

THE RISKS OF SOCIAL NETWORKING SITES

The way we communicate and interact with each other has been permanently changed due to social networking sites such as Facebook, MySpace, & Twitter. Recent statistics indicate that Facebook has more than 300 million active users - and grows by more than 250,000 every day. It seems that almost everyone, including many businesses, use social media to create new relationships and strengthen or re-discover existing ones. While the benefits of these social networking sites are obvious, the potential pitfalls may not be. A recent story focused on the incoming chief of MI6, Britain's international spy agency. In that case, the spy chief's wife posted personal details about their family, vacations plans, and residence on her open Facebook page. While the British Foreign Secretary tried to downplay the significance of the disclosure, it was obvious that the leak was more than just an embarrassment for the government. Though I don't expect that any of us will be divulging state secrets on our Facebook pages, the information we do post can have unintended consequences months and even years later. Remember, the information you post on these sites can float around in cyberspace in perpetuity.

As a trial lawyer, I have seen many cases adversely impacted by the information innocently posted on social networking sites. Savvy defense lawyers, investigators, and insurance adjusters are routinely scouring these sites to obtain information that can damage or, in some cases, destroy your injury claim. For example, comments such as "Wow, my back really hurts after that tennis game" or "Spent last night horsing around with the kids and now my neck is killing me" can and will be used against you in your personal injury case. Even posted vacation photos can be used to argue to a jury that you aren't really injured.

My advice is to not post any information on Facebook that you wouldn't want your employer, your parents, or a jury to see at a later date. If you have a pending case or claim, it is best to take down your site until the case is over with. Do not assume that setting your page to "private" will protect you from uninvited guests accessing your posts. Insurance companies and defense attorneys have many ways, some ethical and some not, to obtain this information. As Benjamin Franklin famously said, "An ounce of prevention is worth a pound of cure."



Article by Andrew Weinstein of the Weinstein Law Firm

If you have questions about setting a social networking policy, or would like a free consultation about your personal injury claim, please feel free to contact me at (954) 757-7500.

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