

November 12, 2009

LEGAL BRIEFS

TEXT MESSAGES CAN SPELL D-I-V-O-R-C-E

Divorce lawyers have found a new smoking gun to wave around in court: text messages.

Infidelity, bad parenting or threats — you name the issue in marital disputes, family law attorneys say, and the evidence can be found in text messages sent over handheld gadgets.

The unfaithful, in particular, are paying a high price for their salacious messages. "In the sixties, we had private investigators bursting into hotel rooms to catch cheating spouses," said Paul Talbert of New York's Chemtob Moss Forman & Talbert. "Now it's simply as easy as taking a BlackBerry or phone off the dresser."

Talbert is both relying on texts to prove marital troubles and defending those who get busted over their careless words. For example, he recently represented a woman whose suspicious husband picked up her BlackBerry while she was in the shower and discovered messages showing she was having an affair with a co-worker.

The result?

"It produced a quick settlement," said Talbert, who offered some advice for the soon-to-be divorced. "Change your password if you're going through a divorce ... and don't use your new girlfriend as your password." (**National Law Journal**)