

## **AILA Washington State Chapter Listserv Rules and Etiquette**

Our Chapter prides itself on our willingness to share information. An open dialogue-friendly listserv such as ours is a valuable chapter membership benefit, but it is a privilege. Many AILA chapters have read-only listservs for announcements. The AILAWA listserv is run by AILA national and is also subject to AILA national guidelines, portions of which are included in this document. See: <http://ailawa.org/membership.asp>. You can add/remove your name from the listserv through your account at *MyAila* on AILA Infonet at [www.aila.org](http://www.aila.org). AILA national also has some other subject-matter specific listservs that members can access through *MyAila*.

Remember: when you post an email to the AILA WA listserv, 370+ fellow chapter members will see it. Use of an interactive listserv requires: 1) professional decorum befitting an attorney, 2) courtesy, 3) thoughtfulness, and 4) common sense. Emails are a form of technology that do not always reflect the emotional or intended feeling that the participants would otherwise convey in person or by speaking on the telephone. Therefore, readers may misunderstand your intentions based on your writing style. Consequently, word choice and tone are very important in emails.

### Guidelines

The following are guidelines and suggestions to help maintain the quality and effectiveness of our chapter listserv:

- Please do your own basic research before you post a question to the list and identify what research efforts you have made in your question. A list of recommended library resources that every immigration lawyer should have in their office is or will be posted on the membership and/or new members' page on [www.ailawa.org](http://www.ailawa.org). There are also chapter and national mentor programs to help you learn this area of law. Or you can create your own informal group of practitioners. Attending monthly chapter meetings and CLEs is strongly encouraged.
- Responses to questions should be sent to the poster privately, not to the entire listserv.
- The question poster should compile all responses received and send out a response to the entire listserv, summarizing the types of responses you have received without naming who provided the response.
- Do not engage in personal attacks, lengthy discussions or off-topic dialogues on the listserv.
- If you have a problem with someone's question or response, please contact that person off-list by phone or private email. Do not make accusations, threats, diatribes or other condescending remarks on the listserv. Over 370 people will see it. Offer to mentor someone off-list rather than attack on-list. (We always need mentors.) Remember what your mother always said (hopefully): "If you can't say it nicely, don't say it all!"
- **THINK BEFORE YOU HIT SUBMIT!** Don't be in a rush to hit the send button on your email. Review your post for content, clarity, analysis and tone.

- The listserv should not be construed as legal advice for your particular case. It is your responsibility to do adequate legal research for your case and advocate for your client as you feel is appropriate and consistent with the law, policy, and State Bar rules of professional ethics. Listserv responses are not evidence that should be provided to any agency or court.

### Confidentiality Issues

**Forwarding of listserv messages to government employees or others who are not members of AILA is prohibited.** We cannot guarantee the security of information shared on the listserv. It is important to note that discussion of prospective litigation or other matters which you may consider strategic or confidential may not be treated that way by all of our members. In addition, many potential clients with interesting factual or legal issues shop around among the members so that more other members might already be aware of a potential client's situation. Therefore, it is important to keep questions free of disclosure of confidential information. You may need to change the facts to post a question or not post at all.

### Moderating the Listserv and Consequences for Inappropriate Behavior

The Chapter Chair and the Immediate Past Chapter Chair moderate the listserv. Failure to comply with the rules stated below will result in the following consequences to be taken upon recommendation by the Moderators to and vote by the Chapter Executive Committee:

First offense: warning from Chapter Chair (If you received a warning already in the last six months between March 2011-September 2011, you have already been warned.)

Second offense: 30 day suspension from the listserv

Third offense: 6 months suspension from the listserv

Fourth offense: eliminate from the listserv

The Executive Committee reserves the right to suspend listserv privileges on an emergency basis to protect the interests of AILA, the Chapter, or an individual member who may suffer immediate or irreparable harm due to another member's violation of listserv rules.

