

Advanced Zoom Security and Alternatives for Lawyers

Friday, May 1, 2020, Seattle, WA

Presented by WSBA CLE

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Faculty

A Special Thank You to Our Program Faculty!

Those who have planned and will present at this WSBA CLE seminar are volunteers. Their generous contributions of time, talent, and energy have made this program possible. We appreciate their work and their service to the legal profession.

Program Faculty

Simon Boehme — *Mediator and Technology Entrepreneur, San Francisco, CA*



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Program Schedule

Advanced Zoom Security and Alternatives for Lawyers

Friday, May 1, 2020

-
- 11:30 a.m. **Webinar Registration Opens**
- 11:55 a.m. **Welcome and Introductions**
Devorah Signer Hill, Washington State Bar Association, Seattle
- 12:00 p.m. **Advanced Zoom Security and Alternatives for Lawyers**
Simon Boehme, Mediator and Technology Entrepreneur, San Francisco, CA
- 1:00 p.m. **Adjourn • Complete Evaluation Forms**

Under MCLE Rules, we report hours of course attendance. Our report is based on you confirming your attendance with our CLE representative as you arrive, and the receipt of this CLE Attendance Adjustment Form from anyone who chooses to attend only part of the seminar.

We ask that you complete this form and turn-in to our representative if you leave before the end of the program.

Thank you, WSBA-CLE

The purpose of this form is to notify the sponsor listed below if you have earned less than the available credits while attending this CLE course. You can fax or email your completed form to WSBA-CLE.

Fax: (206) 727-8324 Email: cle@wsba.org

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- If this form is not returned, the sponsor will presume that you have attended the entire CLE course and earned full credit.
- If you did not attend the full CLE course, this form must be returned to the sponsor.

How to calculate L&LP/Ethics/Other credits:

One credit is equivalent to one hour (60 minutes) of instruction time at an approved CLE course. Credits can be obtained in quarter-hour increments: 15 minutes of instruction equal .25 credits. No credit is given for breaks. Contact the sponsor if you have questions about which sections of the program, if any, have been approved for ethics credit.

For information, see the following website or contact the WSBA Service Center.

<http://www.wsba.org/Licensing-and-Lawyer-Conduct/MCLE/Members/Member-Online-MCLE-FAQs> - questions@wsba.org

Seminar Sponsor:	<u>WSBA-CLE</u>									
Seminar Name:	Advanced Zoom Security and Alternatives for Lawyers (COV200501WBR)									
Seminar Date:	May 1, 2020									
Approved Credits:	1.00 CLE Credits for Washington Attorneys (<u>0.0</u> Law & Legal Procedure, <u>0.0</u> Ethics and <u>1.0</u> Other)									
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Printed Name:	_____	Bar #: _____								
I hereby certify that I have earned the number of L&LP/Ethics/Other credits inserted above on the Credits Earned line.										
Signature:	_____	Date: _____								

CHAPTER ONE

ADVANCED ZOOM SECURITY AND ALTERNATIVES FOR LAWYERS

May 2020

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Mediator and Technology Entrepreneur

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SIMON BOEHME is a technology entrepreneur, specializing in dispute resolution and legal innovation. He has been practicing and researching online dispute resolution for nearly a decade. Simon was a recent member of the State Bar of California's Access Through Innovation of Legal Services (ATILS) Task Force. Simon was previously Co-Founder and COO at Disputly (formerly LegalWin). He also founded Magnify, a contract company summarizing terms and conditions of popular websites (recently acquired). He also was a member of the Accord Project Dispute Resolution Working Group (building guidelines and open source code for smart legal contracts). He also served as a mediator with Conflict Intervention Service aiming to reduce homelessness in San Francisco (along with creating the first online dispute resolution system for landlord-tenant disputes). Simon was appointed by the Obama Administration to serve on the U.S. Department of Education's National Advisory Committee for Institutional Quality and Integrity (NACIQI). He served on NACIQI from 2013 to 2019. Simon formerly served as an advisor for NeuCourt, TermScout, BadData, and Bonayo. Simon started Disputes+Blockchain (first-of-its-kind newsletter regarding all things dispute resolution and blockchain). He is a Truman Scholar, Coca-Cola Scholar, and Bezos Scholar. Simon studied at Cornell University (BS in Industrial and Labor Relations) and Mitchell Scholar at Maynooth University in Ireland (MA in Mediation and Conflict Intervention). In 2010, he led his hometown high school to win the first Race to the Top Commencement Challenge, resulting in President Barack Obama speaking at graduation (the first sitting President to do so). He currently lives in San Francisco, California.

