



## Protecting Client Information—Cyber Protection Duties as an Attorney: Understanding the Ethical and Legal Obligations

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## Summary of the Topics to Discuss

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- Overview of the Threat Landscape and How Law Firms and Attorneys Are Being Targeted
- Attorneys' Ethical and Legal Obligations to Protect Client Data
- Recommendations on How to Protect Client Data

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## Where are the threats?

### External Threats

- State-Sponsored
- Organized Crime
- “Hacktivists”
- Vendors



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## Where are the threats?

### Internal Threats

- Employee Negligence
  - Lost mobile devices
  - System Misconfiguration
  - Inadvertent Disclosure
- Employee Ignorance
  - Improper disposal of information
  - Lack of education and awareness
- Malicious Employees



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## Lawyers/Law Firms Are Tempting Targets

- Why law firms?
  - “Attractive Targets”
    - Large amount of stored information
    - Highly sensitive nature of that information
    - More efficient for hackers, whether to steal confidential data for its own sake or to use in hitting another target, such as a client
  - “Soft Targets”
    - “The soft underbelly of corporate cybersecurity”
    - Law firms have many things to be concerned about, including malware, hackers and unpatched software and devices . . .

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## What types of information are at risk?

- “Confidential Information” in Attorney Files
- Trade Secrets
- Strategic Data
  - M&A targets and due diligence
  - Supply contracts, Pricing
  - Development Data/Reserve Estimates
- Personally identifiable Information of all kinds for employees, clients and third parties
- Payment Card / Bank Account Information



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