they can see their friends' comments, and then it like, kind of this weave comes back. And you're like, oh, wow, this single post has a lot of reach. Or something that has been an issue in some mom groups that I've been a part of online is people are just taking screenshots of conversations on Facebook and things like that and then reposting them publicly other places. And that is usually a faux pas if you're on some sort of closed online group, just so you know, like, probably shouldn't do that, but ...

Alison Monahan: Right. But again, you can't assume that someone's not doing that.

Lee Burgess: Right. I mean, you have to realize that, you know, even something's that's closed is only so closed. It's closed as where the internet's concerned. You know-

Alison Monahan: Right.

Lee Burgess: It's kind of like that elevator. It's like, it seems like you're safe in your office building, but you're kind of not when it comes to privacy.

Alison Monahan: Yeah. And actually, even on Facebook, you know they are different types of groups, and I think sometimes people aren't clear on the distinction between, say, a private group and a closed group. I don't remember which is which. They sound pretty similar, but in one of them, everyone in the world can see who's a member of that group, and then in the other, only the people who are actually in the group can see it. So, you might, you know, say that you are exploring some aspect of your life or personality that you might not want to be public, and you join a group that you think, you know, is private, and it might not be. You know, it might be that, well, nobody can post in it who's not in the group, but anyone can see who's in it. So, if you don't want someone to know that you would be in that type of group, you probably shouldn't join, and you should be clear on that in advance which type of group you're in.

Lee Burgess: Yeah. I mean, this is all just stuff you have to be thoughtful about. I mean, you can take screenshots of Instagram. You can take screenshots of just about anything.

Alison Monahan: I think even SnapChat.

Lee Burgess: Yeah. Like, in a way, it all feels very temporary, but some of this stuff can be very permanent. And this isn't to make you feel crazy, that you can't be your authentic self, I mean, like, we all use social media, but you do have to just be thoughtful about what you share in that way. You know, if it's something that you may never want to accidentally get, you know, shared with somebody else, a group chat with your close friends on WhatsApp or another secure messaging service, might make a lot more sense than using social media for stuff like that.

Alison Monahan: Sure, but also understand that those are all archived.

Lee Burgess: Ah, fair point.

Alison Monahan: You know, so, I mean, if you've ever worked in a law firm and done discovery, it really makes you a lot more paranoid about all these things, because you start to understand, you know, all this stuff we're looking through ... And for those who don't know, basically discovery is a company, or a firm or whatever it is, an entity, gets a request that says we would like to have all of the email for Lee Burgess for the last four years, and here's why it's relevant. And typically, a judge is like, "All right, well Lee's the defendant here, so it seems relevant to me," And suddenly, some person or people, or now computers, you know, algorithms, are going through literally everything that Lee has emailed in the last four years.

Lee Burgess: Yeah.

Alison Monahan: You know, and it really makes you think differently about whether you would want that email to be produced in discovery.

Lee Burgess: Yeah.

Alison Monahan: You know, even things that aren't, I mean, you know, for work accounts, it's astonishing the things that people say that either are not related to work or are directly related that you really can't believe they wrote down.

Lee Burgess: Or links they've shared. Oh, my gosh. When I was doing doc review, I saw some kooky links to some pretty inappropriate stuff be shared on office emails.

Alison Monahan: Yeah. I saw one case somewhere ... I can't remember where I worked, but it was like the guy was into, like, transvestite porn or something.

Lee Burgess: Oh.

Alison Monahan: And was like downloading all this stuff at work, and it just like...

Lee Burgess: Interesting choice.

Alison Monahan: Yeah. Yeah, and, you know, when all that shows up in discovery, it's just like, whoa, okay.

Lee Burgess: Mm-hmm (affirmative). You're like, "Not relevant, but still have to like-"

Alison Monahan: Well, in this case, it was kind of relevant because I think it was like an employment discrimination case or something, but-

Lee Burgess: Oh. Yeah.

Alison Monahan: Yeah, point being, probably not the best thing to be looking at on your work machine. You know, I think the thing to keep in mind with any type of work environment is you don't own this information. You know, if it's a work email account, whoever employs you is the owner of that account, and they can come and look at it basically anytime they want to. I can guarantee you it's being backed up, if only for technical reasons, and, you know, you just really need to think about what you're sending out there.

Lee Burgess: Not to mention if you work for a government entity, a lot of your emails can, you know, are government property, and there can even be less privacy rights to it because of that. So, you just need to be thoughtful about what you use work email for.

Alison Monahan: Right. And a lot of these entities are actually required to maintain records for a certain number of years. You know, say that you're working in a banking type of position. I'm pretty sure they have, you know, certain document retention requirements that are not optional, probably law firms too. I don't know.

Lee Burgess: Yeah. I mean, I think the other think that we're all aware of if you do use things like social media or Google is how much information the algorithms seem to know about us.

Alison Monahan: Yeah. I read a [super creepy article](#) the other day that we'll link to in the show notes. Have you ever, I don't know, maybe you gave them your phone number early on in Facebook, but if you've never given them your phone number, they nag you incessantly.

Lee Burgess: Yes.

