



It's federal law, **YOU** are now **Personally** **Liable** for Social Media Policy and Training Gaps.

Frequently Asked Questions

What do you mean by social media personal liability?

Personal liability in a social media lawsuit means that legal damages are collected from the individual's personal bank account, retirement fund, and/or sale of personal property (car, home, collectibles, etc.)

Won't my organization pay all the legal fees?

Not anymore. Since one post or tweet can cause reputational damage to a person world-wide in seconds, plaintiff attorneys can capture large settlements and judgments by suing both the entity and individual. Here are some other reasons:

- Adding a personal "tort" (civil action) can increase statutory damage caps (exceeds the "caps" in the federal discrimination laws).
- The entity may be shaky but suing the individual could be a backup source of payment in an award of damages.
- Damages collected from the individual are tax free (at least at the time of payment) since collecting them triggers no "employer" withholding.

What specific social media content could trigger personal liability?

- Disciplining employees based on overbroad social media policy
- Defamatory posts and tweets
- Viral pictures and videos that invade privacy
- Negligent social media content that harms reputation
- Social media content that causes intentional infliction of emotional distress
- Negligent supervision
- Negligent training

Aren't We Covered By Insurance?

This is one of the biggest myths that must be shattered. Due to the dramatic rise in social media related lawsuits, insurance companies now classify most social media mistakes as "intentional acts" or "material published with knowledge of falsity"; these are policy exclusions that may eliminate coverage for your claims.

Won't My Union Cover Me?

Depends. Often the social media content in question is considered either "intentional acts" or "outside the scope of employment" and not covered by your union contract.

What is the best solution to avoiding personal liability?

The best way to protect yourself from social media personal liability is to make sure you have an experienced social media attorney close hidden policy and training gaps.

Here Are 4 Social Media Stop Signs To Obey



Stop thinking that if you are an attorney you are automatically qualified to develop a social media policy and employee training program. Like doctors, today's attorneys are specialists.



Stop attending social media conferences that only feature presenters who are employment attorneys or legal generalists. Only a specialist in social media law can give you the nuances, in-depth analysis, and specialized strategies you need to protect yourself.



Stop thinking your saving money by not hiring a social media law expert to develop your social media policy and training. In court, aggressive plaintiff attorneys will exploit your policy and training gaps for large settlements and judgments.



Stop allowing non-lawyers to write your social media policy or teach social media law. In many states even offering general legal strategies or analysis is interpreted as giving legal advice. You could be charged with the unlicensed practice of law which is a felony in most states.

Don't Throw The Dice and Hope It's Right. You Need A Social Media Law Attorney To Write Your Policy and Train Your Employees.

Your Instructor's Credentials

- 30 year electronic media lawyer
- Trained over 100,000 people
- Updated hundreds of policies
- 200 hours a month in research
- Former television anchor
- [Full Bio](#)



Why 97% of Social Media Policies Fail in Court

Questions? Call Now At 954-748-7698