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EFFECTIVE USE OF SOCIAL MEDIA AS A LITIGATION TOOL FOR THE DEFENSE

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**EFFECTIVE USE OF SOCIAL MEDIA
AS A LITIGATION TOOL FOR THE DEFENSE**

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The cases and materials presented here are in summary and outline form. To be certain of their applicability and use for specific claims, we recommend the entire opinions and statutes be read and counsel consulted.

EFFECTIVE USE OF SOCIAL MEDIA AS A LITIGATION TOOL FOR THE DEFENSE

During the week of March 13, 2010, Facebook was the number one traffic inducing website, beating out perpetual top dog Google. During that week, Facebook generated 7.07 percent of all web traffic while Google generated 7.03 percent. While only beating Google by a small margin, it shows how much Facebook is being used to search for content. Even more telling is the fact that Facebook had more than 845 million monthly active users at the end of December 2011. Of those, 483 million users were active daily users. Additionally, 425 million monthly active users access Facebook mobile products. These statistics show just how prevalent social media is in people's lives and why these sites can be a gold mine of information in litigation.

By now, most people are familiar with what social networking is and how it works. Social networks are internet sites which provide a forum and opportunity for registered and non-registered users to view information posted on those websites by various individuals and entities. The sites encourage users to share even the most mundane aspects of their daily lives. Sites such as Facebook are constantly changing and gaining additional access to various aspects of the user's life. For example, Facebook recently added the timeline feature. Facebook advertises timeline as a way to "tell your life story through photos, friendships and personal milestones like graduating or traveling to new places." Additionally, Facebook has become integrated with other social networking sites and applications. For example, Facebook just purchased Instagram, a photo sharing website. Other applications now allow you to check yourself and other users into locations using GPS technology via your mobile phones.

The integration of social media into our everyday lives makes it important to understand how these sites can be used in routine litigation strategy and discovery. Social media is not only useful in family and criminal litigation, but can influence personal injury, workers' compensation, product liability, commercial litigation and employment cases. In order to properly use this technology, it is essential to understand how this can be used. Effective use of social media requires a unified effort between insurers, insured and counsel.

Plaintiffs are now being counseled by their attorneys to avoid using social media and in some cases to delete their profiles entirely. Many attorneys are giving this advice during initial consultation, thus it becomes important to gather social media information as soon as possible after learning of a potential suit. Once you learn the plaintiff uses a social media website and has an accessible profile, it must be checked periodically throughout the litigation process. There is no specific rule of thumb on when to check these pages, but it will likely depend on the plaintiff's usage tendencies and the types of postings the plaintiff has made in the past.

I. TASKS FOR INSURERS

The first step in using social media evidence is for the carrier to commence discovery as early as possible in the litigation process. As soon as an adjuster becomes aware of a claim, it is

beneficial to start the informal discovery process on social media websites. Informal discovery is factual research obtained without document requests, interrogatories, subpoenas, or depositions. Informal discovery can be conducted at any time, by anyone, and it is free. This type of discovery should begin as soon as a claim is reported. The search should not be limited to Facebook, but should also include search engines and other common social media pages. While counsel will likely need to conduct searches at other periods in the litigation process, adjusters should do the initial searches in the event the profile or information is deleted shortly thereafter.

Practice Pointer: It is worth noting that plaintiffs can also use social media against defendants. Thus, adjusters should speak with defendants early in the claim process about the importance of not sharing information on these websites. A conversation of this nature will also likely occur between the defendant and counsel, but educating the defendant of the dangers as soon as possible can potentially avoid a problem.

A. Search Tips and Tricks

Sometimes gathering social media evidence is as simple as typing the plaintiff's name in the search box. However, as more individuals become aware of privacy settings it is increasingly difficult to gather information. There are some handy tricks and tips for gathering useful information without violating ethical rules. First, if a plaintiff does not have a profile, someone in their household probably does. If you do not have all of their names, conduct a search on www.whitepages.com, www.spokeo.com, or www.pipl.com to identify the names of people in the household. Once you locate names, conduct social media searches for those individuals.