Alison Monahan: Like, "We need this for your security, blah, blah, blah," and I refuse to give it to them.

Lee Burgess: Me too, because I am like, Facebook, you know everything else about me, please do not know my phone number.

Alison Monahan: Yeah, well, it turns out, and also if you allow them to go through your contacts, and that sort of thing, they're doing all this crazy stuff behind the scenes that I don't think people are really aware of. Where, say for example, you have only logged into Facebook with your personal Gmail account, and you're very cognizant of that, and you're like, you know, I don't have my work information anywhere, say you have a sensitive position, and you just want to keep the two separate, which we'll talk about, is probably a pretty good idea. Well, Facebook probably already knows your work email, because they've uploaded the contacts of someone that has your personal email who also has your work email. Now they know you're work email. Now they can use that to link you to other things. You never gave them permission for that.

Lee Burgess: Oh, that's really creepy.

Alison Monahan: Yeah. So, there's this whole, the article basically calls them, shadow profiles that you have no control over. You don't actually authorize, and you can't even really get rid of it because if one person has it, two people have it, three people have it, ten people have it. All of those people would have to basically say, "No, I'm not okay with you using these contacts," and they're not all going to do that.

Lee Burgess: Wow.

Alison Monahan: It's crazy.

Lee Burgess: That is super crazy. Yeah. I remember reading an article a while back about how creepy Facebook was with your cell phone, so I don't have, like, I don't use their app on my phone. They don't have my phone number, and I only run it through the browser, because I'm just like, at least they have less access to things on my phone if I run it through the browser.

Alison Monahan: Right. And one of these articles made the point that basically your phone number is the new social security number.

Lee Burgess: Oh, my gosh.

Alison Monahan: You know, it's basically as identifiable ... And think about all the random people you put in your phone.

Lee Burgess: Right.

Alison Monahan: As soon as you do that, if you're allowing them to basically harvest your contacts in real time, the second you maybe go on, you know, one date with someone, and you want to be able to exchange WhatsApp messages so that you're both at the restaurant at the same time, boom, that entire universe just opened up.

Lee Burgess: And doesn't Facebook own WhatsApp?

Alison Monahan: Yes.

Lee Burgess: Yeah.

Alison Monahan: Yeah. So-

Lee Burgess: So, does that mean Facebook does have my phone number if I'm using WhatsApp?

Alison Monahan: I mean, I'm pretty sure they probably have your phone number one way or the other.

Lee Burgess: Okay.

Alison Monahan: I mean, because again, if somebody has your, of course they have your phone number, because if somebody has, like if I have your email address, which obviously I do, you're one of my contacts-

Lee Burgess: One would hope. Right.

Alison Monahan: And they've got access to my contacts, which probably they do one way or another, even if I didn't actually give them that, then of course they have your phone number.

Lee Burgess: Oh. That's really unsettling.

Alison Monahan: You just didn't give it to them.

Lee Burgess: Yeah. Okay.

Alison Monahan: So, anyway, I mean, I think just being aware. It's a really interesting article. I mean, some of the examples that this article, I think, had were crazy. It was things like people who shared the same therapist, like opposing counsel, one of them, I think, was like an adoptee and their adoptive, you know, they're real parent.

Lee Burgess: Oh, my gosh.

Alison Monahan: Like crazy stuff that they basically figured out.

Lee Burgess: That is some crazy stuff.

Alison Monahan: And then they present it as, oh, these are people you might know.

Lee Burgess: Yeah, that's creepy.

Alison Monahan: I mean, can you imagine?

Lee Burgess: Yeah. That is unsettling.

Alison Monahan: I mean, definitely, like, I've had a situation, for example, like on LinkedIn, where they're like, "Oh, you might know this person," and I literally to this day cannot figure out how they know that I would know that person. You know, it's like someone who lives halfway around the world. We are not connected in any particular way that I could ever think of, I was just like ... And they keep recommending him. I'm like, who do they know that I know this guy?

Lee Burgess: Yeah, that's really crazy.

Alison Monahan: Totally different spheres, and somehow, they've connected it.

Lee Burgess: Oh, it's just because they know everything. The internet knows all.

Alison Monahan: Pretty much. I think that's pretty much a good assumption.

Lee Burgess: Yeah. Mm-hmm (affirmative). But, you know, beyond Facebook knowing everything about us, which is concerning in its own way, I think it is also important to realize that your online profile, especially if you are shifting from a student life to a professional life, is fair game. People are going to look you up.

Alison Monahan: Oh, yeah, for sure, I mean, for hiring, for firing. You know, you got to think before you tweet.

Lee Burgess: Yep. Which, in this current political climate, seems like some people don't do, but-

Alison Monahan: Right. And I think it's really easy to sort of think, like, oh, I'm just talking to my, you know, friends, or people that I know on twitter about this thing. And it's like, no, that's public.

Lee Burgess: Yeah.

Alison Monahan: You know? And even if it's a private account, people still see it. You know, like if you say something really inflammatory, there's nothing to stop someone from taking a screenshot and sending it to Above the Law. They don't care if it has a little lock beside of it. That's not their problem. You're the one who said it.

