



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

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1

Summary of the Topics to Discuss

- 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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2

Where are the threats?

External Threats

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



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3

3

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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5

5

What types of information are at risk?

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- “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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6

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