Next, after you identify a plaintiff's page or a family member's page, do not stop your search after looking at their wall/timeline/tweet listing/page. Pay close attention to their photos, friend lists, and interests. Look at the plaintiff's photos, save any photos showing activities the plaintiff is doing. Make sure to check the date of when the photo was posted so you know whether it was pre- or post-injury. Also, take note of people who frequently appear in the photographs. Clearly, if an individual often appears in the photographs it is someone close to the plaintiff that interacts with them often. Check to see if these individuals are "tagged" in any of the photos. If they are, consider checking out their pages and their photographs for additional information about the plaintiff. Another recommendation is to see who frequently comments on the photographs or on the wall. Depending on the content of the posts, it may be sensible to check these people's profiles to see whether there is information on the plaintiff on their pages.

Spending a couple minutes evaluating a plaintiff's friend list can result in beneficial information. According to a study from 2009, the average user has 120 "friends" on Facebook. Obviously checking each of these friends is not an efficient use of time. When searching friend lists, look for "friends" with the same last name or individuals identified as family members on the profile. Check these individuals' pages in the hopes of finding beneficial photographs or information about the plaintiff.

Do not forget about the plaintiff's "likes." When a user "likes" a page, a connection is made. Frequently, users "like" local businesses and other entities they frequent. These "likes" can give you additional insight into the personal activities of a plaintiff. For example, an investigator located a plaintiff's Facebook profile and saw they liked a local bowling alley. On its face, this information did not seem relevant to the plaintiff's low back claim. Yet, when the investigator went to the bowling alley, he learned the plaintiff participated in a bowling league. As icing on the cake, the investigator also saw a huge banner congratulating the plaintiff on scoring a perfect game. The banner included the plaintiff's name and the date of the game. Unfortunately for the plaintiff, the date of the game coincided with the period of time the plaintiff was allegedly restricted from doing anything due to his low back complaints.

While informal discovery and social media information is a useful tool in the litigation process, it will not always provide you with that essential piece of evidence to close the case. More often than not, you will gather pieces of information that will help guide you to make more informed decisions on how to proceed with the defense of the claim. In the bowling example above, the decision to hire an investigator to delve deeper into the plaintiff's bowling history only developed as a result of the content of his Facebook page.

B. Performing Ethical Searches

Since the use of social media information in claims and litigation is still relatively new, there has been little guidance from authoritative sources on the best way to handle, preserve and use this information. Nevertheless, some recommendations can be made.

Any contact with plaintiffs via Facebook, MySpace, Twitter or other social networking sites may be viewed as an inappropriate and illegal contact with an opposing party. Therefore, the utmost care must be exercised and advice of counsel should be sought before endeavoring to use these resources.

The Philadelphia Bar Association is one of the only entities in the country that has issued any sort of information and discussion regarding the use of social networking site information. The Philadelphia Bar Association issued an opinion in March 2009 in which an attorney from the bar had inquired whether or not it would be proper to obtain information contained in a social networking site of a potential adverse party. The article discussed the ways to get that information. One of the issues raised in the analysis was whether the information was posted as "public."

As detailed above, individual users on sites such as Facebook can modify their privacy settings. If no modifications are made, then that information is generally available to anyone with access to the internet. Some users have edited privacy settings so that only "friends" can access their information. One of the issues raised was whether an attorney or someone acting on their behalf can send a "friend request" to an individual on Facebook so as to become a friend and access this information. The recommendation from the Philadelphia Bar Association was that that would be an inappropriate manner in which to obtain information. Having another individual

deliberately concealing the purpose of the "friend request" would allow the suggestion that the attorney was inducing an adverse party to provide information.

Therefore, the following guidelines can be gleaned from a review of cases and bar position papers. Information contained in social networking sites on the internet can be used in claims and litigation. However, no "deceptive" practices should be incorporated or used in obtaining that information. There are no discovery rules or ethical guidelines that prohibit the use of social networking tools in formal and informal discovery. Based on all of the above, attorneys or claims professionals should not contact an adverse party through a "friend request" or "tweet" or other similar private message. The reason for this is that lawyers and claims professionals are not generally permitted to speak with an opposing party without an attorney present. The same prohibition applies to online communications, and is not ethically circumvented by utilizing a third party to contact the opposing party through a "friend request" or similar device. The bottom line is relatively straightforward: if information can be accessed through public means without deceptively requesting the information from the individual or one of the individual's friends, it is "fair use."

In 2010, the New York Bar Association issued an ethics opinion confirming that attorneys could access another party's social media site in an effort to gather potential impeachment evidence so "long as the party's profile is available to all members in the network and the lawyer neither 'friends' the other party nor directs someone else to do so." N.Y. State Bar Assoc., Ethics Opinion 843 (Sept. 10, 2010).

