

The Rise of 'Lawfluencers': Exploring #LawTok's Influential Voices

Mikayla Howard

In an era where social media platforms such as TikTok shape cultural conversations and redefine professional landscapes, it should come as no surprise that the legal field is also being redefined by social media. TikTok is home to #LawTok, a niche community of lawyers, law students, and legal enthusiasts that create and consume content related to the law. In 2022, #LawTok already had a billion views on TikTok.¹ #LawTok offers a glimpse into the diverse and dynamic world of the legal profession. These users harness the power of short form video creation to explain legal concepts, give advice, share experiences, or comment on current events. Lawyers who use TikTok and other social media platforms can reach a large and diverse audience, build their personal brand and reputation, generate leads and referrals, and create a community of followers and supporters. TikTok also allows lawyers to participate in the public discourse on legal issues and stay updated on the latest trends and news. This blog will briefly discuss lawyers on TikTok, the ethics of lawyers using social media, and then briefly offer some recommendations for lawyers to safely utilize social media.

Influencers and social media go hand in hand, like peanut butter and jelly. A social media influencer is a social media user with established credibility in a niche community, that also has a loyal fanbase. Social media influencers can use their credibility to persuade others through their perceived authenticity and reach. Often social media influencers partner with brands to promote products or services to their fanbase in exchange for compensation, free products, or discounts.² Influencers who are also lawyers are referred to as “lawfluencers.”³ Since TikTok is a newer platform, law firms are still trying to navigate the issue of lawfluencers and policies on employees’ use of social media platforms differ amongst big law firms. A consistent standard has yet to be established on both social media presence and using social media as an avenue for moonlighting. Moonlighting is the act of someone working a secondary job outside of the hours of their primary job.⁴ Many firms have some sort of policy against moonlighting to avoid potential conflict of interests, decrease in job performance, or misuse of an employer’s resources. With the current state of the economy, it is no surprise that attorneys (big law or otherwise) are looking for different sources of income.

Many lawfluencers are using social media to divulge personal hobbies and show that one can be more than just a lawyer. These attorneys see TikTok as a form of self-expression and even a source for potential income. Firms have had different reactions to attorneys using social media. Some partners at these firms have asked their younger associates for help filming their own

¹ Cecillia X. Xie, *How TikTok Can Revolutionize Your Legal Practice*, NYSBA (Oct. 3, 2022), <https://nysba.org/how-tiktok-can-revolutionize-your-legal-practice/>.

² *What is a Social Media Influencer?*, EMPLIFI, <https://emplifi.io/definitions/social-media-influencer> (last visited Mar. 7, 2024).

³ Legal Cheek, *Lawfluencers Opting For ‘Quantity Over Quality’, Researchers Claim*, LEGAL CHEEK (Aug. 25, 2023, 12:46 PM), <https://www.legalcheek.com/2023/08/lawfluencers-opting-for-quantity-over-quality-researchers-claim/>.

⁴ *Moonlighting*, CORNELL L. SCH.: LEGAL INFO. INST., <https://www.law.cornell.edu/wex/moonlighting> (last updated July 2021).

videos.⁵ Others have been less hands on but overall okay with attorneys having a social media presence as long as they do not mention the firm and make clear that any views and opinions are their own.⁶ Many older and large firms have been strongly against attorneys moonlighting or simply having a presence on social media. Since there is no consistent policy, the leniency offered is firm dependent. For example, Joanne Molinaro is a TikTok content creator, cookbook author, and food blogger that is known as “@thekoreanvegan” on TikTok.⁷ As of March 2024, she currently has 3 million followers on TikTok and 766,000 followers on Instagram.⁸ When she is not booked and busy doing media appearances she is also a Bankruptcy and Business Reorganizations Partner at Foley & Lardner, a top 50 US law firm that is supportive of Molinaro’s endeavors.⁹

Other big law firms, such as Morrison & Forester, Cravath, Swaine & Moore, and Simpson Thacher & Bartlett, have current and former associates moonlighting on social media as lawfluencers. Cecillia Xie, a former associate at Morrison & Forester, joined the platform during the pandemic and made videos of what the work from home experience looked like for big law attorneys. She began transitioning her page from lawyer memes to exposing the lifestyle of a big law attorney in NYC and offering advice to law students and new associates.¹⁰ Xie eventually quit her job in big law in order to write a book about the culture of big law and has continued documenting her new path on social media.¹¹ Xie left the firm on good terms and has publicly praised the firm’s “amazing culture.”¹² Eni Popoola (known as @enigivensunday on TikTok) left Cravath, Swaine, & Moore in order to further pursue her beauty blogging career on the platform, as her paid partnerships clashed with the firm’s policy on moonlighting and outside work.¹³ Her TikTok bio now reads “[u]sed to work in law, now I do what I want.”¹⁴

Simpson Thacher & Bartlett associate Priscilla Hamilton (known on TikTok as @LegallyPriscilla) discussed in now deleted videos that the firm rejected her request to do paid promotional posts because the posts would be considered conflict of interests. Hamilton then goes to say that she was told that any and all requests to do paid promotional posts would be rejected as a conflict of interest even if no real conflict exists.¹⁵ She even met with the general counsel of the firm in order to better understand the firm’s stance as she had been following the

⁵ Tiana Headley, *Big Law’s TikTok Stars Embrace Industry’s New Social Media Norms*, BL (July 12, 2021, 6:01 AM), <https://news.bloomberglaw.com/business-and-practice/big-laws-tiktok-stars-embrace-industrys-new-social-media-norms>.

