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# Personal Touch

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## Social networking and personal liability

Social networking sites, such as MySpace and Facebook, offer members the opportunity to instantly connect with other members, including friends, relatives, co-workers, and the general public. Most social networking sites are free of charge and require a quick and easy registration process. Members are able to create a profile by posting personal information that may include photos, videos, and blog entries.

While social networking initially spread swiftly among teenagers and those in their twenties, it has quickly become popular among all age groups. Baby Boomers use it to reconnect with old schoolmates; single people use it to meet other singles; budding photographers, artists, and musicians use it to showcase their work or list upcoming tour dates; and on and on it goes.

### *Beware: Legal Landmine!*

As with all good things, however, there is a downside to social networking, and it is important for users to be cognizant of the potential

legal ramifications of their actions. Unprecedented legal issues, which are continually evolving, are becoming commonplace. These include such issues as data theft, viruses, slander, fraud, predatory behavior, cyber-bullying, and copyright infringement. As in the real world, users must exercise caution, common sense, and cyber-smarts.

Consider the following when social networking:

**Read and Understand Terms of Use.** Be sure to read carefully the terms of use before joining a social networking site. Who owns your profile page? If you delete your page, does the social network retain the right to access, use, or share your deleted information? Could you be disclosing sensitive or proprietary information? Social networking sites vary in their policies and practices. Be sure you understand issues like attribution disclaimers, screening of third party content for copyright permission, and obtaining appropriate releases.

**Post with Discretion.** Use discretion when expressing opinions about a person or business entity. If you post an alleged fact about someone that proves incorrect, you may be responsible for damages under defamation or libel. Could any of your posted content, or that of your children or teenagers, be considered slanderous to a third party? Could it be the basis for other liability, such as intentional infliction of emotional distress, invasion of privacy, fraud, misrepresentation, or cyber-bullying? Each posting is instantly available and, once posted, cannot be completely deleted.

**Be Aware of Copyright Infringement.** Anytime you are posting third-party content, such as text, graphics, photos, or other media content, it is important to secure the right to post and comply with applicable copyright laws. Copyright law gives a creator of software, music, literature, and other works a limited monopoly to reproduce or distribute the created work. For example, if you send a music file to someone else,

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# Did You Know?

## Insurance claim tips

Consider what might happen if your home or auto was damaged in a weather-related incident or, worse yet, an accident. You know you need to file an insurance claim, but you procrastinate because you think it's going to be a dreadful, time-consuming task. If you are wondering what you can do to make this process easier, you may find the following suggestions helpful.

### *Contact Us Promptly*

Contacting us is your first step in facilitating a speedy claim settlement. When you call, simply tell us who the insured party is, what has suffered a loss (location of property, description of vehicle, etc.), and what caused the loss. Contacting us as soon as possible will also help you to accurately report what happened.



### *Mitigate Damages*

You may be unaware that you have a responsibility to mitigate, or lessen the severity of, damages. Doing so may help in the settlement of a claim. For example,

suppose the siding of your home has been damaged and water is seeping in and damaging your property. You, the policyowner, have a responsibility to attempt to stop the seepage to prevent further property damage. In the case of an automobile, if your vehicle's broken windshield is not covered during a storm, you, the vehicle owner, may be unable to claim water damage to the vehicle's interior. If you don't attempt to mitigate damages, it may cost you more in the long run. Be sure to save your receipts for whatever materials you purchase to help you mitigate damages, as you will be reimbursed for reasonable expenses.

### *Keep Documentation*

Regardless of whether you are filing a claim for a broken lamp or a totaled vehicle, documentation can help solidify your case. Take photos or video of any damage at the time of the claim, and in the case of an accident or theft, be sure to file a police report. Although most people don't keep receipts for every item they purchase, receipts prove the price you paid for an item. However, this does not mean that a claimant will automatically be reimbursed for the **replacement cost**. Many items, including vehicles, depreciate, which lessens the value of an item based on its age and condition.

