

To: _____ [*Client*]

SOCIAL MEDIA AND NETWORKING SITES

If you post to Facebook, Reddit, Instagram, or if you Tweet, blog, post to YouTube, or use any other form of social media, be completely aware that whatever you write or post (or anything in your history or timeline) will likely become known during the course of your family law case. Searches and investigation into your online presence is now a standard practice. Your passwords and account credentials can be demanded in discovery. Login information is not privileged information and, in all probability, I will not successfully be able to mount a challenge to keep login credentials from being disclosed.

For all online accounts, you should immediately verify that all your settings are on PRIVATE (the highest setting possible) and that nothing is public. Even with the highest privacy settings, you should only write or post items that cannot be used to hurt you. Moreover, my suggestion is that you DEACTIVATE all your accounts. Do not delete or destroy any accounts, account history, postings, writings, video, or anything else you may have posted online.

If you decide to keep your site(s) open, consider the following specific recommendations:

Do Not...

- Allow anyone to become a “friend” on a website like Facebook unless you are absolutely sure you know that person.
- Post any photographs or video of yourself (or enable others to “tag” you).
- Write or disclose anything about yourself, your personal or professional life, your friends, family, spouse, or any other third party that you will regret when it is displayed in front of a judge, or for which you would have to apologize for, or which can be interpreted as an “admission” against your interest, or anything else that can cast you in a negative light.
- Send emails, texts, posts or make any written statements regarding your case to anyone except your lawyers and our consultants.
- Participate in blogs, chat-rooms, or message boards.

If you do not take precautions, your online presence can be a treasure trove of information to be used against you. Your online material can be obtained and used to embarrass, humiliate or hurt you, or to compromise your legal claim and interests. Pictures, videos, and comments by you or your friends can be discovered and used.

Asking you to limit your social networking is a great inconvenience. I want you to be fully informed about the consequences of not being circumspect when using social media.

I acknowledge I have read and understand the foregoing information.

[*Client signature*]

Date: _____