

# Tools for Social Networking:

Facebook

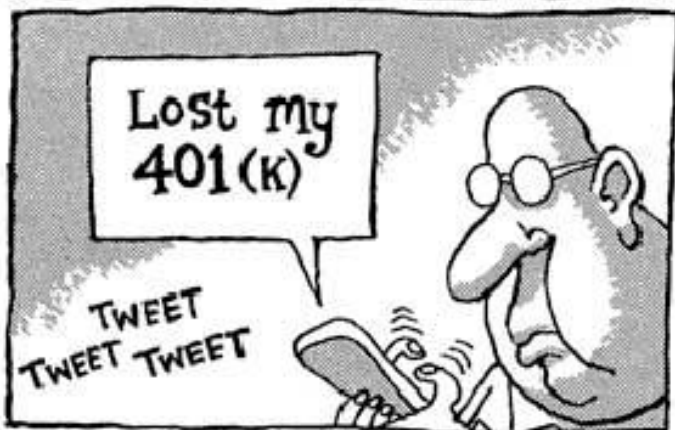
Twitter

Instant Messaging

You Tube

**Office of the County Attorney**

**Jeffrey A. Klatzkow, County Attorney**



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# Facebook & the Sunshine Law

These new technological communication tools present “unique challenges in following the intent and the letter of the laws regulating public meetings and communications of local government.”

Harry A. Stewart, Esq.  
Fort Lauderdale City Attorney  
5/14/2009

# Facebook & the Sunshine Law (continued)

Attorney General Opinion 09-19 warns, "while there would not appear to be a prohibition against a board or commission member posting comments on the city's Facebook page, members of the board or commission must not engage in an exchange or discussion of matters that foreseeably will come before the board or commission for official action."

# Facebook & the Public Records Act

AGO 09-19

“It is the nature of the record created rather than the means by which it is created which determines whether it is a public record. The placement of information on the city’s Facebook page would appear to communicate knowledge.

# Facebook & the Public Records Act (continued)

AGO 09-19 (continued)

Thus, the determination in any given instance as to whether information constitutes a public record will depend on whether such information was made or received in connection with the transaction of official business by the city.”

# Public Records

While business related posts or comments made on Facebook are a public record (pursuant to AGO 09-19), the difficulty comes in saving the records and then trying to locate them later if a request for the records is made by the public. The amount of storage necessary is substantial and retrieving a specific record later is almost impossible.



# Standards of Conduct for Social Networking

## **Your County's Social Computing Guidelines:**

- **Know the County Conduct Guidelines.**
- **Be who you are.**
- **Be thoughtful about how you present yourself in online social networks.**
- **Speak in the first person.**
- **Use a disclaimer.**
- **Respect copyright and fair use laws.**
- **Protect confidential and proprietary information.**
- **Protect the County's clients, business partners and suppliers.**
- **Respect your audience and your coworkers.**
- **Add value.**
- **Don't pick fights.**
- **Be the first to respond to your own mistakes.**
- **Use your best judgment.**
- **Don't forget your day job.**

# Questions??

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# Resources/Contacts

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