Lee Burgess: Yeah. Gosh, and I think it's tough right now with the political climate, because I think a lot of inflammatory discussions on social media are happening, and between even folks that ... Well I could just use an example from my own life right now, is that I posted something. Not to get too political, but I'm pretty pro-gun control, and there was another school shooting, and I posted something on my personal Facebook page about gun control, which is something I do quite often when things like this happen, and this conversation ... And I know you read this post too, but I don't know if you saw, like the conversation that ensued became this-

Alison Monahan: I basically saw that it was, like, getting out of control and decided I did not want to wade into those comments.

Lee Burgess: Right? But I mean, it was like this one comment that started with, like, you know, some likes from my friends, became this dialog, and there were a number of people in this discussion. It was like someone I knew from college, somebody else I knew from college, like, someone who's a friend of my husband's, then my husband's in this conversation, and my mom is in this conversation. And it's like this dialog, some of which maybe wasn't so respectful from certain parties as

others, kind of all started because of this comment on social media, and it really was a great example, again, of how, you know, something that you can post that you don't necessarily think can get fairly contentious amongst the people I know that share my social media--

Alison Monahan: I remember, you know, I saw this yesterday and thought, whatever, I honestly don't even remember what you said, because I thought it was pretty innocuous. You know, something along the lines of, like, "Wow, isn't too bad that we have more kids being killed in schools."

Lee Burgess: Yeah, I think the post was now is the time to talk about gun control, actually years ago was the time to talk about gun control #momsdemandaction.

Alison Monahan: Yeah, so not exactly super inflammatory.

Lee Burgess: No. You know? And it's, you know, some could say, like, "Why does that even make a difference?" I don't know, when, as a mom, I'm reading about like hurt children, it's like one of the few things, small little things I could do, other than support organizations like Everytown and Moms Demand Action. So, it was just interesting to see it play out, again, about how the internet has this way of starting conversations and bringing people together from people who do not know each other into having these dialogs. And then, what happened to that dialog? You know, somebody took a screenshot of that dialog and maybe somebody said something that they wouldn't want spread around. I mean, it is just interesting to kind of see how things can shift. And it was just kind of an interesting snapshot. I don't talk all that much politics on my Facebook page, but it was just an interesting reminder that in these political times, you never know even what some political comments can turn into on social media.

Alison Monahan: Well it doesn't have to be political. There's another one that's happening in the last day or so. The friend of mine who made, again, like a pretty innocuous remark about something he didn't like at a restaurant, just that he didn't like what the server said, and it's just this thing that servers say, and he found it a little bit annoying and whatever. You know, like, okay, fine, and it has spiraled into this enormous discussion slash fight between all these people who do not know each other. And at first, the original guys, in the middle of it, basically being like, "Hey," you know, like, he's got people who run restaurants jumping in and being like, "You guys are all idiots," and the people who are like, "No, I hate this." And it's just like, oh, my god, why are we all spending time on this?

Lee Burgess: I know. So, I mean it's hard, because on one hand, you don't want to be someone who's completely unengaged, because social media has a place. We can debate whether or not ... I mean, it also is apparently making us all more depressed. There's plenty of research out there about that.

Alison Monahan: As well as more distracted.

Lee Burgess: As well as more distracted, so-

Alison Monahan: Less productive.

Lee Burgess: Maybe there's a really good argument that you should just leave social media. But since that's probably not going to happen, you know, I think it is a little bit about deciding how you want to use social media and what you think it's for. And what other channels do you have, even, to share information that maybe would really feel a little more secure? I think it's a good thing to acknowledge that what we have online and on the internet, like you were saying, Alison, is exists somewhere. It's backed up somewhere. Someone has that information and nothing's truly private.

But, you know, I even have friends now who are using apps to share pictures of their new kids. So, the send, there's an email that comes through with a picture, because she's choosing not to use social media to share pictures of her kids. So, there are new alternatives for sharing information with your friend group, you know, group chats or whatever, but I think you just have to realize that the digital world is not private.

Alison Monahan: Right. I mean, legally speaking, you probably would have a better argument that you had an expectation of privacy in a closed group of ten people than in a Facebook group, Facebook publicly.

Lee Burgess: Right.

Alison Monahan: Yeah. I think it's just a difficult thing, you know, and law schools tend to be places where maybe there's a private chatroom, and then people think that, "Oh, whatever I say there, you know, is just between me and my classmates," and then you hear about situations where ... I think this is actually incoming undergraduates at Harvard who had their offers of admission revoked because they were sending around racist and sexist memes in one of these groups, and it's like, that's not a private group. The university organized that. You don't think someone's monitoring it?

Lee Burgess: Yeah.

Alison Monahan: So, yeah.

Lee Burgess: They just have to, you just have to think about it. And it was interesting, I was at ... Alison, I don't even know if I told you that I did this on Monday, but I went and say David Sedaris do a reading, and he was talking about how his partner refuses to get emails from him, and he doesn't like to talk on the phone. So, when David Sedaris travels, he has to write long hand letters to his partner, who lives, most of the time in Europe, I think. But he was just even talking, this guy writes for a living, but he was talking about the difference of, you know, sitting

down with a pen and paper and drafting a letter to talk about his day, or to talk about things that had happened.

