

## Courts' Use of Social Media: A Community of Practice Model

JANE JOHNSTON

University of Queensland, Australia

This article examines the development of social media as a communication tool for courts, judicial agencies, and tribunals. It presents the findings of a study into a small, but vibrant network of public information officers from this sector who shared knowledge and worked creatively in developing their social media practice at a time when these platforms were emerging as a serious consideration for government stakeholder communication. The article achieves two outcomes. First, it advances the limited scholarly literature into how courts, judicial agencies, and tribunals have transitioned to social media. Second, it develops a theoretical framework based on a community of practice model, which has application across any sector or industry in which practitioners work in siloed communication roles or are required to incorporate information and communication technologies at a rapid pace.

*Keywords: social media, courts, public information officer, PIO, community of practice*

In 2012, Johnston proposed that social media had begun colonizing the courts just as they had government, the corporate sector, and the broader communications landscape, “presenting a radical shake-up to all organisational communication” (p. 53). At that time, many courts in Australia and the United States were on the cusp of reorienting their external communication practices to factor in social media as a principal form of stakeholder engagement and information sharing (Davey, Salaz, Hodson, & National Center for State Courts, 2010; Johnston, 2012; Johnston & McGovern, 2013). By 2014–5, the transition to social media was well advanced, with many courts in both countries incorporating social media into their overall communication strategies (Davey et al., 2014; Flango, Smith, Campbell, & Kauder, 2016; Meyer, 2014). This article examines how this process occurred over these critical years: first, by examining the available literature, largely generated from courts in the United States; then, by reporting on a case study of court communication practitioners in Victoria, Australia, who worked together during 2012–5 to develop strategic social media capacities and share best practices. It proposes that the case study represents a highly effective community of practice (CoP), described as a group of people “who share a concern, a set of problems, or a passion about a topic, and who deepen their knowledge and expertise in this area by interacting on an ongoing basis” (Wenger, McDermott, & Snyder, 2002, p. 4). The article chronicles the development of the courts’ social media group and how it grew as a CoP, out of a common need, based on a learning model that is organic, spontaneous, and informal, and cannot be mandated from above (Wenger & Snyder, 2000). Based on the success of this case study and the

---

Jane Johnston: jane.johnston@uq.edu.au

Date submitted: 2016-07-26

Copyright © 2017 (Jane Johnston). Licensed under the Creative Commons Attribution Non-commercial No Derivatives (by-nc-nd). Available at <http://ijoc.org>.

substantial literature on communities of practice, I propose that a cross-institutional CoP framework may provide a useful model for any number of change-management contexts, particularly those experiencing the transition to social media in which communication practitioners work alone or in isolated work contexts.

The article draws from the relatively scant body of scholarly literature that deals with courts use of social media as an external engagement strategy, arguing that research into the court–social media interface has tended to focus on other contexts at the exclusion of engagement practices. Specifically, those fields that are better served by the literature include how courts have managed the use of social media by external parties, such as journalists and lawyers; how Twitter or text-based messaging by third parties—journalists included—has been managed; and how social media has affected juror behaviors (see, e.g., Hannaford-Agor, Rottman, & Waters, 2012; Hoffmeister, 2014; Keyzer, Johnston, Pearson, Rodrick, & Wallace, 2013; St. Eve & Zuckerman, 2012; Wallace & Johnston, 2015). Where research has examined social media as a form of stakeholder engagement, the focus has fallen primarily on government departments (see, e.g., Bonsón, Torres, Royo, & Flores, 2012; Oliveira & Welch, 2013; Snead, 2013) and police (see, e.g., Crump, 2011; McGovern & Lee, 2012), largely bypassing the courts as a specific context with its own peculiar limitations and needs. Despite the limited scholarly literature on the topic, there is a significant body of organizational literature, particularly from courts and judicial bodies in the United States (see, e.g., Davey et al., 2010, 2014; Flango et al., 2016; Utah State Courts, 2011). This work is particularly useful in examining changes that have occurred during this decade and is thus explored in this article.

### **Background**

The rise of social media has presented both challenges and opportunities for courts in managing their external stakeholder communications. Johnston's (2012) study found that courts had both sought out visibility and had visibility imposed on them during the 1990s and 2000s "first via the Web 1.0 (predominantly websites) as well as traditional media . . . and more recently, by Web 2.0 (predominantly social media)" (p. 41). That research found that most Australian courts by the start of the 2010s had not adopted a systematic social media presence, courts were more likely to be in the early or planning stages of social media use, and many court public information officers (PIOs) were tentative and/or cautious about social media. Just two courts—the Victorian Supreme Courts and the Australian Family Court—had trialed the use of Twitter, and none had official Facebook pages at that time (Johnston, 2012).

