Empowerment and Resilience Advance at the WIP Fall Retreat

The PBA Commission on Women in the Profession Fall Retreat took place on Nov. 5 and 6, 2021, at The Hotel Hershey, and it was equal parts lively and productive. Attendees dove into this year’s theme of Empowerment, Celebrating Success, and Overcoming Obstacles right away on Friday with “Practicing Law in the Pandemic and Moving Forward,” with Nancy Conrad moderating a discussion by Roberta Liebenberg and Stephanie Scharf on the recently released American Bar Association report entitled Practicing Law in the Pandemic and Moving Forward: Results and Best Practices from a Nationwide Survey of the Legal Profession. After surveying over 4,000 of its members, the ABA found that the various changes experienced by lawyers during COVID-19, including balancing remote work with other personal and care-taking duties, created a secondary pandemic of even higher stress levels and disengagement, hitting women attorneys and attorneys of color particularly hard.

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Empowerment and Resilience Advance at WIP Retreat

The retreat started on Friday with a dynamic book group discussion about “Equal Justice Under Law: An Autobiography” by Constance Baker Motley, followed by a jam-packed dinner featuring welcome remarks by PBA President Kathleen D. Wilkinson, and an incredibly stimulating keynote presentation by Maggie McGrath, accomplished editor of Forbes Women. The night ended with a bang in the form of “Story Slam Activity: 2020,” where attendees were able to share personal and professional wins from the pandemic times and beyond and on-lookers had no choice but to dance and cheer in response to the amazing stories we heard. Some very dedicated WIPsters awoke early on Saturday for a nature walk with the Quality-of-Life Committee. These energized women and allies joined the rest of us for a business meeting and breakfast, covering all of our normal subject matter of weighty substance, handling the people’s business. Next, President Wilkinson conducted a “fireside” interview with the Honorable Debra Todd focused on “Overcoming Barriers and Thriving in the Legal Profession,” which delved into the highs and lows of braving the legal profession as a woman, with refreshing and restorative candor, humor and positivity. Following this, Sharon López moderated “Women in Social Movements: History and Present Day” with Professor Kathleen Cahill, Penn State University, and Dean Danielle M. Conway, Penn State University Dickinson Law. Each of these two sessions offered attendees with substantive CLE credits (in addition to the inspiration and information). Finally, volunteers joined the Public Service Committee to discuss leadership and mentoring with the students from the local Milton Hershey School.
Empowerment and Resilience Advance at WIP Retreat

View more photos from the WIP Fall Retreat.
Happy New Year from your Co-editors!
Nicole O’Hara and Jennifer Ellis

Happy New Year, WiPsters! As we embark on a new year that mimics too closely the start of the last few years, with many of the same sources of concern and anxiety, many of which are beyond our control, we thank you for being a constant source of professional camaraderie and support. We hope that this edition of Voices & Views will serve as a dose of Vitamin D on a cold winter’s day, including the list below contributed by Ashley Belsinger, MS of Paragon Life Coaching, who suggests, in addition to or in place of new year’s resolutions, we ask ourselves open-ended questions about our life experience in the past year and intentions for the next.

Transitioning Into a New Year with a Focus on Well-Being

New year’s resolutions and the like can leave a lot to be desired when it comes to meaningful and intentional living. Consider, instead, asking yourself the following questions and prompts to synthesize meaningful takeaways from 2021 and ensure you get the most from 2022.

1. During the year, how did I invest my time and energy that was reflective of my values?
2. Which values, interests, skills, enjoyable activities, etc. do I want to invest more/less time and energy in for 2022? Assess satisfaction/progress towards goals in different life domains (ex: living/housing, relationships, health, spiritual/religious/purpose, career/educational, leisure, community, financial).
3. If I were to die in a year, what would I be sure to do in 2022? How can I incorporate elements of that into this next year?
4. How would you like to grow/develop during this next year?
5. What are realistic goals for this year upon reflecting on the previous four prompts? How will I work toward those goals on a daily, weekly, or monthly basis (the objective)? For example, a goal might be to invest more time and energy in friendships and an objective for that goal might be to see friends four times a month. Start small, for example, seeing friends twice a month, and grow from there.
6. What am I glad to put behind me from 2020?
7. What were the valuable lessons I learned from the past year?
8. What do I deserve credit for from this past year?
9. What are some of my best memories from 2021?
10. What am I looking forward to in 2022? How can I get the most from it?

