

Lowering the Expectation of Privacy: Videotaping of Spouse is Now Permissible under Georgia Law

Videotaping your spouse, or soon-to-be-ex-spouse, is now permissible under Georgia law, Atlanta divorce attorneys at the [Margolis Legal Group](#) report. In the recent case of *Rutter v. Rutter*, Stacy Rutter presented evidence collected through secretly installed video cameras in the home she shared with her then-husband Charles to aid in her divorce case. Charles Rutter sought to exclude the videotaped evidence, citing a violation of Georgia law that makes it illegal to videotape someone in a private place without his knowledge or consent. But in a secondary part of this law, the state of Georgia allows video surveillance within a person's home for certain purposes.

Based on this subparagraph of state law, the Georgia Court of Appeals denied Charles Rutter's request that his wife's evidence be excluded, and ruled that the video surveillance Stacy Rutter conducted, although without the knowledge or permission of her husband, does not violate her husband's expectation of privacy, and is legal and admissible in court.

This decision opens the door to spousal surveillance in the home, and changes the face of divorce court evidence in Georgia. Married couples can now gather evidence on their significant others and use the secret footage to fight for custody, higher alimony payments and better divorce settlements. A surveillance video can be potentially damaging to a spouse's character and suitability as a parent, and [Atlanta divorce attorneys](#) urge you to be aware of this ruling and the impact it may have on your divorce case. You may find yourself having to defend your lifestyle or at-home habits in a court of law, and the outcome of your divorce case can change the rest of your life.

Navigating new and existing laws relating to divorce, custody and alimony is not easy. If you are in the middle of a divorce, contact one of our experienced [Atlanta divorce](#)

[attorneys at the Margolis Legal Group](#) at 404-355-1400 for a free, no-strings-attached consultation today.