And I thought it was so interesting because, you know, I mean, we're not that old. We're probably older than a lot of people who are listening to this podcast, but, I mean, I remember writing letters, and it's just such a more deliberate way of communicating that is so different than, you know, the email, the text, the Facebook post, the Instagram post, which is such an instant decision to share something.

Alison Monahan: Right. I mean, I think you've talked about in the work context, you know, that you've heard stories from older lawyers about, like, "Wow, you know, it used to be when I got an inflammatory letter from opposing counsel, I had time to kind of take a step back and think about it. And my secretary printed it and I read it, and then if I wanted to respond, I had to, like, type up a response, and then she proofread it." Instead, now, you get the email, then you would just immediately write the email up.

Lee Burgess: Right.

Alison Monahan: You know, there's that gap of, like, time to think is basically gone.

Lee Burgess: Yeah. And even, well we were just communicating about a professional email that we were going to respond to somebody about. And that was, you know, there were a few times where you and I will, like, send each other an email to be like, "Hey, do you think this is a good email?" But even then, it's all in the span of like a couple minutes.

Alison Monahan: Yeah.

Lee Burgess: You know, one of us drafts it and like shoots it off, and then we're, like, chatting about it, then we do, like, make some edits, and then ... It's like a 5-10 minute process. Not a-

Alison Monahan: Because you're trying to get it out the door.

Lee Burgess: Right. It's not like a 24-hour process, you know, of a response, because I feel like, whoa, if I take the time to forward it to Alison so she can skim it first, it's like I'm behind the curve on getting back to somebody.

Alison Monahan: Yeah, but I think it's worth taking the time to, you know, take a step back, take a breath, think about would I want this to be on the front page of the New York Times, whatever it is that I'm sending out. I mean, there was an incident. I don't know if you're aware of this. Yesterday, where this demand letter went viral on twitter because it was so horribly done.

Lee Burgess: Oh.

Alison Monahan: This lawyer sitting in his office in Alabama, you know, probably thought 10 people were going to read this. I mean, he probably should have thought more were going to read it than that, but certainly, I don't think anyone anticipated when he mailed that, that it was going to take on the life that it did in a matter in hours. And you know, it probably literally was on the front page of the New York Times today. So, you know, you just have to kind of, particularly in the legal profession, you have to develop that mindset of, "Do I want to hit send on this? You know, do I want to publish this?" And not to make you paranoid, but just, I mean, basically you have to be a grown up here.

Lee Burgess: Yeah. You need to be thoughtful.

Alison Monahan: Yeah. I mean, in terms of, like, practical things people do for social media, sometimes people have separate profiles. You know, you have your personal one where you post your kids' photos, and you have your professional one where you talk about whatever you talk about.

Lee Burgess: What do you think about people using fake names?

Alison Monahan: Well, I mean-

Lee Burgess: I know that Facebook tries to crack down on that, but ...

Alison Monahan: Yeah, they don't like it. I know a lot of people who do it, and usually for a pretty good reason. I mean, I don't really have a problem with that. Like, if I know the person, I mean, you know ... I'm pretty sure my sister has a fake name on Facebook. And I'm like, I know who she is, you know? It's doesn't bother me.

Lee Burgess: Right.

Alison Monahan: Yeah. I mean, I think, actually, they should be a lot more flexible about that. I mean, that does make it a little bit hard to have different profiles, because, technically, I think you're in violation of their terms of service. Whatever, you know, you can do what you want. But, I mean, there have been some cases where they've shut down profiles that didn't have people's real names on them.

Lee Burgess: Yeah. I think I had a friend who was like a coach, and he used like Coach as his first name, and they got made about that.

Alison Monahan: Yeah, it seems pretty random. I know people who've been hassled and then other people who've had totally fake names for ages, and nobody's really cared at all.

Lee Burgess: Yeah, I feel like the fake name might be easier to pull off than like a word that an algorithm can find that's not real, you know?

Alison Monahan: Yeah. That's true. Most people I know just have, like, random names.

Lee Burgess: Yeah.

Alison Monahan: You know, they're like, that's not your actual name, but yet they have good reasons for doing it. You know, maybe they're a doctor, or whatever, and ... I mean, that's the whole thing. It's like there are plenty of legitimate reasons that people would not want their actual name associated with a lot of this stuff. I mean, maybe you're an activist.

Lee Burgess: Right.

Alison Monahan: You know, there are lots and lots and lots of jobs, particularly in the legal space where people might want to maintain that sort of separation, and I think, particularly, Facebook makes it really hard to do that.

Lee Burgess: Mm-hmm (affirmative). I also know folks who really, like, trim down who they share stuff with on different social media platforms. You know, like my Instagram list is like much tighter than my Facebook list, no offense to people.

Alison Monahan: But is yours actually, like, locked?

Lee Burgess: Yes.

Alison Monahan: Okay.

Lee Burgess: Yeah. But you're on it, I think, so you're okay. I voted you in.

Alison Monahan: Yeah. I'm pretty sure I'm in the club.

