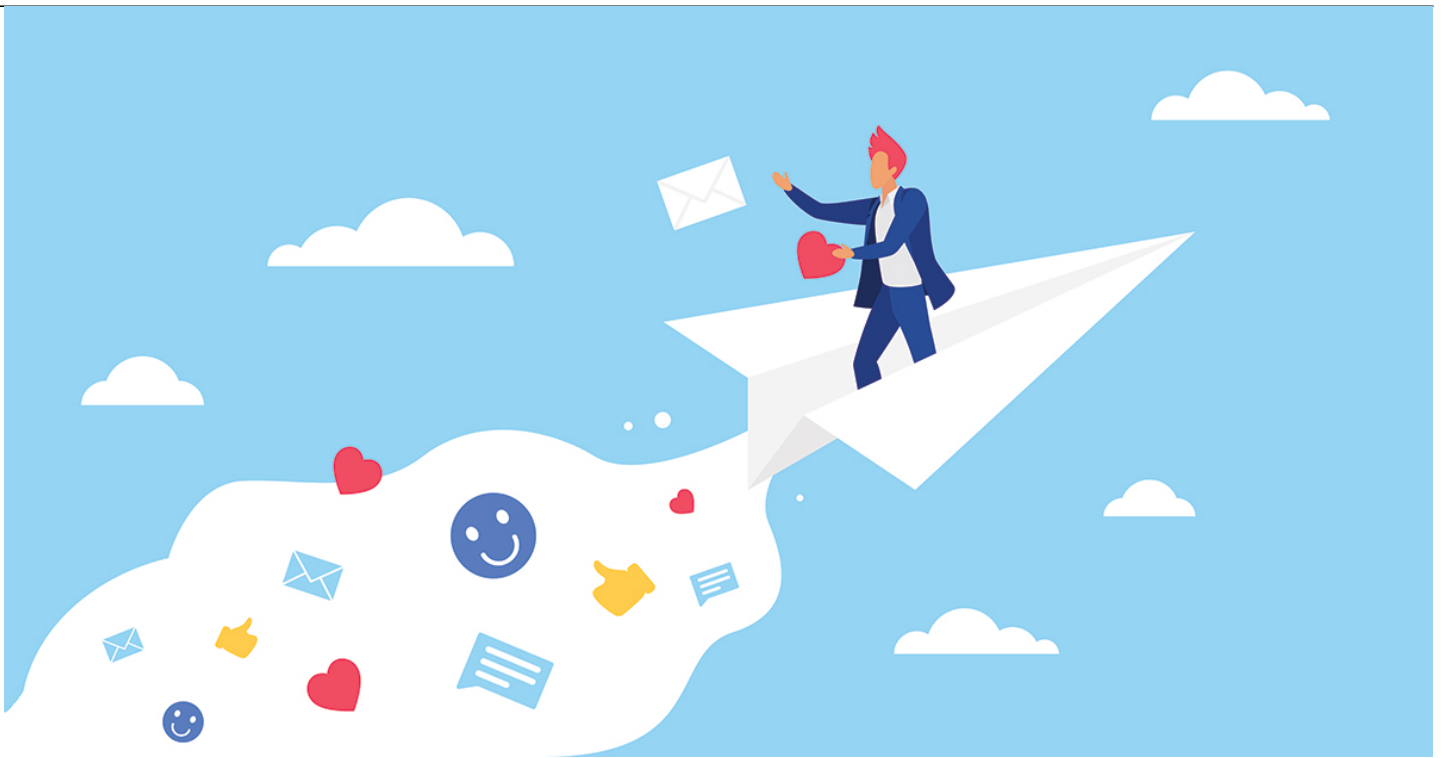




Legal Tech: Emojis are Not Enemies! Why and How You Should Use Them

Technology, Privacy, and eCommerce



Beautiful [45,000-year-old](#) cave paintings prove that artful images have long played a critical function in human communications. People expressed concepts and shared ideas through colorful pictures long before we developed and used written alphabets to write the “language of law” as we know it today.

Yet, pixels on computer screens have allowed us to come full circle. Today, we sprinkle emojis throughout our virtual communications, using them as non-verbal cues that add context and clarity to our written messages.

The initial lawyerly instinct is to enforce a strict ban on emojis in all communications. But as our cave-dwelling ancestors seemed to know, we’d be missing out on a powerful medium of expression if we did. Instead, lawyers should embrace emojis and learn how and where to use them appropriately.

Why and where should lawyers use emojis?

“Oh, that’s not how I meant that to sound when I wrote it.” Written text can feel ambiguous without facial expressions and gestures that act as visual cues during face-to-face communication.

Emojis allow us to supplement writing with visual representations of these physical expressions. Lawyers can use emojis as social cues in texts, emails, and social media to emphasize meaning and improve comprehension. Advantages can include the following increased abilities.

