

Don't Blog Yourself into a Lawsuit

The Internet is a fascinating place that is opening up new forms of social interaction, activities, and organization of information. Social networking websites such as Facebook, Twitter, and MySpace are creating revolutionary ways to interact with people all over the world. In addition, websites such as Amazon, Yelp, and Angie's List allow people to post online reviews of businesses of all types. The explosive growth in these types of activities in the last few years is truly amazing.

These undertakings, however, have a dangerous element. Blogs and postings of a negative nature (even if they are true) can result in unpleasant and costly lawsuits against the author. Note that it may still take time before there is a good body of caselaw to support freedom of speech online in blogs, forums, and social media publishing sites. And remember that freedom of speech does not mean you can say anything you want anywhere. Freedom of speech implies responsibility; its use should generally be for the benefit of the greater good. So the following are some risk management tips to consider before posting or blogging negative comments on the Internet.

- Check your facts carefully and thoroughly document your sources. Truth is a complete defense in a libel case, although you still may run into expensive legal bills defending yourself. If you find that your facts are incorrect, remove the inaccurate content and consider issuing a correction or retraction.
- If you purchase a product online and have an unpleasant experience with the seller, it might be wise not to post a negative comment or rating on the website. If you do post an adverse comment, be sure that it is objectively written, based on solid facts concerning your own direct experience, and not written in an inflammatory manner.
- If you are a blog master and someone is posting false and incendiary statements on your site, remember that you may be held liable for these remarks since you are the "publisher."
- Seek protection for your rights. The [Electronic Frontier Foundation](#), a not-for-profit organization, has a mission to safeguard the rights of those who use digital media and to provide legal guides to bloggers both large and small. It also offers helpful ideas to those bloggers and online posters to avoid libel suits.
- Make certain your homeowners policy includes a personal injury endorsement to cover libel and slander suits. Most standard insurance company policy forms do not provide this automatically, and it can be added for a small additional premium. Also, consider buying a personal umbrella policy, which generally provides broader personal injury coverage.
- If your blog is a money-maker, look into business liability coverage since the typical homeowners policy contains numerous business-related exclusions and restrictions. If you operate a small home-based business in conjunction with your blog or online business, consider requesting that a home-based business endorsement be added to your homeowners policy.