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How to Prepare Yourself and Your Clients to Respond to Data Breaches

Data breaches are everywhere, and they are expensive. In the first six months of 2019, there were more than 3,800 [reported data breaches](#)—a 54% increase from the same period last year—exposing more than 4.1 billion records. The average reported cost of a data breach for an American company is [\\$8.2 million](#).

We work every day with individuals and businesses that face the real prospect of a network intrusion, a data breach or other cyber-related event that—if successful—comes with potentially staggering costs. Experts caution businesses to treat these attacks as inevitable. In addition to looking out for our clients, lawyers and law firms themselves need to be ready.

Last October, the ABA's Standing Committee on Ethics and Professional Responsibility issued [Formal Opinion 483](#): "Lawyers' Obligations After an Electronic Data Breach or Cyberattack," which acknowledged that lawyers and law firms are a target for hackers and addressed many of the key concerns lawyers and law firms must consider when responding to a breach of their own systems. The steps in this article apply equally to your own practice.

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Authors