

Sample

(Insert name of Law Firm) Privacy Statement

This Sample Privacy Statement is provided as one example only. In each case when you draft your law firm's own privacy statement, code or policy, you must consider your own circumstances and personal information practices and current privacy laws as enacted and amended. Remember you could be holding yourself to a higher standard than Alberta's PIPA if you and/or your law firm cannot comply with your own privacy statement.

We, at Law firm name, recognize the importance of client privacy and the sensitivity of the personal information that we may have concerning any individual. As practicing lawyers we have a professional and ethical obligation to keep confidential all information we receive within a lawyer-client relationship subject to the client's instructions to provide legal services. Further, we are committed to safeguarding the personal information we have or control concerning any individual.

Your Privacy Rights

ABC law firm manages your personal information in compliance with Alberta's Personal Information Protection Act (PIPA) and will comply in certain circumstances with the federal privacy law, the Personal Information Protection and Electronic Documents Act (PIPEDA), as required.

Why We Collect Personal Information

We collect personal information for the purposes of serving the legal and related needs of our clients. We require information to:

- Understand, access and assist you, our client with your ongoing legal needs.
- Ensure information is accurate and up-to-date.
- Collect information through legal means on you and other individuals for the purposes of providing legal services to clients.

What personal information do we collect?

Personal information is any information that identifies you. In Alberta business contact information such as your office address, job title, business phone number, email address, fax number or other related business contact information is not considered personal information. We follow reasonable and prudent business practices to collect, use and disclose your personal information for the purpose of providing you with legal services.

How do we collect your personal information?

We collect information only by lawful and fair means. When we make directed individual requests for your relevant sensitive personal information from a particular organization or

business, such as medical professionals or financial institutions, we will obtain your written consent. Wherever possible we collect your personal information directly from you. We may ask you for your consent, at the start of a retainer and during the course of our representation. Your consent may be in writing, verbal or implied as necessary to further your legal needs. Our privacy statement is your notice of the purposes for which we collect, use or disclose your personal information or business contact information.

Dependent on the legal services provided, with your consent, we may obtain this relevant information from: *(modify to reflect your law firms' practice)*

- You
- Medical professionals
- public registries such the Land Titles Offices or the Probate Registry
- financial institutions (for example to assess financial loss in a litigation or level of family support in a family matter)
- your employer (for example, employment evidence for damage assessment)
- motor vehicle and driver licensing authorities
- law enforcement, if relevant
- investigators

Consent

- Our practice is to request either your written or express oral consent, which may be given in person or over the telephone if your identity is authenticated;
- If you volunteer to provide relevant personal information verbally or in writing , we assume that you are consenting to the collection, use and disclosure of your personal information as described in our Privacy Statement, or
- When you initiate contact with us, we may determine that consent has been implied for us to collect, use and disclose personal information in a reasonable manner.
- In some situations, we will require express consent in writing, by the provision of a letter, application form, electronic signature, or other document authorizing certain activities.
- There are certain circumstances where we are required or permitted by law, to collect, use and disclose personal information without consent. We will handle all personal

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information confidentially and will substantiate the legal authority to collect, use and disclose personal information in these circumstances.

Under certain circumstances, we will disclose your personal information without your consent:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when the use of the information is necessary to respond to an emergency that threatens the life, health or security of an individual or the public;
- when it is necessary to establish or collect our fees; or
- if the information is already publicly known;

Use of Your Information

We use your personal information to provide legal advice and services to you and to administer our legal business incidental to providing legal services, such as client billing. With your permission, we may send you information about our other legal services, or about new developments in the law. You may at any time withdraw your consent by notifying us, and we will not send you any such material.

We do not disclose or sell your personal information or business contact information to any third party to enable them to market their products and services.

Who do we release information to?

When we release information about you, it is done to serve specific needs, in the course of providing legal services. With your consent, we may provide information to:

- Our staff and agents who use the information to for the reasonable business purpose of providing you with legal services
- To a third party we contract to provide administrative services to the law firm (like computer back-up services or archival file storage) and the third party agrees to comply with our privacy policy and privacy laws;
- Professionals working with us such as investigators, paralegals and experts
- Financial institutions, for example, the institution that carries your mortgage.

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Accuracy of Your Information

You have the right to request a correction of the personal information that we hold about you. We rely on you to provide us with accurate and up-to-date personal and business contact information for the purposes of providing you with legal services and to maintain contact with you. If during the course of our professional relationship, any of your information changes, please inform us so that we can make any necessary changes.

How do we protect your personal information?

In order to protect your personal information, we will:

- Not collect, use or disclose your personal information for any purpose other than those we identify to you or are reasonably evident.
- Only disclose your personal information to those persons who have a need to know your personal information for the purposes stated in this Privacy Statement.
- Keep your personal information only for as long as needed it to fulfill the stated purpose or as required by law.
- Maintain your personal information in as accurate, complete and up-to-date a form as possible.
- Keep your personal information physically secure, for example, in locked or secure offices, rooms and/or filing cabinets.
- Maintain technological safeguards such as passwords or encryption for your sensitive personal information.

Access to your personal information

You may request access to the personal information we have about you. The request must be in writing and directed to the law firm's privacy officer identified below. We will charge a reasonable fee for retrieval and copying of your personal information. If the retrieval or copying or your request is extensive, we will notify you of the fee prior to retrieval and copying.

Can I be Denied Access to My Personal Information?

There are exceptions to your right to access your personal information. By law, we must deny access when:

- your file contains personal information on a third party and the information cannot be severed to maintain the privacy of the third party information;
- required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients);

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We have the right to deny access to your information and may deny access when:

- your information relates to existing or anticipated legal proceedings against you, including unpaid bills to the law firm;

If we deny your request for access to, or refuse a request to correct information, we shall explain why. In all cases we will attempt to mediate a resolution if possible.

Communications by Email

E-mail is not a secure, confidential method of communicating your confidential and personal information with us. We will not use e-mail to send personal or confidential information unless you expressly authorize this form of communication and accept all the inherent risks associated with this type of communication.

Changes to this Privacy Statement

We may review and change our Privacy Statement from time to time in order to update our privacy commitment to you in keeping with current privacy laws.

Contact Information & Resources

Please contact our Privacy Officer at the address below or access our website under Privacy, if you:

- Wish to access your personal information
- Wish to change your consent regarding the manner in which we collection, use and disclose your personal information as outlined in our Privacy Statement.
- Have concerns about our privacy policies or how we've handled your personal information
<Insert name of Privacy Officer, Privacy Manager and contact information>

If you are not satisfied with our response, the Privacy Commissioner of Alberta can be reached at:

www.oipc.ab.ca

Phone: 1-888-878-4044

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