Lee Burgess: You're in the club.

Alison Monahan: Yeah. I mean, you know, if you're going to be posting personal photos that you don't want some employer possibly finding. Again, on Instagram, like, I don't use my real name on Instagram.

Lee Burgess: Yeah.

Alison Monahan: Part of the reason for that is when I was online dating, it turned out they could actually match stuff up behind the scenes, and all sorts of creepy stuff was happening there.

Lee Burgess: Ew.

Alison Monahan: Where you weren't using your real name immediately, and people were still finding, like, Instagram profile that have your, you know, selfies all over them.

Lee Burgess: Oh, that makes me thankful I was internet dating, like, 10 years ago when that wasn't done. It wasn't so sophisticated 10 years ago, the online dating.

Alison Monahan: Yeah, I think you did. This is one of these where you just have to ... There are a lot of things going on that you probably don't realize are going on with your data, basically.

Lee Burgess: Yeah. Okay. So, you can consider having multiple profiles, you consider using different, like, platforms, for different things. You should really dig into your privacy settings. I think it make sense to go through and check your Facebook privacy settings periodically because they're constantly changing things.

Alison Monahan: That's for sure. Yeah. And they're never making it more private.

Lee Burgess: No. That's a very good point.

Alison Monahan: Any time they make a change, it's never like, "Hey, we're going to make you more protected." It's always like, "Hey, by the way, we just opened up your entire life to the entire universe. You're cool with that, right?"

Lee Burgess: Yeah, the other thing that was interesting is I recently went on and saw that you can see, like, what ... I can't remember if it's what groups or what kind of classifications of people that you've been listed in, because that's how they're doing some of their targeted advertising. And you can actually remove some of that, but that is also disturbing and worth checking out.

Alison Monahan: Oh, yeah. Like, we've sometimes run Facebook adds, and it's crazy what you can target by. Crazy.

Lee Burgess: Yeah. I've got to say, that really creeps me out. Like what you were able to find when you did a deep dive into Facebook adds was a little creepy.

Alison Monahan: Scary.

Lee Burgess: Yeah.

Alison Monahan: We don't run them anymore. I find it too creepy.

Lee Burgess: I know, so don't look for us on Facebook, but we do have Facebook pages.

Alison Monahan: Just FYI.

Lee Burgess: But, yeah, we don't run Facebook adds. Because it is a little, I don't know, I felt like a little like 1984, like, I'm not really sure. I don't know.

Alison Monahan: They're really intrusive, and they know a lot about you. I mean, I had a friend from law school who was actually going into the advertising options and pulling out things that you were allowed to target by, you know, in terms of specific interests in white supremacy, or whatever it is. I mean, there is a ton of crazy

stuff that you can find out from people's Facebook profiles, and it is very lightly, kind of, disguised, let's put it that way.

Lee Burgess: Yeah. Oh, my gosh. We can't even open, like, the Pandora's box of what's happening with advertising and the fake news that's coming ... I don't even want to use fake news ... Propaganda that is coming through, because I just, like, don't want to use that term, but, like, propaganda that's coming through being planted in Facebook and how it's able to manipulate. I think, you know, it's funny, I'm a media studies, I was a media studies major in college, of course, before all of this stuff. And so much of what you focus on when studying media studies, at least when I was studying it, was media literacy. What have we learned about consuming media? What have we learned, what are these kinds of learned assumptions we have about advertising, about television, about movies?

That idea with the sixth sense where, you know, the first time you saw it, I mean, it's been out for a long time, so I'll spoil it. Don't listen. Pause if you don't want to know the ending. But this idea that, you know, that we fill in the gaps, you know, that there's never any dialog between the two main characters, but our brains fill in the gaps, because that's what media has taught us to do. And so, I guess, I'd be kind of fascinated to know, like, how ... You know, the new challenge is how do you teach media literacy when it comes to things like social media and all these different news outlets and things like that, because the consumption. It's just such a new challenge. You know? And I think we are challenged ourselves to, as consumers of all this information, but then as we add to the information stream, even just by posting your own stuff on social media, you are, you know, fanning the flame as well.

Alison Monahan: Well, and I think too, if you're thinking about it from the perspective of being a lawyer or potentially, eventually being a lawyer. You know, it doesn't reflect well on you if you are retweeting or posting on Facebook, or even liking, or commenting on favorably articles that turn out to be clearly fake.

Lee Burgess: Mm-hmm (affirmative).

Alison Monahan: You know, I mean, we all know those people who are just like, "Oh, god, like, really? You're posting this stuff again?" And it just, I mean, all you really have as a professional is your credibility, and you can destroy that pretty quickly if you're posting all these crazy conspiracy theories and not thinking twice about it.

Lee Burgess: Yeah. I think it's something to really be thoughtful about. And I think we talked about this in a recent podcast about, kind of, job hunting and that process. But it's also, as you're joining a workforce, be thoughtful about who you add to your Facebook pages. You know, and it's probably good to make some decisions about where you're going to draw the line. Are you going to include coworkers on your social media, or are you not? And if you do, then you need to know that

everything that you are posting on social media is being read by a coworker, and thus, could also be read by your boss, and I think that's something to be very wise about.

