

Bobby Malhotra Discusses The Use of Social Media to Serve Subpoenas in *Legaltech News*

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Winston & Strawn Partner Bobby Malhotra spoke with *Legaltech News* about how social media has made its way into the legal industry and new ways of serving subpoenas that judges have allowed in recent years, following the recent decision by the U.S. Bankruptcy Court for the Southern District of New York allowing service of a subpoena via Twitter.

“I think these recent decisions permitting service via social media and alternate means show how the judiciary and judges [are] coming up with approaches to address the challenges associated with service of process,” said Bobby. “While personal service I think is still the overwhelming norm, there are and there may be circumstances where service via social media or alternate means is really the best available or viable option—or potentially the only option.”

Bobby also noted other examples of service of subpoena that have started picking up in recent years such as email, voicemail message, and fax. “As social media continues to penetrate every facet of our society, it will impact our legal system. There is this growing trend of service of process being accomplished through alternative means, and it may become more common,” he said.

“I think it remains to be seen how courts and the legislature will balance litigants’ need for documents and information with due process concerns of ensuring notice, personal service,” Bobby said.

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