



# The Ethical Hacker

## *Data, Disputes, Discovery and More...*

## Field Notes: Leveraging IoT Data Isn't a Budget Killer

By **Charlie Platt**

**L**ike many, I attended LegalTech Jan. 31 – Feb. 2 and enjoyed catching up with old friends while seeing new, emerging technologies. Did you see the car forensics kit being offered by Berla? That was pretty cool and something I am definitely going to keep an eye on. One of the things I always enjoy is the post-LegalTech articles. Everyone talking about what they saw, what caught their eye, and where they think the legal technology world is heading. I was really looking this year for anything related to the internet of things (IoT), especially with Alexa making the news recently as an eyewitness to murder. Of course, there's also the pacemaker that recently provided critical evidence in an arson investigation, and Fitbits are becoming notorious for impugning eyewitness accounts. Our devices aren't only spying on us; they're turning state's evidence!

I will say that I was a little disappointed I didn't see more IoT technologies, but some of the articles that came out afterward certainly caught my attention. Many were talking about IoT data and how difficult and expensive it is to get, use and turn into legal arguments. This surprised me. We (iDS) just finished up a case where we had IoT data, alongside more traditional, structured data, and we were able to turn

it around for a very little amount of effort and cost. By that I mean under two months from initial engagement to the plaintiffs' voluntarily walking away from the case, and at a cost that was a tiny fraction of the potential exposure to our client. Our client was lucky that the data in that case was in their favor but, regardless, isn't it better to know the answer up-front and negotiate from a position of knowledge, rather than ignorance?

With the right tools, the right team and the right strategy, IoT data can be leveraged for much less than many attorneys assume. Yes, it's new. Yes, it's obscure. Yes, it's daunting to those who haven't worked with it. But it's not cost-prohibitive if done right, and it can literally make the difference between long, drawn-out litigation with murky, disputed facts, or a quick and clean settlement based on a clear and concise factual record.



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### ACC

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we now have many webcasts and virtual roundtables in which the rest of the membership can take part.

Overall, the legal operations function is burgeoning, so we have a great mix of established legal operations executives and first incumbents – those people who are establishing legal operations at their companies. While there is still plenty of interest in keeping up with the latest, cutting-edge legal operations strategies, we have found that there is also a real willingness from seasoned legal operations executives to mentor those who are in early stages of defining, designing and building legal operations functions. We have a great “pay it forward” dynamic. As we continue to grow, I hope our community retains these qualities.

**MCC: Congratulations on being named the first-ever chair of ACC Legal Operations. What are your goals for the coming year?**

**Arrowsmith:** Thank you. I am honored to hold the role of chair for the next 18 months. My goals are driven by the needs of the industry. First and foremost, this means working with the rest of the ACC Legal Operations membership to develop a foundational tool kit for a legal operations professional and ensuring that we have the strongest possible ongoing education. The field is quickly evolving, so we want to stay in front of the trends.

We are excited to have a new strategic plan in order to take our progress a step further and build our resources. A lot of this will be based on our

collaborative approach, as we are asking our interest groups to contribute tool kits, templates and best practices for various work streams. People are clamoring to know what their fellow legal operations professionals are doing and what benchmarks tell us, so we will continue to be an information hub.

Another goal is helping ACC Legal Operations to shape vendors' offerings. Our tools and technology interest group plans to collaborate on determining which legal department needs are not being met by vendors, then working with vendors to bring those solutions to fruition. We also want to work more closely with other associations within the legal industry, such as those aligned with technology or outside counsel. We think there are opportunities for stronger collaborations in order to advance the legal industry as a whole.

Being part of the broader ACC community, we have a great opportunity for ACC Legal Operations to share what we learn. Some departments don't have the capacity to hire a team or individual dedicated to legal operations, but we'd still like to share the strategies we've found to be successful. Also, many GCs are curious about how to best set up legal operations in their departments, and we're happy to have those conversations and help the process along.

There are so many more changes to come within the legal industry. ACC Legal Operations is entirely member-driven, so I look forward to hearing from our members about what they want to see next. It's an exciting time to be a legal operations professional, with many opportunities to push forward and manage change.