

# Are You Secure?

## Server-Side Metadata Removal Tools



# Introduction

- ◆ Eric Levinson - Mayer Brown LLP
- ◆ Carol Hall - Polsinelli PC
- ◆ John Jelderks - Barack Ferrazzano Kirschbaum & Nagelberg LLP

# *Security: Metadata & Mobile Attorneys*

## American Bar Association (ABA) Metadata Ethics Opinions

- ABA Rule 1.6 Confidentiality of Information
  - Sender's duty when transmitting metadata
  - Recipient's right to review metadata
  - Recipient's duty to notify sender if metadata found

Helpful link: [ABA Metadata Ethics Opinions Map](#)

[http://www.americanbar.org/groups/departments\\_offices/legal\\_technology\\_resources/resources/charts\\_fyis/metadachart.html](http://www.americanbar.org/groups/departments_offices/legal_technology_resources/resources/charts_fyis/metadachart.html)



# *Security: Metadata & Mobile Attorneys*

## American Bar Association Metadata Ethics Opinions (continued)

- 17 US State Bar Associations ruled attorneys must exercise “Reasonable Care”
  - Reasonable Care - taking steps to safeguard confidentiality of client information including preventing inadvertent sharing of metadata with 3<sup>rd</sup> parties
- Canadian Bar Association Guidelines for Practising Ethically with New Information Technologies
  - Metadata Best Practices similarly states “reasonable care”

# *Risks: Metadata & Mobile Attorneys*

Metadata in documents includes confidential and sensitive information such as:

- History of tracked changes, insertions, deletions
- Comments
- Authors, reviewers
- Document creation, edit, and print dates
- Total editing time
- Location of stored file
- Printers used to print document

# *Risks: Metadata Risk Management*

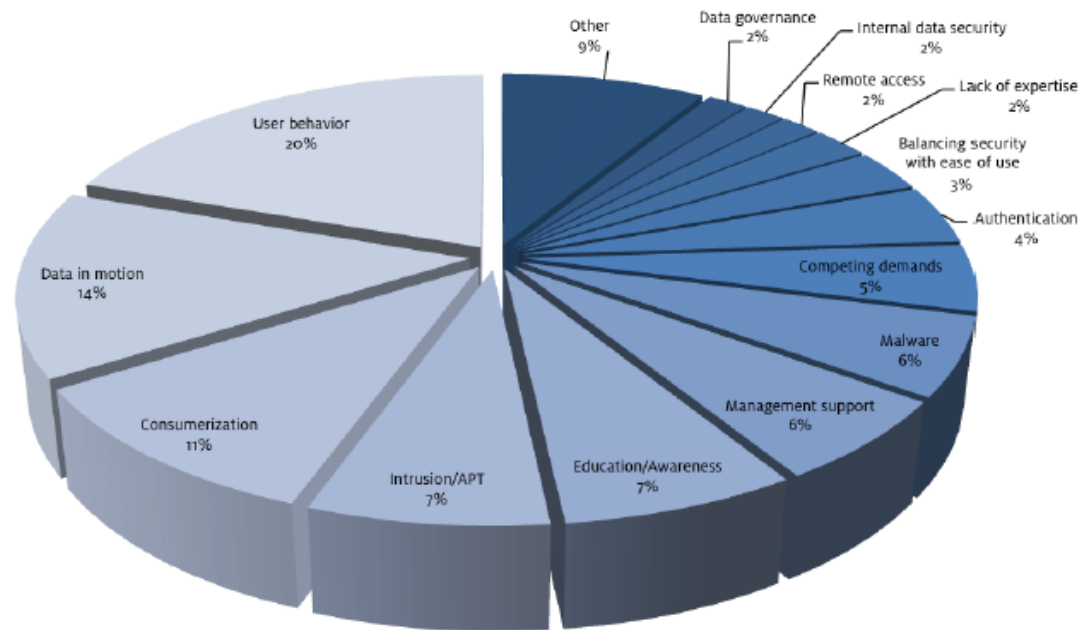
## Mitigating Risks of Leaking Sensitive Client Info Through Metadata

- Desktop document-scrubbing tools in place for several years
- Mobile attorneys on the rise
  - Mobile attorneys working on documents and sending via email
  - Mobile attorneys using mobile devices (e.g. iPhone, iPad, Android, Blackberry) or mobile access mechanisms (e.g. Outlook Web Access)
  - Email with attachments sent on mobile devices or access platforms not scrubbed through desktop document-scrubbing tools
- Documents in deal rooms and client extranet portals
  - Documents not being sent to external-facing parties, so not being scrubbed
  - Some metadata needs to be retained (e.g. track changes) while other data should be scrubbed

# What are my risks?

## 2012 ILTA Survey

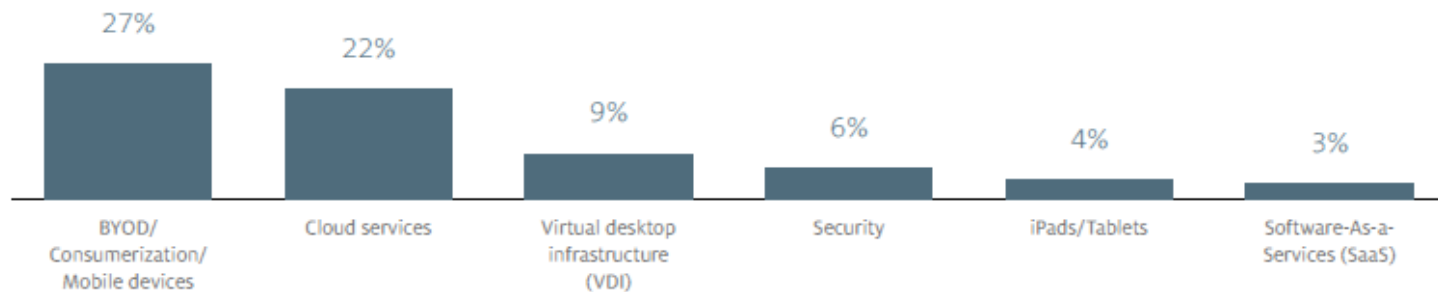
TOP THREE SECURITY CONCERNS — NUMBER OF MENTIONS



# Technology Trends

## 2012 ILTA Survey

TECHNOLOGY OR TREND THAT WILL BE A MAJOR FACTOR





# Environment

- ◆ Previous Metadata Environment
- ◆ Challenges with previous environment (problems or reasons to make a change)
- ◆ Current Metadata Environment
- ◆ Future Metadata Environment

# Server-Side Metadata Considerations

- ◆ Benefits you didn't anticipate
- ◆ End user experience
- ◆ Alternative approach to metadata management & the role of Server Based solutions

# Mobile Metadata cleaning

- ◆ Mobile device metadata management
- ◆ Other egress point considerations
- ◆ User expectations
- ◆ User reaction/ feedback

# Are you secure?

- ◆ What information are we *really* concerned about?
- ◆ Benefits to our solution
- ◆ Metadata ownership

# Questions?

