

A Lawyer's Guide to **Cybersecurity and Electronically Stored Information** | **APRIL 17, 2018**

Attorneys have ethical obligations to protect sensitive client information, no matter the size of their firm or organization. The legal industry is facing an unprecedented cybersecurity challenge and attorneys need to know their responsibilities when it comes to cloud computing, email, social media, and database management.

PROGRAM HIGHLIGHTS:

- Data Security, Ethical Obligations for Client Data and Practical Insights
- Lessons Learned from the Cybersecurity Breaches and the Dark Web
- A Guide to Discovery and Admission of Electronically Stored Information/Evidence ESI: Where Ethical Decision Points and Metadata Meet

THOUGHTS ON THIS INSIGHTFUL PROGRAM FROM OTHER ATTORNEYS:

"Perhaps the most useful and interesting CLE I have ever watched. Content and presenters were exceptional."

"Oriented to attorneys of all types, whether Luddites or Technology Geeks."

"Gave me things to think about – how I provide information, digital safeguarding, etc."

"I have long been concerned about these issues and have worked to try to minimize data mining, etc. This was helpful."



Live Program & Live Webcast:

April 17, 2018

Live Program will be held at the

CBA-CLE Classroom

1900 Grant St., Suite 300

Denver, CO

Video Replays:

May 9, 2018

In Denver, Colorado Springs,

and Grand Junction

CLE Credits:

Submitted for 6 General Credits,

Including 3 Ethics Credits

A Lawyer's Guide to

Cybersecurity and Electronically Stored Information

Advances in technology are bringing huge changes to the way attorneys practice law. The combination of mobile devices and cloud computing means that attorneys now have the technology to access their work data with any device, at any time, as long as they have an Internet connection.

These new technologies create threats to the confidentiality of client data and ethics rules impose duties on attorneys to protect client confidences. They also require attorneys to practice competently and to supervise office staff and third parties with access to client data. The operation of these rules requires attorneys and law firms to implement reasonable information security practices to protect the confidentiality of client data. The failure to protect client data may lead to attorney discipline or malpractice liability. Information security is not just a "technology issue" that can be delegated without supervision to information technology support staff. Attorneys themselves have an obligation to manage and oversee the security function in their firms.

REGISTER NOW!



PROGRAM AGENDA

Presented by **Justice Daniel J. Crothers**, North Dakota Supreme Court, and **Mark Lanterman**, Computer Forensic Services

8:30 - 9:00 AM Registration

9:00 - 9:10 AM Welcome & Introduction

9:10 - 10:00 AM **Data Security, Ethical Obligations for Client Data and Practical Insights**

This session explores lawyer duties to safeguard client information in our possession and the possession of those with whom we provide legal services. Topics include the rules of professional conduct, cases and ethics opinions, demonstrations of real-life data losses and practical insights about what attorneys can and must do.

10:00 - 10:10 AM Break

10:10 - 11:50 AM **Lessons Learned from Cybersecurity Breaches and the Dark Web**

This session provides an overview of cybersecurity developments, including fraud, hacking, credit card theft and spear phishing. Learn what to be aware of and the steps available to minimize risk for you and your clients.

11:50 AM - 12:00 PM **Q&A**

12:00 - 1:00 PM Lunch (on your own)

1:00 - 1:50 PM **Lessons Learned from Cybersecurity Breaches and the Dark Web** (continued)

1:50 - 2:00 PM Break

2:00 - 3:40 PM **A Guide to Discovery and Admission of Electronically Stored Information/Evidence ESI: Where Ethical Decision Points and Metadata Meet**

This session considers Electronically Stored Information (“ESI”) through the lens of the civil discovery rules. Topics include metadata, timelines, discovery and admission of ESI.

3:40 - 4:00 PM **Q&A**

4:00 PM Adjourn

REGISTER FOR THIS PROGRAM ONLINE TODAY! @ www.cba-cle.org

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Justice Daniel J. Crothers, North Dakota Supreme Court, Bismarck, ND

Justice Daniel J. Crothers has served on the North Dakota Supreme Court in Bismarck since June 2005. Prior to taking the bench, he was a commercial litigator, a college instructor, and a legal and judicial educator. Justice Crothers received his undergraduate and law degrees from the University of North Dakota. He has written and lectured on the interaction of technology and legal and judicial ethics, discovery and admissibility of electronically stored information, judicial disqualification, ethics for new judges and their families, the ethics of independent judicial investigation, ethics for judges in leadership, developing judicial leadership of a learning organization, and more. He is a past president of the State Bar Association of North Dakota and past chair of the ABA Standing Committee on Client Protection, past chair of the ABA Center for Professional Responsibility's Policy Implementation Committee, and past member of the ABA President's Taskforce on Cybersecurity. He is a member of the ABA Standing Committee on Ethics and Professional Responsibility and serves as an adjunct faculty member at the National Judicial College.



Mark Lanterman, Computer Forensic Services, Minnetonka, MN

Mark Lanterman is the Chief Technology Officer of Computer Forensic Services. Before entering the private sector, Mark was a member of the U. S. Secret Service Electronic Crimes Taskforce. Mark has 28 years of security and forensic experience and has testified in over 2000 cases. He is faculty for the University of Minnesota M.S. Security Technologies program, Mitchell Hamline Law School, St. Thomas School of Law, the National Judicial College in Reno, Nevada and the Federal Judicial Center in Washington, D.C.

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STEP 1 - REGISTRATION TYPE: *(Select live program, live webcast, or video replay)*

- Live Program: April 17, 2018** - In Denver at the CBA-CLE Classroom, 1900 Grant St., Suite 300 (LP041718L)
- Live Webcast: April 17, 2018** - Must have access to high-speed internet (LP041718W)
- Video Replay: May 9, 2018** - Please indicate video replay location:
- Denver:** CBA-CLE Classroom, 1900 Grant Street, Suite 300 (LP041718V)
 - Colorado Springs:** 421 S. Tejon Street, Suite 100 (LP041718VCS)
 - Grand Junction:** 1250 E. Sherwood Drive (LP041718VGJ)

STEP 2 - REGISTRATION CATEGORIES:

- Non-member:\$359
- CBA Member:\$329
- Paralegal/Legal Support Staff:\$229
- New Lawyer Edge:****Complimentary**
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