C. Securing and Preserving Information Obtained Through Informal Discovery

When information is found during the informal discovery process, proper preservation is essential. Since it is easy to delete information from social media websites, it must to be preserved and stored as soon as it is discovered. Care must also be taken to ensure that it is properly preserved and stored to comply with the Rules of Evidence.

In order to properly preserve social media evidence, it must be printed or stored electronically. Also, a date stamp must be included. Taking screen shots of the postings is an extra step that can be taken to preserve evidence electronically. While not absolutely necessary, screen shots add some additional credibility by showing that the information was not modified. The individual discovering and storing the evidence will need to sign an affidavit and may need to testify at trial. Consequently, the identity of the individual preserving the evidence must also be recorded. Proper preservation is essential to combat potential evidentiary arguments should the information be utilized at trial.

II. ROLE OF INSUREDS

Obviously, information available through the insured will vary greatly depending on the type of case and the relationship between the insured and the plaintiff. For example, in workers'

compensation cases, an employer is likely to have access to more information from a plaintiff's social media profile than in a personal injury claim in which a defendant has no relationship with the plaintiff. The role of an insured is likely greatest in workers' compensation cases where there is no formal discovery process. However, in other cases in which an insured has a relationship with the plaintiff, the insured may have access to information a carrier does not.

As noted in detail above, plaintiffs have attempted to circumvent discovery of their information by changing their privacy settings to prevent them from being viewed by the public. Early in the litigation process, if a carrier cannot obtain ethical access to a plaintiff's page, it needs to be determined whether the defendant/insured has access to this information despite the privacy settings. In laymen's terms, is the defendant already a "friend" of the plaintiff?

As discussed above in detail, it is important for insureds to also understand that when the plaintiff is represented by counsel, it is not appropriate to have any contact with the plaintiff via social media profiles. Thus, if the insured is not already friends with the plaintiff, a request should not be sent to the plaintiff to make a new such connection. Additionally, the insured and insurer should never do anything dishonest or deceitful to gain access to a plaintiff's page.

When a defendant is already friends with a plaintiff on social media or potentially has additional access to a plaintiff's page due to a "friend-to-friend" connection, there is no reason why the insured cannot provide the insurer with useful information derived from this connection. When relying on the insured for this information, the insurer and counsel must make sure that the insured understands how to ethically conduct these searches in order to avoid any potential issues with improper contact between the parties.

In workers' compensation cases, the respondent or employees of the respondent likely already have access to a private page of the petitioner. When the petitioner effectively uses privacy settings to restrict the profile, the attorney and carrier have no other alternative to access this type of information. Before asking a respondent to gather this information, it is best for the attorney and the employer to develop an agreed strategy for proceeding forward.

III. RESPONSIBILITIES FOR COUNSEL

While informal discovery searches can be conducted by carriers and insured, it should also be done by counsel at various points in time as the case progresses. Counsel can also use informal discovery searches to gain information about witnesses, experts, counsel and even jurors.

Written discovery is useful for unearthing information that could not be obtained through informal discovery. As plaintiffs become more knowledgeable about privacy settings, gathering information through informal discovery is more difficult. Nonetheless, simply setting restrictive privacy settings is not enough to circumvent formal discovery rules.

A. Issuing Preservation/Retention Letters

As soon as possible once the litigation process begins, counsel should send a retention letter to plaintiff's counsel to prevent deletion of information or profiles from social media websites. This step should be performed whether or not you plan to use social media discovery; it does not hurt to preserve this potential evidence.

In *Torres v. Lexington Ins. Co.*, 237 F.R.D. 533 (U.S.D.C. p. 2), the plaintiff sued a hotel alleging a sexual assault occurring at the hotel caused social isolation, intense humiliation and mental anguish. During an informal discovery search, defense counsel found a social media account with a number of potentially damaging photographs. The photos and profile indicated the plaintiff was an aspiring singer and model, and called into question the severity of the alleged injuries from the incident. Defendant's counsel sent a spoliation letter and a request to produce to plaintiff's counsel. Two days later, the account was deleted. As a result of plaintiff's actions, the court issued serious sanctions including, but not limited to, dismissal of the mental anguish claim.