Presently, our listserv technology does not allow for us to have read-only privileges for an individual offender. Therefore, if a member chooses to violate the rules, the member will not be allowed to use the listserv at all to send or receive messages. If several individuals choose inappropriate behavior, then the Executive Committee reserves the right to change the listserv to a read-only listserv for all members. This means members will only receive announcements. The Executive Committee feels strongly that an interactive listserv is an excellent membership benefit, but it is a privilege that requires common sense and decency by all members.

## Listserv Rules

Maintain civility at all times. The discussions on the lists are meant to stimulate conversation, not to create contention. Differences of opinion are acceptable and expected; do not let those differences cross the line into personal attack, threats or humiliation.

All defamatory, abusive, profane, threatening, offensive, or illegal materials are strictly prohibited. Do not post anything in a listserv message that you would not want the world to see or that you would not want anyone to know came from you. Do not make statements that are false or injurious to others.

Don't post commercial messages on any listserv. Contact people directly with product and service information if you believe it would help them.

Use caution when discussing people or products. Information posted on the listserv is available for all to see, and comments are subject to libel, slander, and antitrust laws.

Please note carefully all items listed in the disclaimer and legal rules below, particularly regarding the copyright ownership of information posted to the list. Do not post any information or other material protected by copyright without the permission of the copyright owner.

Post messages under your own name and not on behalf of anyone else, especially if the other person is not an AILA member.

## Listserv Etiquette

Make sure everyone on the listserv knows who is sending the message. Your full name (first and last) and e-mail address should be visible. Preferably, your address and phone should appear as well, especially if you are a new member.

State concisely and clearly the topic of your comments in the subject line. This allows members to respond more appropriately to your posting and makes it easier for members to search the archives by subject.

Stay on topic. If you are going to go off topic, note "off topic" in your subject line or create a new string with a different reference line.

Send a message to the entire list only when it contains information that everyone can benefit from.

Send messages such as "thanks for the information" or "me, too" to individuals--not to the entire list.

Administration of your email account on the listserv is handled by [listservs@aila.org](mailto:listservs@aila.org) and in your personal account on Infonet at *MyAila*.

Warn other list subscribers of lengthy messages either in the subject line or at the beginning of the message body with a line that says "Long Message."

Do not forward or share listserv strings outside of AILA. At the same time, post on the assumption that whatever you put on the listserv will be seen far and wide, i.e., do not expect your posting to be confidential despite the listserv being just for AILA chapter members.

If you have a problem with someone's question or analysis or other post, please contact that person off-list. Otherwise, when disagreeing with a post, use common sense and decorum to present your own opinion such as: "I respectfully disagree with X's position. In my research, I found..... OR, in my experience, my cases with similar facts have resulted in ....."

### The Legal Stuff

The listserv is provided as a service of AILA Washington State Chapter and AILA national. The Chapter Executive Committee reserves the right to change the listserv to a read-only listserv for announcements only, if chapter members do not follow the rules, guidelines and etiquette. Neither the Chapter nor AILA National is responsible for the opinions and information posted on this site by others. AILA, AILAWA disclaim all warranties with regard to information posted on this site, whether posted by the Chapter or any third party. This disclaimer includes all implied warranties of merchantability and fitness. In no event shall AILA be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, arising out of or in connection with the use or performance of any information posted on this listserv.

By posting material, the posting party warrants and represents that he or she owns the copyright with respect to such material or has received permission from the copyright owner. In addition, the posting party grants AILA and users of this list the nonexclusive right and license to display, copy, publish, distribute, transmit, print, and use such information or other material.

Messages should not be posted if they encourage or facilitate members to arrive at any agreement that either expressly or impliedly leads to price fixing, a boycott of another's business, or other conduct intended to illegally restrict free trade. Messages that encourage or facilitate an agreement about the following subjects are inappropriate: prices, discounts; salaries; profits, profit margins, or cost data; market shares or markets; allocation of clients or territories; or selection, rejection, or termination of clients or suppliers.