Humanize legal advice

A majority (81 percent) of emoji users believe that people who use emojis are friendlier and more

approachable, according to the Adobe [Emoji Trend Report](#). Likewise, 74 percent say that emojis make positive news more sincere. Nearly eight in 10 say the use of emojis positively impacts the likability of the person communicating with them, while 63 percent say it boosts credibility.

These elements can transfer to legal advice, humanizing lawyers whose previously written communications may have felt distant and cold. You appear friendly and approachable when you show emojis like smiles and handshakes and display images such as green lights and stop signs to emphasize points.

Increase social media engagement

That same likeability factor can also boost your marketing outreach on social media. Adding an emoji to your Tweet can [increase engagement by 25 percent](#). Emojis in your Facebook posts can increase [shares by 33 percent](#) and interactions by 57 percent.

Make a lasting impression

[Research](#) shows we are much better at remembering pictures than words (even when text items are presented as words), a phenomenon known as the Picture Superiority Effect. This effect may mean emojis help people remember your message more effectively, ultimately increasing the likelihood that they will comply with instructions and follow up accordingly.

Best practices for using emojis

Many communications from lawyers are designed to influence how people think, feel, and act. Emojis can help you appeal to emotions and amplify your influence. The Adobe Emoji Trends report found that most people use emojis to lighten the mood of conversations (93 percent) and show support to people (91 percent). You can do the same, using emojis that elicit friendly responses and encourage desired actions. For example:

- Use a lock and key emoji 🔑 to inspire trust that privacy measures are in place.
- Use a pointing finger emoji 👉 to show readers where to click.
- Use the party popper emoji 🎉 to spark enthusiasm and encourage celebration.

When using emojis, consider the communication preferences of your audience. [Sixty-eight percent](#) of people aged 18 to 34 feel more comfortable expressing emotions through visuals than through phone conversations, compared to just 37 percent of those over the age of 65. This is one reason you should use emojis as a supplement to — not a replacement for — written information.

Use a few thoughtful and relevant emojis to emphasize an idea that is simultaneously expressed in writing. With emojis, a little goes a long way. There's no need to include three lock and key emojis or four pointing finger emojis. One works nicely.

Strive to avoid misinterpretations

Of course, you have to be careful. Some emojis convey multiple or hidden meanings, as the 93 percent of people who use the [peach emoji](#) 🍑 to portray *something other than fruit* could attest. Avoiding misinterpretations is another reason to always include text in a message that uses an emoji.

If you don't feel completely confident in your choice of emoji, do not use it.

The following resources can help you determine the meaning of an emoji:

1. The [Unicode® Consortium](#) (UC) publishes all the official emojis and provides a descriptive name for each.
2. The UC maintains this [Emoji List](#) with additional descriptors for each.
3. [Emojipedia®](#) often shares additional more widely recognized meanings.
4. Google, Urban Dictionary, and Reddit can help you uncover slang interpretations.

Don't try to avoid or ban emojis

We're nowhere near peppering legal briefs with smiley faces and hands folded in prayer. And we won't ever get to the point where judges release decisions that consist solely of the thumbs-down or thumbs-up emoji.

But visual imagery has been part of the human dialogue for thousands of years. The practice and application of law can never be held separate and apart from the methods people use to communicate.

Lawyers cannot ignore, nor effectively ban, the plethora of emojis, GIFs, stickers, and other images that add spice to online work conversations today. Instead, we should embrace emojis as practical tools to display our human side and better manage impressions in texts, emails, and other virtual discussions.

[Olga V. Mack](#)



Fellow

CodeX

Olga V. Mack is a fellow at CodeX, The Stanford Center for Legal Informatics, and a Generative AI Editor at law.MIT. Mack shares her views in her columns on ACC Docket, Newsweek, Bloomberg, VentureBeat, Above the Law, and many other publications.

Mack is also an award-winning (such as the prestigious ACC 2018 Top 10 30-Somethings and ABA 2022 Women of Legal Tech) general counsel, operations professional, startup advisor, public speaker, adjunct professor, and entrepreneur. She co-founded SunLaw, an organization dedicated to preparing women in-house attorneys to become general counsels and legal leaders, and WISE to help female law firm partners become rainmakers.

She has authored numerous books, including *Get on Board: Earning Your Ticket to a Corporate Board Seat*, *Fundamentals of Smart Contract Security and Blockchain Value: Transforming Business Models, Society, and Communities*. She is working on her next books: *Visual IQ for Lawyers* (ABA 2024), *The Rise of Product Lawyers: An Analytical Framework to Systematically Advise Your Clients Throughout the Product Lifecycle* (Globe Law and Business 2024), and *Legal Operations in the Age of AI and Data* (Globe Law and Business 2024).