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ANALYSIS



## 'A Very Fast Way for a Young Attorney to Destroy Their Career': Lawyers on Social Media Disrupt Rainmaking Dynamics, Finding Success and Trouble

"People on TikTok—and you could say the younger generation generally—there's an authenticity they crave. They don't want the lawyer on the billboard," Thomas Bosworth said.

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Social Media



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Bureau Chief



The traditional law firm paradigms of clients coming in through rainmaking partners or institutional advertising are now being turned on their head, thanks to the disrupter dynamics of social media.

Look no further than the ongoing [dispute](#) between the preeminent Philadelphia-based personal injury firm Kline & Specter and its 33-year-old former associate with a sizable presence on TikTok who was recently fired from the firm.

Although a [lawsuit](#) Kline & Specter lodged against Thomas Bosworth alleges the young lawyer mishandled cases and focuses on his alleged breach of his employment contract by improperly contacting clients in the wake of his termination, the lawsuit also sheds light on tensions that arose in part from Bosworth's successful TikTok account, something Bosworth has said was bringing in clients by the dozens.

Wayne Pollock, a lawyer and founder of legal marketing firm Law Firm Editorial Service, said disputes like these speak to broader dynamics at play.

"What you see with Bosworth is a shift in the economics of client acquisition and a shift in the power in client acquisition," Pollock said. "You could very much have firms where the younger attorneys who are good on social media begin to have more power, or are wanting more of a say in the business if they are starting to bring in a larger percentage of the firm's business."

And the trend isn't just affecting personal injury firms, but has also begun emerging in Big Law as well.

The larger ramifications of this trend, Pollock said, means managing partners will increasingly need to consider ceding ground and equity to younger attorneys, and that high-profile lawyers will begin branching out on their own earlier in their careers.

Citing the fiery dispute involving Kline & Specter and Bosworth, Pollock said, "The funny thing here is are we witnessing the beginning of the career of the next great Philadelphia trial attorney? Or are we watching Icarus on his ascent into the sky?"

## Big Law

While the trend may be more acute in the personal injury bar, Big Law is not immune.

"I've seen associates that have built personal brands about their families experience negative performance reviews only attributable to their use of social media," SMB Law Group founding partner Eric Pacifici said. "I personally don't believe there is any room within traditional law firms to build a meaningful personal brand. It's a very fast way for a young attorney to destroy their career."

Pacifici knows firsthand about the rigidity of operating a social media account while working in a Big Law firm. Before launching Tampa-based SMB Law Group in July, he worked at several Am Law 100 firms, including Gibson, Dunn & Crutcher and, most recently, Kirkland & Ellis.

According to Pacifici, he began tweeting anonymously in August 2020 in a niche business community he was interested in. The posts, he said, provided very rudimentary information about things these business owners should know, and by the end of the year he realized he was on to something.

"There's not a lot of high-quality transactional lawyers who want to help in this space," he said. "By the end of the year a lot of people were asking if they could hire me, but the answer was emphatically no because I was at a high-end law firm, and the high rates just didn't pencil out."

Pacifici said he was very careful not to do anything the firm would find objectionable. He didn't retain any clients, or perform any services. He kept his posts informational and his profile anonymous, until he felt he'd amassed enough goodwill in that community, which seemed hungry for legal advice, to strike out on his own.

In July, Pacifici teamed up with two other Big Law lawyers, who'd previously worked at Cravath, Swaine & Moore and Cooley, among others, to launch their own firm focusing on businesses of \$15 million or smaller.

With rigid social media policies, Pacifici said he thinks Big Law firms are missing out on significant opportunities to allow their younger lawyers to develop individual brands.

"I networked more people in six months on social media than I had in a decade in Big Law," he said, noting that, even in a very business-oriented niche, the posts that resonate the most are the "silly" posts, such as family photos or the pictures of pizza he posts every Friday.

"I understand they have a lot of people to control, but what a lot of people don't realize is the marketplace wants to meet the individual," he said. "Nobody wants brand-based advertising anymore. ... What's interesting to people is people."

On the grand scale though, Pacifici said that he is doubtful many Big Law attorneys are going to follow his trajectory.

"We're a very risk-averse profession," he said.

## Personal Injury

On the other hand, the personal injury bar has a tendency to grow through breakups.

Given this tendency and the fact that the personal injury bar is heavily reliant on more traditional methods of advertising, such as highway billboards, TV and radio commercials, and subway and bus ads, an individual lawyer's outsized success on social media may be uniquely disruptive for the personal injury bar, Pollock said.

Advertising can be the hardest thing for a firm to do, and firms can spend hundreds of thousands of dollars each year with no guarantee they'll be getting that money back. But with social media, a high-profile account can bring in dozens of leads a week with little, if any, money being spent.

