



CONSIDERATIONS FOR SELECTING CLOUD-BASED SOFTWARE FOR YOUR LAW PRACTICE

You may use a variety of software at your law firm. This checklist will help you compare and contrast the security and features of software and know what questions to ask during a software demonstration. For more tips, Practice 2.0's Law Practice Hotline is always available at: (602) 340 - 7332.

Protecting Your Data

Multi-factor authentication is a protocol that requires not only a username and password but another piece of information, commonly a verification code texted to your mobile device. This adds another layer of security and minimizes the risk of unauthorized access using your log in credentials.

- ✓ Does the cloud provider offer multi-factor authentication?

YES NO

- ✓ Does the provider have a firewall?

YES NO

✓ What steps has the provider taken to secure their servers?

✓ Is your data stored on multiple servers?

YES NO

✓ Is the data you are storing on the cloud safe-harbored, i.e. stored securely by a third party in case of data loss?

YES NO

✓ Can you maintain your own copy of the data that you store with the cloud provider?

YES NO

✓ Are there security audits by a third party?

YES NO

✓ If yes, how often are the security audits?

Frequency: -----

✓ When was the last security audit? -----

✓ What were the results of the last security audit? -----

Encryption

Encryption is the process of coding information in a way that only authorized people can decrypt and read it.

- ✓ Is your data encrypted by the cloud provider?

YES NO

- ✓ Is the data encrypted in transit (from your computer to their servers and back)?

YES NO

- ✓ Is your data encrypted at rest (while it is on their servers)?

YES NO

- ✓ Who holds the decryption key, the provider or you?

PROVIDER LAWYER

- ✓ If there is insufficient encryption, are you able to add your own using software you select for that purpose?

YES NO

- ✓ If you will be adding additional encryption, what provider will you use?

Provider name: _____

Data Ownership and Control

Who ultimately controls and owns your data?

- ✓ Where is your data located?

Server location: _____

- ✓ What laws govern your data?

✓ Does the provider take ownership in any of your data that it stores?

YES NO

✓ How does the service respond to third party requests for data such as from the government or other parties? -----

✓ Does the provider store each individual user's data separately?

YES NO

✓ In the event of a third party or government request for data, would the service be able to pull only the requested party's data (targeted) or would everyone's data (broad) using the service be pulled?

TARGETED BROAD

✓ Are you able to receive a copy of your data in the event you choose not to use the provider anymore?

YES NO

✓ In what format is your data provided in that circumstance? -----

✓ If you cancel the service, does the provider keep a copy of your data?

YES NO

✓ For how long? -----

Data Accessibility

Data Accessibility refers to your ability to access your data as well as questions about what happens if access points go down and your data is inaccessible.

✓ How can you access the software?

- Downloaded directly to the computer
- From a computer web browser
- From a mobile optimized website
- Android app
- iPhone app
- Client portal

✓ Are these alternate methods of access secure?

YES NO

✓ Is your computer secured with a password?

YES NO

✓ If your computer is lost or stolen, can it be remotely wiped?

YES NO

✓ If you can access the service through a smartphone or mobile device such as a tablet, do you have a password on your phone?

YES NO

✓ If you can access the service through a smartphone or mobile device such as a tablet, can you remotely erase your phone if it is lost or stolen?

YES NO

- ✓ If there is a client portal, have you informed your clients about appropriately safeguarding their log-in credentials?

YES NO

- ✓ If there is a client portal, have you informed your clients about multi-factor authentication (if available from your cloud provider?)

YES NO

- ✓ Does the provider guarantee that the service will be functional for a certain percentage of the time?

YES NO

- ✓ What precautions have you taken in case the provider has an outage or goes out of business? -----

Security Breaches

How does the provider handle security breaches?

- ✓ Will the provider inform you if there has been a data security breach?

YES NO

- ✓ What is the process that the provider takes to inform users of such a breach? -----

✓ Does the provider indemnify you in case of data loss or a breach?

YES NO

✓ Does your insurance cover such a loss?

YES NO

✓ If the data protection offered is insufficient, are you able to enter into a data protection agreement with the provider?

YES NO

Reputation

What do you know about the provider?

✓ How long has the provider been in business? _____

✓ Does the provider seem well capitalized?

YES NO

✓ Has the provider previously worked with lawyers?

YES NO

✓ Was the product developed with consideration given to the professional, ethical, and confidentiality requirements specific to lawyers?

YES NO

✓ Have you been able to identify any risks with using this application? You might consider doing an internet search for reviews.

YES NO

✓ Has the provider been the victim of any major security breaches?

YES NO

Other Practical Considerations

- ✓ Have you read the provider’s service level agreement?

YES NO

- ✓ If, after reviewing the *service level agreement*, the provider makes changes to it, to what extent will they inform users of those changes?

- ✓ Have you read the provider’s privacy or confidentiality agreement?

YES NO

- ✓ Is the provider’s service HIPPA compliant?

YES NO

- ✓ If, after reviewing the *privacy or confidentiality agreement*, the provider makes changes to it, to what extent will they inform users of those changes?

- ✓ Are your clients aware that you store your data on the cloud?

YES NO

- ✓ Does the service integrate with other providers that your law firm uses?

YES NO

- ✓ What hours and days is the service available? -----

✓ What hours and days is technical support available? _____

✓ When does the provider conduct maintenance on its site? _____

✓ What notice does the provider give when maintenance is going to be performed? _____

✓ In what format is technical support available?

Online materials

Live chat

Phone

Email

In person training

Videos

Webinars

Other: _____

✓ Can you operate your business if the provider's service goes down?

YES

NO

✓ If no, what is your back-up? _____

- ✓ If edits are made to items stored, is there a modification history (such as data modified, last modified by, etc.)?

YES NO

- ✓ What is the cost for using the provider? _____

ANNUALLY MONTHLY OTHER

- ✓ What is the onboarding cost/cost for starting the service? _____

- ✓ Is there a charge for technical support?

YES NO

- ✓ Is your data mined such as for advertising purposes, location tracking, etc?

YES NO