Since it is relatively easy to delete information from social networking pages, it is wise to issue a preservation letter to prevent the plaintiff from deleting potential evidence. It is important to fight these battles against the plaintiff instead of expecting assistance from the site administrators. Sites, such as Facebook, routinely deny subpoena requests citing the Stored Communication Act, 18 U.S.C. § 2701 *et seq.* Pursuant to this statute, sites need only provide basic subscriber information to a party in a civil matter if the information is indispensable to the case and not within the party's possession. Further, Facebook will not comply with any subpoena unless it is a validly served California or federal subpoena. Out-of-state subpoenas must be domesticated and served personally. If you comply with these requirements, the information provided will not include any content such as wall posts or photos from the page. In almost all cases, it makes little sense to attempt to gather information from the sites directly.

B. Using Requests to Produce and Interrogatories to Access Information

Restrictive privacy settings are not enough to circumvent discovery requests. Social media evidence can be discovered in all aspects of formal discovery including during depositions. Counsel should not overlook the opportunity to discover this evidence in the initial written discovery process. In interrogatories, requests can be made for all screen names, sites used, and identities of any aliases used on these sites. A sample request would be: "Identify the user name and email address for any Facebook account maintained or accessed by you from (date) through the present."

In document requests, counsel can tailor the request to gain access to the online accounts and media. Information that should be considered include: profiles, posts, messages (including forwards and replies), tweets, retweets, wall posts, comments, status updates, blog entries, comments, videos and pictures. An example of a request to produce is:

For each Facebook account maintained or accessed by you, please produce your account data for the period of (date) through present.

You may download and print your Facebook data by logging on to the Facebook account, selecting the "Account Settings" under the "Account" tab on your homepage, clicking the "learn more" link beside the "Download your Information" tab, and then following the directions on the "Download your Information" page.

Allowing this self-collection method is more likely to be approved by the court because the plaintiff was provided with instructions, the request was limited to a specific period of time, and the plaintiff has the alternative of producing the information instead of allowing defense counsel direct access to the information.

C. Gaining Access to Deleted Accounts Through Written Discovery

Counsel can attempt to gather information from a deleted Facebook profile even in situations where the plaintiff "deleted" it. While counsel is also prevented by the same rules that prohibit insureds and insurers from contacting the plaintiff, counsel can use the formal discovery process to gain access to pages. Currently, there are no reported Illinois cases addressing discoverability of social media pages, although this type of information is being produced during the discovery process.

It is worth noting that, even when a plaintiff "deletes" a Facebook profile at the start of litigation on the advice of counsel, the profile is not actually erased. When a Facebook profile is "deleted," the profile is merely deactivated. This causes it to outwardly disappear from Facebook immediately. However, Facebook saves all profile information including friends, photos, interests, etc. To reactivate the account, a user need only sign on to Facebook from the main sign-on page.

In order to permanently delete a Facebook page, a user must go to a specific page that is not easily located on the Facebook site and submit an official request. Once the request is processed, the profile page is deleted entirely with no option for recovery. While many attorneys warn clients to delete their pages, few understand this important distinction. In order to gain access to these deleted pages, counsel can use the written discovery process to identify and request access to previously held accounts.

In *Romano v. Steelcase Inc.*, 907 N.Y.S.2d 650 (N.Y. Sup. Ct. 2010), a New York judge ordered production of the plaintiff's entire Facebook and Myspace profiles, including all private pages. The court pointed out that the privacy policies for the sites advise users that there is no expectation of privacy. In this situation, the plaintiff was ordered to execute a consent form authorizing Facebook and MySpace to provide the defendant with access to the pages.

Similarly, in *Bass v. Miss Porter's School*, No. 3:08CV1807, 2009 WL 3724968 (D. Conn. Oct. 27, 2009), the federal district court in Connecticut conducted an in camera inspection of the

plaintiff's Facebook page. The defendant served written discovery requests on the plaintiff for production of documents specifically related to the claims in the case. Additionally, the defendant asked for any communications related to the allegations of the complaint. Following the inspection, the court ruled that the plaintiff's production was insufficient and therefore ordered the plaintiff to provide her complete profile to the defendant.

In *Ledbetter v. Wal-Mart Stores, Inc.*, No. 06-CV-01958, 2009 WL 1067018 (D. Colo. Apr. 21, 2009), the court denied the plaintiff's request for a protective order regarding Facebook, MySpace and Meeup.com content. In *McMillen v. Hummingbird Speedway, Inc.*, No. 113-2010 CD, 2010 WL 4403285 (Pa. Com. Pl. Sept. 9, 2010), a Pennsylvania court denied plaintiff's request for a protective order for his user name and log-in information on social media sites. The court ruled that there was no social media communications privilege, thus the plaintiff was ordered to produce usernames and passwords to the defendant.