Alison Monahan: Yeah pretty much the ... Yeah, the day that my law firm boss tried to add me as a friend on Facebook, and I felt like I had to accept, was pretty much the day it was, like, over. All right. Well, that pretty much ... Even though we were friendly, it was just like, all right, well you can't really say much at this point about anything.

Lee Burgess: Yeah. I know.

Alison Monahan: Yeah. I mean, I think too, I mean, if we're talking about job hunting and that kind of thing, and you're getting really paranoid here, you know, you don't have to go back and remove all of your social profiles. I mean, depending on what they are, it might not be the worst idea. You probably do want to go back and take down some of those or untag yourself in, you know, clearly drunk photos and stuff like that. Because the reality is, most employers are probably going to look.

Lee Burgess: Yeah. I mean, I'll just say, I mean, we Google folks when they apply for a job.

Alison Monahan: Well and not even on purpose sometimes. I mean, sometimes it literally like, oh, they, you know, say that they do this thing, let's double check that that's true. Let's find their LinkedIn profile. And as soon as you find their LinkedIn profile, you're going to see 10 other things, which brings me to my next point, which is really here in terms of job hunting and presenting a positive impression. Your best defense is a good offense, so you need to kind of control what people are going to find when they Google you.

Lee Burgess: Yeah. I guess, if you've not Googled yourself recently, you should Google yourself and find out.

Alison Monahan: Yeah, and you should go in incognito mode, because it knows who you are if you're in your own browser. So, you know, if want to totally borrow your friend's computer or whatever, but if you go into incognito mode in most browsers, I think it's going to give you kind of a representative idea of what an average person Googling you is going to see.

Lee Burgess: And so, what can you do if that doesn't look so great?

Alison Monahan: Well, I mean the question, the first question you've got to ask is, like, is there anything I'd be concerned about here. You know, say for example, you had an incident in college where you were arrested or something like that, and it's in the college newspaper. You know, that's explainable, but you don't want it to be the second thing you find. So, the goal here is really to push that down the page, preferably onto the second or the third page. So, I think the first thing, you really need to keep your LinkedIn profile current, and make that really

professional, so a nice headshot, you know, make sure it's entirely 100% consistent with any resume that you're sending around, because it's the first place people are going to go to look for you. Because the question is just are they telling the truth. And also, LinkedIn has really great SEOs, so it's probably going to be basically the first thing that pops up.

Lee Burgess: Yeah. And, hey, let's talk about easy ways to get a nice headshot.

Alison Monahan: Okay.

Lee Burgess: Okay, because I think this is such great advice, because, you know, hey there's a new iPhone apparently, they're like the new ... You get a portrait-

Alison Monahan: The face model, which totally creeps me out.

Lee Burgess: Yeah, the portraits. Yeah, but like there's a new portraiture function. I don't know, but all you need is like a nice background. You know, white maybe not so flattering for most folks, but, like, you know, a nice wall or brick wall or tree-

Alison Monahan: Peachy, green, blue.

Lee Burgess: Yeah, like any sort of nice wall, like, just brush your hair if you're a woman and you want to put on a little make up, that's cool, and just have your friend take your iPhone and go out and take some snapshots. That is going to be-

Alison Monahan: And look for good light. Good light it key.

Lee Burgess: And look for good light, natural light, later in the day, warm glow, it's going to be great. The problem is, a lot of people would prefer to do the cut-out picture, you know, like-

Alison Monahan: Like passport?

Lee Burgess: Somebody's got their arms around you. No, like I'm thinking like the party picture-

Alison Monahan: Oh, you mean like having a dance with my like ex-boyfriend?

Lee Burgess: Right. Which, when I see that on a LinkedIn profile, even if someone who's like a law student, I'm kind of like, it's so easy now to just go have a decent picture. It doesn't have to be like a super amazing, professional headshot, which can be incredibly expensive. But, you know, it is good to just take the iPhone and go head and get some done. The other option is if you really want to have professional headshots done. Let's say you decide to start a blog, which we're going to talk about in a little bit, or you're going, you know, you're like, "Oh, this picture's going to be on the internet." Often times, you can contact an art school and get an art student who sometimes needs to have portraitures done for a

class, and you could do a trade with somebody. There are a lot of different options to try and get shots done.

I just saw that now minted.com is doing super cheap family portraits where they're sending someone to, like, meet you, and it was like a hundred bucks or something like that, which in the photography world is really cheap.

So, I don't even know if stuff like that is an option, but there are more options if you want, you know, more professional headshots done, then I think, many people realize, but you need to have something that looks professional.

Alison Monahan: Yeah, exactly. And also, you know, a lot of law schools will sometimes have those, or events, like conferences, will often have a headshot area where you can go and get your hair and makeup done and get a quick headshot. Bar associations often times will have stuff like that. You know, if you keep your eyes out, and you for whatever reason don't want just your phone photo, which those cameras are amazing now. I was at a photography workshop a week or two ago, and several people were saying that they think, you know, the quality of what they're shooting on their iPhones is as high, if not higher than what they're shooting on their \$4,000 cameras.

