The 3 Worst Defenses You Can Use
In A Negligent Training and Policy Lawsuit

Defense #1: "We Couldn't Afford Specialized Social Media Liability Training."
Judge/Opposing Counsel: You are asking the court to believe your agency could not budget for expert-led social media law training costing just $19–$29 per employee, with a one-time portal set-up fee of $297? Yet, financial records show expenditures on non-essential items proving the issue was not cost, but prioritization. On a topic now deemed "high liability," this defense collapses under scrutiny.

Defense #2: "Our Employees Are Overwhelmed—They Didn't Have Time."
Judge/Opposing Counsel: The U.S. Supreme Court has identified social media as an unprecedented danger—fueling workplace harassment, discrimination, invasion of privacy, and defamation. Your training records show several less critical programs that could have been postponed or replaced. Claiming lack of time for legally essential training is both negligent and indefensible.

Defense #3: "We Used a Model Policy From a Reputable Source."
Judge/Opposing Counsel: Did you confirm whether that policy had been court-tested or reviewed by a social media law expert—not just a general attorney or peer agency? On a high-risk issue like this, you had a duty to verify the policy met new federal drafting standards. Assuming compliance without validation is not a defense—it is an admission of negligence.

Questions? Call 954-748-7698 or email to mark@newsocialmedialaw.com