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PRACTICE AREAS

Workers Compensation

Personal Injury

Motor Vehicle Accidents

Wrongful Death

JANUARY 27, 2010

Social media and your personal injury lawsuit

Social media is not simply a passing fad. It is becoming an increasingly popular phenomenon that is having a real life impact on pending lawsuits. From **jurors posting to Twitter during trial** to **Facebook statuses being used as alibis in criminal cases**, the legal implications of social media use can no longer be ignored.

One recent example of how social media use can negatively affect a legal case occurred in Canada. As explained in this CBC News [article](#), a Quebec woman who was diagnosed as depressed was receiving long-term disability benefits. However, the benefits were canceled by her insurance company after pictures from her Facebook account, in which she was smiling and apparently enjoying herself while on vacation, came to light. The insurance company claimed that the photos were evidence that she was no longer depressed.

As noted by Bob Ambrogi in this recent [post](#) at [Legal Blog Watch](#), insurance companies aren't the only ones searching for evidence on social media sites:

Lawyers are doing some watching of their own on Facebook, using social- networking sites to vet opponents and witnesses. Fair enough, given that whatever someone posts to Facebook is potentially discoverable...

Accordingly, lawyers should not overlook social media websites as a potential source of useful information for pending lawsuits. Likewise, lawyers should discuss with their clients the possibility that information posted to social media sites could be used against them at trial.

Social media is not going away. Astute lawyers will recognize this fact,



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learn about it and use it to their benefit.