



The Stengart Fact Pattern and Expectations of Digital Privacy

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In this episode, Brent Cossrow and Dave Walton are joined by Risa Boerner, Chair of the Privacy and Cyber Practice Group at Fisher Phillips, for a discussion around employee privacy through the lens of *Stengart v. Loving Care Agency, Inc.*, 990 A.2d 650 (2010). Though more than 10 year old, the New Jersey Supreme Court's decision in *Stengart* continues to manifest itself on a very regular basis. To what extent may employees expect privacy and confidentiality in personal e-mails composed on company-owned computers? According to the New Jersey Supreme Court, there should be a "reasonable" expectation of privacy in personal e-mails on company computers, and that attorney-client communication privileges and privacy should not be violated. But technology and the work environment have evolved considerably in the past 11 years. Join Brent, Dave and Risa as they unpack certain of the interpretations and applications the passage of time allows for, and how employers should respond.

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