Contributed by Ashley Belsinger, MS, Paragon Life Coaching
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WIP Wellness Luncheon Series – Off to a Great Start

The Quality of Life committee has planned an innovative series of virtual wellness lunches, for the upcoming bar year, with two very successful sessions already in the books. Bring your lunch and join a vibrant and encouraging group discussion about the unique challenges we face as women lawyers. “Home for the Holidays” took place on Dec. 3, 2021, with Carla Donnelly moderating a no-pressure chat about managing holiday tasks while keeping up with your practice. On Jan. 7, Justine Bressler moderated an energetic and well-attended discussion about assessing and asserting your true financial worth, quite appropriately entitled “Girls just want to have Funds.”

The session dates, topics, and Zoom links are listed below. All sessions begin at noon and will end by 1:00 p.m. We hope to see you there!

March 4, 2022:
“Can we have it all?” – Balancing career and child care/child rearing
Moderated by Melissa Leininger
March 4, 2022 12:00 PM
Join Zoom Meeting
https://zoom.us/j/91929011227?pwd=Y0pz0Q2L3Vaa09DNCFDQzFPeC95UT09
Meeting ID: 919 2901 1227
Passcode: 765554
Telephone: +1 929 436 2866

July 8, 2022:
“Thriving in both life and work” – Balancing relationships and career
Moderated by Anne John
July 8, 2022 12:00 PM
Join Zoom Meeting
https://zoom.us/j/93452582860?pwd=YYpwY3lVYW9aeWlkNkZPWjB0ON-Th3Zz09
Meeting ID: 934 5258 2860
Passcode: 369285
Telephone: +1 929 436 2866

May 6, 2022:
“Put on your oxygen mask first” – Finding time for fitness/wellness
Moderated by Andrea Farney
May 6, 2022 12:00 PM
Join Zoom Meeting
https://zoom.us/j/96560893533?pwd=SFZVbJMKdU3Rzb1hxVGNuAFJRUT09
Meeting ID: 965 6089 3533
Passcode: 719852
Telephone: +1 929 436 2866

Sept. 9, 2022:
“Playing the game” – Navigating interoffice politics
Moderated by Kim Meyer
Time: Sept. 9, 2022 12:00 PM
Join Zoom Meeting
https://zoom.us/j/97787863318?pwd=a2I0M04xRU5ka1g5WkV3RdXUvb2crZz09
Meeting ID: 977 8786 3318
Passcode: 773627
Telephone: +1 929 436 2866

Nov. 4, 2022:
“Making your voice matter” – Paving the way for inclusivity in firm culture
Moderator to be determined
Time: Nov. 4, 2022 12:00 PM
Join Zoom Meeting
https://zoom.us/j/97492669913?pwd=WFVoOXpqQWUwa1g5WkV3WkYJ07dUz09
Meeting ID: 974 9266 9913
Passcode: 616126
Telephone: +1 929 436 2866
We’ve Had a Data Breach!

No lawyer wants to hear those words about their law firm. But across the country, those words have been repeated time and again. How often? The ABA's 2021 Legal Technology Survey Report tells us that 25% of respondents said that their law firms had a breach “at some time.” That’s a big percentage. Most law firms are ill-prepared for responding to a data breach with only 36% reporting that they have an Incident Response Plan (IRP). Understandably, 80% of law firms with 100+ attorneys do have an IRP.

