

Welcome to the CIO Hour!

August 2023

Privacy 101: The Changing Legal Landscape

Today's Panel



FRAN FAIRCLOTH

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Fran Faircloth is a partner and core member in Ropes & Gray's data, privacy, and cybersecurity practice. She represents clients handling complex data, privacy, and cybersecurity matters across a wide range of industries and sectors.

She regularly counsels clients on compliance with federal, state, and foreign privacy and security requirements related to the collection, handling, and protection of data.

Fran maintains an active pro bono practice that is focused on women's issues and election law. She previously completed a fellowship with the National Women's Law Center where she focused on education and employment matters.

Prior to joining Ropes & Gray, Fran practiced at a large international firm and served as a law clerk for the Honorable Scott M. Matheson of the U.S. Court of Appeals for the Tenth Circuit. While in law school, Fran was managing editor for the Yale Law Journal and a co-chair of Yale Law Women.



JAMES C. MARQUIS

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James C. Marquis is a seasoned senior executive with more than 30 years of experience working in technology with a wide variety of associations and nonprofits. James' work experience includes serving as CIO for a large medical association, CEO of a technology consulting organization and senior roles in product development and business consulting with for-profit and nonprofit clients. He also has designed and built multiple Internet-based business applications including Mojo Middleware™.

The CIO Hour: Privacy 101 – The Changing Legal Landscape

- Tackling the problems and questions that are on your mind with real-world technology advice
- Featuring experts in their field with decades of real-world experience
- Usually the first Thursday of every month



Visit www.theCIOHour.com for upcoming topics and events.

Ground rules...

- No question is off limits!
- If the question is too specific to a particular situation, we may defer it but are happy to talk to you offline or after the event.
- This is a safe space, but we understand if you wish to remain anonymous.
- Each session is worth 1 CAE credit – details to claim emailed tomorrow 

Agenda

- In the News – A few highlights that might interest you
- Fast Facts – Introduction to the topic of the month
- Q & A – 40 min – Discussion with our experts and taking your questions
- The CIO after Hour – 30 minutes of open mic discussion

In the News...

1. You have a month left to get your share of Facebook's \$725 million settlement — here's how
<https://www.cnbc.com/2023/07/28/how-to-get-your-payment-from-facebooks-725-million-settlement.html>
2. MySpace turns 20: 5 things we still miss in the age of Twitter's meltdown
<https://www.techradar.com/computing/websites-apps/myspace-turns-20-5-things-we-still-miss-in-the-age-of-twitter-meltdowns>
3. A New Attack Impacts Major AI Chatbots—and No One Knows How to Stop It
<https://www.wired.com/story/ai-adversarial-attacks/>
4. California agency probes automakers' data privacy practices
<https://www.reuters.com/business/autos-transportation/california-agency-probes-automakers-data-privacy-practices-2023-07-31/>

Today's Topic: Privacy 101: The Changing Legal Landscape

Fast Facts: TrustArc Global Privacy Benchmark

Identified 7 Key Privacy Competencies:

- Ensure the Board of Directors regularly reviews and discusses privacy matters
- Pursue privacy as a core part of business strategy
- Embrace privacy practices as a business differentiator
- Be continuously mindful of privacy
- Empower every employee with the ability to raise a privacy issue with confidence with no reprisal
- Train employees in privacy matters
- Consider privacy in day-to-day business decisions

SOURCE: <https://trustarc.com/2023-global-privacy-benchmarks-report/>

On to Your Questions...

In general, can you give us an idea of what is happening with the privacy law landscape in the US?

It seems like a lot of states are authoring their own privacy laws. Is this likely to continue?

Do you think the federal government is likely to step in and create a nationwide framework?

When should an association worry about a law enacted in another state or country?

Some of these laws like GDPR have been around for a while now, what sort of enforcement actions are you seeing?

What advice do you have for an association evaluating what data to collect and store?

What are the trends relating to collecting emails, mailing lists, opt-in versus opt-out when it comes to email marketing?

Because no discussion is complete without mentioning AI, how do you see this complex technology impacting privacy, data sharing, etc.?

Any last parting advice,
especially for smaller organizations...

Other Questions?



Thank you to our expert!

ROPES & GRAY

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Final Thoughts

- Join us September 7th for **Beyond the First Look – More Insights into AMS Projects**
- An archive of this presentation and today's Webinar will be posted on theCIOHour.com in a few days.
- Any suggestions for future programs? Topics you would like to see covered? Please email us: theCIOHour@501works.com
- For CAE credit – you will receive a link via email tomorrow so you can claim your credit and receive your certificate.

