



The Sedona Conference

Commentary on Law Firm Data Security

(April 2020 Public Comment Version)

The Sedona Conference Working Group on Data Security and Privacy Liability (WG11) developed the *Commentary on Law Firm Data Security* (“*Commentary*”) to identify ways that organizations and their law firms should approach and address organization expectations and firm capabilities regarding data security. The *Commentary* provides best practices focused on data security requirements that are meaningful considering the organization’s obligation to protect the data, the type of data the organization is providing to the law firm, and the law firm’s operating environment. In short, the *Commentary* intends to provide an effective road map for more efficient, effective communication to address data security issues and scenarios confronted by organizations and the law firms they engage.

While the *Commentary* may be of interest to other audiences, it is primarily directed toward two: first, to in-house counsel and an organization’s technical personnel charged with ensuring that organizational service providers handle data securely; and second, to the law firm professionals and technical personnel overseeing and implementing data security at law firms.

The *Commentary* is organized into the following sections:

- (1) Common criteria and protocols for assessing data security at law firms
- (2) Considerations for how an organization should communicate with outside counsel about the security of the organization’s data

The appendices of the *Commentary* include the following items that will be of particular practical benefit to organizations and law firms:

- (1) Model clauses for an engagement letter
- (2) Sample law firm questionnaire

The full text of The Sedona Conference *Commentary on Law Firm Data Security*, Public Comment Version, is available free for individual download from
The Sedona Conference website at

https://thesedonaconference.org/publication/Commentary_on_Law_Firm_Data_Security.

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