

## Social media and jurors

The American Bar Association has just sanctioned the use of social media for attorneys for both jury selection and to monitor jurors during the course of proceedings. In those cases where both time and physical resources would make it practical to mine potential jurors' websites or postings, the ABA's rule is both logical and necessary.

When picking a jury you are faced with asking complete strangers questions with the intent of learning about them and determining whether they can be fair to your client. By and large you are bound by their answers, never knowing whether they have been honest and straightforward with you, or to themselves. Their belief that they can be fair may be belied by their previous actions and certainly their comments.

Having the ability to simply check things that they may have posted, comments that they have made or positions that they have taken on issues is a much better way of finding out what these potential jurors are about, as opposed to asking the standard question and getting the usual answer.

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