Lee Burgess: Which is insane. Which is really insane.

Alison Monahan: Yeah, but that's great for your benefit.

Lee Burgess: It is.

Alison Monahan: Because, again, you want to be consistent across platforms. You know, so if you're trying to present a professional image, you don't want photos that don't look like each other.

Lee Burgess: That's true.

Alison Monahan: It's better, trust us, it's so much easier once you have a nice headshot, because it's amazing how often you need that actually.

Lee Burgess: It is true, but I also think it's to be aware that you want to make sure those headshots look like you. If you do a radical change, like you all of a sudden had long, long, long hair, and now you've decided you're going to have short hair forever, you probably need some headshots that have short hair, because somebody's probably going to be like, "Are you sure that's you?" You know, I think that you want to make sure they at least look like you.

Alison Monahan: Yeah, exactly. You don't want people to be surprised when you walk in the door because you've decided to dye your hair purple. You know, it's like, you can do that, but there probably needs to be a little bit of warning.

Lee Burgess: Yeah. So, I think there are a lot of options for headshots, and if anyone listening is thinking that they need headshots, and you go to a law school, and you're, like, an officer in a club, I would have loved it if one of the clubs on campus had done a headshot work shop.

Alison Monahan: Yeah, for sure.

Lee Burgess: That would have been amazing. Yeah.

Alison Monahan: Oh yeah. And imagine, like, if you're a young photographer, and even if you're, you know, say, people are paying \$20 or something for two digital images. You get 20 or 30 people, I mean, that's quite a lot.

Lee Burgess: Yeah. And you know, art students, like-

Alison Monahan: I'm sorry, you can live on that for a while if you're in school.

Lee Burgess: Yeah. I mean, like, if you in a metropolitan area, you've got art students or there even can be photography classes at an undergrad campus that can be linked to your campus. I was at my high school reunion, and they actually had a high school student who took pictures, and they weren't bad. I'm just saying. The guy did not do a bad job.

Alison Monahan: You know, cameras are cheap these days. You can get really high quality.

Lee Burgess: Yeah. I mean, they didn't pay him very much, but he was better than not having a photographer there.

Alison Monahan: Yeah, exactly. Everybody has a camera these days. So, there's really no excuse for having a terrible headshot that's super out of date. It's just not necessary. All right. What else can you do on offense? Well, speaking of headshots, one thing we often encourage people to do is to write for other publications. So, things like [Medium](#), which you can just create and account and sign up for and write about stuff. [Ms. JD](#), for example, has a writer and residence program that, I think, they may be currently accepting applications for. But these are good ways to get your name out in a professional context. Maybe a blog at your school has something related that you can write about or an online journal, that kind of thing. These show credibility.

Lee Burgess: And if you have an area of interest, you can use some of these writings to explore that area. So, you know, going back to my gun control example from earlier, if you're somebody who is interested in public policy work around, like, violence prevention, you know, you could do a series on a blog about the research and learning you're doing about job opportunities in that realm. Like, what's the way to have the highest impact? Is it to go work for the legislature? Is it to work for a think tank? Is it to try and work for politicians do elections? I could just see a really interesting series on your own journey of looking at

different job opportunities to invoke change. And if that's what you want to do with your life, and then you apply for a job at a think tank that works for gun control, and they find that stuff, that's going to give you a ton of credibility.

Alison Monahan: Right. And they don't even have to find it, you can put it on your resume.

Lee Burgess: Yeah.

Alison Monahan: You know, I mean, I think in that sort of situation, that would be a time that you might want to consider having a blog or a website of your own. So, you know, they are kind of two ways you can go with this. One is you can just have a personal website that's like LeeBurgess.com which, if you haven't registered your own domain name, your own name as a domain, if it's still available, just go ahead and get it. There's really no reason not to.

Lee Burgess: Yeah. Mine wasn't available when I changed my name. It was so sad.

Alison Monahan: Yeah. So, you know, I have AlisonMonahan.com, I have no idea what's up there, don't go look for it, but, you know, if there's not a lot out on the internet about you, this is a good way, where really all it has to be is, again, a nice-looking headshot, a bio that basically mimics what you put on LinkedIn, probably a link to your LinkedIn, a link to any publications. You know, it can be super simple, but it's just one more search result that shows, okay, Lee is a real person, this is what she looks like, it's consistent with these other photos, her experience is consistent, okay, I'm feeling confident, you know, she's not catfishing me.

Lee Burgess: Yeah.

Alison Monahan: And then you can go beyond that if you have things you want to talk about and really start a blog where it does become, you know, your thinking and learning about a certain topic, and that can really establish a lot of credibility. Of course, it takes time and energy, and you have to have something to say, but if you can do that, it can be really powerful.

Lee Burgess: Yeah. I think it's a way to shift the conversation and set yourself apart out from someone who maybe says they have a lot of interests, but doesn't have, you know, evidence of the hours that you've put into it. I will say if you are putting together a blog or something like that, and especially if you think that folks, for a job prospects, are going to look for it, just make sure everything is proofread or like hire a copywriter, which can also be done for not very expensive, but just make sure that it's clean and professional. If you're trying to clean up your professional profile, and you're publishing stuff that's got a bunch of typos in it, that's not going to represent yourself very well, so just make sure it's being proofed by another person if proofing isn't your strong suit, but just be careful.

