INFORMATION SECURITY IN THE LEGAL INDUSTRY
Making a case for and not out of cybersecurity

Jennifer Chermoshnyuk  Patrick Coleman  Dennis Dore  David Krasnove

ABSTRACT: Our project explored the business culture, information security practices, and potential risks at several law firms in the Seattle area. The business culture and information security practices at these firms are analyzed through a participant survey and a facilitated discussion with lawyers, IT, and InfoSec professionals from participating firms. Based on information collected, the culmination of the project was a few business-oriented security recommendations that emphasized proactive risk remediation and business opportunities.

WHY LAW FIRMS?
Information security in the legal profession has not been well studied academically. Although law firms are attractive targets, the American public does not generally perceive that a data breach at a law firm would be as personally impactful as that of an online retailer, governmental entity, or financial institution. Law firms have largely been absent from the recent publicity and academic study of data breaches.

New Territory
Information security in the legal profession has not been well studied academically. Although law firms are attractive targets, the American public does not generally perceive that a data breach at a law firm would be as personally impactful as that of an online retailer, governmental entity, or financial institution. Law firms have largely been absent from the recent publicity and academic study of data breaches.

Not Regulated
Lawyers are certified by State Bar Associations, and they act on guidelines from the American Bar Association (ABA). However, there is no particular body that regulates how information security is practiced at law firms. A notable difference from their client industries such as finance, healthcare, and transportation.

Similar Objectives
Lawyers, by nature, are concerned with ethics and risk management. This along with competitive market forces, increased auditing, and client pressure, is rapidly pushing law firms away from their culture of openness and toward more mature IA/IG programs with increased focus and spending on information security.

HYPOTHESIS:
External client pressures and reputational risk are largest driver toward improved IA
Maturity of IA program varies between firms; largest influence toward maturity is “Tone from the Top” – prioritization of partners and firm management
Information Security notion of “Need to Know” or Least Privilege is antagonistic to the open knowledge sharing or “Deliver the Whole Firm” mantra for each client for lawyers.
Some simple but valuable starting places to improve IA exist; more frequent communication is the first step

METHOD:
Assess knowledge and practices of the legal community through a research survey
Curate background reading materials to brief the legal community prior to facilitated roundtable lunch discussion
Facilitate an IA / Cyber Security roundtable to discuss survey observations, reading themes, the current state of IA in law firms, and ideas and changes to consider
Provide firms with a summary of our findings and recommendations for simple actions to shift IA culture from reactive toward proactive

Law firms are finding themselves on the front line in the cyber war: Where strategic action is better than tactical reaction.

HYPOTHESIS:
External client pressures and reputational risk are largest driver toward improved IA
Maturity of IA program varies between firms; largest influence toward maturity is “Tone from the Top” – prioritization of partners and firm management
Information Security notion of “Need to Know” or Least Privilege is antagonistic to the open knowledge sharing or “Deliver the Whole Firm” mantra for each client for lawyers.
Some simple but valuable starting places to improve IA exist; more frequent communication is the first step

METHOD:
Assess knowledge and practices of the legal community through a research survey
Curate background reading materials to brief the legal community prior to facilitated roundtable lunch discussion
Facilitate an IA / Cyber Security roundtable to discuss survey observations, reading themes, the current state of IA in law firms, and ideas and changes to consider
Provide firms with a summary of our findings and recommendations for simple actions to shift IA culture from reactive toward proactive

Law firms are finding themselves on the front line in the cyber war: Where strategic action is better than tactical reaction.