Attention to the early adoption of, or planning for, social media by courts occurred at roughly the same time in the United States. The first annual study by the Conference of Court Public Information Officers (CCPIO)<sup>1</sup> in 2010 found that a very small fraction of courts (6.7%) had social media profile sites such as Facebook, 7% used microblogging sites such as Twitter, and, 3.2% used visual media sharing sites such as YouTube (Davey et al., 2010). Within this environment, the CCPIO proposed the development of a new media committee (Davey et al., 2010) to facilitate the transition to social media.

---

<sup>1</sup> The CCPIO describes itself as "the only professional organization dedicated to the role of court PIOs in the United States and worldwide [providing] training, networking opportunities, and professional enhancement tailored to the unique duties of PIOs" (CCPIO, 2017, p. 1).

Such committees were not unusual for courts: Others of this type had been set up years earlier in the United States and, to a lesser extent, in Australia, predominantly for media relations purposes, to assist legacy media with accuracy and access (Innes, 2008; Johnston, 2005, 2008; Parker, 1998).

However, the environment had changed by the time social media moved into the frame; the pace was faster, the goal posts had shifted. Courts had been engaging with newspapers, radio, and television for many years, and adjustments for courts and media had been metered, negotiated, and incremental. Not so with social media, emerging barely more than a decade ago<sup>2</sup> and developing a rapid hold on communication practice unrivalled by legacy media. An article by court administrator David Slayton (2011) for the National Center for State Courts in the United States sums up the mood at the time. Titled "Social Media: A New Way to Communicate That Can No Longer Be Ignored," it featured in a *Future Trends* report that expressed court sentiments relating to the transition from traditional to social media engagement:

For years courts have struggled with media relations. From whether to allow cameras in the courtroom to how to respond to a reporter's questions, the questions often outnumber the answers to issues that arise. With the explosion of social media, courts must now decide not if we will embrace social media but when and to what degree. (Slayton, 2011, p. 34)

In the same year as the Slayton report was published, the court committee in the U.S. state of Utah was critical of how courts had "lagged behind the private sector and other two branches of government in embracing social media as a viable public outreach tool" (Utah State Courts, 2011, p. 4). The committee reported that approximately 16 courts nationally used Twitter, six used Facebook, and four used YouTube, and recommended that social media and other emerging communication platforms should be integrated into existing and future court functions and programs to foster transparency and promote public trust.

This lag by the courts in engaging with social media was paralleled by a similar lack of attention to the issue in scholarly literature, instead placing its focus on the rapid rise in social media among other government agencies and departments, including police (see, e.g., Bonsón et al., 2012; Crump, 2011; McGovern & Lee, 2012; Oliveira & Welch, 2013; Snead, 2013). Thus, the two went hand in hand: the slow uptake by the courts and the limited attention the issue received particularly within government and communication literature. Johnston and McGovern (2013) earlier discussed this in this journal, comparing the social media use of police and courts examining the Australian context in particular, and determined that significant disparities across the two sectors were due to a mixture of historical, sociocultural, legal, and economic factors. In summary, we argued that this was collectively attributed to courts having

- a historic focus on "information-out" communication with an emphasis on access and accuracy;
- a historically late entry of communication professionals into courts, compared to police;

---

<sup>2</sup> For example, Facebook was launched in 2004, YouTube in 2005, and Twitter in 2006.

- limited resourcing in courts communication which often saw sole operators or very small teams; and,
- legal limitations to using social media. (Johnston & McGovern, 2013, p. 1682)

In the United States, the CCPIO and the U.S. National Center for State Courts also provided an explanation for why courts had responded more cautiously than other sectors to new media platforms. Davey and colleagues (2010), in the CCPIO report, contrasted the new media platforms and traditional court contexts, pointing to how

- New media are decentralized and multidirectional, while the courts are institutional and largely unidirectional.
- New media are personal and intimate, while the courts are separate, even cloistered, and, by definition, independent.
- New media are multimedia, incorporating video and still images, audio and text, while the courts are highly textual. (p. 7)

At the same time, the CCPIO report also proposed certain “future trends” as being on the horizon, including the widespread adoption of social media, particularly by PIOs who work at the forefront of courts’ communication engagement (Davey et al., 2010). Specifically, the report proposed that courts would increasingly transition to developing official presences on Facebook, Twitter, YouTube, and other social media sites; that they would continue to become content providers, developing multimedia communication capabilities; and that PIOs and information technology officers (ITOs) would form stronger partnerships and collaborative operations.<sup>3</sup> In analyzing developments several years later, it is apparent that some of these predictions have moved into a new reality, signaled by a significant upswing in the adoption of social media by courts in the United States (Davey et al., 2014; Flango et al., 2016; Meyer, 2014) and in Australia, illustrated in the case study now under review. Davey and colleagues’ predictions of future trends are further examined later in this article in light of the case study.

