

# SOCIAL MEDIA

## LANDER LAW PLLC

"Social media" refers to websites and applications that allow people to create and share information on the internet. Some examples include Facebook, LinkedIn, Twitter, Instagram, TikTok, and many others. When you are injured in a collision, a potential problem can arise when you publish anything about the collision, who might be at fault, or your injuries. Insurance companies and their attorneys often conduct exhaustive searches of your social media profiles to discredit your claim. Any picture or post can and will be used against you.

### **WHAT SHOULD YOU DO?**

First, you should immediately limit all public access to your social media profiles. Every social media website and application that you are (or have been) a member of should be made PRIVATE. No one should be able to look at any of your social media postings without your permission.

Second, you should be generally cautious when posting anything possibly derogatory. Don't post anything with profanity, inappropriate jokes, pictures of you consuming alcohol (if underage) or drugs or dressed in some attire a future juror might not find appropriate. To put it another way, how would you want your grandparent, child, or respected colleague to see what you are posting or how you appear.

Third, you should be specifically cautious concerning posting of anything at all related to the facts giving rise to your claim, the hiring of an attorney, the lawsuit, or your injuries. Never post anything about these topics.

Fourth, you should be cautious about posting photos about your physical fitness or participating in extreme sports or sporting activities. Insurance adjusters will use these posts or photos to claim that you aren't "really" hurt or that there was another, unrelated cause of your injuries.

### **WHAT IF I HAVE ALREADY POSTED THINGS?**

If you have already posted something, preserve it. A failure to preserve the information can result in sanctions, sometimes even dismissal of your case. So, do not destroy anything that might be relevant to your case. Instead, print off the item(s) and let your legal team know right away.

Defendants and their team of lawyers and investigators will do almost anything to avoid responsibility for paying you just compensation for your injuries. Following these simple rules will help make sure you don't win their case for them.