### *Stay Calm*

Despite all the advice given for handling an insurance claim, it can still be frustrating. Try to remember that, when settling a claim, a certain degree of inconvenience is probable.

But, by following these tips, your claim may be settled faster and more efficiently. If you're unsure how to handle a particular situation, we are ready to assist you in filing your claim.

### *Increased Punctuality at Work*

According to a study by human capital solutions company CareerBuilder, Americans are becoming more punctual at work. Data showed that 16% of workers report being late to work at least once a week, down from 20% last year. Only 8% report being late twice a week. The most frequently cited reasons for tardiness include traffic (32%), lack of sleep (24%), preparing children for school or daycare (7%), and bad weather (7%).

### *Local Shopping and the Internet*

More consumers are using the Internet to shop locally, according to a survey by media resource BIA/Kelsey. Results showed that 97% of consumers use online media to research local products and services, including search engines (90%), Internet Yellow Pages (48%), and comparison shopping sites (42%). Further, 58% have used an online coupon in the past year, and 19% have made an appointment online (other than a restaurant reservation) in the past 6 months.

### *Highway Deaths Decline*

The number of U.S. highway deaths has fallen to the lowest level since 1954, according to a 2010 report by the National Highway Traffic Safety Administration (NHTSA). Total traffic deaths declined by 9% in 2009, to 33,963, and the number of deaths per 100 million vehicle miles driven has fallen to a record low of 1.15. Safety experts attribute the declines to increased use of seat belts, targeting of drunk driving, and enforcement of traffic laws.

# For Your Information



## *Household Emissions Calculator*

Daily activities cause the emission of greenhouse gases, which trap heat in the atmosphere and contribute to climate change. However, per person emissions vary depending on location and personal choices. The Environmental Protection Agency (EPA) has developed a Household Emissions Calculator that estimates personal or household greenhouse gas emissions and explores actions to reduce emissions, energy use, and waste disposal costs. For more information, visit [www.epa.gov](http://www.epa.gov).

## *FCC Parents' Place*

The Federal Communications Commission (FCC) recognizes that electronic media has become integrated into the daily lives of children, and technological advances have opened up content from new sources. In response, the FCC provides Parents' Place, which provides information to help parents monitor the media accessed by their children. Topics include educational programming, TV ratings, responsible telephone use, and online safety. To learn more, visit [www.fcc.gov/parents](http://www.fcc.gov/parents).

## *Students Abroad*

For students who are studying abroad, the United States Department of State has created the Students Abroad website, which features information students need for a safe trip outside of the country. Topics include travel documentation, health issues, emergency situations, and embassies around the world. The site also provides checklists for preparations and articles about smart travel. For more information, visit [studentsabroad.state.gov](http://studentsabroad.state.gov).

## Get smart about sewer backup

A sewer backup in your home is not only unpleasant, but it can also be expensive. Besides the cleaning costs, property is often damaged, as well. Unfortunately, many people mistakenly assume that they are covered under their standard **homeowners insurance**. But, in order to be covered for this costly problem, a special **sewer backup coverage** endorsement must be purchased.



### *What Causes Sewer Backup?*

Many homeowners don't know that they are responsible for the maintenance of their house or sewer lateral, which is the pipeline that connects the residence to the city sanitary sewer, usually located in the street. This responsibility includes any part of the sewer lateral that may extend into the street. When evaluating the risk of sewer backup in your home, consider the following potential problem areas:

**Tree Roots:** Plant life seeking moisture can make its way into even small cracks in your sewer line. Roots of your trees and shrubs may start out small; however, they will grow as the plant flourishes, and they may eventually

travel a long way from the trunk. These roots can cause blockages in sewer pipes and further pipe damage, which eventually may lead to backups in your home.

