

Information Regarding Electronic Evidence

1. Change your e-mail account to one that only you have access to.
2. If you have a computer at home that you share with your spouse, and if you believe the computer contains information that is relevant to the proceedings, it is possible to have the hard drive sequestered and/or imaged.
3. Password protect your files, but also understand that a password on a computer or a voicemail system does not protect you from prying eyes and ears. A good computer expert can get around passwords, and your spouse may be able to guess at them anyway.
4. Word processing documents, Excel files, stored e-mails, and all other information on your computer may have been viewed and/or copied by your spouse, which can be used as evidence against you in your divorce proceeding. Do not delete or destroy any e-mails, text messages, photographs, or other information or files from your computer or other electronic device.
5. Any transmission you send by voicemail, e-mail, instant messaging, or text messaging can be obtained by the opposing counsel and can be used against you.
6. If the computer you use is kept at your place of business or is owned by your employer, it is possible for it to be subpoenaed by the opposing counsel.
7. If you gave away or sold your computer, opposing counsel may be able to subpoena it from the new owner.
8. Consider that spyware may currently be installed on your computer. This means that without your knowledge someone else may be able to monitor all of your computer conduct.
9. If you have installed spyware on your spouse's computer, UNINSTALL IT IMMEDIATELY as this is a violation of the law.
10. Many phones, iPods, PDA's, and similar devices are equipped to record and may be used to tape conversations between you and your spouse.
11. If you use a home computer, discontinue using this computer if possible. Don't do anything on the computer that you would not want the world to know and see.

12. If you have a Facebook account or other social media site, an online journal or you engage in online chatrooms or online dating, discontinue using them. All of the information that you innocently share with your online “friends” may be discovered.
13. If you have a blog, do not post anything personal about yourself or your case.