

How To Avoid Personal Liability From New Social Media Rulings

Instructor: 33-Year Digital Mark Fiedelholz who specializes in Social Media Law

Length of Training: This is a two-hour online course.

Method of Instruction: Online course that includes videos, podcasts, case law analysis, and white papers.

Training Objective: The primary objective of the course is to mitigate social media risk for brokers, agents, property managers, and office staff.

Core Issues: Defamation, First Amendment, Privacy, Discrimination, and Copyright Infringement

Evaluation Process: Each online course module has a quiz.

Abstract Summary: Participants will be introduced to a powerful “Red Flag System” that filters out harmful social media content formulated on and off-duty. Attendees walk away with new skills to differentiate between protected and unprotected First Amendment speech; they also gain a clear understanding of their scope of privacy on private social media accounts and devices.

Training Summary: 2-Hour Online Course

Module 1 Introduction: (15 Minutes): -- In the first module, participants watch a video that focuses on the core elements of social media liability. The goal of Module 1 is for participants to establish a strong conceptual foundation to prepare them for more in-depth social media legal issues addressed in future modules.

Module 2: Biggest Myths: (22 Minutes) – In the second module, I shatter the biggest myths regarding social media liability and address federal and state cases that re-classify social media as a weapon, not just a benign PIO issue:

- ✓ Pre-test
- ✓ Why Federal/State Courts Rule Social Media A Weapon, Not Just A Marketing Issue
- ✓ Understanding The New Federal Social Media Policy And Training Laws
- ✓ How Posts Undermine Community Policing Efforts/Civil Rights Violations
- ✓ Why Infliction Of Emotional Harm Claims Are So Prevalent In Social Media Cases
- ✓ Why Personal Liability Insurance Is Not Your Safety Net
- ✓ Review
- ✓ Quiz

Module 3: Social Media Libel (33 Minutes) — In the third module I discuss the complex area of social media defamation:

- ✓ Understanding Your State Libel Laws In The Context Of Social Media
- ✓ Differentiating Between A Social Media Opinion And Fact
- ✓ Learning The Nuts And Bolts Of Social Media Libel and Libel by Implication
- ✓ Responding To Negative Reviews Without Committing Libel
- ✓ The Costs Of Forwarding, Liking, And Sharing Social Media Libelous Comments
- ✓ Specific Social Media Libel Examples
- ✓ Review
- ✓ Quiz

Module 4: Social Media First Amendment Issues (35 minutes) In the fourth module I address specific posts and tweets that are not covered by the First Amendment and trigger discrimination claims:

- ✓ What Social Media Content Triggers Discrimination Claims
- ✓ What Social Media Humor Is Considered Discriminatory (i.e., Tik Tok)
- ✓ Why Social Media Speech Is A Lightning Rod For Harassment Claims
- ✓ Understanding Federal And State Social Media Cyberstalking Laws
- ✓ The Laws On Social Media Blocking And Deleting
- ✓ Review
- ✓ Quiz

Module 5: Social Media Privacy Invasion (20 minutes)—In the fifth module I give participants a survey of the current and emerging issues on social media privacy both at work and on private networks.

- ✓ Basics Of Social Media Privacy
- ✓ The Hidden Liabilities Of Social Media Privacy
- ✓ Defining The Parameters Of Off-Duty Social Media Privacy
- ✓ Specific Social Media Social Media Privacy Examples
- ✓ Review
- ✓ Quiz

OPTIONAL: Module 6: Copyright Laws You Need To Know (20 minutes)—In the sixth module I focus on the core copyright issues participants need to know to avoid infringement claims.

- ✓ What You Must Know About Copyright And Trademark Infringement
- ✓ The Laws Regulating Use Of Department Logos On Social Media
- ✓ Questions and Answers
- ✓ Review
- ✓ Quiz

OPTIONAL: Module 7: COURSE REVIEW: (20 Minutes)