

## Business & Careers

# Protection begins with assessment of access



**Luigi Benetton**  
Hi-Tech

Law firms handle plenty of sensitive information, both their own and that of their clients. A client's competitor and opponents in a lawsuit are just two parties who may want to steal that information. "Security matters because it is not a theoretical risk," says Martin Felsky, a lawyer and partner with Harrington LLP in Toronto.

If a firm has an information technology department, it may already have a handle on security. If not, the first step toward better security is a threat and risk assessment (TRA).

Felsky insists this is not a "boilerplate" exercise. "Threats can differ depending on the types of law you practice, the types of clients you serve," he explains.

At minimum, firms need to secure all work devices using passwords and protect them from malware. Mobile devices, which can be encrypted, can also erase themselves after a certain number of unsuccessful login attacks, a great way to thwart thieves trying to guess at passwords.

Malware comes from places people already know about, like e-mail links and Word documents, as well as places previously thought safe. In the past,



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people PDF'd documents, in part to keep from transmitting malware. Today's "reality is that PDF documents can become infected just like any other file can," says Michael Legary, chief strategy officer for Winnipeg-based information assurance integrator Seccuris Inc., who advises firms to differentiate between files generated internally and those from an external source.

Despite news headlines that document the nefarious deeds of Chinese hackers, most Canadian law firms need to look much closer to home for issues that are likely to cause them grief. They're far more likely to suffer data breaches from physical theft of devices, accidental loss of devices or unauthorized access to devices,

according to Jack Newton, president and CEO of Vancouver-based cloud practice management system vendor Themis Solutions Inc.

Loss of a device should not mean loss of the data on that device. "Encrypt any drive

that has any remotely sensitive data," Newton urges. He notes that today's operating system-based encryption tools make phones, USB memory keys, PC and server hard disks and other storage devices unreadable without the right password.

Many lawyers won't like what Newton has to say next: "Law firms should outright ban USB keys, or at least keep them encrypted." Their small size makes them easy to lose or steal, he argues, adding that portable hard drives are equally vulnerable.

Indeed, today's highly portable data storage devices can easily be stolen if an office isn't secured against unauthorized visitors. Law firms can deter incursions by requiring ID badges, setting up offices so all visitors must pass by reception, and even physically separating offices from meeting rooms.

Lawyers who travel outside of Canada should take "bare" computers (that contain no data) that allow them to establish a secure connection back to the office using tools like Windows Remote Desk-  
**Security, Page 22**

**J K Hannaford Barristers** invites applications for the position of an associate lawyer. Experience in the area of family law is necessary for this position. J K Hannaford Barristers serves clients in all areas of family law. To learn more about the firm, please visit our website at [www.jkhannaford.com](http://www.jkhannaford.com)

Please direct your applications in confidence to

**Julie K. Hannaford**

[julie@jkhannaford.com](mailto:julie@jkhannaford.com)

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77 Bloor Street West, Suite 1703

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Gowlings is looking for an experienced litigator to continue the development and maintenance of Gowlings' national advocacy precedents and model documents.

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Those interested are invited to e-mail their cover letter and resumé, in confidence, to:

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### JUDICIAL VACANCY ONTARIO COURT OF JUSTICE KITCHENER

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a judicial position in Kitchener.

**This appointment involves presiding over family and criminal law matters (approximately 75% family and 25% criminal) and also involves travel within the regional boundaries as assigned by the Regional Senior Justice and/or the Chief Justice.**

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

All candidates must apply either by submitting 14 copies of the **current** (Nov 2011) completed Judicial Candidate Information Form in the first instance or by a short letter (14 copies) if the current form has been submitted within the **previous 12 months**. **Should you wish to change any information in your application, you must send in 14 copies of a fully revised Judicial Candidate Information Form.**

If you wish to apply and need a current Judicial Candidate Information Form, or if you would like further information, please contact:

Judicial Appointments Advisory Committee  
Tel: (416) 326-4060. Fax: (416) 212-7316  
Website: [www.ontariocourts.ca/ocj/jaac/](http://www.ontariocourts.ca/ocj/jaac/)

All applications, either sent by courier, mail or hand delivery, **must** be sent to:

Judicial Appointments Advisory Committee  
c/o Ministry of Government Services Mail Delivery  
77 Wellesley Street West, Room M2B-88  
Macdonald Block, Queen's Park  
Toronto, Ontario, M7A 1N3

**Applications must be on the current prescribed form and must be TYPEWRITTEN or COMPUTER GENERATED and RECEIVED BY 4:30 p.m. on Friday, May 3, 2013. CANDIDATES ARE REQUIRED TO PROVIDE 14 COPIES OF THEIR APPLICATION FORM OR LETTER. A Fax copy will be accepted only if 14 copies of the application or letter are sent concurrently by overnight courier. Applications received after this date WILL NOT be considered.**

The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.

## Business & Careers

# Security: 'Consumer-grade' offerings will not do

Continued from page 21

top. All data stays on secure servers and, should a computer be lost or confiscated by a country's border services, no data is compromised.

When faced with the task of securing all sorts of endpoint devices, from PCs to laptops to tablets to phones, IT pros may long for the days of dumb terminals accessing mainframes. The terminals did not store data, so if you secured the servers, you secured your data.

To a degree, cloud computing services replicate this centralized model in which tablets and smartphones act like dumb terminals. Even though devices do, in some instances, store information, the right cloud service can improve a firm's data security.