### Method

The case study of court PIOs in Victoria, Australia, grew out of a common need to incorporate social media more readily into everyday communication practice and the CoP framework that facilitated this change. It provides a qualitative analysis of how and why this group of court communication professionals developed its own capacity-building framework. The case study centers on a group of 19 court PIOs<sup>4</sup> who were drawn together by the common need and perception that social media were a

---

<sup>3</sup> The CCPIO made four predictions, including that more judges would use Facebook both professionally and personally. This final prediction goes beyond the scope of this article and is therefore not included in the list.

<sup>4</sup> Although *PIO* is the generic term for this role, Table 1 indicates specific titles held by various courts or related agencies. In this paper, the term *court PIO* also encompasses PIOs who work in other related juridical agencies, such as the Sentencing Advisory Council. Additionally, the number of 19 members was not static over time, but was the number of PIOs involved in the group when the study was conducted.

necessary part of their organizational communication practice. The self-selected group of participants met regularly to share best practices and network about social media use in their jobs—initially fortnightly and moving to regular monthly informal meetings. I therefore took advantage of the group's regular monthly meeting and, with the group's approval, ran the planned May 18, 2015, meeting as a focus group to analyze the CoP first-hand. The research used a case study format, providing "a detailed examination of a single example" (Flyvbjerg, 2004, p. 420), which provides considered conclusions based on the concrete, in-depth example.

Although at that time there were 19 members of the Victorian courts' social media group, not all members attended each meeting. At the May meeting, nine members were in attendance; all were advised that the group would take a focus group format and they could choose to take part in the activity or opt out. Morgan (1997) outlines the heuristic used in focus groups, but notes that these are very flexible: "The group composition should ensure that the participants in each group both have something to say about the topic and feel comfortable saying it to each other" (p. 7). He further notes that "social scientists routinely conduct focus groups in organizations and other naturally occurring groups in which acquaintanceship is unavoidable" (Morgan, 1997, p. 10) and that this may be a positive for the group dynamic. In addition, a structured approach can be "especially useful when there is a strong, pre-existing agenda for the research" (Morgan, 1997, p. 10), which clearly applied in this research. This group of nine PIOs, coming together for this meeting, thus aligned with Morgan's heuristic understanding in which all members were comfortable discussing social media in court communication which was in fact the group's *raison d'être*. All members who attended the May meeting chose to take part in the focus group.

Information was sought through three feedback channels: a short questionnaire, distributed via e-mail in advance of the meeting; the focus group discussion; and two follow-up interviews with members who had been involved in the group since its inception. This was supplemented by Internet searches to view the actual social media activity/sites employed by the relevant PIOs (i.e., Twitter and Facebook) and the literature relating to courts and social media. I sought to find out what social media platforms were being used by group members, the effectiveness of the social media platforms, the dynamics of the group, and whether group members had benefited from social media uptake. These are now dealt with in turn, followed by an analysis of how the group emerged and developed as a CoP (Wenger, 1998) and the part this played in employing social media in the respective workplaces.

### **Developing a Community of Practice**

The Victorian courts' social media group was created in April 2012 following a dedicated PIO session at the annual Australasian Institute of Judicial Administration (AIJA) conference that featured a theme of social media.<sup>5</sup> Until that time, PIOs who worked in the courts and justice sector in Victoria were either in the early stages of adopting social media use or had not used them at all in the workplace. One member reported that "it was a new space for most of us at that time. We thought it was a good idea to

---

<sup>5</sup> One of the AIJA conference presentations "Social Media and the Courts" was delivered by myself, Patrick Keyzer, and Mark Pearson. Since that time, I have remained an "invited member" of the social media courts group under review in this article.

get together. We were all grappling with the new idea of social media." Another noted, "Following the AIJA meeting it was thought there was benefit in coming together as a group to get some practical advice on social media as most of us were new to the platform." One important reason for coming together was that a lot of the PIOs worked in solo positions. One member described this:

A lot of these jobs are stand-alone positions. A group like this definitely has assisted in establishing a support network. Establishing the group gave all of us the opportunity to mix more widely with colleagues in other courts. . . . It has been a huge benefit having access to all that experience.

Another member summarized the general group consensus: "So having a network is really great." All members said the group had provided a very useful support environment for the purpose of learning about the technical aspects of social media in the workplace. Only one member had been employed specifically as a social media strategist, in 2011, with most members required to work in broad-based communication capacities. At the time of the focus group research, the monthly meetings were well established and had been running for three years. Members took turns hosting the event, often inviting guest speakers who were established social media users in other government and legal sectors (e.g., communication and media managers from Victoria Police, the Victoria Law Institute, and the Victorian State Industrial Relations Commission).

