THE MANDATE

SAN DIEGO CHAPTER
A Chapter of the Association of Legal Administrators

# PRESIDENT'S MESSAGE

By Karen Lemmon, JD, CLM

ISSUE XLVII
November/December 2018

As we head into the holiday season, although there are a couple of things in my life that aren't going as I had planned, I have much to be thankful for.

This is a season of joy and fellowship, and it's also a season of giving. My hope is that in the hustle and bustle of the season, while we enjoy the good things in life, we remember that there are many who are less fortunate than us. As fortunate as we are, it is our obligation to do what we can to give back and make the season brighter for those less fortunate as well. Whether you give of your time, money, or resources, make it a part of your holiday season to share with the less fortunate. There are so many opportunities to do good that require so little effort, it's almost impossible to fail to help.

Speaking of being thankful, I'd like to thank my ALA Board of Directors and Committee Chairs for all of their hard work thus far. They are all extremely talented people, and they have done an amazing job of running the Chapter.

The educational and social events this year have been great, the Business Partner program has enabled us to connect with our valuable vendors, and this year's Couture for a Cause was, by all accounts, the best yet, enabling the Chapter to donate twenty thousand dollars to two very deserving charities, Voices for Children and Star/PAL. For any of you who have considered getting active on the Board, I would highly encourage it!

I hope that you all have a happy, safe, and joyous holiday season, and I look forward to seeing you at the Chapter Holiday Luncheon on December 4th.

**Rise Up with ALA!**

## FEATURES



*"Blessed is the season which engages the whole world in a conspiracy of love.*

*-- Hamilton Wright Mabie"*

## The ALA Job Bank is a great place to post for talented managers and staff!

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## Gain more from your membership and get involved in 2018!

Dear Chapter Members:

Do you want more out of your membership? Would you like to network with like minds? How many times have you been faced with an issue where "no one else understands" and you could use a group of peers to consult?

Then take the opportunity to get involved in the SD Chapter in whatever capacity you are comfortable.

Let's work together to make our Chapter the best it can be!

All my best,
Karen Lemmon, JD, CLM
President 2018-2019

**Take advantage of the resources at SANDIEGOALA.ORG, and stay Connected with ALA!**

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# Cyber Security in the Legal Profession

**By Matt Stamper**

I recently had an opportunity to discuss cybersecurity and its impact on the legal profession to the San Diego Chapter of the Association of Legal Administrators (ALA). The fact that the issue of cybersecurity has become a topic for the ALA reflects how much our society has changed and frankly how much "new" risk has surfaced in administering legal organizations.

Bluntly, the legal profession is in the cross-hairs cyber criminals and a constant target for cyber espionage. The very nature of how clients interact with their attorneys speaks to why the legal profession is frequently targeted for increasingly sophisticated attacks. Attorney-client privilege is built on trust. Trust that clients can confide in their legal counsel with sensitive issues, be they intellectual property (IP) and patents, merger and acquisition details, to sensitive personal matters such as trusts and divorces. Without this trust, the legal industry would be fundamentally altered and much of the value provided to attorney and client alike would be eliminated. One need only think about the case of Mossack Fonseca and the infamous "Panama Papers" to see the existential risk to an organization when trust is lost.[1]

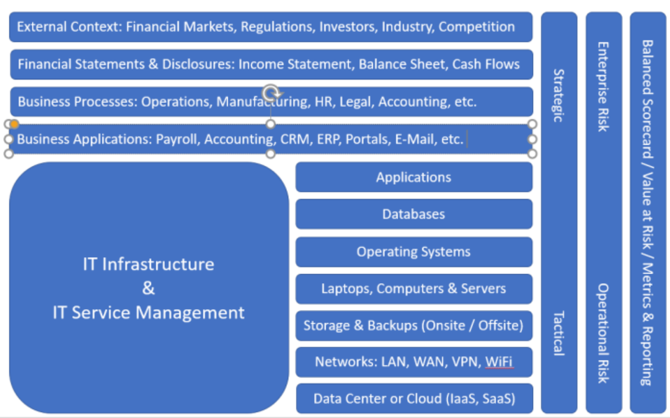
It's not only the work of the legal industry that makes it a target – sensitive matters related to litigation, IP, financial details relative to M&A and the like – but also the way most law firms operate that make them relatively easy targets for cyber exploitation and hacks. Partners and Associates in most law firms maintain very public profiles, especially on the law firm's website where phone numbers, e-mails, and other detail can be leveraged to phish or spear-phish targeted attorneys. Attorneys and their staff are also frequently on the road exposing their organizations to lost devices such as laptops and mobile phones. These same individuals could leverage public WiFi or other non-corporate networks to access e-mail and other applications that they use to do their work while traveling for business. None of the dynamics above are necessarily wrong, they just introduce more risk if not adequately controlled. Larger law firms also tend to have multiple offices including many overseas locations where standards for privacy and security may differ. Partners and Associates are also the "product" of law firms so their desire for convenience and productivity may outweigh the firm's administrative preferences for security. This confluence of factors makes legal professionals and their firms high-profile and relatively easy targets to exploit.