If you have no IRP, you are asking for a catastrophe – and one likely to make the headlines. Roll up your sleeves and get to work creating one. Then do regular tabletop exercises on the IRP, adding and subtracting issues (electric grid compromised, managing partner inaccessible on a safari, etc.). Make sure the IRP is accessible during a disaster – we saw one data breach where the IRP was only in electronic form and it got encrypted with all the other data by a ransomware attack. “Whoopsie-Daisy” doesn’t quite cover the extent of that debacle.

Who Are You Going to Call?

If you have an IRP, you have a plan which includes (in order) the steps you are going to take and the names of those you are going to call, with contact information. If you don’t have an IRP, you are likely to panic – some victims are literally paralyzed by shock. Since we get a lot of those calls, we became very interested in who should be called and when – and take note that even experts disagree on who to call first.

Our #1 Pick is a Data Breach Lawyer

We didn’t pull that out of thin air. We’ve talked to all kinds of cybersecurity experts and a majority think calling a data breach lawyer is your logical first step. You should have someone in mind (and identified in your IRP), but if you don’t, get referrals from colleagues.

Why the data breach lawyer? First, they know pretty much everything you need to know and they have a lot of experience dealing with data breaches. Data breach lawyers tell us it is helpful to the client to have a “coach” early on and one who knows how to handle the myriad laws, regulations and ethical duties associated with data breaches. They will help you devise a game plan, depending on the circumstances.

Three Things to Do Quickly

• Notify your cyberinsurance company – you can file a claim later, but put them on notice and plan to have a meeting to discuss what’s covered under what circumstances, exclusions, etc. Does the policy cover the payment of a ransom? Some companies are backing away from ransom payments. Insurance companies may have recommended digital forensics companies or, if you have a preferred company you know of, the insurer may want to approve that company before they are engaged.

• Get a digital forensics firm onsite as soon as possible. These are the folks who figure out what happened, remediate the problems, figure out whether your data can be restored and determine whether your data was accessed or exfiltrated. Help them out before the breach by making sure you are using logging mechanisms. Logs help the digital forensics folks figure out what happened and how, pivotal to understanding how to move forward. While on the subject of logs, make sure you maximize the amount of

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data in the log files (both in type of data collected and time of retention) as the default settings are rarely adequate. Also, the logs should be stored in a protected and safe area. Cybercriminals will seek out and destroy or encrypt your logs in order to remove any evidence of their activities.

- **Contact your regional FBI office** – you can do that at [https://www.fbi.gov/contact-us/field-offices](https://www.fbi.gov/contact-us/field-offices). The agents who come out will ask a lot of questions and sometimes answer some of your questions or tender advice, but they will not remediate the problems – that’s not their job. Recently, businesses who have suffered a breach tell us that it can take several days for the FBI to come out. We are starting to hear data breach lawyers recommend that you file a complaint with the Internet Crime Complaint Center (IC3) which is a part of the FBI. Their response time is much shorter. IC3’s website is at [https://www.ic3.gov/](https://www.ic3.gov/).

- **Immediately review your state’s data breach notification law with your data breach lawyer** (yes all the states and U.S. territories have such a law). If you’re a firm which does work nationally, you may have a lot to do. Don’t forget to review the requirements of the states which have data privacy laws (currently California, Virginia, and Colorado) as well.

**Who Else Do You Need to Call?**

- It’s a good idea to call your bank – many banks will put an alert on your account so that any substantial transactions are verified with the customer before they are processed.
- It’s no fun, but if you truly had a data breach and not a cybersecurity incident, ethical rules require that you share information about the breach with your affected clients so they can be prepared for the possible impact of the release of the data that has been accessed or exfiltrated.
- Do you need help with public relations? If knowledge of the breach has hit the press or your clients, this may be critical help if you can afford it. Ransomware gangs, in particular, often release data to pressure you into paying the ransom.

**Last Words**

Data breaches are no fun. So have a playbook in hand – your IRP. Review the plan at least yearly because threats and defenses are constantly changing. Train your employees on cybersecurity – not from a high-tech standpoint, but from a user’s perspective. 82% of users will not recognize a well-crafted phishing email. There is no technology which can provide a silver bullet solution, so your best defense is both technology and training.

