

JJA LISTSERV USE POLICY

Membership in the Jacksonville Justice Association's ("JJA") Listserv is a privilege and not a right. The following rules shall be followed by all JJA Members who participate in JJA's Listserv. Members who fail to adhere to these Rules will be subject to appropriate discipline as discussed in paragraph 8 below.

PURPOSE OF THE LISTSERV:

The JJA Listserv was created to facilitate communication among Members and to assist Members in the practice of law. The purpose is to allow members to confidentially share valuable information including recent developments in the law, new defense strategies, jury verdicts, possible referrals, and law office management. It is a professional listserv, as opposed to a personal, recreational, or social means of communicating with others. As a general rule, any message containing law-related information that is likely to be of interest to other Members is appropriate. If you are unsure about the permissibility of a message contact the JJA Board of Directors at jacksonvillejustice@gmail.com.

CONFIDENTIALITY AND PRIVACY:

All information shared on the Listserv is accessible only to members who are part of the Listserv. All communications on the Listserv must be treated as privileged, co-counsel communications. Never forward or share any information from a Listserv conversation to anyone who is not part of the Listserv. For example: you may not forward an e-mail; say that you learned a certain trial skill on this Listserv; nor quote any part of a Listserv member's email. You may cut and paste publicly available information for another, such as case cites or articles, but do not forward the e-mail itself.

While this is a private online community that only current members in good standing have access to, the JJA cannot guarantee that your fellow members will comply with the community rules 100% of the time. Use good judgment if you choose to share any information of a particularly sensitive nature, such as client and case details, or making comments about peers/firms. Membership is constantly changing and it is easy to search historical conversations.

PROHIBITED MESSAGES:

1. ***Political Messages:*** Members are not to post messages endorsing or advocating any particular political candidate or position. This is of particular concern during election season and the legislative session. JJA is a non-partisan organization, and its lobbying efforts depend on support from both sides of the aisle. Therefore, it is absolutely imperative that the Listserv is not used to support or to denigrate any particular position or candidate. JJA will occasionally inform Members via the Listserv of political candidates' positions related only to support of the Civil Justice System.
 - a. Political Event Announcements: Listserv posts by members that merely inform membership of upcoming political events are permitted. A posting should avoid any commentary regarding why members should or should not support any

particular candidate, position, or political party. Announcements and/or invitations that contain commentary on the virtues or vices of any candidate, position, or political party are strictly prohibited. Should you have any concerns about whether your post complies with this rule, send the proposed post to the JJA Board of Directors at jacksonvillejustice@gmail.com. Further, only one announcement and one final reminder per event are permitted.

2. ***Derogatory messages and “Flaming” attacks prohibited.*** Members are strictly prohibited from posting any message containing comments that are racist, sexist or derogatory in any manner. Personal attacks are strictly prohibited. Flaming is defined as hostile and insulting interaction between Members, and it is frequently the result of the discussion of polarizing issues such as politics, religion, and philosophy, although sometimes it can be provoked by seemingly trivial differences. Flaming is not a constructive use of the Listserv, and Members should never attack individuals on the Listserv. Valid concerns may be voiced when the purpose is to initiate a conversation or engage in a reasoned, professional debate. Often there are at two sides (at least) to every issue. Members should be respectful of others who have a different point of view and if common ground cannot be found, at least agree to disagree respectfully. Remember to be cognizant of **Rule 2(b)** that prohibits personal debates between two individual Members. When a discussion gets to that point, it should be continued privately and not on the Listserv. Do not post messages which are threatening, abusive, harassing or defamatory, libelous, pornographic, obscene, invasive of another’s privacy, otherwise tortious or unlawful, hateful or ethically objectionable.
3. ***Messages promoting non-JJA programs.*** Generally, messages which promote other, non-JJA programs or CLE’s are discouraged, with the exception of Florida Justice Association CLE’s and events. However, if you have an event that you feel warrants being posted on the Listserv, forward any requests of this nature to the JJA Board of Directors at jacksonvillejustice@gmail.com for approval.
 - a. Do not post advertisements, solicitations, promotions or announcements of goods or services for commercial purposes, except for the purpose of sharing information with Members about third party services that are likely to be of interest to such Members, e.g. office management software. In the event you do have a financial interest in the service, you must disclose it. If you are unsure, please forward the information to the JJA Board of Directors for their prior approval.
 - b. Do not post advertisements, solicitations, promotions or announcements of charitable fundraising events that are not officially sponsored by JJA.
4. Do not post material that contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment, or which negatively affects other users’ ability to upload, download, communicate in real time, or utilize features as they have been designed to function.

5. Do not post material that violates copyright, license, right of privacy, right of publicity, trademark, privilege, right of confidentiality, fiduciary obligation, trade secret, employment obligation, agreement or other restriction of use.
6. Do not post content that constitutes, encourages or provides instructions in committing a criminal offense, violation of another's rights, conduct that is likely to give rise to liability or violation of Court Rules or Rules of Professional Conduct, or violation of these Listserv regulations.
7. Do not post briefs, declarations, depositions or expert testimony subject to outstanding confidentiality agreements or orders, unless in compliance therewith. You must delete material that reveals client confidences, secrets, trade secrets or privileged information, unless the client consents to posting or revelation of the information.
8. ***DISCIPLINE.*** These rules will be enforced by the JJA Board of Directors. The JJA Board of Directors has full authority to enforce these rules and to apply sanctions as it deems appropriate in its discretion. Discipline will generally range from private reprimands, typically for minor infractions, to public reprimands for repeat offenders, to temporary or permanent suspension from the Listserv, depending on the number and severity of violations.

This policy approved by the Jacksonville Justice Association Board of Directors on October 31, 2017.