Traditional advertising is also very regional. But with social media, a single post could bring in leads from anywhere in the country.

"Just because you're a local practice, it doesn't mean you can't refer them out based on the leads you're getting," Pollock said. "It could be the start of a super referral firm acquiring national leads."

One Philadelphia firm, Ethen Ostroff Law, which launched at the start of 2022, is moving into that niche and finding success.

The firm was started by Ethen Ostroff, who worked for a few years at his father Jon Ostroff's Ostroff Injury Law, and helped other personal injury firms develop their client-management and intake processes, before deciding to strike out on his own. Ostroff said his firm is geared toward generating leads, signing clients and then referring those clients out. Throughout January, he said, the firm generated more than 2,000 leads and signed 338 cases.

"I grew up wanting to build a brand in law more than beating my chest in a courtroom," Ostroff said. "It's a way, as a young lawyer, to get my name out there."

According to Ostroff, who is 30, social media was "100%" part of the equation for starting his own firm.

Ostroff said that when he joined TikTok in the fall of 2019, he was one of only a handful of lawyers on the site, and when he began posting informational videos, he quickly gained traction.

Initially, Ostroff said, he intended to do what he was doing at his father's firm. But although he said he's very grateful for the opportunities he had there, his emphasis on social media occasionally led to tensions.

"I definitely frustrated people at times, where they'd think, why are you recording a TikTok instead of doing legal work?" he said.

Today he has 219,000 followers on the site and more than 7 million likes. Although Ostroff said that he has developed leads through his TikTok page, most of his leads come through advertising on Facebook.

Along with the more typical lead generation, he also partners with mass tort firms to run nationwide advertising campaigns on Facebook. And, on the flip side, he also partners with social media-savvy attorneys who can generate leads, but don't have the intake systems to fully onboard clients.

"There's an opportunity in that, that I think is very untapped right now," he said.

And, with the growth of social media on the front end and AI on the back end, Ostroff said, this trend is likely to continue escalating.

“Generalists are in trouble. If you are underestimating systems and efficiency, you’re in trouble. Especially for personal injury firms,” he said. “The firms built lean and efficient, with high margins and a high-value design, they will be really owning the market in three to five years.”

## Bosworth

Bosworth said he began using TikTok at the suggestion of his wife, and made his first post from his car while on vacation in Massachusetts. His profile, however, made no mention of the firm where he had been working.

Bosworth said he had a track record of bringing in cases, but that exploded when he launched a TikTok account in 2021 and began posting about medical litigation-related issues. As of late January, the account had 157,500 followers with more than 2.4 million likes, which, according to digital marketing blog [ViralNation.com](https://www.viralnation.com), makes Bosworth a midtier influencer.

“It’s just me, just posting videos in my T-shirt,” he said. “People on TikTok—and you could say the younger generation generally—there’s an authenticity they crave. They don’t want the lawyer on the billboard.”

Bosworth said younger lawyers should be aware about the tensions that may arise in their firms from an active social media presence.

“I have no regrets about going to social media. I never went to it to solicit clients or cases. I literally do informational videos. It serendipitously resulted in a ton of cases,” Bosworth said. “You asked whether there’s tension there? Heck, yeah. I’ve spent a total of 0.00 dollars to do that, and I’m generating potentially millions in fees.”

Bosworth has an office in One Liberty Place, home to many high-profile Philadelphia firms, where he works with a paralegal and is looking to bring on one or two more lawyers soon to help handle the caseload. Although he said he expects referrals to become a “supplemental source” of income, Bosworth said he plans to continue focusing on catastrophic personal injury work.

According to the lawsuit, firm leaders saw things differently. The suit says Bosworth was “shamelessly devoting most of his energy to self-promotion on social media ... to the detriment of the firm, its clients and potential clients.”

The lawsuit agreed that Bosworth was bringing in hundreds of cases, but said the vast majority of them did not meet the firm’s standards. Further, the suit said that he was bringing in too many cases for him to properly handle, leading to cases being reassigned to other attorneys.

Bosworth has responded to those claims by arguing that all high-end catastrophic injury firms decline about 90% of the clients who reach out, and the ratio of clients with worthy claims reaching out to him was no different.

Echoing what was said in the complaint, Kline & Specter name partner Shanin Specter disputed the notion that social media is inherently a source of tension at personal injury firms, and said Kline & Specter, as well as many of its lawyers, are active on social media.

“I think it’s great to be on social media. It’s one more way of communicating information about legal services,” he said. “But an attorney [cannot] permit social media to swallow their other responsibilities.”

Specter said social media is one of the ways the firm gets clients, and it’s also proved to be a successful way for some lawyers to establish busy referral practices.

“My view on that is, good for them. But there’s not enough time in the day to both run such social media campaigns and to actually handle the work,” Specter said. “You have to chose which one you’re going to be.”

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