As a Chief Information Security Officer (CISO), it's easy to point to security issues and make a number of suggestions to improve the overall security posture for the legal industry. Doing so, however, without additional context would be inappropriate. During my presentation to the San Diego ALA chapter, I highlighted the critical role of industry and specific firm context to security practices. Simply stated, security executives, typically the CISO or Director of Security, need to understand what level of risk is acceptable to the organization and make sure that the managing partner and other key stakeholders are aware of the factors that influence that risk. Ultimately, however, how that risk should be treated is not a technical issue but a business decision that should be made by the firm's managing partner and key administrators. To highlight this context, I provided a diagram that showed the linkages between the firm's financial performance (revenue, expenses, assets & liabilities)

[1]. Here's some additional context: http://www.abajournal.com/news/article/hacked_panama_papers_law_firm_shuts_down/.

that indicated linkages to specific applications used by the firm such as time tracking and client support systems for billing, accounting, document management, etc. These applications can either be managed in-house or hosted through a third-party such as Software-as-a-Service (SaaS). Cases in point include applications such as Salesforce.com, Office 365 (used for e-mail and other Microsoft Office tools), hosted accounting packages and the like. All applications – whether managed in-house or delivered over the Internet – use IT infrastructure including databases (where application data is stored) operating systems (such as Windows or Linux), servers, storage & backups and networks. All this IT infrastructure "lives" in a data center or a "cloud," someone else's data center. Keeping applications operational and secure is not easy and requires good IT service management (patching systems, limiting access to only authorized users, managing capacity, scanning for vulnerabilities, and good IT governance). Figure 1 below shows these relationships. Administrators need to know how the top line is influenced by this underlying infrastructure. Part of this analysis should be defining which applications are most material to their firm.

Figure 1 – The relationship between business functions and IT systems and Security




For many of us, we take for granted that the systems and applications that we use to do our work are adequately secured and protected. Far too frequently, this is not the case. In security, we speak of *threat vectors* or areas where a given application or IT asset can be exploited. As noted above, the legal profession offers a very expansive threat landscape to exploit. CISOs and security leaders in the industry need to outline what the risks and exposures are to their colleagues throughout the firm and place this *security risk* into a non-technical context (e.g. the impact to the firm's finances, operations, and/or reputation). Stated differently, security risk must ultimately be translated into enterprise risk with business context. As a case in point, a lost laptop that was not adequately protected could lead to data loss and exposure of sensitive information. That's only one part of the story. The analysis needs to continue to highlight the impacts to the firm's reputation and ultimately the potential financial harm to the firm. Cybersecurity has important linkages to enterprise risk management – security risks should be fully-mapped to the following:

- Operational risks: the loss of availability or the degradation of a service
- Financial risks: increased expenses to remediate security or operational issues, fines, penalties, or the loss of revenue
- Regulatory risk: fines and/or consent orders
- Reputational damage: Brand damage to the firm

Again, the case of Mossack Fonseca should serve as a reminder that security ultimately has business impact.

Even organizations that have business-aligned security programs and have implemented good security practices and applications can still be compromised. Law firms and other legal service entities should anticipate that they will be compromised. During the ALA chapter discussion in August, we spent time unpacking how critical incident response training is for an organization. Figure 2 below was used to show how incident response really impacts all layers of an organization including macro considerations. At the macro layer, when there is widespread concern that industry practices are not adequate, we see broad-focused regulation. Such is the case for healthcare with HIPAA-HITECH and with protections over consumer data and the resultant European Union's General Data Protection Regulation (GDPR) as well as California's forthcoming California Consumer Privacy Protection Act (CCPA).

Figure 2 – Linking Industry Risk to the Firm's Context


Responding to incident is not just a technical domain. Senior members of the firm's executive team must prioritize response actions, coordinate with Human Resources, law enforcement, and other stakeholders including, potentially, clients if their sensitive data was compromised. While working as a Research Director for Gartner (NYSE: IT) as part of its security and risk management practice, I wrote extensively on incident response and conducted numerous interviews with security leaders globally to review incident response practices. A common thread from these discussions was the lack of "buy in" by executive management to mitigate security risks. One simple approach to change this dynamic is to conduct a tabletop exercise where the managing partner and other key administrative roles within the firm participate in a mock response to a cybersecurity incident. These workshops – which typically last a couple of hours – highlight some of the key dependences noted in Figures 1 & 2 above. Coming out of a tabletop exercise, I've seen greater alignment between business leaders and their IT and security teams. The result of this alignment is fundamentally a more resilient and prepared organization. These exercises surface latent challenges with coordination among departments, missing tooling to mitigate security risks, and surface the real tensions that occur when an actual incident takes place. As I note in a book that I co-authored – the CISO Desk Reference Guide (Volumes 1 & 2) - incident response is "all about muscle memory." Training for an incident needs to be on every administrator's agenda.