An early adopter of social media was Anne Stanford, communication director of the Victoria Supreme Court, who explained that she initially began using Twitter to follow the social media activity of reporters. She described her use of Twitter as "incremental," initially posting items such as a speech from her chief justice and using Twitter to follow what court reporters were doing. "It ticked along for 12 months," she explained, after which time it became the official Supreme Court of Victoria Twitter account. The Supreme Court of Victoria, along with the Sentencing Council of Victoria—both members of the courts' social media group—were therefore well established in their social media activity by the time the group was established. Anne pointed out that her adoption of social media emerged from the simple fact that "the outside world was looking for it [court social media engagement]."

It was clear that the longer standing PIOs, some of whom had worked in their roles for many years predating social media, both gained and contributed a great deal to the group. One of the first PIOs summarized the benefits of the group:

It's great to keep across what's happening, how social media is used and received. It's good to meet people from similar organizations; we can workshop ideas at meetings or via phone and e-mail. It has widened my network and made it easier to keep tabs on developments.

Another group member who had been part of the group since its inception said it gave her practical assistance and provided an avenue to learn about new areas of communication: "It assisted in an informal way to learn new skills and gain confidence in attempting to implement social media in a conservative environment of courts." Even the dedicated social media strategist identified the benefits of being part of a

group, particularly as it provided benchmarking opportunities, "if only to show me where my workplace sits on the organizational continuum." He went on to describe the continuum within the group as ranging from "supportive to nonsupportive of social media" and "advanced to just-starting-out."

Some group members reported that they would phone each other before the meeting to discuss their social media strategies; therefore, although the group met regularly, it was also seen as ongoing and open in character. Because the group is, essentially, a subset of a larger body of national court PIOs that had been established in the 1990s through the AIJA, members of the Victorian group said they were also often in communication with colleagues in other states or territories. Some group members remained actively involved in the larger more dispersed network of what one called "stalwarts"; however, the smaller group was cemented by the capacity to meet face-to-face on a regular basis in the same city. Notably, two of the nine in the focus group were new to their jobs in recently created communication roles. One commented how she was looking forward to learning about the other members' experiences and was pleased to hear of the existence of the group. However, one original member noted that, after three years, she felt the group was waning: "In the beginning, yes [it was useful], although a practical workshop, with hands-on experience, was never able to be organized. Most meetings have involved listening to a guest speaker. I believe the group has almost run its course now." She identified two reasons for what she saw as an inevitable winding down of the group. First, it had expanded and become too large, with too many members. Second, another group had been set up in "competition." However, although several of the longer standing members expressed limitations with the group, especially in relationship to its future, all agreed it had served an important purpose to that point in time.

### Social Media Uptake

By the time this research was undertaken, three years after the courts' social media group was established, all but one member in the focus group had introduced social media as part of their overall external communication practice. This compared with only two courts having Twitter accounts at the inception of the group in 2012, plus the one member who held a dedicated digital and online communication role since 2011. Table 1 shows that all active social media users employed Twitter, five members used Facebook, five used YouTube, one used a blog, one used LinkedIn, one used Pinterest, and one used SoundCloud.

**Table 1. Social Media Use by Members of the Courts' Social Media Group.**

Group member title	Social media used
Senior communications advisor	Twitter, Facebook, YouTube, blog
Web coordinator	Twitter, Facebook, YouTube
Media and communications manager	Twitter, in conjunction with another court
Director of public information	No social media, under discussion
Communications officer	Twitter, Facebook, YouTube
Manager, strategic communication	Facebook, Twitter, LinkedIn
Media and public affairs manager	Twitter, YouTube, live chat
Strategic communications manager	Twitter, Facebook, YouTube
Education and online engagement coordinator	Twitter, Pinterest, YouTube, SoundCloud

All users reported that social media had been of great benefit in their organizational communication practices. One practitioner who had worked with the courts for 12 months was clearly an advocate of social media: "That's how many people communicate and find out what's going on in the world. Social media is an invaluable communication tool." Although others had found it "extremely helpful," others pointed to either the limits of the platform or their own organizational limitations: "Facebook is good for promoting news stories, but its current reach is limited and we do receive a small amount of criticism." Another noted that what she had been able to implement was limited because of internal restrictions. Although one court jurisdiction had not yet adopted social media platforms for external engagement, these forms of communication were nevertheless central to key cases heard in the jurisdiction, as well as changing journalistic practices associated with reporting. Thus, the group had provided useful knowledge, including a necessary social media vocabulary, to engage effectively with the news media on social media issues and also to inform the judiciary. The court's PIO was not opposed to the idea of using social media for this court's external engagement purposes, but he pointed out how it needs to be understood internally and supported by judges to be effective: "[They] need to see something in it . . . you've got to have the product."

