



Privacy & Data Security; An Epic Fail

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Amazingly, most state Bar associations and their Rules have not been updated to include basic safeguards for privacy and data security of an attorney's client's information.

Specifically in Florida, neither the Bar Rules nor the Florida Rules of Judicial Administration mention the word "privacy" or "data security" even once in the context of protecting a client's personally identifiable information.ⁱ This should concern every attorney because law firms are on the CFPB's radarⁱⁱ. Considering how much confidential information law firms collect on clients, it is possible that law firms may be the target of the next wave of CFPB investigations. The CFPB might also be motivated by that fact that, as reflected by the absence of these concepts in our rules, our self-regulation appears to be lacking.ⁱⁱⁱ

The Bar should adopt rules that require law firms to have privacy and data security safeguards.

As is applies to coverage counsel services, any law firm or company that provides coverage services should be required to have a secure I.T. platform to protect the highly confidential information transmitted between the lawyers.

You can learn more about [MyMotionCalendar's secure I.T. platform here](#).

ⁱ Almost all references to "confidentiality" relate to attorney-client relationships or confidentiality of pleadings or investigations. It is not in the context of protecting personally identifiable information or data security. The Florida Rules of Judicial Administration do refer to data security as it relates to "court technology systems" only.

ⁱⁱ "CFPB hits Kentucky law firm with RESPA suit." Oct. 2013. Housing Wire.
and "CFPB's first civil enforcement suit targets law firm," September, 2012. American Association for Justice: Trial News.

ⁱⁱⁱ Many of MyMotionCalendar's clients are law firms that service the financial services industry. As a result, we have built our I.T. platform to the highest standard in order to meet and comply with Gramm Leach Bliley, the

CFPB, mortgage servicer's requirements and privacy laws. Individual attorneys and small law firms that provide coverage services completely lack even basic I.T. and data security protections. It's a serious concern.