

MSBA EMAIL DISCUSSION LIST RULES

The Maryland State Bar Association (MSBA) Email Discussion List Rules will be posted regularly to the Email Discussion Lists as a friendly reminder for long-time users, and as a valuable orientation for newcomers. The subject header will be “MSBA Email Discussion List Rules”. The rules will also be available on the MSBA website.

Along with rules below, members are reminded that their posts to Email Discussion Lists are subject to the Maryland Attorneys’ Rules of Professional Conduct.

If you have any questions regarding these Email Discussion List Rules, please email membership@msba.org.

PURPOSE OF EMAIL DISCUSSION LISTS

The Maryland State Bar Association (MSBA) provides Email Discussion Lists as a resource for its members. The purpose of the Email Discussion Lists is to provide a forum for members to share their collective knowledge and experience, and discuss issues or topics related to the practice of law, and legal questions. In addition, the Email Discussion Lists are utilized by the MSBA, and its Sections and/or Committees, to provide notice of meetings, CLE opportunities, networking events, and other programs.

The MSBA Email Discussion Lists are not designed as a vehicle for communication with MSBA Leadership or staff; rather, the Email Discussion Lists are designed as a forum for legal professionals to share their knowledge and discuss matters relating to the practice of law and legal questions. Please direct questions and/or comments related to MSBA membership, governance, and other related matters, to the MSBA by sending an email to feedback@msba.org, and/or membership@msba.org, or by calling 410-685-7878.

ANTITRUST ISSUES

Users may not post queries or information and must refrain from any discussion which may provide the basis for an inference that the members agreed to take action relating to prices, production, allocation of markets, or any other matter having a market effect. Examples of topics which should not be discussed include current or future billing rates, fees, disbursement charges, or other items which would be construed as “price”, fair profit, billing rate, or wage level, current billing or fee procedures, imposition of credit terms. Do not post regarding refusing to deal with anyone because of his/her pricing or fees.

There is no organization too small or too localized to escape the possibility of a civil or criminal antitrust suit, and the penalties for violating federal or state antitrust laws are severe. The government’s attitude toward professional associations requires professional association

members, as well as professional associations themselves, to at all times conduct their business openly, and avoid any semblance of activity which might lead to the belief that the association members had agreed, even informally, to something that could have an effect on prices, fees or competition.

CONFIDENTIALITY ISSUES

When posting, please be mindful of confidentiality issues. When seeking information, attorneys need to remain aware that client confidentiality obligations apply. Members should share the least amount of factual information possible to provide context for a question or comment.

GENERAL RULES OF POSTING

1. MSBA Email Discussion Lists are not to be used for commercial purposes, and the advertisement or promotion of commercial products or services is prohibited.
2. Only MSBA sponsored continuing legal education (CLE) programs or publications may be promoted or advertised on the MSBA Email Discussion Lists.
3. MSBA Email Discussion Lists are not intended to discuss political, religious or other non-legal views outside the realm of legal related issues. Solicitations for, and endorsements of, political candidates on MSBA Email Discussion Lists are prohibited. In addition, requests for financial contributions to any non-MSBA entity are also prohibited.
4. Do not post copyrighted material without the express permission of the copyright owner.
5. Do not post any defamatory, profane, abusive, threatening, offensive, obscene or otherwise inappropriate language to the Email Discussion List.
6. Attachments are not currently permitted on the Email Discussion Lists. Members are reminded to use caution when opening attachments from unknown sources.
7. “Help Wanted” posts are prohibited, however requests for referrals or recommendations of legal services are allowed.

8. Do not post non-legal related messages, including but not limited to social commentary, entertainment, or content intended as humor on Email Discussion Lists.
9. Members may not forward, copy & paste, and/or otherwise reproduce an email sent to them directly from another member/individual to the Email Discussion List without the express permission of the original sender.
10. Be concise. Keep paragraphs and messages short and to the point. Give your message a clear, concise subject line.
11. Be civil. Do not post inflammatory messages. These discussions are public and meant for constructive exchanges. Capitalization of whole words that are not titles is considered SHOUTING! Capitalize words only to distinguish a title or heading.
12. Be relevant. Your questions and comments should relate to the practice of law, legal issues or questions, and other related matters.
13. No private discussions. If you are responding directly to an individual about topics not related to the ongoing discussion (i.e. Mike, I'll meet you at 6 p.m.), please conduct these discussions off-list. Questions posed to specific individuals should also be conducted off-list (i.e. Mary, did you get my discovery requests?).
14. Avoid posting non-substantive replies. Appreciation to your fellow posters can be shown with a direct personal email.
15. Be judicious with the frequency of posting. Email Discussion Lists are most valuable when there are posts from a diverse group of professionals on matters related to the legal profession. The value of the Email Discussion List is diminished when there is a high volume of off-topic postings by a few individuals. Be respectful of other members by carefully assessing whether an email is appropriate for a particular Email Discussion List prior to posting.
16. All posts should include a full "signature" of the author, including name, company name (if appropriate), address, and phone number.

17. Please note that the Email Discussion Lists are not a substitute for your own legal research, and although the forums are a fantastic resource, members should conduct their own legal research before posting questions to the Email Discussion Lists.

18. Members may not post to an MSBA Email Discussion List for the benefit of non-members and/or members that have been removed from a particular Email Discussion List.

AUTHORITY AND CONTROL

1. By subscribing and participating in MSBA Email Discussion Lists, each member agrees to abide by these Email Discussion List Rules.
2. MSBA Email Discussion Lists are intended to be self-monitoring groups, where all members are encouraged to assist in assuring that these Email Discussion List Rules are honored. If a message is posted in violation of these Email Discussion List Rules, it is appropriate for another member to remind the offending poster, courteously and professionally, about the Email Discussion List Rules.
3. To report egregious or repeated violations of the MSBA Email Discussion List Rules, members should forward the offending message(s) to the Section Chair and/or membership@msba.org, along with the reason the message was deemed offensive.
4. Emails that are deemed to violate the rules of Professionalism, which not only govern these Email Discussion Lists, but all aspects of attorney communication, shall be referred to the Professionalism Committee. The Professionalism Committee will work with the Section and/or Committee chair to address the offending member.
5. Failure to comply with the MSBA Email Discussion List Rules may result in removal of the offending member from the Email Discussion List. Removal from the Email Discussion List does not affect the MSBA membership status of the offending party.
6. Any member who is removed from an Email Discussion List may apply for reinstatement by contacting the Section and/or Committee Chair and/or membership@msba.org. Reinstatement may require approval of the Section and/or Committee as well as the Professionalism Committee, and may carry stipulations, depending on the extent and type of the violation, such as, but not limited to, an open apology to the Email Discussion List.

TECHNICAL ISSUES

If you believe that there is a technical problem with an Email Discussion List, please email membership@msba.org.

UNSUBSCRIBING TO THE EMAIL DISCUSSION LISTS

To unsubscribe from an Email Discussion List, please send an email to membership@msba.org with your name, email address, and the email address of the Email Discussion List from which you wish to unsubscribe.