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More on last week's NJ Supreme Court decision -

April 06, 2010 | Blog | By **Cynthia J. Larose**

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The decision we blogged about in this space **last week** is creating quite a bit of buzz in both privacy and employment law circles. My employment law colleagues in our New York office have authored an analysis of the decision here: Employment Alert: New Jersey Supreme Court Finds Privacy Rights in Employee E-Mails

And, the International Association of Privacy Professionals' *Daily Dashboard* quoted my partner, Jen Rubin:

PRIVACY LAW -- U.S.
Employee E-mail Decision Spurs More Questions
Last week's New Jersey Supreme Court decision that employees should have an expectation of privacy when they use personal e-mail accounts on corporate computers is raising new questions, *NetworkWorld* reports. The court's decision specified that when it comes to monitoring employees' actions online, "employers have no need or basis to read the specific contents of personal, privileged, attorney-client communications in order to enforce corporate policy." **Jen Rubin, attorney at Mintz Levin in New York**, says the decision brings up new questions about employer ownership of e-mail created on company-issued computers and is likely to have businesses taking much closer looks at their e-mail policies. **Full Story**

This is an important decision with wide-reaching implications. If you are an employer and you have not looked at your "Acceptable Use Policy" or other such electronic systems policy in a while (or worse, if you don't have one at all.....), this case should motivate you to pull it out and look again.

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Cynthia J. Larose is Chair of the firm's Privacy & Cybersecurity Practice, a Certified Information Privacy Professional-US (CIPP-US), and a Certified Information Privacy Professional-Europe (CIPP-E). She works with clients in various industries to develop comprehensive information security programs on the front end, and provides timely counsel when it becomes necessary to respond to a data breach.