# Seven Tips for Gathering and Interpreting Social Media Data

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Evaluations conducted within the context of child custody litigation can be among the most complex evaluations conducted. In addition to the usual data collection suspects (e.g., direct and collateral interview, psychological testing, medical records), data from email, text, social networking sites (SNS), various cell phone or tablet applications, and other online sources can provide evaluators with information useful to their evaluation's purpose. Data from these sources can:

- Provide insight into how evaluees communicate, both in general and with their once-and-future coparent.
- Inform hypotheses regarding each evaluee's current and past functioning, the relationships between evaluees, and the insight evaluees have into their own contributions to conflict.
- Inform professional opinions on child functioning, including to what extent a child might be exposed to the conflict between parents.
- Help inform hypotheses regarding how and to what extent a parent monitors a child's internet usage.

Though data from SNS and other related sources can be helpful, they, like all other sources of data, need to be considered and interpreted within the context of all collected information. Collecting, considering, and archiving this data comes with its own challenges above and beyond those presented by more traditional sources of records.

As mentioned above, hypotheses regarding several areas of an individual's functioning (as a parent or otherwise) can be informed through consideration of SNS and other electronic data. For example:

> We can learn about how evaluees communicate with others and how they interpret communication from others. Consider:
> - Are messages reported as antagonistic or patronizing but do not appear to be so?
> - Is an evaluee able to maintain a rational and calm style of online communication in the face of clearly antagonistic behavior?

- Are the content and tone of the evaluee's messages with others consistent with how he or she represents his/her communication style during the interview or consistent with how collaterals report an evaluee's assessment of their own communication?

We can learn whether they demonstrate insight into how their actions potentially benefit or harm the relationship between the minor children and themselves, the minor children and the opposite parent, or even the minor children and their social circles. Consider:

- Do they make blatant public posts denigrating their ex?
- Are they publicly members of online communities that could directly or indirectly harm the opposite parent's relationships?
- How, if at all, do they modify their online presence in response to being made aware of the implications of such behavior?

We can learn how well an evaluee understands social networking and technology. We can also learn whether they effectively monitor and control a minor child's access to information in an appropriate manner. Does the evaluee, for example:

- Understand the forever nature of online posts?
- Understand and make use of parental controls?
- Understand and make use of privacy controls?
- Monitor their child's internet usage?

With these items in mind, here are some things to think about when gathering and interpreting SNS and other related data:

1. Learn about an evaluee's use of SNS sites and other electronic communication.

When it comes to trying to elicit information about what SNS apps people use or how they communicate with others, it is important to keep in mind that there might not be consistency between how we all define various terms (e.g., app, chat, posts, forums). This makes it important to learn the terms that evaluees use, which can be done by crafting an interview around a series of (somewhat repetitive) queries. For example, ask an evaluee:

- Whom do you talk to online?
- Do you use a tablet or a phone to talk to people? Do you use a computer?
- Do you communicate with people electronically other than through placing calls or through video chat?
- Do you have a particular app that you use?
- Do you use just the phone?
- Do you message?
- Are there websites you go to in order to communicate with people you know?
- Are there websites you go to in order to communicate with strangers?
- Do you read or post on any particular website, message board, or app?

Don't be afraid to ask the evaluee to show you what the icon looks like for the applications they use.

2.  Listen to how parents describe their communication with others.

There's also a passive part of gathering this data. We can learn a lot by listening to how a parent describes communicating with the other parent, friends, family, and even teachers.

- When an evaluee says, "I said to the teacher…" or "My neighbor told me…", they might be referring to communication that has taken place via text message or email. This is particularly true with teachers; it is less common for parents to talk to teachers directly anymore as they are more likely to email, which leaves a record of communication that can be examined.
- If an evaluee says, "My friend and I were talking about that the other night", ask: "How were you talking about it?" Clarify if by telephone or text, another chat program, an app, etc. Ask them, "How did they tell you," or, "How did you guys talk about it? Were you in person? Was it by phone? Were you talking by text? Were you using an app like WhatsApp or another chat app, like Snapchat?"

By following up thusly, not only are you getting the information that you need, but also training the interviewee to relate that type of information at the outset.

3.  Ask an evaluee for what they might know about privacy settings and parental controls.

Privacy settings and parental controls are two separate things: privacy settings help an individual control who has access to their information; parental controls allow a parent to monitor and limit a child's interactions. Ask a parent to describe to you how privacy settings or parental controls work on the various programs their child uses. While we recommend against having a parent demonstrate these things using their own devices, you can explore with them their knowledge of the general concepts and some aspects of how to implement them on common applications such as Instagram and Facebook.

