

ETHICS OF SOCIAL MEDIA

Jason S. Boulette

**BOULETTE GOLDEN
& MARIN L.L.P.**

1

Overview

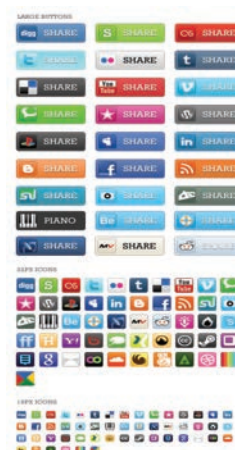
1. Self-help discovery

- Disciplinary Rules
- SCA
- Constitution
- Public Policy

2. Formal discovery

- Social media not immune
- Threshold showing req'd
- SCA compelled consent

3. Admissibility



**BOULETTE GOLDEN
& MARIN L.L.P.**

2

Internet = Public

3

Man tweets for weed; job goes up in smoke

By Chandler Friedman and Dorrine Mendoza, CNN
updated 7:45 AM EDT, Thu August 15, 2013 |

York Regional Police @YRP 13 Aug
Awesome! Can we come too? MT @Sunith_DB8R Any dealers in Vaughan wanna make a 20sac chop? Come to Keele/Langstaff Mr. Lube, need a spliff.

Mr. Lube @mrlube
@YRP Thank you to the York Regional Police for your help and great work. The matter has now been handled.
7:06 PM - 13 Aug 2013
25 RETWEETS 17 FAVORITES

Trying to get weed delivered to your workplace is probably not the smartest thing to do.

STORY HIGHLIGHTS

Tweeting for pot costs man his

(CNN) -- *Note to self*. When soliciting for drugs on Twitter, try a direct message.

**BOULETTE GOLDEN
& MARIN L.L.P.**

3

Internet = Public

4

Job applicant outraged after company shares her bikini photo on Instagram as 'PSA': 'This is not doing you any favors'

ALEX LASKER, IN THE KNOW
Oct 2nd 2019 1:10PM



An intern applicant says a marketing company posted her bikini photo on Instagram in an attempt to shame her

Kelly McLaughlin Oct 2, 2019, 1:03 PM



**BOULETTE GOLDEN
& MARIN L.L.P.**

4

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Ethics of Social Media

Also available as part of the eCourse

[2019 Advanced Patent Law \(Austin\) eConference](#)

First appeared as part of the conference materials for the
24th Annual Advanced Patent Law Institute session
"Ethics of Social Media"