Legacy red-flags firms that use "consumer-grade" cloud offerings like DropBox to share docu-

ments between the office and mobile devices, and in some instances, with clients. "Will you be notified of third-party access?" he wonders. Law enforcement, for instance, may demand files, "but what we're finding right now is that administrators of online services sometimes need to inspect files manually. Nobody is being notified of this."

As businesses tighten up physical and digital security, hackers turn to social engineering, the "scamming" of employee user names and passwords. All it takes is a call to an assistant from somebody purporting to be a partner saying, "Hi, I forgot my password. Please tell me what it is." Attacks can also come via links in e-mails. Firms need to train all staff to recognize and deal with social engineering attacks. (If you want to understand how easy this can be to pull

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off, read Kevin Mitnick's hacker memoir *Ghost in the Wires: My Adventures as the World's Most Wanted Hacker*.)

Firms seeking to better their security can use various sets of standards. If clients adhere to a standard, they "must state what level of information security they're looking for," Felsky says. "Have a client send you its security standards as a checklist. These checklist requirements then get targeted to contractual provisions in a retainer agreement."

Standards specific to the legal industry include the Canadian Judicial Council's Blueprint for the Security of Judicial Information, which Felsky has been involved with since inception and through several drafts.

The Barreau du Québec offers a checklist and tips in the French-only (for now) Guide des technologies de l'information pour

l'avocat et son équipe (guideti.barreau.qc.ca). Another resource to check out is the 2011 Guidelines for Legal Professionals, published by the International Legal Technical Standards Organization (iltso.org).

International standards, such as ISO 27001 and 27002, offer high-level policy statements and specific policy implementation methods.

"Law firms need to adopt a standard and work hard towards complying with that standard. That shows due diligence," says Felsky.

For all this, he warns against turning a firm into Fort Knox. "If you lock things down too tight, people go around the system and security is even worse."

**We want to hear from you!**

Send us your verdict:

[comments@lawyersweekly.ca](mailto:comments@lawyersweekly.ca)



### JUDICIAL VACANCY ONTARIO COURT OF JUSTICE TORONTO

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a judicial position in Toronto.

**This appointment involves presiding over criminal law matters and could also involve travel within or beyond the regional boundaries as assigned by the Regional Senior Justice and/or the Chief Justice.**

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

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### POSTE À POURVOIR AU SEIN DE LA MAGISTRATURE COUR DE JUSTICE DE L'ONTARIO TORONTO

Le Comité consultatif sur les nominations à la magistrature conseille le Procureur général de l'Ontario sur les nominations de juges à la Cour de justice de l'Ontario et invite les personnes intéressées à présenter leur demande au poste de juge à Toronto.

**Cette nomination consiste à présider des causes criminelles et pourrait exiger des déplacements dans les limites du territoire régional, selon les directives du juge principal régional ou du juge en chef.**

Pour pouvoir poser sa candidature à un poste de juge à la Cour de justice de l'Ontario, il faut, comme condition minimale, avoir été inscrit comme avocat-plaidant et procureur au barreau de l'une des provinces ou de l'un des territoires du Canada **pendant au moins dix ans**.

Tous les candidats et candidates doivent poser leur candidature soit, dans le premier cas, en présentant le Formulaire de renseignements sur le candidat/la candidate à la magistrature **courant** (nov 2011), soit en envoyant une courte lettre (en 14 exemplaires) si le formulaire courant a été présenté au cours des **12 mois précédents**. **En cas de changements à apporter à un formulaire déjà envoyé, le candidat ou la candidate doit envoyer à nouveau 14 exemplaires du formulaire de renseignements corrigé.**

Si vous voulez poser votre candidature et que vous avez besoin d'un Formulaire de renseignements sur le candidat/la candidate à la magistrature courant, ou encore si vous souhaitez obtenir de plus amples renseignements, veuillez communiquer avec :

Comité consultatif sur les nominations à la magistrature  
Téléphone : (416) 326-4060 Télécopieur : (416) 212-7316  
Site Web : [www.ontariocourts.ca/ocj/fr/jaac/](http://www.ontariocourts.ca/ocj/fr/jaac/)

Toutes les demandes envoyées par service de messagerie, par la poste ou en main propre **doivent** être soumises à l'adresse suivante :

Comité consultatif sur les nominations à la magistrature  
a/s Ministère des Services gouvernementaux - Services de distribution du courrier  
77, rue Wellesley Ouest, salle M2B-88  
Édifice Macdonald, Queen's Park  
Toronto (Ontario) M7A 1N3

Les demandes de candidature doivent être déposées par l'entremise du formulaire prescrit courant et DACTYLOGRAPHIÉES ou CRÉÉES PAR ORDINATEUR et **recues au plus tard à 16 h 30 le vendredi 3 mai 2013. LES CANDIDATS ET CANDIDATES DOIVENT FOURNIR 14 EXEMPLAIRES DE LEUR FORMULAIRE OU DE LEUR LETTRE DE CANDIDATURE.** Une télécopie ne sera acceptée que si 14 exemplaires du formulaire ou de la lettre de candidature sont également envoyés par service de messagerie de 24 heures. On n'accordera **AUCUNE** considération aux candidatures reçues après cette date.

La magistrature provinciale doit refléter raisonnablement la diversité de la population qu'elle sert. Nous encourageons les membres de groupes de promotion de l'égalité à présenter une demande.