

# Simple Social Media Rules During Divorce: Don't Do It!



By Jacqueline Newman

According to the American Academy of Matrimonial Lawyers, in 2016, over 80 percent of divorce attorneys reported a large increase of evidence collected from social media in the past five years.

No matter how much you are itching to fire off a tweet or update your Facebook status with details about your soon-to-be ex, I strongly advise against engaging in social media during the divorce process. Social media is simply a world that can make your divorce much more difficult.

# Social Commentary Feeds Public Opinion

Anything the public has access to can be used against you in court. So the first thing your spouse's attorney is going to do is Google you—and Google will show what you have been up to. Opposing counsel wants to know who you are, and however you showcase yourself to the world on social media, this will be the way you are presented in court. I cannot stress this enough: If you are getting a divorce, do not go on social media and post things about your spouse or your children because chances are it will be used as evidence against you in court.

**Related Link:** [Dating Advice: Thriving After Divorce](#)

**Consider the following facts:**

- Ninety percent of lawyers use evidence from text messages.
- Cell phone bills are used as evidence in divorce.
- GPS on cell phones offers opportunities for tracking and recording conversations.
- Email accounts can be subpoenaed and used as evidence.
- Deleted emails are easily retrieved.
- Facebook leaves a trail on everything from behavior to spending to traveling with photographic proof.
- Dating websites provide profiles letting everyone see dating activities.

**Related Link:** [Dating Advice Q&A: Is It OK to Start a Relationship Via Social Media?](#)

I have dozens of anecdotes about individuals who posted random status updates on Facebook and tweets on Twitter that got them into massive trouble during divorce proceedings. One man started posting photos of himself socializing, drinking, and

living the good life while his wife was going through economic hardship with their young child. In that case, opposing counsel showed the judge the husband's Facebook feed and used it as evidence of his ability to pay higher amounts in child support. The lesson here? Control your fingers.

If you are claiming you cannot afford child support, do not post pictures of your brand-new BMW. Do not advertise the fact you just closed a lucrative deal at work with a new client or that you made a killing on Wall Street. Just be quiet.

[During divorce just] stay off social media. I have never heard of anyone whose problems were instantly solved after she aired her dirty laundry on Facebook. Sometimes loose fingers are worse than loose lips.

#### **About Jacqueline Newman:**

Jacqueline Newman (<http://nycdivorcelawyer.com>) is a New York City based divorce lawyer and experienced NY matrimonial law expert. As managing partner of a top tier 5th Avenue Manhattan law firm focused exclusively on divorce, her practice runs the gamut from prenups for high net worth people contemplating marriage to high conflict matrimonial litigation in dissolutions involving complex financial assets and difficult custody issues. She is also the author of "Soon-to-Be Ex: A Woman's Guide to Her Perfect Divorce and Relaunch" & "Soon-to-Be Ex for Men: Preserving Wealth, Fatherhood, and Sanity during Divorce"

Jacqueline Newman TV Appearances on  
WPIX-11: <https://www.youtube.com/watch?v=hGrZgJf0WXU>