One member commented that social media's use had become standard practice in her office, alongside phone calls and e-mails, with the benefit primarily in reaching larger audiences. In one instance, during a high-profile trial, her court "picked up 500 followers in one week" and 160 tweets were retweeted. The PIOs agreed that social media platforms were used to distribute factual information without editorializing, "even when verdicts are controversial," said one. Some reported linking their Twitter accounts to Austlii (the Australian legal database) to be connected to the wider legal and jurisprudential network. Ironically, although it was noted that Twitter had been set up in one court to follow what court reporters were writing about, several PIOs reported that the news media had taken to using the court Twitter feeds to seed stories. This is not surprising given the widespread use of Twitter as a news source (Vis, 2013). These links to Austlii and the news media are clear indicators of the role played by court social media in the broader legal, news, and communication network. One early adopter of social media stressed that, far from being daunting, the shift was simply a necessary progression in professional communication practice:

Social media is not as scary as people have you believe, it is no different to talking on the telephone or to answering an e-mail, in terms of work responsibilities; it is just another medium. People also fall into the trap of becoming a slave to social media, just like when mobile phones hit the market, everyone got excited and had to answer calls straight away.

She pointed out how social media were now integral to her communication role, but they were no more or less important than other aspects of her job.

To sum up, these developments in the courts and other related judicial bodies, occurring between 2012 and 2015, mark a significant shift in thinking about social media and their adoption by most members in this field of professional communication practice. As the members indicated, this shift was assisted through the creation of the social media court group and the support and practice-sharing environment it provided. As noted earlier, this type of group may be described through the theoretical



prism of a CoP, broadly understood as a forum for explaining organizational learning, sharing, and change (Wenger, n.d.; Wenger & Snyder, 2000) and as a community "engaged in the production of its own practice . . . through its own local negotiation of meaning" (Wenger, 2010, p. 183). The article now explores this CoP model in some detail, examining its application to the courts' social media group.

### Communities of Practice

Fundamentally, CoPs consist of practitioners who "develop a shared repertoire of resources: experiences, stories, tools, ways of addressing recurring problems—in short a shared practice" (Wenger, n.d., para. 8). The central features of CoPs are their capacity to drive strategy, solve problems, promote the spread of shared practices and knowledge exchange, and develop professional skills. Despite the informal and self-organizing characteristics of a CoP, it will nevertheless benefit from cultivation (Wenger & Snyder, 2000). Wenger and Snyder (2000) note, "To reach their full potential, then, they need to be integrated into the business and supported in specific ways" (p. 144). Conversely, CoPs can be vulnerable because they lack the legitimacy and funding of more formal or established units of activity such as committees or teams that are more fully integrated into organizational structures.

Wenger (1998) argues that "systematically addressing the kind of dynamic 'knowing' that makes a difference in practice requires the participation of people who are fully engaged in the process of creating, refining, communicating, and using knowledge" (para. 4). A community of practice defines itself along three dimensions:

- What it is about—its *joint enterprise* as understood and continually renegotiated by its members;
- How it functions—the relationships of *mutual engagement* that bind members together into a social entity;
- What capability it has produced—the *shared repertoire* of communal resources (routines, sensibilities, artifacts, vocabulary, styles, etc.) that members have developed over time. (Wenger, 1998, para. 4)

Each of these dimensions is easily applied to the court case study: the joint enterprise of sharing and learning new knowledge of social media and changing communication practice; the mutual engagement of coming together for meetings; and the shared repertoire of resources, including a social media vocabulary and updated media guidelines. Moreover, CoPs can develop because of internal or external changes within an organization or sector. It is predominantly the latter—changes external to the organization, through the increase in social media—that gave rise to the CoP under review in this study. In such instances, CoPs cross organizational or institutional boundaries to enable communication managers or PIOs to keep up with constant technological changes and find practitioners coming together because of a mutual need (Wenger & Snyder, 2000). Accordingly, the CoP can be axiomatic in sectors or industries that require knowledge transfer and management of ICTs. The case study thus provides a textbook example for three reasons. First, the communication practitioners or PIOs who work in this sector often work in isolation, as sole practitioners, or in small groups of only two or three, thereby enhancing their need to seek out a professional community. Second, these practitioners are, increasingly, required to

implement new technologies as part of their communication practice and can therefore benefit from the knowledge sharing of changed technology. Third, they work within the traditionally conservative court sector, the “core business” of which is the administration of justice, not communication or media practice, and this does not necessarily provide the cultural environment that facilitates new media learning. Together, these three factors clearly position the PIOs to come together as a CoP, reinforcing the differences in this sector outlined earlier in the article (Davey et al., 2010; Johnston & McGovern, 2013).