Zooming Around: Privacy Issues and Alternatives

By Simon Boehme

Published in *Medium*, April 8, 2020

(<https://medium.com/@simonboehme/zooming-around-privacy-issues-and-alternatives-997aa4fd308>)

As more people continue to stay home, the use of Zoom has exploded, along with [report](#) after [report](#) after [report](#) after [report](#) of privacy and security issues. Rumors of the U.S. Department of Justice not permitting its lawyers to use Zoom came in my inbox, with stories of friends of friends being in a meeting when someone “Zoombombed” them.

Zoom is secure, although you should be concerned about using it if you do not understand its basic security features. Business continues as usual for lawyers, mediators, arbitrators, and courthouses across the world ([Canadian courthouse using Zoom](#) , one of many stories), and we shouldn't be afraid of this technology. It's important during this crisis we stay connected safely. While most of my suggestions and practical feedback can be found in [my interview with John Grant](#), here's an important reminder of why you should not be afraid of Zoom:

- **Like locking your front door, you control how and when to lock your Zoom meeting.** You can admit people using the waiting room, lock a meeting (Manage Participants --> More --> Lock), and use a password. Zoom has already instituted some of these features to be universal — be aware of more changes to Zoom as they've committed to improving security. *Update:*

Zoom added a new Security button on the toolbar a few hours after this article was published.

- **You cannot see what other people are doing, sharing, or discussing in other Zoom breakout rooms.** I've heard from multiple attorneys across the United States about this misinformation — it's simply not true. When you are in a breakout room, only the participants in the breakout room can see what's going on.
- **Privacy concerns exist in the physical and virtual worlds.** There is no perfect technology that can 100 percent keep everything safe (everything is hackable). Similarly, there is no guarantee a conference room does not have a recording device or that a client slyly is eavesdropping through the door. Email, one of the most popular methods of communicating for lawyers and ADR professionals, would probably not meet the security standards of many (even if you pay for an email service).

Convincing your clients that it's still safe to use Zoom is another tough challenge. The overwhelming negative perception of Zoom's security already convinced a handful of people I know to switch to other platforms. While we know as conflict interventionists that the first reaction may be to panic or resort to fear — but alas, we can reduce these feelings, even using technology.

Suggestions to keep your clients online:

- Communicate with confidentiality agreements and mediation instructions **unique to online meetings and mediations**. Provide **one-pagers or checklists on what clients need to know** to successfully navigate your video platform of choice.
- Video platforms are constantly updating their applications and strengthening security settings (both backend and client facing changes) — remind your clients technology vulnerabilities are monitored and fixed.
- Host your pre-mediation conversations on Zoom or video platform. Offer a “refresher” course to your clients to make them familiar via video platform and the security features.
- Use Zoom’s two-factor authentication (if you are not using this feature, start using it).
- In the meeting or mediation, **verbally communicate that you accept people from a waiting room into the meeting or you’ve locked the meeting**.
- Use a password to set up meetings.
- Remove the Record function on Zoom, so parties are not able to record the meeting (important to reiterate that you can never guarantee someone isn’t recording, but dismantling the Zoom function is a first step).
- Do not use a shared or public Wi-Fi network without a VPN.
- Note that your Zoom meeting information is confidential and is sent only via email (it will never be on social media or other public forums).

- Verify at the beginning of every meeting, mediation, and arbitration that **only authorized people are physically present in the room.**

Issues that make the experience better, such as the quality of audio and video, can convince clients to stay online. Encourage users (including you) to exit out of applications using significant processing power (internet browsers, downloading files, music players, and video games). Also, if there are multiple devices on the same network (maybe a partner is watching Netflix or multiple cell phones connected to the Wi-Fi network), ask them to read a book instead. If the internet is still dragging, consider checking the speed and calling your provider to ensure you are receiving the right bandwidth.

