



LAWYERS' INSURANCE ASSOCIATION OF NOVA SCOTIA

2021 SO FAR, CYBER AND REAL PROPERTY CLAIMS AND SOME OTHER ISSUES

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Slide 1

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Lawrence Rubin, 27/10/2020



THE YEAR SO FAR



CYBER CLAIMS

Cyber Claims Arise From:

- Deficiencies in Technology
- People's Actions

Technology

- When it comes to software, cheapest is rarely the best. And free is the absolute worst
- Your software, aside from being up to date at all times should do at least two things:
 - Meet your needs
 - Have all appropriate security features and they are enabled

People

- It is fair to say that cyber incidents result from the victim doing something, for example clicking a link, downloading a document, disclosing a password
- Everyone in your firm who uses a computer – lawyers, assistants, clerks, paralegals, receptionists – should be empowered to bring to someone's attention anything that looks odd
- But even with all the best software, the key to preventing a cyber issue is diligence

Cyber Do's

- Use hard to guess passwords
- Use different passwords for your email (both personal and work), cloud storage, corporate accounts such as VPNs
- For those working from home, always change default passwords on your home networks, especially those that come from your provider or supplier
- Use multi factor authentication
- Save and share files in accordance with firm policy (and have a policy)
- If you have a work provided computer, only use it for work

Cyber Don'ts

- Do not provide any business or personal information to requesters you cannot identify with certainty
- Do not use the pandemic as a reason to bypass regular processes
- Do not disable automatic software update features, whether for security, operating system or other software such as office
- Do not leave work related files lying about your living room or the coffee shop table
- Do not use your work computer for personal matters
- Do not email work documents to your personal email account
- Do not install any software on your work computer that your firm has not authorized



REAL ESTATE

Five Steps for Avoiding Claims

- Confirm title instructions
- Review payout statements
- Consider transfer tax and applicable HST and any exemptions
- Document all communications, instructions, extensions, etc.
- If your deal collapses, put your litigation hat on ASAP and if you are not a litigator, refer the matter to one ASAP to at a minimum preserve your client's rights, be they a purchaser or vendor



OTHER ISSUES

Other Issues

- Through the claim handling process we often come across issues, that though technically unrelated to error, do impact our handling of the matter or how the error occurred



THANK YOU.
QUESTIONS?

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