

Attorney-Client privilege and emails sent from work.

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In today's electronic age you may be using email for very confidential communications regularly. But if you want to rely on the attorney-client privilege to ensure your opponent or others can not compel the disclosure of the communications between you and your lawyer, you better not use your company's email system. The attorney-client privilege generally applies to all confidential communications between a client and his attorney undertaken for the purpose of obtaining legal advice. The privilege can be waived. It will be considered waived if the communications occur with others present. This generally means that a message through your employer's email system, because the employer has access to the messages, can be considered to be waiving the privilege. This can also be the case when simply using an employer's computer to send emails from a private account (*e.g.* msn or yahoo). The email communication is typically considered made with a third party present. So, before firing off an email to your lawyer from work, think twice about whether you want the message to remain confidential. I bet the lawyer will!

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