



# Data Breach Risks for Law Firms

Presented to 31st Annual  
Technology Law Conference

By Elizabeth Rogers

Earogers@michaelbest.com

512-640-3164

May 24-25, 2018

1



## Statistics

Key Findings from 2016 Survey\*:

- Only 23% of firms have cybersecurity insurance policies.
- Substantial majority of assessments show firms are not compliant with their data governance and cyber security policies.
- 100% of those firms are not compliant with their client's policy standards.
- Every law firm assessed was targeted by hackers for confidential client data in 2016-2017.
- Approximately 40% did not know they were breached.

\*Conducted by LogicForce

2



## Statistics

- 34% of 100 law firms have had clients request a security audit
- Large clients are now routinely sending security due diligence questionnaires (Large banks, Hospitals, etc)



## Types of Breaches

- Most common types of breaches
  - Loss or theft of laptops, thumb drives, smart phones or tablets
  - Phishing
    - December 2, 2016 – NYAG warned law firms not to click on a link claiming to reveal a complaint lodged by a client
  - Ransomware – DLA Piper 2017
  - Employees/third parties using unauthorized hardware and software (Evernote/Google Drive)

## Law firms are great targets for cybercriminals

### 1. Environment

- Servers hold incredibly valuable information.
  - IP
  - Medical records
  - Bank information
  - Government secrets
- Vulnerability lies in compliance among all attorneys at a firm
  - Some attorneys and staff may not fully grasp the insecurity of behavior such as:
    - using public networks to access client documents
    - Unencrypted email transmission

5

## Most common types of hackers

- **Cybercriminals**
  - Theft is motive
  - #1 law firm hacker
- Hacktivists
- Nation state hackers
- Insider Threats
  - Malicious
  - Negligent



6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Data Breach Risks for Law Firms

Also available as part of the eCourse

[Answer Bar: Technology for Litigators](#)

First appeared as part of the conference materials for the

31<sup>st</sup> Annual Technology Law Conference session

"Law Firm Data Security and the Ethical Duty of Technology Competence"