D. Authorizations

Counsel can also send a written authorization for access to plaintiff's social media accounts to plaintiff's counsel, much like a release for medical records. Upon execution, this authorization allows defense counsel to access the plaintiff's profile directly. Companies such as LinkedIn have already developed their own consent forms to allow this type of access. Facebook's alternative is the "download your entire profile" link discussed above.

If the plan is to attempt to obtain access a profile and content from the site administrator, an authorization is required. This authorization must permit disclosure to circumvent the Stored Communication Act discussed in detail above. In order to obtain a valid authorization, all biographical information, user account information, and the URL to the profile will be needed to identify the account. The authorization must specifically identify whether the production is to include photographs, videos, messages, etc. Once the authorization is obtained, counsel can contact the site administrator in an effort to gather the information. If the administrator refuses, then a subpoena will need to be issued. Generally speaking, an authorization is less preferable than using a document request when trying to obtain access to this form of information.

E. Rules of Evidence

Information gathered during social media investigations can be useful in a number of different ways during the litigation process, such as in forcing a favorable settlement. However, special consideration must be given to the rules of evidence when planning to use this at trial.

Applicable rules of evidence apply to social media information. That is, attorneys or other individuals seeking to use photographs, comments or connections discovered on an individual's social networking site, *i.e.* Facebook or Twitter, must satisfy specific requirements for admissibility under the rules of evidence. The federal rules of evidence provide a baseline for many states, though the exact rules of evidence for each state vary. Illinois has not universally adopted the federal rules of evidence.

Under the federal rules, the preferred information must be “relevant” to the issue at hand. Relevant evidence is defined as “having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.” Clearly, not all information posted or visible on a social networking site will satisfy this standard.

Therefore, information found on a social networking site must have some ability to make the existence of any fact that is important to the case more or less probable. For example, photographs showing a plaintiff who claims soft tissue injuries of the neck ingesting alcohol at a party would not be “relevant” to any issue in the case. Conversely, photos of a plaintiff claiming soft tissue injuries drinking alcohol from a “funnel and tube,” which demonstrate the soft tissues of the neck being hyperextended, may be admissible to rebut plaintiff’s testimony of her inability to do certain activities.

Other evidentiary considerations will also likely come into play with this type of information. For example, Federal Rule of Evidence 403 dictates that evidence should not be admitted if its probative value “is substantially outweighed by the danger of unfair prejudice, confusion of the issues or misleading the jury.” In other words, otherwise relevant evidence may prove to be so prejudicial that it will not be admitted. For example, a photograph depicting an individual with asthma who claims difficulty with breathing lighting a marijuana cigarette may or may not be admissible. A court could find that the prejudicial effect of the ingestion of marijuana outweighs the probative value of the evidence. Therefore, any time this type of evidence is sought to be utilized, either in claims handling or litigation, careful consideration must be given to the legal context in which it is being used.

Hearsay evidence is inadmissible unless it falls under one of the many exceptions to the rule. In *State of Ohio v. Greer*, No. 91983, 2009 WL 2574160 (Oh. App. 8th Dist. Aug. 20, 2009), the court held that social networking posts by a party are not hearsay. The statements are admissible as admissions by a party opponent.

Counsel needs to give special consideration to these evidentiary issues in order to avoid problems with admissibility at trial. Since this area of the law is very technical and fact driven, strategy becomes essential in determining how to best use this evidence throughout the litigation process.

Pretrial disclosure of all of the aforementioned information can prove to be another tricky issue worthy of substantial consideration. Information and photographs in the possession of defense counsel must be shared with opposing counsel through normal discovery, assuming that normal discovery requests have been received. For example, if defense counsel obtains photographs of a plaintiff engaged in activities which postdate the occurrence, and which the plaintiff claims she was unable to perform, those photographs must be shared with plaintiff’s counsel. Although there is some question as to the timing of production, the Illinois Rules of Evidence will not allow parties to produce evidence at the time of trial which was not previously disclosed. Good practice dictates that as soon as the information is discovered and an applicable discovery

request has been received, the information should be produced without hesitation. Such information can also be valuable in terms of mediation; and should be produced prior to a mediation session. Often, parties will not attend a mediation individually. Rather, they will have friends or family members accompany them. Making the plaintiff aware of the subject information in advance of the mediation process can prove to be very beneficial in motivating a plaintiff toward settlement.

