

**Looking through the Looking Glass:
The Digital Legal Horizon
for Solo Practitioners**

*Digital Society:
Cultural, Corporate, & Legal*

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DISCLAIMER

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Overview

- Digital Relationships
- Digital Family
- Digital Society
 - Digital Politics
 - Digital Business
 - Digital Religion

The Context

“This is perhaps the most beautiful time in human history; it is really pregnant with all kinds of creative possibilities made possible by science and technology which now constitute the slave of man - if man is not enslaved by it.” - *Jonas Salk*

The Context

“We’re changing the world with technology” - *Bill Gates*

“We’ve arranged a civilization in which most crucial elements profoundly depend on science and technology.” - *Carl Sagan*

Participation in Digital Life via Digital Society

- Social Life
- Political Processes
- Economic Activities

Defining Relationship

– *n*

1. the state of being connected or related
2. association by blood or marriage; kinship
3. the mutual dealings, connections, or feelings that exist between two parties, countries, people, etc.:
a business relationship
4. an emotional or sexual affair or liaison

<http://dictionary.reference.com/browse/relationship>

Types of Relationships

- Personal/Intimate
- Personal/Family
- Social/Friendly
- Business/Professional

Legal Duties of Relationships

- Duty of Care (Negligence, Medical Oath, Parental Obligations)
- Duty of Competence (Special skills, etc.)
- Fiduciary Duties (Financial, Conflict of Interest, etc.)
- Duty of Fair Dealings (Anti-Competitive, Anti-trust, Good faith negotiations)

How Are Relationships Formed?

- Depends on Purpose/Type
 - Family - automatic (born into) or by choice (adoption)
 - Personal - Dating Opportunities (Online & Offline); Match Making Services
 - Business - Networking (Online & Offline); Referrals

Digital Family

- The Family You are Born Into
- Deciding on a “Family”
 - How do you define family?
 - Discrimination Issues (sexual preference, marital status)

Digital Family

- Finding the “Other”
 - Online Dating Profiles; TOS
 - “Catfish”
 - Cyber-Safety
 - Fantasy Relationships

Digital Family

- The Relationship
 - Keeping it Going
 - “Text the Romance Back” (Book title)
 - Relationship Challenges
 - Facebook Relationship Status
 - Breaking up via text message
 - Virtual Cheating (divorce evidence)

Digital Family

- Deciding on Expanding the Family
 - Natural conception/Birth
 - Artificial Alternatives
 - Digital Adoption
 - Global “Shopping” for children

Digital Family

- E-Parenting
 - Mommy Bloggers (liability on advice; disclaimers required??)
 - Growing Up Digital
 - Technology at the dinner table
 - Digital education (at school & home)
 - Cyber-bullying
 - Unplugging for the holidays

Digital Family

- E-Parenting
 - Networked Families (keeping the connection)
 - Custody/Visitation via Skype
 - Digital Family Reunions
 - Family History/Photos - Ancestry.com
 - Virtual Celebrations (Weddings & Birthdays via Skype)

Digital Family

- Technology as a substitute
 - Facebook Family Phenomenon
 - Facebook Birthdays
 - E-Greeting Cards/Virtual Gifts
 - Global Perspective v Physical Isolation
 - *“Alone Together: Why We Expect from Technology than from Each Other”* (book)
 - Family v Friend v Fan
 - Different definitions, different duties, different legal concerns?

Digital Society: Definition of Society

- n.

1. companionship or association with one's fellows : friendly or intimate intercourse :
2. a voluntary association of individuals for common ends; *especially* : an organized group working together or periodically meeting because of common interests, beliefs, or profession

a : an enduring and cooperating social group whose members have developed organized patterns of relationships through interaction with one another
 b : a community, nation, or broad grouping of people having common traditions, institutions, and collective activities and interests

Digital Society: Definition of Society

- 3. a part of a community that is a unit distinguishable by particular aims or standards of living or conduct : a social circle or a group of social circles having a clearly marked identity <literary society>
- 4. a part of the community that sets itself apart as a leisure class and that regards itself as the arbiter of fashion and manners

<http://www.merriam-webster.com/dictionary/society>

Digital Society: Identity

- Hershey, PA, USA
- Toyota City, Japan
- Batman, Turkey
- Truth or Consequences, New Mexico, USA
- Half.com, Oregon, USA
- Google, Kansas

Digital Society: Identity

How does a society stay a society?

- It needs to communicate and enforce:
 - Society Norms
 - Society History
 - Society Memory/Archives (IP Concerns)
 - Environment/Conservation

Digital Society

Is a digital society the same as an information society?

Who makes up the digital society?

Humans, demi-gods, geeks, bloggers, everyone, robots

Digital Society

Digital Citizenship

- *Digital Access*: full electronic participation in society
- *Digital Commerce*: electronic buying & selling of goods
- *Digital Communication*: electronic exchange of information

Digital Society

Digital Citizenship (cont.)

- *Digital Literacy*: teaching & learning about technology & its uses
- *Digital Etiquette*: electronic standards of conduct; consequences of violating
- *Digital Law*: electronic responsibility for actions & deeds

Digital Society

Digital Citizenship (cont.)

- *Digital Rights & Responsibilities*: freedoms extended to everyone in a digital world
- *Digital Health & Wellness*: physical & psychological well being
- *Digital Security*: electronic precautions to guarantee safety

http://digitalcitizenship.net/Nine_Elements.html

Digital Society

Digital Inclusion

- *Access (digital divides; ADA)*
- *Use (competency)*
- *Empowerment (self-determination, motivation, confidence, opportunities, innovations, incentives)*
- *Participation*

Digital resident vs digital outsider

- Hives, Tribes
- Community technology (duty/liability?)

Digital Society

Protecting Society

- *Security/Risk Management*
 - *Monitoring/Surveillance (Privacy, Video cat-fights)*
 - *Camera-Views (blurring objects)*
- *Censorship (Art, Museums, Public Space, Entertainment)*
- *Regulation v Net Neutrality (taxes)*
- *Cultural Rights*
 - *IP of Indigenous Artifacts & Cultural Preservation*
 - *Sharing of Community Events (Sports, Concerts, 4Square)*

Digital Politics

E-Government

- Campaigning
 - Fundraising
 - Transparency
 - Digital Scandals
- E-Voting
- Accountability/Oversight (trust)
- Communication with Constituents

Digital Politics

E-Government

- Grassroot Initiatives: Power Shift
- Digital Infrastructure
 - Communication Networks
 - Shared Resources
 - Ex. Digital Commons
 - Global Competition

Digital Business

E-Work

- Right to Work v Right to Profit
- Is having a job a right?
- “The Robot Substitution Program”
- Virtual Work/Virtual Teams

Business-Customer Relationship/Duties

- Marketing (Privacy)
- Brand “loyalty” v customer service
- Endorsements/Referrals

Digital Religion

Digital Religious Identity

- God-Wired
- Digital Sharma
- Pope Twitter Account

Digital Religious Practice

- Online Confessions
- Prayer Intentions via Text
- Religious Apps

Digital Religion

Digital Religious Purpose

- Devotion/Worship
- Healing/Prayer
- Religious Life Modeling (example stories)
- Community Outreach
 - Digital Donations
 - Disaster Relief
 - Getting the Word out
 - Brining the help in

Questions??



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