In the event of root damage, responsibility for sewer cleanup falls to the owner of the trees or plants responsible for the damage. If city trees are suspected, samples of the damaging roots can help identify which trees caused the damage and who is responsible for cleanup. If sewer line blockages are caused by both city and private trees, the city and the property owner may split the associated costs.

**Sanitary Main:** If blockage in a city sanitary main is not detected in a timely manner, sewage may back up into a home through its floor drains. Usually, the backup happens slowly over time, which gives the property owner time to call a professional to assess the damage. However, if sewage is entering your home quickly, report the problem immediately to the city public works office.

### *Preventive Measures*

To help prevent this unpleasant and costly problem from occurring in your home, consider the following preventive measures:

- **Dispose of Grease Responsibly:** Cooking oil should be transferred into a heat-resistant container and allowed to cool before disposal. Washing grease down the drain with hot water does not prevent it from solidifying as it cools. Over time, this solid grease can build up and cause blockages in plumbing and sewer systems.
- **Dispose of Paper Products Appropriately:** Unlike toilet paper, paper towels, disposable or cloth diapers,

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## Social networking and personal liability

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you retain your copy, and an additional copy is made. This copying may violate the rights of copyright holders.

### Use Privacy Settings and Filters.

Privacy settings and filters can minimize some of the risks associated with posted content. Consider restricting access to your profile to a trusted network of friends. Even with the privacy settings, however, security breaches can occur, and there is no guarantee that unauthorized viewers won't be able to access your profile.

To learn more about liability issues associated with online social networking, visit [www.chillingeffects.org](http://www.chillingeffects.org), a joint project of the Electronic Frontier Foundation and Harvard, Stanford, Berkeley, University of San Francisco, University

of Maine, George Washington School of Law, and Santa Clara University School of Law clinics, which seeks to help users understand the protections provided under the First Amendment and intellectual property laws.

### The Need for Liability Protection

You may be able to protect yourself from online liabilities by purchasing a personal umbrella policy. A personal umbrella policy expands the liability coverage you may already have through your homeowners and/or automobile insurance policies, in addition to protecting you in some unforeseen circumstances.

Umbrella policies are generally offered in million-dollar increments.

An umbrella can cover many situations that aren't covered under your current policies, such as copyright infringement, libel, slander, and other legal areas associated with the use of social networking sites. It can provide payment for legal defense expenses when primary insurance coverage does not apply.

While you may have to meet certain eligibility requirements to qualify, learning more about a personal umbrella policy may be worth your while. Should you ever be involved in a lawsuit associated with social networking, any gaps in your current liability coverage could end up costing you. For more information on this valuable protection plan, please give us a call.

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## Get smart about sewer backup

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and feminine products do not deteriorate quickly or easily. These can cause serious problems in a property owner's sewer lateral and the city main.

- **Replace Your Line with Plastic Pipes:** Plastic pipes can prevent tree roots from entering your sewer line. Cut trees periodically if they are causing continual problems in your sewer lateral.
- **Install a Backwater Prevention Valve:** A properly installed fixture added to a sewer line allows sewage to flow out, but not back in, thus

preventing sewer backflow. While the installation and maintenance costs are the responsibility of the property owner, prevention valves may minimize aggravation and expense in the long run.

- **Replace Illegal Plumbing Connections:** It is illegal to connect French drains, sump pumps, and other flood control systems to your sanitary sewer. Also, silt and debris from these systems can clog your sewer line. A licensed plumber can fix any illegal or sub-standard connections. Don't be tempted by "quick fixes." Contact a licensed and

insured plumber who is required to file permits with city agencies and whose work is subject to inspection.

### Protect Your Home with Insurance

Sewer backups can lead to damage to your home and property, destruction of your personal belongings, disease, and serious electrical malfunctions. Prompt cleanup of the affected areas may help prevent further damage and mold growth. Be sure sewer backup coverage is a part of your insurance program to protect your home, your family, and your valuables. Give us a call to discuss your needs and coverage options.