Alternatives

There is immense power using technology that is created with lawyers, mediators, and arbitrators in mind. Zoom is a mass platform that appeals to millions of people across the world — one of many reasons for its tremendous success and growth in popularity. **Zoom is designed for multiple purposes, not to exclusively serve the legal profession and ADR community.** Yet the needs of our community are unique, often challenging, and important to maintain the integrity of the profession. This is why looking into alternatives is important.

Finding alternatives to Zoom can help build a long term practice using ODR. The following technology companies are early stage, which enables lawyers and ADR professionals to influence and improve these services. The legal

and ADR community has a great deal of gratitude owed to [Colin Rule](#) for recommending the breakout room feature. The Zoom founders had an office across the way from Colin. Colin was able to offer ideas to help improve Zoom's product, ultimately making it possible for us to keep our practices alive today. **Start ups, like the ones I've listed below, take feedback and are excited to speak with people in our community.** Below, there are four companies I encourage lawyers and mediators explore as an alternative to Zoom. These platforms are built with an intention not found in Zoom and other major video platforms.

Information published below is current as of April 8, 2020.

Legaler

[Legaler](#) (legaler.com) is an easy-to-use and intuitive platform that makes it simple to meet clients and resolve disputes. It has straightforward scheduling, meeting, and collaborating features. Legaler lets you schedule, host, and archive your meetings all in one place, securely, so you can meet with anyone in your browser, without the need to download applications or install plug-ins. With simple link sharing, Legaler removes the friction from hosting online meetings, allowing attendees to join without requiring a previous account or signing up. Legaler's "audio and video are encrypted from end-to-end using AES-128 keys. At the start of a call encryption keys are randomly generated at the endpoints, and additionally, generated dynamically throughout calls to avoid man-in-the-middle attacks. All data on Legaler is encrypted at rest using state on AWS's military grade protected servers." You can also customize your Legaler account.

Price: Free (Active Plan for 12 months to any dispute resolution practitioner or firm — use code: remote-19)

CREK

[CREK](https://crekodr.com) (crekodr.com) is another simple, customizable solution to start mediating. CREK is designed for the ADR professional — each case comes with document storage, video conferencing, private space, and breakout rooms. CREK also provides strict security including “all data and documents are encrypted at rest and in transit”, “data is stored multiple times to avoid unexpected data loss”, and “the infrastructure is setup inside multi subnet private VPC.” The design is straightforward with many core functions needed for dispute resolution. CREK exists within your customizable domain, requiring no native application or plug-in.

Price: \$75 USD per case per month (introductory price)

MODRON Spaces

[MODRON Spaces](https://modron.com) (modron.com) is a meeting space for lawyers, mediators and arbitrators, along with a robust case management system. It includes payment features, contract creation, and breakout rooms. Some features are still missing, like screen sharing and white board collaborative space. MODRON Spaces ensures “all users are onboarded with secure account access, and users are securely associated with a specific case. Within that case are further spaces that are again subject to their own security, privacy and confidentiality controls.” There is no native application or plug-in required.

Price: \$299.99 AUD per month (unlimited cases and features)

RDO

[RDO](#) (resolvedisputes.online) is a white-labelled solution for lawyers and attorneys to offer mediation services. RDO offers secure invitations to parties, including every party having a username and password to increase privacy. You can share files safely and securely into a repository and integrate payment options so mediators can receive fees into their account via Stripe or PayPal. It allows for private and joint sessions. Regarding security, RDO uses “end-to-end encryption and multi-factor authentication, [along with deploying] its cloud servers within the jurisdiction of its client.” Price: License fee of \$100 USD per case (pay as you go) and a \$150 USD monthly server fee for secure local cloud hosting in your jurisdiction

For more information on this topic, check out [Zooming to Conclusions](#) and [Susan Guthrie's podcast on Zoom Security](#).

Disclaimer: I did not include [Matterhorn](#) or [Immediation](#) (although you should check them out). These services are better suited for large organizations (Matterhorn) or person/group seeking relief (Immediation). The following information was provided by the company websites and emailing the founders of each company. No one asked me to write this article — all opinions are my own.

I write about innovation in legal tech and online dispute resolution. I'm the founder of multiple legal tech startups, served on The State Bar of California's Task Force on Access Through Innovation of Legal Services

(ATILS), and an online mediation practice in San Francisco. Please [email me](#) if you have questions or feedback.