

Legal Connections



POWERED BY THE COLUMBUS BAR ASSOCIATION

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SHOULD YOU TRUST YOUR DIGITAL ASSISTANT?

Chances are you own and use a digital assistant on a regular basis or know someone that does.

Or, a digital assistant is working for you and you don't even know it. Have you had your phone tell you without command how long it will take to drive to work? How about where you last parked? Digital assistants are present in many aspects of our professional and personal lives. From Siri, Alexa, Bixby or Google assistant, we can now quickly ask about the weather, traffic, directions and recipes, set timers, play music, order groceries and much more. But how trusting should we be with the information we provide to the digital assistants? Should we use digital assistants for work or client sensitive information?

There have been dozens of articles about digital assistants listening to your conversations and reading your texts and emails. However, most people have



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already been monitored by Google, Facebook, et al. for years. Every search on your computer, everything you purchase online, how long you read an article or look at an email and even what emails you choose to open, has been tracked. So it should come as no surprise that a digital assistant is tracking data on its user. Unless you are an "incognito window only" searcher, all of your online activity has been tracked for years.

Privacy laws and policies have not been implemented as fast as the technology is changing, so it's up to users to educate themselves if they have specific privacy concerns. For example, all of your requests to Alexa are stored, even by sound byte. So anyone with shared access to your account will be able to view each and every use of your digital assistant and you can't turn this feature off. As lawyers, we may realize that data on the digital assistant may be relevant in a lawsuit and can request

access to this material. Divorce lawyers – what if a paramour's voice is captured on Alexa proving infidelity?

There are many advantages to utilizing a digital assistant that could outweigh the privacy concerns. It is up to each user to weigh their personal or ethical privacy concerns over the convenience and use of digital assistants. If companies are implementing, encouraging or unaware of the company-wide use of digital assistants, they should also make sure that they have adequate policies in place for their employees to protect disclosure of proprietary information. Every company should also have a data breach plan in place in advance of any attack. Lawyers can assist with drafting workplace policies to help support your company's use of technology.

There will be many more privacy updates in the future and digital assistants will continue to get smarter with more data, and in turn, become more efficient for you. This should either impress or terrify you. ■



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An estimated **8.2 million** customers own an Amazon Echo device

-Consumer Intelligence Research Partners

Want to learn more about new technology? • Attend the Chester Professionalism Institute on Oct. 27: cbalaw.org.

WHAT A MESS: EQUIFAX BREACH

More than 143 million Americans' personal information was exposed in an Equifax data breach from mid-May through July. The hackers accessed names, Social Security numbers, birth dates and addresses. In some cases, they even accessed driver's license numbers. They also stole credit card numbers and dispute documents with personal identifying information from a small number of those who were breached. Everyone should take steps to protect their personal data which may be compromised.

I've had multiple calls regarding this breach; Equifax is suggesting that people sign



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up with them for a free one-year credit monitoring service. Equifax has currently removed the forced arbitration clause and we would recommend signing up. However, it is also my understanding that Equifax cannot definitely determine if your information was part of the breach.

I would also suggest that a consumer go through other credit reporting agencies, like TransUnion or Experian. Have a credit report issued to see if there is any new credit showing up such as a new credit card that they did not authorize. Consumers can request with each Credit Reporting agencies a 90-day Initial Fraud Alert: which means the

business has to verify your identity before issuing credit. <https://www.consumer.ftc.gov/articles/0275-place-fraud-alert>

I also recommend filing your tax returns as soon as possible, if you can. The hackers may try to file false returns with the information they have. If you wait to file your return and a false one is already filed, it creates many problems for the taxpayer.

Placing a credit freeze with all three CRAs might also be a good direction to take. There are instructions on how to do this and Q&A on the Federal Trade Commission website: <https://www.consumer.ftc.gov/blog/2017/09/equifax-data-breach-what-do>. ■

EDUCATION & EVENTS

Thursday, Oct 19 • 9 a.m. – 4:45 p.m.
Hot Topics in Columbus Real Estate
3.0 CLE Hours (Per Session)

Friday, Oct 20 • 9 a.m. – 12:15 p.m.
Eastman & Smith Employment Law Update
3.0 CLE & HR CI Hours

Saturday, Oct 21 • 9 – 10 a.m.
Notary Public: Seminar & Test

Wednesday, Oct 25 • 1:30 – 3:30 p.m.
ABCs of Real Estate Web Searches
2.0 NLT or Professional Conduct CLE Hours

All classes listed are offered at the Columbus Bar Associations offices, 175 S. Third St. Ste. 1100. To register, call 614-221-4112 or enroll online at www.cbalaw.org.

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October 18: Free one-hour CLE on document automation, 12-1pm @ the Columbus Bar Association. Register online at www.cbalaw.org or call (614) 221-4112.

October 24: Free lunch and demonstration of Central Ohio Docs, 12-1pm @ the CBA. RSVP to donna@cbalaw.org.