

# SMS Policy Kevin J. Runyan, P.A.

## **Definitions:**

**Text conversation:** an exchange of text messages and/or SMS messages between two or more phone numbers in which the phone number of Kevin J. Runyan, P.A. sends text messages and/or SMS messages. A text conversation does not include instances where the phone number of Kevin J. Runyan, P.A. only receives text messages and/or SMS messages but does not send text messages and/or SMS messages.

## **How Kevin J. Runyan, P.A. will utilize Text Messaging and/or SMS Messaging (“Texting”):**

Kevin J. Runyan, P.A. will use text conversations to:

1. Respond to text messages sent by clients, customers, third parties who have initiated text conversations Kevin J. Runyan, P.A.,
2. Initiate text conversations with a client to ask specific questions regarding a legal issue which that client has retained Kevin J. Runyan, P.A. to handle,
3. Initiate text conversations with a client to provide specific information regarding a legal issue which that client has retained Kevin J. Runyan, P.A. to handle,
4. Send links to a client to access documents regarding a legal issue which that client has retained Kevin J. Runyan, P.A. to handle.
5. Provide a two-step authorization/identification measure to protect a client’s confidentiality and privacy when Kevin J. Runyan, P.A. determines that additional precautions are needed to protect the confidentiality of the information. This includes asking a client to verify that the client has sent an email or made a request to disclose information.

Kevin J. Runyan, P.A. will **not** use text conversations to:

1. Advertise or promote services for Kevin J. Runyan, P.A. or any other organization, company or purpose,
2. Provide information which is not germane to the legal issue which that client has retained Kevin J. Runyan, P.A. to handle, or
3. Send mass texts or bulk text to a client or third party.

## **How Kevin J. Runyan, P.A. will obtain consent to engage in text conversations**

Consent to engage in text conversations will be obtained in the following ways:

1. The person will be sent an email which will direct the person to a webform and the following will be done.
  - a. The webform will request the person’s name, phone number and consent to the following:

- i. I consent to receiving SMS Messages to the Phone Number listed above. I understand that message and data rates may apply. I understand that message frequency varies. I understand that messages will be sent by Kevin J. Runyan, P.A. for the following purposes: REPLYING to text messages I send, PROVIDING INFORMATION about my case, PROVIDING LINKS to access files, PROVIDING VERIFICATION/IDENTIFICATION to ensure the privacy and confidentiality of my information.
  - ii. I understand that I can **UNSUBSCRIBE** and revoke my consent to receive text messages from Kevin J. Runyan, P.A. by texting “STOP”, contacting Kevin J. Runyan, P.A. by emailing “STOP TEXTS” to [kevin@kevinjrunyan.com](mailto:kevin@kevinjrunyan.com), or calling (941) 882-0618 and informing Kevin J. Runyan, P.A. to stop sending text messages to the phone number.
- b. The person will receive a **Confirmation Text Message** from Kevin J. Runyan instructs the person to respond “YES” to confirm that they consent to receive text conversations from Kevin J. Runyan, P.A. The **Confirmation Text Message** reads:

Text/SMS messages will be sent by Kevin J. Runyan, P.A. for the following purposes: REPLYING to text messages I send, PROVIDING INFORMATION about my case, PROVIDING LINKS to access files, PROVIDING VERIFICATION/IDENTIFICATION to ensure the privacy and confidentiality of my information. You can **UNSUBSCRIBE** and revoke my consent to receive Text/SMS messages from Kevin J. Runyan, P.A. by texting “STOP”, contacting Kevin J. Runyan, P.A. by emailing “STOP TEXTS” to [kevin@kevinjrunyan.com](mailto:kevin@kevinjrunyan.com), or calling (941) 882-0618 and informing Kevin J. Runyan, P.A. to stop sending Text/SMS messages to the phone number. The firm’s privacy policy can be accessed at <https://img1.wsimg.com/blobby/go/5c6ffaaf-7365-463c-b619-0abfc594c252/PRIVACY%20POLICY%202024.pdf>

Do you consent to receiving these Text/SMS messages at this Phone Number with the understanding that message and data rates may apply and message frequency varies.

RESPOND “YES” to consent.

- c. When an affirmative response is received by Kevin J. Runyan, P.A. consent is provided by the person.
2. A person initiates the text message to Kevin J. Runyan, P.A.

- a. A person sends a **text messages and/or SMS messages** to the phone number listed on the letterhead, website, email responses and a response from Kevin J. Runyan, P.A. is desired by the person. The phone number is 1-941-882-0618.
  - b. When the text message is received, Kevin J. Runyan, P.A. will send the **Confirmation Text Message**.
  - c. When an affirmative response is received by Kevin J. Runyan, P.A. consent is provided by the person.
3. A person is asked if they would like to opt in for **text messages and/or SMS messages**. The following script is communicated to the person: “Would you like to receive text messages concerning any updates to your tracking information from Kevin J. Runyan, P.A. Frequency may vary, and message and data rates may apply. You can reply STOP to opt-out or call (941) 882-0618 for additional information. You can also find our privacy policy and terms of service on our website kevinjrunyan.com.” If the answer is affirmative, the number the person would like to **receive text messages and/or SMS messages is obtained. The Confirmation Text Message** is sent. When an affirmative response is received by Kevin J. Runyan, P.A. consent is provided by the person.

#### **How Kevin J. Runyan, P.A. will keep a record of consents to engage in text conversations**

Kevin J. Runyan, P.A. will maintain a record of persons who have consented to receiving text conversations in the company contact database.

When a client responds that they consent to receive text messages, a record of their “YES” reply to the first text conversation will be recorded in the Contact Management Database and Outlook Contacts.

A Contact Management Database is maintained locally and online which stores the names and contact information of business contacts. The Contacts Table; Contact Details form, and Contact List form in the Contact Management Database will be completed to show that a person has or has not provided consent to receive text messages.

The online webform through Microsoft 365 contains a record of all consents provided in the webform. This will be maintained through the online system Microsoft 365 Forms which will confirm the name and phone number of persons who have consented through the webform.

Additionally, the person’s Outlook Contact will have the phone number that the person has consented to having text conversations entered the “Chat” Field. If the “Chat” field is populated, the person has consented to receiving text conversations by replying “YES”.

Approved November 15, 2024.

Kevin J. Runyan  
President,  
Kevin J. Runyan, P.A.