Alison Monahan: Right. And I think you have to differentiate here, too, between a professional blog, where you are trying to make a good impression and be a professional,

and a more personal blog. I mean, I have tons of friends who have, you know, blogs about their kids or their cats or whatever it is. There, you might want to consider using an alias or not using your full name. Not because there's anything wrong with it, but just because it can look a little unprofessional if you're spending, like, all this time and energy doing nothing but posting photos of your cute dog. I mean, I love your dog too, but, you know, I don't necessarily, as an employer, want to think about how much time you're spending doing that.

Lee Burgess: Your dog can have its own Instagram account.

Alison Monahan: Exactly. We have lots of people who have dog, you know ... Again, like, maybe eventually somebody puts the pieces together on that, and they figure out who you are, but that's not really so much the concern. The concern is really somebody typing in Lee Burgess into Google, and the first four hits are about her dog blog. And like, maybe that's a plus for some people, but most people are going to be like, "Oh, okay, is this what she's really passionate about? You know, she's spending all of her time on this." I think there's a balance.

Lee Burgess: But I like a good dog Instagram feed, so I will say, happy to see cute dog pictures, but that's different than, you know, Googling somebody to work for me.

Alison Monahan: Yeah. It's just a question of, you know, and this is a question I think you have to be asking yourself. Is this the impression you want to be presenting? Is there anything that you'd be concerned about here?

Lee Burgess: Yeah.

Alison Monahan: You know, and one other thing, people, in addition to going incognito and Googling themselves, you can actually even set up a Google alert for yourself.

Lee Burgess: Yes.

Alison Monahan: So, you know, if you're concerned about the vindictive ex publishing crazy stuff about you on the internet, you probably want to do that so that you will actually get an email that says, "Hey, a new page has just gone up talking about all this insane stuff that Lee did."

Lee Burgess: Mm-hmm (affirmative). Yeah.

Alison Monahan: And then, you know, there are ways that you can deal with that, but you can't even think about dealing with it unless you know it's there.

Lee Burgess: Yeah. So just do that. It's smart, and make sure you do a few different versions of your name, like with a middle name, without a middle name, just set them all up. You never know what can pop up.

Alison Monahan: It's amazing the things that pop up on the internet. It really is. And I guess one final point on this, I mean, I guess my main take away here is just, you know, you need to be aware of what you're putting on there, of what other people are putting out there, and of the impression it can give. The other thing to think about somewhat seriously is it's actually totally fine to just step away from all of this.

Lee Burgess: Yeah.

Alison Monahan: You know, Cal Newport, who has written a number of books is very successful. He's a professor. He just is basically, like, you know, you need to stop being on twitter and stop being on Facebook and stop being on all these things because it's so distracting, and it's really harming people's productivity, and I think that's a valid point.

Lee Burgess: I think it's a really valid point, and if you're finding yourself distracted or having a hard time focusing when you study, you know, you can always go on a diet. You don't have to quit it forever. You know, you can just take like a month off or a week off. But anytime you step away from something, it just reminds you where you were at that moment. You know, and these bad habits, I think it ... I don't know if you would feel the same way about this, Alison, but anytime you like quit a bad habit, it seems like it like creeps back in sometimes, maybe not something so extreme.

Alison Monahan: I remember you quit Facebook at the beginning of the year.

Lee Burgess: I did.

Alison Monahan: A year, didn't you?

Lee Burgess: I did. Yeah. It was a diet. It was not a lifestyle change. It was a diet, but I-

Alison Monahan: So, you weren't really committed to it, basically.

Lee Burgess: Yeah, basically. Well, it was a trial, and I went back. But you know, I think, it is just interesting to kind of reset periodically. So, you know, like, what are you going to lose? You can always block the site using one of the online apps where you can like, you know, keep yourself from going to certain websites and stuff like that, if you feel like you really need to take a break.

Alison Monahan: Yeah. Or you can just rechannel that energy. You know, instead of mindlessly browsing through some of these feeds and possibly posting something that you're not proud of in the end, maybe you spend that time setting up your personal website or your personal blog or getting your headshot done. You know, if you just can't stay off the internet, you could channel it in a more productive direction, and you'd probably be happier.

Lee Burgess: Yeah. And with that, we're out of time. If you enjoyed ... I know. Also, listen to our podcast, because it's a good use of time.

Alison Monahan: Exactly.

Lee Burgess: If you enjoyed this episode of the Law School Toolbox podcast, please take a second to [leave a review and rating](#) on iTunes. We'd really appreciate it. And be sure to subscribe so you don't miss anything. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at Lee@lawschooltoolbox.com or Alison@lawschooltoolbox.com, or you can always contact us via our [website contact form at LawSchoolToolbox.com](#). Thanks for listening, and we'll talk soon.

Resources:

- [Gizmodo, "How Facebook Figures Out Everyone You've Ever Met."](#)
- [Medium](#)
- [Ms. JD](#)