The legal profession would be well-served in understanding its appeal to nefarious actors targeting the sensitive materials the profession handles on behalf of clients. To build a more resilient organization, administrators should work with their colleagues to:

- Validate the firm's overall risk tolerances and obligations to its client base (and where applicable, regulatory obligations)
- Validate the firm's incident response practices including the status of the current plan and procedures to address business e-mail compromises, phishing, and spear-phishing activities among other high-probability scenarios.
- Validate if there are dependencies with material vendors or suppliers that could impact the firm's operations and reputation. This could include service providers, SaaS applications, and other relationships where the firm's data is shared with a third-party.
- Leverage standards and frameworks such as the NIST Cybersecurity Framework, ISO 27001 or the Center for Internet Security's Critical Security Controls to baseline current security practices and security architecture.
- Most importantly, collaborate with firm executives and the managing partner to highlight the important role of cybersecurity for the organization.

Collaboration within the firm should also be extended to look at collaboration in the industry with important organizations such as the ALA as well as more IT-centric organizations such as ISACA. Working together results in greater awareness and shared best practices.

***About the Author:***

Matt Stamper is the Chief Information Security Officer (CISO) and Executive Advisor at EVOTEK. He is a Certified Information Systems Auditor (CISA), a Certified Information Security Manager (CISM), a Certified Information Privacy Professional (CIPP-US) and a member of board of the San Diego ISACA chapter and the San Diego CISO Round Table. EVOTEK is a trusted sourcing partner that assists organizations with strategic sourcing and strategy around Data Center, DevOps, Mobility, Digital Experience, Artificial Intelligence (AI) and Machine Learning (ML) initiatives. Matt works in EVOTEK's security practice that evaluates the impacts of security across each domain. In this role, Matt serves as a virtual CISO (vCISO) for organizations that do not have full-time security professionals on-staff.

# MEMBERSHIP NEWS

## MEMBERSHIP REPORT NOVEMBER/DECEMBER 2018

By Katya Adams

Current National Members: 95
Current Chapter Members: 73

***New Members***

Brandon Randolph, CLM
Director of Administration
Pillsbury Winthrop Shaw Pittman

**Prospective Members**

Christopher Neff
Office Manager
**Butterfield Schechter LLP**

Olivia J. Sugiura
Controller
**Global Legal Law Firm**

Patty R. Marshall
Firm Administrator
**Paul, Plevin, Sullivan & Connaughton LLP**

Janet Wilcox
Office Manager
**Kriger Law Firm**

**Know someone who should be a member of ALA?**
**Refer them to Katya and earn points toward great prizes!**

**For more information and to participate in the program, please contact:**

**KATYA ADAMS**
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kadams@watkinsfirm.com

**Visit the San Diego ALA website to see what's new!**
http://www.sandiegoala.org/

# BUSINESS PARTNER SPOTLIGHT

SAN DIEGO **EXPERTS** *in Legal Recruiting*

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## Welcome Adams & Martin Group's New Branch Manager!

### KATHY GERSHWIND, BRANCH MANAGER

Meet our newest team member at Adams & Martin Group! Kathy Gershwind has 19 years of staffing experience and has been a San Diego resident for the last two years. Kathy worked for a large staffing firm for six years, starting in Seattle and then rebuilding the Oakland branch before landing in San Diego. Kathy is an avid dog lover and has two rescue dogs, a French and English Bulldog that keep her laughing.

### KRISTY CARBAJAL, VICE PRESIDENT

Kristy Carbajal is the Vice President of Adams & Martin Group and is based in San Diego. She has been with the company since August 2005 and is responsible for managing all operations, which includes a robust team of legal recruitment professionals in seven locations nationally. During her tenure with Adams & Martin Group, Kristy has served in recruitment, sales and management roles. Kristy holds a bachelor's degree from UCLA and, as a native San Diegan, is greatly involved in the region's legal community.

### RAQUEL ANDERE, BUSINESS SOLUTIONS MANAGER

Raquel's career in recruitment and sales spans nine years. This native San Diegan is proud to call San Diego State University her alma mater. Passion for the law runs in her family, as her father is an international attorney with his own firm. Raquel's zest for life has led her to travel the world — she has been to more than 15 different countries and is fluent in Spanish. Raquel is also a member of the San Diego Legal Secretaries Association. She is also a new mom to baby Felicity!

