



# Client Advisory

Important News & Information For Current Davis Law Group Clients

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The *Client Advisory* is designed to offer clients **important information and reminders** that are relevant to the management of their case. We want to help you understand the legal process and work together to maximize the value of your claim. Every case is different. Contact our office if you have specific questions about your case. The *Client Advisory* is sent to only those **Davis Law Group** clients that have a current, active personal injury or wrongful death claim. Once your case is completely closed you will no longer receive the *Client Advisory*. If you have any questions about or suggestions for this publication, please contact Mischelle Weedman-Davis, Director of Client Relations and Operations.

## Important Social Media Warning For Accident Victims: Anything you post can and will be used against you by insurance companies and their lawyers.

One of the biggest changes in personal injury law has been the rise of social media. Insurance companies can reliably use people's social media profiles against them. Insurance companies and their law firms aggressively monitor social media for posts that can discredit our clients, reduce settlements, or completely deny claims. Instagram, Facebook, Twitter, Google Plus and others often become the subject of discovery and then later introduced as evidence.

Honest people with legitimate claims and serious injuries are finding that an innocent post can be taken out of context and twisted against them.

In this special edition of the Client Advisory we are showing you how to guard your future against insurance companies who seek to deny your claim. Read on to find out what lawyers look for in social media posts, get step-by-step instructions on how to make your pages private, and get an inside look at what the insurance industry uses Facebook for.

## Tell Us What You Need

### TAKE OUR SOCIAL MEDIA SURVEY

In order to provide you with information on how to secure your online information, please let us know a little bit about which social media networks you are using.

**We are asking all clients to take a short social media survey.**

Click the link below to take the survey now.

[CLICK HERE: To Take Our Social Media Survey](#)





## December Calendar

### National Impaired Driving Prevention Month

December has been designated **National Impaired Driving Prevention Month**, a time to raise awareness about the consequences of driving under the influence of alcohol and drugs. The month of December is one of the busiest on the nation's roadways and also a particularly deadly time due to the high number of drunk drivers on the roads. **ALERT:** This is a great time to make a donation to support **Mothers Against Drunk Driving's (MADD) Campaign To Eliminate Drunk Driving**. Visit [maddwashington.com](http://maddwashington.com).

### Christmas Day— One of The Deadliest Days Of The Year

The holiday season is a great time to travel to visit friends and family but please do so safely--don't drink and drive. On average, 42% of all motor vehicle accident fatalities that happen on Christmas Day involve a driver who was legally intoxicated. **ALERT:** This is a great time to make a donation to support **Mothers Against Drunk Driving's (MADD) Campaign To Eliminate Drunk Driving**. Visit [maddwashington.com](http://maddwashington.com).

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## What Insurance Agents and Lawyers Look For When They Go On Facebook:

To protect your privacy and your legal claim we suggest that you follow these social media guidelines for your entire case.

#### Do not post status updates/photos/videos that mention or show:

- the incident or accident scene
- medical treatment
- that you are talking with or have hired an attorney
- paperwork given to you by an attorney, paralegal, or law office staff
- anything related to a deposition, mediation, arbitration, trial, court appearances, or witness testimony
- the at-fault person or business
- the anniversary of your accident date
- news coverage relating to your accident or case
- the judge or jury members of your case
- your participation in pre-injury hobbies or activities. Avoid 'Flashback Friday' or 'Throwback Thursday Photos.'

# How To Make Your Social Media Accounts More Secure & Private

## LOCK DOWN YOUR SOCIAL MEDIA ACCOUNTS

Not quite sure how to change the privacy settings on your social media accounts? We've made some simple instructions showing you the step-by-step process:

[CLICK HERE to READ instructions on how to make your social media accounts private \(pdf\)](#)

OR

[CLICK HERE to WATCH a how-to video.](#)

## Stay Up-To-Date

### GET THE LATEST UP-TO-DATE INFORMATION ON SOCIAL MEDIA AND INJURY CLAIMS

In order to keep up-to-date on how social media is being used in personal injury legal claims please connect with **Davis Law Group** with your favorite social media websites. We regularly post information that you can use and share with family and friends in order to protect your legal rights.

[CLICK HERE: To Like Us On Facebook](#)

[CLICK HERE: To Follow Us On Twitter](#)

[CLICK HERE: To Subscribe To Our YouTube Channel](#)

## What Insurance Companies & Their Lawyers Say About Injury Victims & Social Media

Read these quotes from insurance industry articles discussing social media surveillance and how they use it in court:

- “People get on Facebook and publish thoughtlessly and publicly about what is going on in their lives, usually without thinking of possible consequences. This behavior **works in the adjuster’s favor...**”

*Source: Busted! Social Media Helps Claims Adjusters Fight Insurance Fraud, The Safeguard Group, October 23, 2014.*

- “Because social media Web sites provide a real-time examination of users' lifestyles, insurance companies, claims adjusters and attorneys have begun to monitor and mine them as a **valuable source of claims-investigation evidence**. Insurers are reviewing information found on such social media sites as Facebook, LinkedIn, Instagram, Twitter, Foursquare, Google Plus and Pinterest, **and applying it to auto claims...**”

*Source: Car Insurance Companies Use Facebook For Claims Investigations, edumns.com, September 4, 2013.*

- “The Internet houses a potential gold mine of information that a savvy [insurance defense] attorney can use in various litigation stages...” “Despite widely divergent viewpoints on the usefulness of social media in litigation, from **“everything in war is fair game...”**”

*Source: Social Media: A New “Must Use” Tool In Litigation, Larson King.*

- “...these sites may provide photographs of the layout and contents of the house or apartment, information regarding the insured’s occupation and habits, and even where the insured was at the time of the loss. **..information on a claimant’s pre- and post-injury activities and insight into their mental state may be available...** incriminating photos, blogs or posts.”

*Source: Facebook and Fraud: A guide to Investigating Social Media During Insurance Claims, DEF Journal, September 2012.*

- “Given the extraordinary popularity of social networking websites among all age groups, [insurance defense] attorneys should consider the benefits that social networking websites offer to their discovery and trial practice. There is no question that these websites, which contain photos, videos, messages, and lists of friends, are a virtual **treasure trove of potential discovery information.**”

*Source: Social Media and Word-of-Mouse Discovery Tips For Litigators, DRIToday, April 20, 2011.*

- “Even if a policyholder's social media profile is private, a **court can approve an order allowing access to the profile** for a limited time...”

*Source: Insurers use social media to investigate claims, Sun Sentinel, October 9, 2011.*

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