⁶ *Id.*

⁷ *Id.*

⁸ Joanne L. Molinaro (@thekoreanvegan), TIKTOK, <https://www.tiktok.com/@thekoreanvegan> (last visited Mar. 7, 2024); Joanne Molinaro, The Korean Vegan (@thekoreanvegan), INSTAGRAM, <https://www.instagram.com/thekoreanvegan/?hl=en> (last visited Mar. 7, 2024).

⁹ Headley, *supra* note 5; Joanne Lee Molinaro, WIKIPEDIA, https://en.wikipedia.org/wiki/Joanne_Lee_Molinaro (last visited Mar. 7, 2024).

¹⁰ Headley, *supra* note 5.

¹¹ As told to Aria Young, *When I Get Jealous of People, I Use That Envy as a Guidepost. Here’s How It Led Me to Quit My Prestigious Big Law Job.*, BUS. INSIDER (Dec. 28, 2023, 1:24 PM), <https://www.businessinsider.com/big-law-associate-quit-job-jealousy-career-life-goals-2023-12>.

¹² Jenna Greene, *When TikTok-Famous Associates Clash With Their Law Firms Over Paid Deals*, REUTERS (May 4, 2024, 4:55 PM), <https://www.reuters.com/legal/transactional/when-tiktok-famous-associates-clash-with-their-law-firms-over-paid-deals-2023-05-04/>.

¹³ Meghan Tribe, *Big Law Lawyers Are on TikTok. Their Firms Are Conflicted*, BL (May 16, 2023, 5:00 AM), <https://news.bloomberglaw.com/pharma-and-life-sciences/big-law-lawyers-are-on-tiktok-their-firms-are-conflicted>.

¹⁴ @enigivensunday, TIKTOK, <https://www.tiktok.com/@enigivensunday?lang=en> (last visited Mar. 16, 2024).

¹⁵ Tribe, *supra* note 13.

firm's policy on submitting requests for paid promotional posts. Simpson Thacher ended up releasing a statement saying that the firm "...does not permit employees to get paid to promote products or brands, in order to avoid potential business or legal conflicts with our current and future clients, in accordance with applicable law."¹⁶

Meeghan Tirtasaputra, an associate at Fox Rothschild, began making TikToks during the pandemic when she noticed that many law students, especially first-generation law students, were struggling to navigate the legal profession. She has never directly mentioned her firm, but the firm has highlighted her TikTok videos both on their website and on their own social media accounts.¹⁷ Tirtasaputra does not do paid promotions or collaborations which could be a strong reason as to why her firm is more encouraging of her social media use than others.¹⁸

Law influencers are not just causing moonlighting issues within their firms but also could be violating ethical rules. The *Georgetown Journal of Legal Ethics* published a study in which lawfluencers were criticized for their "rushed, poorly researched or even inaccurate advice."¹⁹ Like all influencers, lawfluencers feel pressured to follow the quickly changing trends to beat the TikTok algorithm and show up on more viewers' "for you page." Due to the speed at which this is done, some lawfluencers are not properly researching and preparing their information and instead are offering below standard or wildly inaccurate legal information. There is a growing concern of unqualified lawfluencers who are blurring the lines between legal information and legal advice. Legal information is simply information about the law and can be given by anyone, since it is basic knowledge and objective statements about the law and not a specific legal situation.²⁰ Legal advice, however, is the application of legal information to a particular set of facts, thus creating an attorney-client relationship.²¹ Inadvertently creating attorney-client relationships is an ethical concern of lawfluencers, as well as breaching fiduciary duties such as the duty of confidentiality.²²

When used in compliance with the rules of professional conduct, social media can be an extremely valuable tool. According to the 2022 ABA Legal Technology Survey Report, 89% of those surveyed indicated that their firms have some form of social media presence.²³ According to a 2018 ABA survey, 35% of people who utilized social media platforms for professional purposes gained clients.²⁴ 42% of small firms gained new clients by marketing through social media.²⁵ Not only is social media useful for marketing, but it also allows attorneys to stay up to date on legal trends and provide a medium to offer personal commentary on current events. A benefit to using TikTok in particular is that the videos give a personal and authentic edge that other marketing materials, such as commercials or billboard advertisements, lack. An unidentified attorney began using Tik Tok as method of marketing and was able to get more views and engagement on her videos than she would have been able to get with traditional

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Legal Check, *supra* note 3.

²⁰ *Legal Information vs. Legal Advice: What's the Difference?*, SCHILLER DUCANTO & FLECK (Sept. 20, 2022), <https://www.sdflaw.com/news/detail/legal-information-vs-legal-advice-whats-the-difference>.

²¹ *Id.*

²² Legal Check, *supra* note 3.

²³ Trevor Molag, *The Complete Guide to Social Media for Lawyers*, CLIO, <https://www.clio.com/resources/digital-marketing-lawyers/social-media-lawyers/> (updated Dec. 30, 2022).

²⁴ *Id.*

²⁵ *Id.*

marketing methods. In fact, two of her biggest cases have come from clients who came across her TikTok.²⁶

For those who are looking to make a little extra money by combining their love of the law with their love of social media, it is important to find a firm that has the same values and approach towards social media use. Social media, when used appropriately and in compliance with professional codes of conduct and applicable policies, can be a powerful marketing tool and beneficial to lawyers and law firms.

²⁶ Xie, *supra* note 1.