Wenger (1998) notes that CoPs are not constant; rather, they are characterized by certain stages of development. This way of viewing the CoP has particular application to the courts, and I have therefore adapted Wenger’s “stages of development” model to the court PIO context. In removing his final stage—“memorable”—and replacing it with *regrouping*, the revised CoP model more accurately reflects the capacity for a group to remain dynamic. Indeed, there is no reason to believe that this regrouping could not apply to a more general application across any CoP that manages communication practice and updates skills and knowledge. Thus, although a CoP may disperse or move into a period of dormancy, it may retain the potential to be reignited should the need arise. Hence, the five stages—potential, coalescing, active, dispersal, and regrouping—are outlined in Figure 1 to describe not only the development of the courts’ social media group, but also its potential for future realignment for any group. The continuous nature of the CoP is further illustrated by the arrow at the bottom of Figure 1 that indicates its forward movement and, as noted in the final column, the CoP holds the potential to go full circle in a revised form.

<b>POTENTIAL</b>	<b>COALESCING</b>	<b>ACTIVE</b>	<b>DISPERSED</b>	<b>REGROUPED*</b>
Individuals face similar work challenges and realize they can share practice	Individuals come together as members of a group and develop their potentials	Members engage in developing a community of practice	Members no longer engage intensely, but the community is still active as a force and center of knowledge	Members come back together as the situation requires
<b>ACTIVITY</b> Discovering commonalities, investigating how shared practice might be achieved	<b>ACTIVITY</b> Exploring connectedness, defining joint enterprises, and negotiating the community	<b>ACTIVITY</b> Engaging in joint activities; adapting to changed circumstances; renewing interest, commitment, and relationships	<b>ACTIVITY</b> Staying in touch, communicating, calling for advice in an ad hoc basis	<b>ACTIVITY</b> Updating knowledge; new technology demands a collaborative environment and redefines needs; could arise from a new potential need and bring the model back to the start

**Figure 1. Community of practice stages of development: The courts’ social media model. Adapted from Wenger (1998). \* Regrouped represents a new phase, replacing memorable.**

Figure 1 thus incorporates aspects of the court social media group's internal development. Feedback from members indicated that, at the time the focus group was undertaken, the CoP could be placed between the active and dispersed stages of development, with some members suggesting that it had, to a large extent, already served its purpose, moving closer to dispersing. Irrespective, the CoP had provided a number of important benefits to the members over the three years in existence, including

- a forum for knowledge exchange;
- practical support;
- an informally structured network;
- a common foundation based in the courts/legal workplace;
- a way of sharing contacts;
- the opportunity for follow-up between meetings, via e-mail or phone;
- a network that grew with time;
- a support network for stand-alone practitioners; and
- overall capacity-building opportunities.

The CoP practice examined in this way provides clear application for communication practitioners or PIOs, more generally, tasked with implementing social media into their professional practice. In particular, for those who work in either sole or siloed positions, where they have little or no internal support, a cross-institutional CoP model could be highly effective, as we have seen. The key rests with the three mutual dimensions of joint enterprise, mutual engagement, and shared repertoire (Wenger, 1998). Courts, tribunals, and other legal environments are logical "fits" for the CoP model because these sectors have a limited history of employing communication professionals and, hence, little understanding of what they do or how they go about it (Johnston & McGovern, 2013). Other sectors in which the external stakeholder communication function is seen as separate from "core business," such as science and engineering, could also benefit from communication professionals or PIOs coming together in a CoP. Indeed, the scope for application is broad and, arguably, untapped.

### **Conclusions and Future Directions**

Although all government and industry sectors have been forced to come to grips with changing technologies and communication practices in recent years, the courts and other related legal agencies and institutions must work within unique frameworks and boundaries. These roles require special skills and competencies of those tasked with communication management, including an understanding of laws and media practices that relate uniquely to this environment, such as contempt law and journalists' court reporting requirements. This article has examined how one geographically located group of such practitioners used a CoP model to provide a forum for knowledge sharing and cross-institutional learning, which ultimately assisted in facilitating changed communication practice. The transition to the use of social media in this Australian case study is consistent with findings published by the U.S. courts, which found that social media by the courts continued to increase over the same period, rising from 52% of courts in 2013 to 58% in 2014 (Davey et al., 2014). This adoption of social media meets CCPIO expectations that these platforms would increasingly be used to "connect with the public and fulfill their obligation to be open, transparent, and understandable institutions" (Davey et al., 2014, p. 2).

In returning to Davey and colleagues' (2010) three future trends and applying these to the Victorian court case study in 2015, it is clear that two of the three predictions have occurred and typify updated practice:

- The first proposed change—that courts would increasingly adopt the use of Facebook, Twitter, YouTube, and other social media sites—is now well embedded. In the Victorian courts example, all but one PIO used social media in their work by 2015, and every member of the focus group engaged with social media in some way in their professional practice.
- The second proposed change—that courts would continue to become “content providers”—also occurred by 2015. Social media activity, content, and reach now include links to the Austlii legal database, providing media story ideas and uploading audio judgments on a dedicated channel.
- The third proposed change—that PIOs and ITOs would form stronger partnerships and collaborative operations—was not borne out in the CoP case study.

