



## Press Release

# Social Media on Trial: Design vs. Speech

**ALLIE WATSON | FEBRUARY 26, 2026**

Social media companies are under new scrutiny as a landmark trial focused on whether they designed products that harm young users recently began in a state court with another expected in federal district court. In a new insight, Technology and Innovation Policy Analyst Angela Luna discusses how these cases are different from previous cases, and why the outcome of these trials could push federal lawmakers to act.

Key points:

- California state and federal district court cases specifically involve thousands of claims arguing that platforms - including Meta and YouTube - prioritized growth and engagement over user safety.
- Unlike past litigation that has focused on *what* content social media presents to users, these cases center on *how* that content is presented; while protections under the First Amendment and Section 230 of the Communications Decency Act have shielded social media companies from content-related lawsuits, courts are now being asked to determine whether these protections extend to claims centered on design.
- Congress has not yet passed major legislation related to social media content, with key legislation - the Kids Online Safety Act and Children's Online Privacy Protection Act 2.0 - languishing for years; depending on the outcomes of these and related cases, lawmakers may be forced to revisit stalled social media legislation.

[Read the analysis.](#)