



INTRODUCTION TO DSBA ZOOM LIVE WEBINAR CLES

Due to the cancellation of in person, live CLE approved courses, because of restrictions imposed by the Governor's COVID-19 response, the Supreme Court of the State of Delaware Commission on Continuing Legal Education has waived *the requirement that at least 12 of the 24 CLE credit hours must be earned by attending in person live CLE approved courses. The requirement is waived for the two year periods ending December 31, 2020 and December 31, 2021. All 24 CLE credit hours for those two-year periods may be satisfied by approved courses that do not require an in-person, live appearance.*

The Supreme Court of the State of Delaware Commission on Continuing Legal Education cannot accept phone conferencing only. You must attend through a device that allows us to obtain your Bar Id in order to receive CLE credit.

Your attendance will be automatically monitored beginning at the scheduled start time and will be completed when the CLE has ended. If you enter or leave the meeting after or before the scheduled start/end time, you will receive credit only for the time you attended. Your CLE credits will be submitted to the Delaware and Pennsylvania Commissions on CLE, as usual.



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SECTION OF THE DELAWARE STATE BAR ASSOCIATION



RECENT DEVELOPMENTS IN DATA SECURITY AND E-DISCOVERY

DSBA WEBINAR VIA ZOOM

WEDNESDAY, NOVEMBER 18, 2020 | 10:00 A.M. - 12:00 P.M.

2.0 hours CLE credit in Enhanced Ethics
for Delaware and Pennsylvania Attorneys

PROGRAM HIGHLIGHTS

- Recent Developments in Data Security
- Recent Developments in E-Discovery

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RECENT DEVELOPMENTS IN DATA SECURITY AND E-DISCOVERY

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PROGRAM

10:00 a.m. – 11:00 a.m.

Panel I: Recent Developments in Data Security

2020 has been unprecedented year in numerous ways:

- The pandemic causes law firms and businesses to quickly adapt to remote work, electronic hearings, and a host of new technology tools and security risks.
- New privacy and security issues emerged as businesses had to juggle the need to keep employees safe while transitioning to a largely remote workforce and operations.
- Ransomware and cyber extortion have exploded in frequency, volume and impact on organizations around the world.
- California began enforcing a new privacy and data security law that sweeps many national businesses into its wake, and a current ballot initiative may add more complexity to those already challenging compliance obligations.
- The European Union's high court invalidated and called into question two of the most common methods businesses use to transfer data to the United States.
- Legal ethics continues its focus on cybersecurity in the practice of law.
- As if that weren't enough, the 2020 election could usher in changes at the federal level that may finally lead to a national consumer privacy law.

How do these events affect Delaware lawyers and their clients? Come hear about the latest data privacy and security issues impacting Delaware lawyers and their clients. This panel will discuss recent developments in litigation, legislation and regulations relating to data security and privacy, with an emphasis on recent ethics guidance and incidents involving attorneys and law firms.

William R. Denny, Esquire
Potter Anderson & Corroon LLP
Sara Beth A. R. Kohut, Esquire
Young Conaway Stargatt & Taylor, LLP
Edward J. McAndrew, Esquire
DLA Piper

11:00 a.m. – 12:00 p.m.

Panel II: Recent Developments in E-Discovery

In the face of the COVID-19 pandemic, many American workplaces have gone hybrid or fully remote. Apps such as Zoom, Slack, and Microsoft Teams have become part of the standard business toolkit, and employees have relied on their home technology like never before. All of those programs and devices generate and store data, but what types of data? How is it generated and stored? If litigation ensues, will it be discoverable? How can it be collected and produced? This panel will discuss these questions and more, including:

- The impact of remote work technology on discovery and parties' preservation obligations
- A renewed look at proportionality and the cost-benefit tradeoff of technology-assisted review
- The continuing development and proliferation of discovery plans in litigation
- Recent Delaware case law developments, including control of stockholder data, the confidentiality of privileged emails sent through work accounts, and when self-collection may be appropriate

Tara S. Emory, Esquire, PMP
Director of Consulting, Driven Inc.
James H.S. Levine, Esquire
Troutman Pepper Hamilton Sanders LLP
Robin E. Martin, Esquire
Troutman Pepper Hamilton Sanders LLP
Joseph A. Tate, Jr., Esquire
Cozen O'Connor

RATES:

\$100.00 for DSBA Members and Staff
\$90.00 Government Agencies (DSBA Member)
\$200.00 for Non-Members
\$6.00 for PA Credit

All rates include the CLE Seminar and Material Download.

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OUT OF STATE CLE CREDIT

Those attendees who wish to receive CLE credit, other than from Delaware or Pennsylvania, should contact their individual State's CLE Commission for credit. The Delaware State Bar Association can provide you with the Agenda (included in the Materials sent with your registration confirmation) and a Certificate of Attendance (upon completion of the webinar), which should meet the requirements of compliance.

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