



# Online Review Rebuttals

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My online reputation is everything to me. So how should I respond to a scathing review that called me an “awful” and “dishonest lawyer” who cares more about money than people?



Once you're caught in the world wide web, it's hard to get untangled. Social media, and online review sites like Yelp and Avvo, help us reach more people than ever before. But they also give our critics a platform to question our competence and integrity.

Free speech can be costly. There's no way to prevent a disgruntled client—or *anyone*—from posting negative, even scandalous reviews for all to see.

Some sites have a mechanism for flagging such reviews, especially if they're posted by competitors seeking to sabotage your business or by those you never represented. Even then, it may be difficult to get them removed.

If that doesn't work, you must decide whether to respond. If the attack comes amidst a plethora of positive reviews (or reduces your pristine 5-star rating to 4.5 stars), why would you dignify this aberration with a response that may elevate its prominence? With a quick internet search, you can usually determine whether the review has gained enough notoriety to do damage. If it hasn't, don't post a response that will.

If you think the post may hurt your business or require some form of response, reply with caution. When others attack your character, competence or professionalism, you should respond in a way that preserves all three:



**Watch Your Tone**— it may be cathartic to slam your critics for posting false or unjustified reviews. But self-righteous rebuttals composed in anger will undermine your credibility with readers who haven't made up their minds.



**Don't Sling Mud**— stooping to the level of your antagonist isn't professional. If you want to be seen as a professional who takes the high road and is not easily rattled, you must act accordingly.



**Be Courteous**— true professionals act cordially whether others deserve it or not. Leave the “nastygrams” to them. Your posts must be diplomatic in all respects.



**Keep it Brief**— the more you say, the more you legitimize the attack and the more “keywords” you give Google and other search engines to scan. So a point-by-point rebuttal unwittingly reinforces the original post and increases the chance that it will catch the eyes of prospective clients.

1 Md. Rule 19-301.6(a).  
2 See ABA Formal Opinion 496.

## If you want to be seen as a professional who takes the high road and is not easily rattled, you must act accordingly.

The devil is in the details. If you share too much information about the client's case, you will violate your duty to maintain client confidentiality. In Maryland, as in most states, this duty goes well beyond privileged attorney-client communications and extends to any information you received during your representation, even if it is publicly available.<sup>1</sup> While you may use such information to respond to a bar complaint or to defend yourself in a malpractice action, the rules don't let you do so to preserve your online reputation. In fact, the American Bar Association and numerous state bar ethics committees caution that a client's “posting of criticism does not rise to the level of a controversy that would allow a lawyer to disclose confidential information in responding.”<sup>2</sup>

Rather than breach this duty by posting a detailed rebuttal, play it safe with the following diplomatic response:

*I wish you called me to discuss your concerns in person. Although I do not agree with your assessment, I cannot address the merits of your complaint on this site. As an attorney, the rules of ethics forbid me from disclosing the confidential and privileged information required to provide a fair and accurate response. I would be pleased to meet with you to discuss these issues, but I cannot compromise your privacy by doing so in a public forum. Please call me.*

This shows your concern for the client's welfare, your adherence to the rules of ethics and your professionalism. That, more than any detailed response, will speak volumes for the type of lawyer you really are.



*Irwin R. Kramer advises lawyers and law firms throughout Maryland and the District of Columbia. Combined with significant trial and appellate experience, his law firm management experience gives him an appreciation for the pressures of law practice and the ethical issues confronting lawyers daily. He also publishes a regular blog on ethics issues at <https://attorneygrievances.com>.*