We live in a brave new world:

- Instantaneous communications
- E-transfer of documents
- Volumes of information online
- 24-7 news cycle
- Social networking
- *Constant* sense of urgency
Everything is:

• Faster
• Cheaper
• Easier to change
• More available

• But, is it better?

Professionals face new challenges:

• Electronic communications
• Control of work product
• Confidentiality
• Mountains of information
• Opportunities to plagiarize
• Social Media snafus
• Advertising online
• Document retention
ASPPA’s Code of Professional Conduct:

• Adopted July 1, 2013
• Restructured and strengthened existing Code
  – Preamble
  – Definitions
  – Twelve additional sections
• Applies to all ASPPA members
• Available online

ASPPA’s Code addresses:

• Advertising
• Communications
• Compliance
• Confidentiality
• Conflicts of Interest
• Control of Work Product
• Courtesy and Cooperation
• Disclosure
• Professional Integrity
• Qualification Standards
• Titles and Credentials
• Additional Obligations
  – Other codes
  – Discipline process
Professional Integrity

- ASPPA Code calls for:
  - Honesty
  - Integrity
  - Skill
  - Care
  - Compliance with professional standards

- No exception for “virtual” work!

Electronic Communications

- Clients want it NOW
- Confidentiality at risk
- Copies go astray
- Buried legalisms
- Professionalism of tone
- Permanence of message
ASPPA’s Code requires:

- Professional integrity
- Professional communications
- Control of work product
- Compliance
- Confidentiality

- What can you do?

Electronic Communications

- Insist on time to analyze
  - Reply twice
- Be careful who gets copied
  - Avoid bcc’s
  - Beware the address field
- Satisfy the law
- Avoid boilerplate
- Review complex documents on paper
Electronic Communications

- Use phone or meetings for sensitive topics
- Watch your tone
- Treat e-mail and texts like registered mail
- Use e-mail to document and confirm

Control of Work Product

- Files can go anywhere!
- Third parties may rely
- Drafts get confused
- Your clients have this problem, too
Control of Work Product

• ASPPA Code requires:
  – Professional integrity
  – Control of work product

• What can you do?

Control of Work Product

• Engagement letter:
  – Control distribution of work
  – Limit third party reliance
  – Address unauthorized editing
  – Establish protocols

• Uniquely identify drafts
• Present content fairly
• Identify sources
• Train your principals
Confidentiality

• So many ways to let things slip!
• Once it’s out, you can’t call it back
• Cybersecurity risk is constant
• Your staff may be insensitive

Confidentiality

• ASPPA Code requires:
  – Professional integrity
  – Compliance
  – Appropriate protection of confidential information

• What can you do?
Confidentiality

- Get clear with your principals
  - Engagement letter
- Know your legal obligations
- Limit access to sensitive information
- Think before you “send”
- Put cybersecurity controls in place
- Train your staff
- Know it’s all permanent

Mountains of information

- So much to read, so little time!
- How much of it’s accurate?
- Your principals read, too
Mountains of information

• ASPPA Code requires:
  – Professional integrity
  – Qualification to practice

• What can you do?

Mountains of information

• Read selectively and critically
• Identify reliable sources
• Verify facts and conclusions
• Maintain your CE
• Educate your principals
  – Be patient
  – Fill in the gaps
  – Work collaboratively
Opportunities to plagiarize

• Time pressures increase temptation
• People like being quoted, not robbed
• If it’s online, it’s public domain, right?
• How much adjustment is enough?
• How to protect your own IP?

Opportunities to plagiarize

• ASPPA Code requires:
  – Professional integrity
  – Compliance
  – Qualification to practice
  – Control of work product

• What can you do?
Opportunities to plagiarize

• Build enough time into projects
• *Always* attribute
• Ask the author
• Ask your lawyer
• If you’re not competent, don’t do it!
• Define your ownership rights

Social media snafus

• How accurate are your online bios?
• How carefully do you tweet and blog?
• You did *what* in that picture?
• Online insults and feuds
Social media snafus

• ASPPA Code requires:
  – Professional integrity
  – Professional communications
  – Compliance
  – Courtesy and cooperation
  – Appropriate advertising

• What can you do?

Social Media snafus

• Post accurate bios on the right sites
• Tweet and blog with care
• Watch the camera
• Don’t argue online
• Train your staff!
  – Online communications policy
Advertising online

• So much competition!
• Pressure to puff
• Inaccurate references
• “Internetspeak” isn’t always professional

Advertising online

• ASPPA Code requires:
  – Professional integrity
  – Professional communications
  – Appropriate advertising

• What can you do?
Advertising online

• Don’t oversell – anywhere
• View online as *part* of your advertising
• Use advertising consultants with care
• Think before you recommend
• Keep it civil

Document retention

• It seems so ephemeral
• There’s so much out there!
• Other things seem more pressing
• I’ll never get sued, right?
Document retention

• Once it’s out, it’s permanent
• E-docs can be reconstructed
• It’s no big deal – until it’s a catastrophe

• What can you do?

Document retention

• Have a policy ... and follow it!
• Train your staff
• Think before you click
With all the problems, what are the benefits?

The digital world offers a lot

- Easy access to:
  - Information and education
  - Current and potential clients
  - Colleagues, vendors and advisors
- Instant communications
  - Quick access for clarification and correction
- A worldwide showcase for your services and skills
E-communications great for:

- Required disclosures
  - Conflicts of interest
  - Sources of compensation
- Requests for information
- Quick clarifications and corrections
- Have a system to catalogue
- Be sure to verify receipt!

Bottom Line:

- Technological gifts come with a cost
- You *can* handle it
- Careful attention to technology helps you:
  - Communicate better
  - Assure your clients
  - Retain professional integrity
  - Protect yourself from litigation