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ELECTRONICS, EMAIL ACCOUNTS, SOCIAL MEDIA, AND TAPE RECORDING DURING YOUR DIVORCE

During your divorce, you should take extra precautions to safeguard your electronics, email and social media accounts. Many clients have intimated a feeling of being tracked prior to initiating their divorce. Although rare, it is possible that your spouse has activated programs on your phones or computers to track your communications and whereabouts. If you have serious concerns, let us know and we can talk about your options.

One concern is with email and social media accounts. Sometimes partners know each others' passwords or the browser saves the passwords. It is important that you change your passwords at this point to prevent unnecessary and possible costly access to the other spouse.

Our communications between us, about the case strategy, your rights, settlement offers, are strictly confidential but that can be lost if others find our communications or you share them. Refrain from speaking your mind too liberally or often on Facebook or Twitter. That information could very well have a negative impact in your case, depending on what the issues in your case turn out to be. The best advice is to say nothing about your case on social media. If the other spouse has social media, monitor it if you can and preserve any evidence that benefits your case.

Also, be extra cautious about ALL written communication to ANYONE during this crucial time. This means text messaging, chat messaging, or emails to the other spouse, inlaws, or friends. These communications can be used against you in court and are likely discoverable if the other party pursues them through the court discovery rules. Always try to be respectful, courteous, and the "bigger person" when messaging with your spouse. Don't be like so many on Twitter that because of the distance disconnect feel emboldened to make sarcastic, chide, and abrasive comments.

In Oregon, it is permissible to tape record a telephone conversation with another person without advising them that it is being recorded but you must be part of the conversation. Tape recording devices can be found at stores like BestBuy or on apps on your phone. Be very careful about what you say, however, as what you say and how you say it will be under the same microscope as the other spouse's if used in court. Also it is appropriate for a judge or other attorney to ask for the whole recording to be played instead of a snippet that you want to be heard.

We hope our resources and information put your best foot forward for your case and success.