

News & Insights

Litigation Attorney Morgan Lawson for The Journal Record, Is Social Media Addiction Illegal or Protected Under Federal Law?

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Social media addiction is the compulsive urge to access and engage with social media platforms at the expense of attending to other areas of your life. Unfortunately, addiction to social media is on the rise, especially among teenagers between the ages of 13 and 17 years old. According to a 2024 study conducted by the Pew Research Center, approximately 33% of teens use Facebook, nine out of 10 use YouTube, 63% use TikTok, 61% use Instagram, and 55% use Snapchat. Teenagers who are addicted to social media often report issues including depression, anxiety, isolation, and suicidal thoughts.

Due to the danger to teenagers addicted to social media, lawsuits against social media platforms including Meta, Snapchat, YouTube, and TikTok continually increase in both state and federal court. While there are a variety of claims being brought against the platforms, some common claims of liability include negligence, breach of duty, and product liability. Regardless of the claim being brought, the platforms continue to rely on U.S.C. Section 230 for protection.

Under U.S.C. Section 230, website platforms are immune from liability for content posted by third parties. This law was originally designed to protect online platforms from being held responsible for the vast majority of user-generated content, thereby allowing the platforms to moderate and manage content without fearing legal consequences. However, the extent of this immunity is now being put to the test.

Courts across the country are paving the way for the applicability of U.S.C. Section 230. One court held that U.S.C. Section 230 shielded platforms from claims regarding disruption to children's education. Meanwhile, other courts are testing whether U.S.C. Section 230 protects the platforms from their own algorithms and the corresponding consequences. For instance, in October 2024, a California federal judge rejected the platforms' attempts to dismiss a case clarifying that Section 230 and First Amendment protections do not shield platforms from claims related to inadequate age verification systems, insufficient parental controls, and lack of default limits on usage time and frequency.

These lawsuits continue to play out on the national stage. While social media addiction is undoubtedly on the rise, the courts have yet to reach a conclusion on the liability of social media platforms and the relief which many are seeking.

Attorneys

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