



## News

### Media Coverage of the 16th Annual Legal Malpractice and Risk Management Conference

March 28, 2017

The Legal Malpractice and Risk Management (LMRM) Conference, of which Hinshaw & Culbertson LLP is a lead sponsor, concluded its 16th annual edition earlier this month. In addition to welcoming more than three hundred attendees, the conference also received extensive media coverage from reporters at Law360 and Bloomberg BNA. The following is a brief summary of the media coverage provided by these publications.

#### Malpractice: Proximate Causation is Key in Legal Malpractice Cases

Elizabeth Cohen, Associate Editor of the Bloomberg BNA/ABA Lawyers' Manual on Professional Conduct, provided coverage of three panels involving Hinshaw lawyers as panelists. The first panel was moderated by Hinshaw's Thomas McGarry and looked at several recent legal malpractice cases in which causation proved decisive. The second panel, moderated by Hinshaw's Cassidy Chivers, offered a year in review of significant professional malpractice cases. The third panel, which included Hinshaw's Matthew Henderson, focused on indemnity provisions in lawyer retention agreements, especially in outside-counsel guidelines – a "hot topic" according to Henderson.

Read Cohen's full article "[Malpractice: Proximate Causation is Key in Legal Malpractice Cases](#)" on Bloomberg BNA's website (*subscription required*)

#### Arbitration of Lawyer-Client Disputes Gaining Favor

Joan Rogers, Legal Editor of the Bloomberg BNA/ABA Lawyers' Manual on Professional Conduct, provided coverage of a panel moderated by Hinshaw's Noah Fiedler, which reviewed the risks and rewards of arbitration as a dispute resolution mechanism from the perspective of litigation, ethics and risk management.

Read Rogers' full article "[Arbitration of Lawyer-Client Disputes Gaining Favor](#)" on Bloomberg BNA's website (*subscription required*)

#### Litigation Funding on Rise in Big Cases, Panel Says

Rogers also provided coverage of a panel moderated by Hinshaw's J. Richard Supple Jr., which focused on the growth of third-party litigation funding. Supple noted that litigation funding is well established outside the United States, with a mature funding market in the United Kingdom, Australia, and South Africa, and

#### Attorneys

Marissa I. Delinks

Donald L. Mrozek

Steven M. Puiszis

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less mature markets in several other European countries.

Read Roger's full article "[Litigation Funding on Rise in Big Cases, Panel Says](#)" on Bloomberg BNA's website

### **Humans Make Law Firms Vulnerable to Cyber Attacks, Lawyer Says**

Helen Gunnarsson, Assistant Editor of the Bloomberg BNA/ABA Lawyers' Manual on Professional Conduct, reported on a panel moderated by Hinshaw's Steven Puiszis, in which he provided detailed tips on how law firms can best protect client data from unwarranted intrusion.

Read Gunnarsson's full article "[Humans Make Law Firms Vulnerable to Cyber Attacks, Lawyer Says](#)" on Bloomberg BNA's website

### **Client Under Investigation? Better Lawyer Up**

Gunnarsson also provided coverage of a panel moderated by Hinshaw's Marissa Delinks, on which Hinshaw's Sergio Acosta was also a panelist. The group reviewed criminal liability traps when defending a lawyer in civil litigation.

Read the full article "[Client Under Investigation? Better Lawyer Up](#)" on Bloomberg BNA's website (*subscription required*)

### **Don't Waive Protocols for Laterals, Speakers Say**

Rogers also wrote an article about a panel moderated by Hinshaw's Janis Meyer and included Hinshaw's former chairman Donald Mrozek, which considered current issues on the minds of law firm general counsel. Meyer noted that law firms recruiting laterals need to adhere to protocols even if it means working overtime to clear conflicts of interest and vetting the candidate.

Read Rogers' full article "[Don't Waive Protocols for Laterals, Speakers Say](#)" on Bloomberg BNA's website

### **Artificial Intelligence Raises Ethical Concerns For Attys**

Melissa Maleske of Law360 quoted Hinshaw's Wendy Wen Yun Chang, who was a panelist in a session that examined the ethical and practical implications of artificial intelligence technology on the legal industry. "In the AI context," Chang said, "the question is whether a piece of technology can violate the rule." She went on to say that people tend to take one of two oversimplified stances: either they believe it's technically impossible for a computer ever to commit UPL, or they believe that as long as a lawyer's involved in the process at some level, the use of technology cannot be the unauthorized practice of law.

Read Maleske's full article "[Artificial Intelligence Raises Ethical Concerns For Attys](#)" on the Law360 website (*subscription required*)

### **Law Firms Emerge As Easy Targets for Ransomware Attacks**

Maleske also covered the Steven Puiszis panel on law firm vulnerabilities to cyber-attacks. Puiszis noted that law firms should back up their data and, crucially, ensure they're able to recreate the data from their backup. If you can't restore a backup, you're subject to state disclosure requirements as well as reporting requirements under the Health Insurance Portability and Accountability Act, according to Puiszis.

Read Maleske's full article "[Law Firms Emerge As Easy Targets For Ransomware Attacks](#)" on the Law360 website (*subscription required*)

### **Human Rights, Money Laundering Issues Loom For Law Firms**

Finally, Maleske provided coverage of a panel that included Hinshaw's Anthony Davis, which focused on new areas of risk



facing law firms. In particular, the panel reviewed topics like human rights and obligations under the new EU Privacy Shield Regulations for those who represent clients with global operations.

Read Maleske's full article "[Human Rights, Money Laundering Issues Loom for Law Firms](#)" on the Law360 website (*subscription required*)