Prepare, practice, and revise your Incident Response Plan regularly. As writer/financial advisor Howard Ruff once wryly noted, “It wasn’t raining when Noah built the ark.”

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Long-time PBA WIP member Sarah Yerger has opened her own law firm in Central PA. Sarah will provide employment law counseling and litigation services to Central Pennsylvania businesses and individuals. Her firm will also do contract review and help businesses with conflicts with other businesses. She is also excited to continue and grow her practice as a mediator and arbitrator.

Sarah has 29 years of experience practicing employment law and litigating for businesses, first in government at the Attorney General’s office and then in private practice at two larger firms. According to Sarah, “I’m so excited to start my own practice and my goal is to deliver an exceptional level of service to clients, which is affordable, in Central Pennsylvania.”

Contact Sarah at 717-919-5486 or sarah@yergerlaw.net for more information.

WIP’s esteemed co-chair, Jennifer Coatsworth, partner in the Philadelphia office of Margolis Edelstein, has been quite busy! She was honored with PBA’s 2021 C. Dale McClain Quality of Life/Balance Award at Section Day on November 18, 2021, for her commitment to achieving balance among attorneys’ professional and personal lives, and maintaining and improving the overall quality of life of those in our profession. The award is named after C. Dale McClain, one of the founders of the Quality of Life/Balance Committee and the 114th president of PBA, who spent much of his career fulfilling the mission of the committee through educating attorneys on the importance of attaining a quality of life/balance in the practice of law.

Jennifer Coatsworth was elected Vice Chancellor of the Philadelphia Bar Association late last year and began her term in 2022, advocating for access to justice and supporting legal aid for people struggling with poverty, abuse, and discrimination.
Join President Kathleen D. Wilkinson for this unique program to celebrate International Women’s Day, a global day celebrating the social, economic, cultural and political achievements of women. The day also marks a call to action for accelerating gender parity. To celebrate this important day in 2022, hear from a diverse panel of trailblazing women lawyers and judges from within Pennsylvania and beyond who have each paved the way for so many others on their road to the pinnacle of success in their respective spheres.

There is no charge for this program, and it is open to members and non-members.

To register for the program, please click on the link below.

https://zoom.us/meeting/register/tJUtc-6uqDkrHd8lH7OPYu4E6D9ZBLkPQsAz

After registering, you will receive a confirmation email containing information about joining the meeting.
Voices & Views is a publication of the Pennsylvania Bar Association (PBA) Commission on Women in the Profession and is published by the Communications Committee three times per year. The purpose of the publication is to facilitate communication among the membership of the commission on topics and events of general interest to women lawyers. The editors of Voices & Views reserve the right to accept or reject any submission and to edit any submission to ensure its suitability for publication, its adherence to the Mission Statement of the Communications Committee and its furtherance of the objectives of the Commission on Women in the Profession.

The articles and reports contained in Voices & Views reflect the views of the writer and do not necessarily represent the position of the commission, the editors of Voices & Views or the Pennsylvania Bar Association.

Mission Statement
It is the mission of the PBA WIP Communications Committee to foster improved communication among its members in the furtherance of the goals of the commission. To this end, the publication, Voices & Views, provides a forum for professional and open exchange among the WIP membership on all issues related to women and the law. Voices & Views shall be utilized for the following purposes:

- To publicize opportunities and events that may be of interest to the WIP membership;
- To provide information to the membership on topics that may be of general interest to women lawyers;
- To reach a wider audience and increase the visibility of the commission;
- To inform the WIP membership of the projects and goals of the commission; and
- To share information with the WIP membership regarding accomplishments of the members, other

Contribute to Voices & Views
The editors of Voices & Views encourage our membership to contribute articles and announcements, including articles on your area of practice, topics relating to women and the law, book reviews, save-the-date notices, members in the news and photos of members at events.

The submission deadline for the next issue is April 4, 2022.
Please send information, news and articles to the co-editors:
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