Additionally, ask parents how they audit their children's internet usage, if at all, and how often. Ask them what they require their children to do to facilitate such audits and how they explain the necessity of conducting audits to their children. In some situations, it might also be worth asking a parent to imagine their child started using a hypothetical new app or website and then explain how they would educate themselves about it.

4.  Learn about children's access to SNS and other online communication.

It is important to know if minor children have uncontrolled access to smartphones, tablets, and computers. Do they have their own device(s)? Do they share devices with their parents? If so, are the parents logging out of their email and other accounts before allowing a child to use the device?

During our interviews with children, particularly teenagers, they are more frequently acknowledging that they have access to their parent's email and social media accounts, and almost always inadvertently. Related, are parents aware that when they hand their smartphones to their children, the children might look through their pictures? What a child can find when they peruse a parent's cell phone can be a problem, let alone what they might come across by accident, or what notifications might pop up while the child is using the device for something

innocuous. Don't forget to ask children what SNS their parents use, what kinds of things their parents might post on SNS, and, most importantly, how they know this information.

5.   Should you search for evaluees on SNS?

We are almost always asked this question, and we understand the thought process behind this query. However, we recommend against it. Just because searching for evaluees on SNS expands the data you collect, doesn't mean your evaluation is better, and it's extremely time-consuming. It's reasonable to assume that if there's SNS data that's meaningful, you'll learn about it through your regular data collection techniques as meaningful SNS data will be presented by both sides. Some licensing boards may have regulations on this type of professional activity as well.

The algorithms that govern search results mean that future search queries are based, in part, on past search queries. Facebook knows whose profile you see. Google knows whose names you're searching. If you do 150 searches for major league baseball players, the next search you do, Google is more than likely going to serve you up information related to major league baseball players. If you're looking at your evaluees on Facebook, or LinkedIn, or anywhere, Google notices that. The algorithms make note, adjust to those clicks, and make a connection, and this connection is not just linking the evaluee to you, but you to the evaluee. We could conduct a whole seminar to inform evaluators how to manage their own online presence to minimize risk.

6.   SNS and other data present a good opportunity to collect balanced data.

We've all interviewed evaluees about conversations, only to learn later that the evaluee did not disclose some key parts of their discussions or interactions. Whether we're talking about in-person discussions or email chains, it is important to ensure you get both sides of the whole conversation. A convenient property of SNS and other related data is that all parties to the conversation have access to records, and you can request these records from more than one party. This allows you to check if records are complete and if conversations have been edited or presented out of context. And when we write "both parties to the conversation," we're talking not just about conversations between evaluees but between evaluees and a collateral source, or even between collateral sources.

Related, did you know that all SNS data and related communication can be fabricated? Emails, texts, Facebook or Twitter posts can all be mocked up in very convincing manners. In the on-demand workshop we recorded for the AFCC 58th Annual Conference, we demonstrated how an evaluee could fabricate a text message exchange. The lesson here is to remember that it's always an option to ask the other party to the conversation about the information you've reviewed.

We also recommend asking people, evaluees in particular, if there are any deleted messages or if there's any data that they have deleted that could have informed areas of discussion. The legal ramifications of spoliation aside, an evaluee's decisions to delete or withhold information can be informative.

7.  "Bouncing it back"

Take advantage of the fact that evaluations conducted within the context of child custody litigation feature two (or more) parties, each with pretty extensive knowledge of the other. Just like you might ask Parent A, "What are your parenting strengths?" and "What are Parent B's parenting strengths?", we think there can be good information in then asking, "When I ask Parent B what your parenting strengths are, what are they going to say?" Similarly, if you're interviewing Parent A, you ask Parent A about their SNS usage. A savvy evaluator also knows to ask Parent A about Parent B's SNS usage. What we recommend is taking this a step further and asking Parent A what Parent B would say about Parent A's SNS usage. We refer to this third line of inquiry as "bouncing it back" to the initial interviewee, and while we acknowledge that the term isn't very good, the approach to interviewing can be.

We conclude with the following:
- As with email and text messaging, SNS use can provide evaluators with a source of communication they can use to inform their evaluation.
- When you are provided with SNS data, it is likely something the parent believes is important, or believes illustrates a point.
- Like data from any other source, data from SNS can help an evaluator generate hypotheses for investigation and can provide an evaluator with data that lends support or argues against hypotheses.
- Data from SNS, not unlike data from any other source, is rarely in and of itself dispositive.
- Data from SNS are only reliably interpreted when considered within the context of all collected information.

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