

Social Media – Dos and Don'ts

This information applies to **all social networking sites**, including My Space, Facebook, YouTube, Twitter, Google Buzz, Linked-In, etc.

We have seen an increase in electronic surveillance of these accounts and sites by the insurance companies, investigators, and defense attorneys for purposes of embarrassing and humiliating claimants, and *claiming that your injury was exaggerated or even caused by anything other than the incident related to your claim*. Insurance companies have successfully used such information; even those considered innocent, harmless joking between private "Friends," to convince a judge and juries that plaintiffs have been dishonest. Please always be aware of what you say or post, including photographs, in any format on your computer or internet may be brought into or affect your claim. Also, be aware that the insurance companies may be entitled to request all information contained within your home computers, laptop hard drives, external hard drives, and other storage devices including memory sticks and cell phones. They may also be able to ask a judge to grant them access to your social media pages or sites, *even if you have the highest privacy settings established and they haven't been able to access them to that point*.

We cannot emphasize strongly enough how much these things have the potential to affect your claim, so please follow our advice.

DO

1. Discontinue Using: Consider taking down your Facebook or other social media pages and profiles entirely.
2. Highest Privacy Settings: If you won't take down your social media pages and profiles, make sure your privacy settings are at the highest levels. This means making sure that only friends can see ANY of your information, and NOT friends of friends or the general public.
3. Be Careful Who Your "Friends" Are: Create Friend Lists which can help you further narrow what even your friends have access to. You can create lists so that only certain friends can see your photo albums and status updates. **ONLY ACCEPT FRIEND REQUESTS FROM PEOPLE YOU ACTUALLY KNOW**. Remove people you have as "friends" currently who are only acquaintances or people you don't or barely know.

4. Make Yourself “Invisible”: Remove yourself from Facebook search results by selecting “only friends” under search visibility in your profile settings. Remove yourself from Google by going to your Internet Privacy Settings and unchecking the box for Public Search Listing
5. Take Down Photos / Untag Yourself: Consider removing all photos of yourself from social media pages. If you are not prepared to do this, untag all photos of yourself, and choose “only me” for who can view photos you are tagged in.
6. Be Cautious: Assume anything you write on your social media pages including status updates, messages and wall postings will at some point be seen by the defense lawyer(s), a judge and maybe a jury of people who don’t know you. Think about how things can be perceived differently than how they truly are, especially when taken out of context.

Be aware that Facebook’s new settings publish your interests, even if they are private.

DON’T

1. Assume You Are Safe: Sometimes “friends” can unintentionally pass along information to strangers who may be working on behalf of the defense lawyer or an insurance company. Sometimes “friends” can also have different interests, be mad at you and want to settle a score or have a grudge and willingly disclose information to lawyers and insurance companies that will seriously hurt your claim.
2. Send Emails or Information Regarding Your Case: Do NOT send emails to anyone but your lawyers regarding your claim and its progress, your health and activities.
3. Join Web-Chat Groups: **You do not own the information you post online, and it is highly searchable.** Do not enter insurance websites, post on message boards, participate in or comment on blogs, go into chat rooms about insurance and claims related issues. Do not create your own website or start your own blog about your experience.

****Once again, we strongly encourage you to stop participating in social media forums and take down all pages and profiles until after your claim has been resolved.****

