



I was fortunate to be interviewed yesterday by [Doug Currin of KCEN-TV](#) out of Waco, Texas. We discussed the growing trend of using social media in divorce litigation. I told him of several instances where we've used social media.

One involved a man who tried to misrepresent his income for child support purposes. We used his Linked-In profile to show his employment history.

Another situation involved a "dad" who tried to sue for custody but had not been active in the child's life before the suit. We used his

MySpace profile to show the absence of entries or information about his child to show his lack of interest. Instead, his MySpace profile focused on getting dates with women. Priorities!

I told Doug of another situation where we used a computer forensic expert to find hidden documents in the family computer showing undisclosed bank accounts of the marriage.

Text messaging is becoming the way people communicate these days. In divorce litigation, sometimes getting text messages in a useable format for a court hearing can be challenging. I told Doug of using the iPhone's screen shot capabilities for capturing images of text messages off the screen. We also discussed sending a cell phone to a computer forensic expert for analysis.

In giving advice to people regarding social media, I reminded Doug that people should be careful of what you post in the public media. The picture of you partying today may be the evidence in your custody case tomorrow.

Also people need to be aware of the legal restrictions on accessing a computer that you don't have permission to access. For example, a Wife suspects foul play by Husband, so she gets up in the middle of the night and gets on Husband's business computer. She doesn't know the password, so she guesses at possible passwords until she lucks on to the right one. On his computer, she discovers emails talking about an affair with a co-worker and documents showing a hidden bank account where he pays for his tryst. She is computer savvy so she installs spyware on his computer that will send her emails about what he's doing on the computer. Big Billboard -- None of this is legal. There is [a guy in Austin](#) who is being prosecuted for doing this type of thing. It is a violation of the law to access a computer that you don't have permission to be on. It is a violation of the law to access a person's email that you don't have permission to be on. It is a violation of the law to install spyware on a person's computer that intercepts electronic transmissions that you don't have permission to see.



The best plan is to have an expert in computer forensics help do an investigation. Don't try to be your own investigator!

