

# GUIDELINES FOR USING SOCIAL MEDIA DURING YOUR CASE

The use of social media as legal evidence is a growing trend. Lawyers are increasingly scouring the internet and social media websites for comments, photos, videos, and other information that can discredit or reflect badly for the other side.

Do you have blogs, personal websites, or accounts on social networking sites like Facebook, MySpace, Google+, Twitter, YouTube, Vimeo, Flickr, LinkedIn, Foursquare, or Meetup? If so, here are some social media dos and don'ts to keep in mind during your case:

## DO:

- **Remember That What You Post on the Internet Can (And Will) Be Used Against You.** If you have a pending case, you can count on the fact that the other side is searching the internet for any information it can find to harm your case.
- **Use the Most Restrictive Privacy Settings Possible.** Review the privacy settings on all your social networking profiles to ensure that only people you trust can see your personal information, posts, photos and videos. Update your privacy settings every three months.
- **Keep in Mind That the Internet Is a Public Place.** Social media accounts can be hacked, and even the most stringent privacy settings do not keep the people you friend from sharing your posts and information on their own pages or elsewhere.
- **Consider Everything You Post a Permanent Record.** Much of what you post on the internet is permanently recorded somewhere. Facebook keeps all of your information even if you close your account, and search engines such as the Internet Archive Wayback Machine can find old webpages that have been altered or deleted.
- **Think about Quitting or Limiting All Social Media During Your Case.** By doing so, you can avoid a lot of unnecessary risk of compromising your case, or having courts and lawyers scrutinize your private life.

## DON'T:

- **Post Anything on the Internet about Your Case, Your Incident, or Your Injuries.** Also ask your family and friends not to discuss your case on the internet, either on your page or theirs.
- **Use Social Networking Messaging Platforms to Discuss Your Case.** Sometimes even private messages can be shared by your friends or discovered by the other side.
- **Friend Anyone You Do Not Know Personally.** Sometimes unethical lawyers or investigators may try to access your webpage under a false name. Make sure you know a person before allowing them to access your website, blog or profile.
- **Comment on News Articles or Blog Posts about Your Case.** Even if you make comments "anonymously" or with a different username or email, in some cases your comments may still be traced back to you.