IV. CONCLUSION

Facebook and other social media are here to stay and their impact on litigation continues to grow. According to an ABA research piece, from January 1, 2010 through November 1, 2011 there were 674 published cases involving social media evidence in some capacity. Additionally, there have been nearly 300 federal court decisions through the end of 2009 that awarded sanctions for e-discovery violations. Insurers, insureds and counsel must understand how to benefit from this evidence and also how to defend cases against this evidence. Since it is a relatively new field, this area of the law is quickly changing and expanding. Having a solid understanding of how this evidence is found, gathered and used can quickly change the outcome of a claim. To be effective, we all need to work together when using this evidence.

While not every case warrants an extensive social media evaluation, it is a beneficial and useful tool in litigation. All claims will not produce the "smoking gun" piece of evidence, but some will. Other times, social media evidence assists in the development of a more informed handling strategy. The information that parties place on the internet may be valuable in evaluating and defending claims. Since the public information and resources contained on social networking sites can be used to your advantage, it is worth investing some time to take a look. However, one must keep in mind the ethical and legal pitfalls that social networking presents.



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Stacie started with Heyl Royster as a summer associate while in law school, and then joined the firm's Peoria office in 2006 after graduation. While in law school, she was active on the *Drake Journal of Agricultural Law*, serving as a note editor. In 2005, she received a CALI Excellence for the Future Award in Agricultural Law.

Stacie dedicates a significant portion of her practice to the defense of employers in workers' compensation cases. She handles cases on the Peoria, Bloomington and Kewanee dockets. She has effectively argued numerous claims before the Illinois Workers' Compensation Commission. She also handles a variety of civil matters ranging from representing defendants in auto accidents and premises liability claims to representing corporations in shareholder disputes. She has experience in all aspects of case preparation and has trial experience. Additionally, Stacie has successfully mediated several complex claims.

Stacie has a special interest in the use of social media in litigation and in formulating and drafting social media policies. She frequently speaks to clients, claims representatives and attorneys on these issues. Additionally, she has co-authored a variety of articles on Workers' Compensation and Workers' Compensation Appeals. Stacie was previously named a Rising Star by Super Lawyers and has been recognized by the Peoria County Bar Association for her commitment to pro-bono services.

Publications

- "Social Media for Public Employees," *Heyl Royster Governmental Newsletter* (2010)
- "Supreme Court Addresses Propriety of TTD Termination Where Employee is Fired for Violating Company Rules," *Below the Red Line – Heyl Royster Workers' Compensation Newsletter* (2010)
- "Workers' Compensation Appellate Procedures," *ABA Committee Newsletter* (2007)

Public Speaking

- "Social Media: What Is It and How to Get It Admitted into Evidence" National Association of Railroad Trial Counsel (2012)

- "Workers' Compensation Legislation Update" Heyl Royster Spring Seminar for Commercial Litigation Clients (2012)
- "Effective Use of Social Media in Informal Discovery" RIMS - Bloomington, Illinois (2011)
- "Developing Facts Through the Internet and Social Networking Sites: Electronic Informal Investigation and Discovery" Heyl Royster Claims Handling Seminar (2010)
- "Electronic Informal Discovery: Google, Facebook and Beyond" Peoria County Bar Association Civil Practice Seminar (2010)
- "Discovery of Social Networking Information" National Association of Railroad Trial Counsel, Special Litigation Conference XXI (2011)

Professional Recognition

- Outstanding Commitment to Pro Bono Services, 2008 (Peoria County Bono Plan)
- Named to the 2010 and 2011 Illinois *Super Lawyers Rising Stars* list. The *Super Lawyers Rising Stars* selection process is based on peer recognition and professional achievement. Only 2.5 percent of Illinois lawyers under the age of 40 or who have been practicing 10 years or less earn this designation.

Professional Associations

- Peoria County Bar Association (Young Lawyers Committee; Past Chair, Membership Committee)
- Illinois State Bar Association
- American Bar Association

Court Admissions

- State Courts of Illinois
- United States District Court, Central District of Illinois

Education

- Juris Doctor (Honors), Drake University Law School, 2006
- Bachelor of Science-Business, Miami University, 2003