

**NEW YORK STATE CLE PROGRAM RULES
JOINT RULES OF THE APPELLATE DIVISIONS
22 NYCRR 1500**

22 NYCRR § 1500.2 Definitions

(h) Cybersecurity, Privacy and Data Protection

(1) Cybersecurity, Privacy and Data Protection-Ethics must relate to lawyers' ethical obligations and professional responsibilities regarding the protection of electronic data and communication and may include, among other things: sources of lawyers' ethical obligations and professional responsibilities and their application to electronic data and communication; protection of confidential, privileged and proprietary client and law office data and communication; client counseling and consent regarding electronic data, communication and storage protection policies, protocols, risks and privacy implications; security issues related to the protection of escrow funds; inadvertent or unauthorized electronic disclosure of confidential information, including through social media, data breaches and cyber attacks; and supervision of employees, vendors and third parties as it relates to electronic data and communication. *[effective January 1, 2023]*

(2) Cybersecurity, Privacy and Data Protection-General must relate to the practice of law and may include, among other things, technological aspects of protecting client and law office electronic data and communication (including sending, receiving and storing electronic information; cybersecurity features of technology used; network, hardware, software and mobile device security; preventing, mitigating, and responding to cybersecurity threats, cyber attacks and data breaches); vetting and assessing vendors and other third parties relating to policies, protocols and practices on protecting electronic data and communication; applicable laws relating to cybersecurity (including data breach laws) and data privacy; and law office cybersecurity, privacy and data protection policies and protocols. *[effective January 1, 2023]*