

## Tip of the Month

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## X<sup>L</sup> Insurance

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## LACBA LOS ANGELES COUNTY BAR ASSOCIATION

AHERN Insurance Brokerage, the Los Angeles County Bar Association's Preferred Professional Liability Insurance Broker since 2008, is one of the largest and most respected full-service insurance brokers in the country specializing in insurance for law firms.

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Call (800) 282-9786 to speak with an AHERN Professional or visit us online at aherninsurance.com/associations/lacba.

## Obtain Client Consent When Using Electronic Communications

Lawyers have a duty to preserve confidential and privileged client information. Sometimes, it is more efficient to use electronic means of communicating with clients that have an element of risk of disclosure of the content of the communication to a third party. Faxed information could be seen by someone who is at the fax machine before your client gets to it. Unencrypted email can be risky. Lawyers should understand the risks of the use of such means of communications as cellular telephones, facsimile machines, email and computer-to-computer data transfers, and inform the client of the risks before using that means of communication. Obtain in writing the client's informed consent to your use of electronic means of communication. If the client provides specific directions, confirm the directions in writing and make sure that all attorneys and staff handling the client's matter know of the client's directions.