### MELISSA FREDERICKSON, BUSINESS SOLUTIONS MANAGER

Melissa is uniquely qualified as a legal recruiter as she has been an attorney for 20 years! Melissa graduated from USC Law School where she was on Law Review, and went on to work for a large law firm and then took an in-house role. She has hired and trained every type of role in the legal field, from receptionists to paralegals to attorneys. Melissa is a self-described "adrenaline junky" who rang in the new year by sky-diving! She loves spending time with her four children and her four dogs, working out, hiking outdoors, and cheering on the USC football team.

### STEVEN GOELLNITZ, BUSINESS SOLUTIONS MANAGER

Steven joined the San Diego team in early 2017 and has made a big impression on clients and Ambassadors alike with his commitment to understanding their unique needs and following up every step of the way. Outside of work, Steven is an avid hiker and outdoorsman. Last year he hiked the tallest mountain in the U.S., Mt. Whitney, as well as several trails throughout Southern California. Steven also loves dogs, and fosters them though a local rescue group, Labs & More.

## About Adams & Martin Group

Adams & Martin Group is a values-driven, full-service legal staffing firm that has proudly served the staffing needs of law firms and legal departments in greater San Diego since 2013. Our local team has strong ties to the area's professional organizations. With our company headquartered in Southern California and two additional offices in the region, we know this unique labor market inside and out.

*We love to create remarkable experiences... every person, every time.®*

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**ASSOCIATION OF LEGAL ADMINISTRATORS**
**SAN DIEGO CHAPTER**

# SAVE THE DATES

**Upcoming Monthly Membership Meetings**
**RSVP:** Kristin DeGroot at kdegroot@wingertlaw.com

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## ANNUAL HOLIDAY LUNCHEON. . . DECEMBER 4, 2018

11:45 - 1:15 - The Westgate Hotel, Riviera Room, 3rd Floor
1055 Second Avenue, San Diego, CA 92101
(Holiday Gift Exchange – Participation is voluntary)

**Rules:**

1. If you wish to participate in the gift exchange, bring a wrapped gift valued at no more than $20.
2. You will receive a number when you place your gift on the gift table. When the exchange begins, the person whose number is called will select a gift and unwrap it. The gift will be shown to everyone participating.
3. The next person will have the option of "stealing" the first person's gift or selecting a new gift, unwrapping it and showing it to everyone participating.
4. The third person then will have the option of stealing #1's gift, stealing #2's gift or selecting a new gift, unwrapping it, and so forth.
5. If your gift is stolen, you have the choice of stealing someone else's gift or selecting a new gift to unwrap before the next person gets a turn.)

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**NEW BUSINESS PARTNER DIRECTORY!**

2018/2019 BUSINESS PARTNER SPONSORS

**THANKS FOR YOUR SUPPORT!**

Please check the Chapter's Business Partner Directory *first* when you're shopping for a product or service for your firm. Not only are our Business Partners committed to delivering the highest quality products and services, they are also committed to furthering the goals of ALA San Diego by providing the funding we need for the outstanding educational and networking events and scholarship opportunities we value as members.

**Please download the new**
Business Partner Directory.

# HEALTH & WELLNESS

The Holidays are upon us and we all should be mindful of our health and wellbeing, which will carry us in to the New Year and beyond. So don't want until 2019 to take care of yourself. Here are some tips to get you through the holidays.

***Tip #1: Don't Skip Meals***

Saving your appetite for a big holiday party or feast? Don't. Skipping meals during the day may result in overeating. Include lots of fiber by eating fruits, vegetables and whole grains. Fiber-rich foods are high in volume and will satisfy hunger, but are lower in calories.

***Tip #2: Eat Small Portions***

Holiday meals tend to be large, buffet-style and include second and third helpings. While one might not eat an entire cake, a common mistake is eating large portions of foods that are perceived as healthy. It's important to include nutrient-rich foods in your diet, but also remember that these foods have calories as well and should be eaten in moderation.

***Tip #3: Pick a Strategy to Avoid Overeating — and Use It!***

There are many strategies to help you avoid overeating. Using a smaller plate, for instance, allows you to put less food on your plate and encourages proper portion sizes. Also, start by filling your plate with vegetables and salad before going to the entrees and desserts. Eat slowly and savor every bite, and before you go back for seconds wait 10 minutes to see if you really still are hungry.

***Tip #4: Keep Moving***

Finally, get some physical activity. Holidays are a great time to play catch or a game of basketball with the kids.

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Monica Reisner, Editor
mreisner@daleyheft.com



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info@sandiegoala.org

SAN DIEGO CHAPTER
A Chapter of the Association of Legal Administrators

## Editor's Corner

*Did you know?*

**Harvard University was founded before calculus was discovered.**

**It's True!** Harvard, founded in 1636, is the oldest institution of higher education in the United States. But you couldn't take a calculus course at that time because it had not yet been invented.