



Economy Drives Employee Defection Cases

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There is a common belief that Georgia courts will not enforce non-compete and other post-employment restrictive covenants. That is a misperception. As the economy continues to falter, lawyers across multiple disciplinary practices likewise have experienced a slowdown. However, the slow economy has been a boon for lawyers who practice in the field of employee defection and trade secrets.

While the courts here carefully scrutinize these types of agreements and will refuse to enforce provisions that fail to comply with specific--and in many ways unique requirements--judges will enforce properly drafted agreements given the right set of facts. Georgia employers are not without protections when departing employees leave in a cloud of smoke and do not behave themselves after they are gone--good economy or bad.

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