



## SOCIAL MEDIA EDITORS AGREEMENT FOR WSBA ENTITIES

*(companion to COMM 502 Guidelines)*

As a condition of using a social media account as an editor or administrator to represent a WSBA entity, I understand and adhere to the following:

- I will use the social-media account(s) to communicate in a professional, courteous, and respectful manner. All communication will be related only to the WSBA entity's business. I will not include any of my personal viewpoints, but will communicate as the collective voice of the WSBA entity.
- I will aspire to be honest and open in all communications. I will communicate in ways that encourage others to engage. There will be no personality or character attacks. I will provide a dispassionate, neutral presentation of facts.
- I have reviewed and agree to WSBA's Social Media Guidelines. I have also reviewed and will adhere to all rules pertaining to [GR 12](#) and [GR12\(c\)](#), including the prohibition on political endorsements, ads, or speeches.
- In support of WSBA's Photo and Video Release Procedures (see attached), I will obtain written or verbal permission in advance from people in the images, videos, and livestreams I post. I will also be mindful of representing members in a professional capacity, such as avoiding images, videos, or livestream events that include alcohol.
- I will work closely with my WSBA liaison and WSBA's social media and communications staff, who have ultimate responsibility for compliance and who retain the right to edit or delete posts and comments at their discretion upon violation of this agreement or WSBA's Social Media Guidelines.

I have read and understand the terms above.

\_\_\_\_\_ (date)

## **PHOTO AND VIDEO RELEASE PROCEDURES**

WSBA recognizes each individual's property right in the use of his or her photograph, voice, and likeness in many situations. Therefore, these procedures outline WSBA employees' responsibility to obtain written or oral and express or implied consent before publishing an individuals' likeness via photo or video on any of its media channels. To minimize risk, WSBA will err on the side of obtaining permission whenever possible.

### **PERMISSION STANDARDS FOR WSBA PUBLICATIONS**

- For printed publications such as *NWLawyer* magazine, newsletters, and program/event/organizational promotional materials, WSBA will obtain written permission from individuals in photos and videos. The responsibility for ascertaining permission ultimately resides with the editor or designer of the publication; this will usually mean the editor/designer asks the WSBA colleague who provides the image/video or who has a relationship with the people in the photo/video to secure written permission if it has not been granted ahead of time. The editor/designer will keep a copy of the written permission—be it a copy of an email correspondence, permission form, or some other form—in the same working/archival folder for the publication as the picture file is stored.
- For electronic channels such as the WSBA website, blog, and social media, WSBA will obtain and document at least express oral permission for publishing a photo or video. Written permission is still best, but clear indication of express oral permission provided the overall context will suffice (for instance, a group shot to promote a program where the photographer has clearly stated the purpose for the photo, all people in the photo have their photos already published for the public in conjunction with the program, and the program manager has given written consent). The responsibility for ascertaining permission ultimately resides with the editor or person posting to the online channel; this will usually mean the editor/poster asks the WSBA colleague who provides the image/video to certify they obtained, at least, express oral permission. If WSBA receives a complaint or concern from a person regarding his/her image published on an electronic WSBA channel, we will remove the image as soon as possible while the matter is sorted out.

### **BEST PRACTICES**

The best way to minimize risk when publishing photos and videos is to aim for "no surprises;" toward that end, anyone with final publishing control should try to send the final layout (including selected photo and verbiage) to the people included in the photo/video ahead of publication. This is true **even when permission has been cleared ahead of time** en masse for an event. This is especially important when the focus is on one or two individuals (rather than a large group) and/or some time has passed since the event. A good test is to ask oneself: Would I want to be notified and see the picture ahead of publication?

## **PROCEDURES FOR OBTAINING PRIOR PERMISSION**

To minimize risk and facilitate publication, WSBA will strive to be proactive in obtaining photo and video permissions at its events. Therefore, when developing a program where there is advance knowledge of photography or video, WSBA employees should ensure the following opt-in language is used at the point of registration. The point of registration could be through the online store (i.e. Personify) or through a more manual process but should include an option for the attendee to opt in to being photographed.

The following opt in language should be used:

By selecting “Opt-In”, I authorize and consent to being photographed and/or videoed at this event, and to the display, reproduction, alteration or other use of any photographs or videos of me, or in which I may be included with others, in connection with publications of the WSBA in any type of media, whether print or electronic, including for purpose of promotion of WSBA events and programs, irrespective of topic or purpose. I hereby release the WSBA from all liability in connection with the publication and future use of my name and likeness and the photographs or videos identified above.

Any walk-in attendees should also be provided the option to opt in to being photographed. If an attendee chooses not to opt in to being photographed, they should be identified by placing a specified color marker on their name tag.

A standalone photo/video permission form, to be used at events, is accessible in the Communications folder in the Policies and Procedures folder accessible via OGC’s unrestricted folder on the shared drive.

**The photographer for the event should be notified of the marker color on the name tag and avoid photographing the persons who have not opted in.**

Additionally, signage containing the following language should be displayed near the registration table at the event:

“Photographs or video taken at this event may be later published in online or print materials reporting or promoting this or other WSBA events. If you do not wish your image in a photo or video to be reused in these ways, you may opt out at the event sign-in table.”

The permissions should be in writing and kept in the program folder or captured in Personify (if the event is using Personify for registration purposes).

**All pictures and video obtained in this manner shall be considered clear for publication in any WSBA publication or medium.**

**WSBA EMPLOYEES TAKING PHOTOGRAPHS OR VIDEOS WHEN NO PRIOR PERMISSION IS AVAILABLE:**

In many situations, advanced permission will not be available when a WSBA employee takes a photograph. When that occurs, the WSBA employee will take these steps when possible: Clearly identify his/herself and why s/he is taking the photo; ask anyone who is not comfortable being included in the picture for the stated publication purposes to step out of the photo.

In these situations, WSBA staff will obtain written permission for inclusion in a printed publication or material. WSBA staff will ascertain and document at least express oral consent for electronic publication.

**RETENTION SCHEDULE**

All documentation of photo permission will be retained according to WSBA's document retention schedule.