This final proposed change raises a significant issue for this study and this sector more broadly. Although it cannot be known from the scope of the study whether the CoP group would have gravitated together in the presence of ITOs, the findings do suggest that the absence of other professional support was a driver in the establishment and success of the CoP. That is, it would seem likely that a lack of ITO internal support actually contributed to the set up of the CoP in the first place based on a common need. Ironically, however, as the CoP developed and grew, moving to the final stages of the model, the lack of technical knowhow and support may have also been a marker of its projected downturn, cited as one reason for the PIOs going elsewhere to find a new CoP. One PIO noted that another group, the Justice Mentoring Scheme, had become a more useful support network for his level of work:

More useful [is] the Department of Justice Mentoring Scheme that teamed me up (on request) with an advanced social media practitioner from Consumer Affairs Victoria (CAV). CAV are very sophisticated, creative, evidence-based and well resourced in their use of social media.

Nevertheless, the courts' CoP environment effectively provided a highly successful forum for facilitating the transition to social media when this media was relatively new and daunting, and its key strengths can be seen in the early stages of the CoP development. It is possible that the CoP just “outgrew” itself and members needed to move to a different environment. Alternatively, in considering the final stage in the CoP development as shown in Figure 1, the group could simply “regroup” in the future. This may include the final proposed change—closer links between PIOs and ITOs—as communication technologies and media practices continue to advance and new “potential” is found to bring these two fields together. As such, the transition for courts and their PIOs in this case study may be seen as an ongoing and evolving process, potentially marking an extension for further CoP research.

To conclude, the case study has shown that the CoP model can provide a strong environment for communication practitioners and PIOs who are in need of a collaborative, mutual, and shared framework

to assist their professional practice. This has significant application for a wide range of industries and sectors that need to stay abreast of rapidly changing ICTs to effectively manage communication change and lead organizational stakeholder engagement.

### References

- Bonsón, E., Torres, L., Royo, S., & Flores, F. (2012). Local e-government 2.0: Social media and corporate transparency in municipalities. *Government Information Quarterly*, 29, 123–132. doi:10.1016/j.giq.2011.10.001
- Conference of Court Public Information Officers. (2017). About CCPIO. Retrieved from <http://ccpio.org/>
- Crump, J. (2011). What are the police doing on Twitter? Social media, the police and the public. *Policy & Internet*, 3(4), 1–27. doi:10.2202/1944-2866.1130
- Davey, C. J., Salaz, K., Hodson, T., & National Center for State Courts. (2010, August). *New media and the courts: The current status and a look at the future*. Presented at the Conference of Court Public Information Officers 19th annual meeting, Atlanta, Georgia. Retrieved from <http://ccpio.org/wp-content/uploads/2012/02/2010-ccpio-report-summary.pdf>
- Davey, C. J., Taylor, C., Beougher, S., Trevas, D., Sydow, N., Rutledge, J., . . . Hodson, T. (2014, August). *CCPIO New Media Survey: A report of the Conference of Court Public Information Officers 23rd annual meeting*, Las Vegas, Nevada. Retrieved from [http://ccpio.org/wp-content/uploads/2014/08/CCPIO-New-Media-survey-report\\_2014.pdf](http://ccpio.org/wp-content/uploads/2014/08/CCPIO-New-Media-survey-report_2014.pdf)
- Flango, C., Smith, C., Campbell, C., & Kauder, N. (Eds.). (2016). *Trends in state courts*. Williamsburg, VA: National Center for State Courts.
- Flyvbjerg, B. (2004). Five misunderstandings about case-study research. In C. Seale, G. Gobo, J. F. Gubrium, & D. Silverman (Eds.), *Qualitative research practice* (pp. 420–434). London, UK: SAGE Publications.
- Hannaford-Agor, P., Rottman, D. B., & Waters, N. L. (2012). *Juror and jury use of new media: A baseline exploration*. Williamsburg, VA: National Center for State Courts. Retrieved from <http://www.ncsc.org/Services-and-Experts/Court-leadership/Harvard-Executive-Session/Juror-and-Jury-Use-of-New-Media-A-Baseline-Exploration.aspx>
- Hoffmeister, T. A. (2014). *Social media in the courtroom: A new era for criminal justice*. Santa Barbara, CA: Praeger.

