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Legal Ethics in Social Media
Security Tips from the Millennials



CE/CLE Training
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For more than three decades Jean Mignolet has served in law enforcement and private investigation, managing all aspects of general investigative business. She specializes in in-depth background investigations, and is the top choice of attorneys, corporations, small business owners and individuals who require all types of investigative services.

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Dear Jean,

Intervals of crushing stress and pressure are a part of everyone's life. The death of a loved one, an unexpected illness, natural disasters and financial pressure throw us into states where there is so much going on that it's impossible to think straight.

It is not JUST during these times when we are prone to a lapse in judgment. In our everyday lives, we're making little decisions that can have massive impacts on our lives like how much to reveal about ourselves on social media.

Lapses in judgment - whether it's posting an opinion in bad taste on social media or wiring money to a scammer - can be preempted. Take steps to set up reality checks for yourself when you are at your most vulnerable, and for when you aren't.

Jean Mignolet

A reminder that prior issues of the newsletter are viewable from the website.

Life Insurance Scam Targets Widows

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Legal Ethics in the Age of Social Media

Social media has changed many legal landscapes in a very short amount of time.

One of these landscapes falls between the lawyer and her client. A recent opinion from the Florida Bar's Professional Ethics Committee affirmed that lawyers can advise their clients to remove posts from social media or change their privacy settings before a trial, so long as what they hide or remove has no bearing on the case.

As you can probably imagine, it's not uncommon for defendants to hurt their own credibility by what they post on the internet.

Posts, photos, and videos uploaded to social media often cast more than just a bit of a shadow on defendants, exposing embarrassing information for all the court to see. It should stand to reason that lawyers ought to be able to advise their clients to clean up their online personas before appearing in court.

However, since information



One of the most vulnerable times in a person's life is when they lose their spouse.

Crushing grief, compounded by stress and financial pressures

all come down on widowers all at once. Often, they are exhausted and emotionally and mentally drained from the final days, weeks, and even months of their partner's life, and they've often lost their main source of comfort and support. With all of this grief, stress, and pressure, widowers are unable to think straight.

This makes widowers perfect targets for a scam.

Targeting people when they are most vulnerable is what con artists do best. Getting wind of a surprise life insurance policy might seem like an obvious scam in everyday life, but to the newly widowed - who often face sudden and crushing financial pressures - it may seem like a blessing. Especially if the con artist has a convincing story.

Scammers comb obituaries for their makes. Recent obituaries as well as ones from months or even years earlier make fodder for scammers. Obituaries often list more than enough information to get started in on an internet search on the deceased. It doesn't take much to pull up information on past jobs and club memberships to build a convincing story of where the life insurance policy may have come from.

Scammers will then contact widows and let them know that their deceased spouse had a life insurance policy that pays out at around \$40,000 to \$50,000, but they were behind on premium payments. If the widower pays the shortfall - typically said to be \$2,000 to \$2,500 - the widower will then get the full payout. This premium shortfall must be either wired or loaded onto a prepaid debit card.

posted to social media is published and tangible, the ethics of advising clients to remove posts and enhance privacy settings can also serve as an impediment to justice in the eyes of the court. Tampering with evidence, withholding evidence, and concealing evidence all may fall into the scope of deleting old posts and concealing one's account with strict privacy settings. The line gets real blurry real fast.

It *is* within the scope of professional ethics for lawyers to advise their clients to take measures to protect themselves. The decision specifically about social media has varied between state Bars. In most cases, the opinion has been that as long as posts aren't directly related to the case at hand, it is ethical to advise clients to clean up their social media accounts and take measure to protect their privacy.

Of course, the best way for people to keep from incriminating themselves on social media is to watch what you post and keep your settings private before a lawyer has to advise you to do so.

Of course, the life insurance policy isn't real.

Some helpful tips to protect yourself and your loved ones from falling victim to this awful scam:

1. If you are asked to wire money or load money onto a prepaid debit card, IT'S A SCAM! Don't do it. Period.
2. In the months after the death of a spouse, it's a good idea to entrust a family member or friend to make important financial decisions on your behalf. Run all of the financial decisions you have to make while you are in a bereaved state by this person for a reality check before acting on any of them.
3. If you get notice of a life insurance policy you didn't know about and suspect that it may actually exist, check in with the Insurance Commissioner's Office for your state. This office keeps track of every life insurance policy and can verify its reality for you.

It's easy to sell someone something that they desperately need and want, even when it doesn't exist. You are a target when you are most vulnerable. Set up a system of reality checks you can rely on to keep safe, even when you are in your most vulnerable state.

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