- Innes, P. (2008). *Report of the review of suppression orders and the media's access to court documents and information: Australia's right to know*. Retrieved from <http://www.australiasrighttoknow.com.au/files/docs/Reports2008/13-Nov-2008ARTK-Report.pdf>
- Johnston, J. (2005). Communicating courts: A decade of practice in the third arm of government. *Australian Journal of Communication*, 32(3), 77–93.
- Johnston, J. (2008). The court-media interface: Bridging the divide. *Australian Journalism Review*, 30(2), 27–39.
- Johnston, J. (2012). Courts new visibility 2.0. In P. Keyzer, J. Johnston, & M. Pearson (Eds.), *Courts and the media in the digital age* (pp. 41–54). Sydney, Australia: Halstead Press.
- Johnston, J., & McGovern, A. (2013). Communicating justice: A comparison of courts and police use of contemporary media. *International Journal of Communication*, 7, 1667–1687. Retrieved from <http://ijoc.org/index.php/ijoc/article/view/2029>
- Keyzer, P., Johnston, J., Pearson, M., Rodrick, S., & Wallace, A. (2013). The courts and social media: What do judges and court workers think? *Judicial Officers' Bulletin*, 25(6), 45–51. Retrieved from <https://lawgovpolicy.files.wordpress.com/2013/07/judicial-officers-bulletin-the-courts-and-social-media.pdf>
- McGovern, A., & Lee, M. (2012). Police communications in the social media age. In P. Keyzer, J. Johnston, & M. Pearson (Eds.), *The courts and the media: Challenges in the era of digital and social media* (pp. 160–174). Sydney, Australia: Halstead Press.
- Meyer, N. (2014). Social media and the courts: Innovative tools or dangerous fad? A practical guide for court administrators. *International Journal for Court Administration*, 6(1), 1–27. doi:10.18352/ijca.136
- Morgan, D. (1997). Focus groups as qualitative research: Planning and research design for focus groups. Retrieved from [http://www.uk.sagepub.com/gray3e/study/chapter18/Book%20chapters/Planning\\_and\\_designing\\_focus\\_groups.pdf](http://www.uk.sagepub.com/gray3e/study/chapter18/Book%20chapters/Planning_and_designing_focus_groups.pdf)
- Oliveira, G. H. M., & Welch, E. W. (2013). Social media use in local government: Linkage of technology, task, and organizational context. *Government Information Quarterly*, 30(4), 397–405. doi:10.1016/j.giq.2013.05.019
- Parker, S. (1998). *Courts and the public*. Melbourne, Australia: Australasian Institute of Judicial Administration.

- Slayton, D. W. (2011). Social media: A new way to communicate that can no longer be ignored. In C. Flango, C. Smith, C. Campbell, & N. Kauder (Eds.), *Trends in state courts* (pp. 34–35). Williamsburg, VA: National Center for State Courts.
- Snead, J. T. (2013). Social media use in the U.S. executive branch. *Government Information Quarterly*, 30(1), 56–63. doi:10.1016/j.giq.2012.09.001
- St. Eve, A. J., & Zuckerman, M. A. (2012). Ensuring an impartial jury in the age of social media. *Duke Law & Technology Review*, 11, 1–29.
- Utah State Courts. (2011). *Report and recommendation of the Social Media Subcommittee of the Judicial Outreach Committee*. Salt Lake City: State of Utah Judicial Council. Retrieved from [http://www.ncsc.org/~media/Files/PDF/Information%20and%20Resources/Social\\_Media\\_Subcommittee\\_FINAL\\_REPORT.ashx](http://www.ncsc.org/~media/Files/PDF/Information%20and%20Resources/Social_Media_Subcommittee_FINAL_REPORT.ashx)
- Vis, F. (2013). Twitter as a reporting tool for breaking news. *Digital Journalism*, 1(1), 27–47. doi:10.1080/21670811.2012.741316
- Wallace, A., & Johnston, J. (2015). Tweeting from court: New guidelines for modern media. *Media Arts Law Review*, 20(1), 15–32.
- Wenger, E. (n.d.). Communities of practice: A brief introduction. Retrieved from <http://www.ewenger.com/theory/>
- Wenger, E. (1998). Communities of practice: Learning as a social system. *Systems Thinker*, 9(5), 1–5. Retrieved from <https://www.scribd.com/document/24272544/Wenger-Communities-of-Practice-Learning-as-a-Social-System>
- Wenger, E. (2010). Communities of practice and social learning systems: The career of a concept. In C. Blackmore (Ed.), *Social learning systems and communities of practice* (pp. 179–198). London, UK: Springer.
- Wenger, E., McDermott, R., & Snyder, W. M. (2002). *Cultivating communities of practice*. Cambridge, MA: Harvard Business School Press.
- Wenger, E. C., & Snyder, W. M. (2000, January–February). Communities of practice: The organizational frontier. *Harvard Business Review*, 139–145.