

# Lawyers & the Importance of Secure Email

- PosteCS™ teams with Fasken Martineau DuMoulin LLP -

No business professionals are more aware of the fundamental necessity for secure email than lawyers: the solicitor/client relationship – which typically involves an exchange of private information - is highly privileged: any technology that can have an impact on the relationship must be exhaustively analysed.

"The confidentiality of email is a prominent issue," says Claude Marseille, a senior partner with the international law firm Fasken Martineau DuMoulin LLP. "In fact, in Quebec, a new Act came into force regarding secure electronic communications\*. Initially, the question that was raised was: is it a breach of ethics for a lawyer to send solicitor/client-privileged information through unsecured email? This kind of question was asked about many technologies in the past. For instance: Can I use the phone to speak with a client? Yes. What about fax? Yes, it is now accepted. Can I use a cell phone? That's more difficult to answer. Next it's email. The topic is provoking a lot of discussion in law firms around the world."

## Fasken Martineau DuMoulin LLP & the PosteCS™ Solution

Marseille felt an urgency to solve the firm's need for secure email. "As lawyers, we send sensitive material. In my opinion, just using regular email is very risky. There is nothing more confidential in law than solicitor/client information and it must never be threatened in any way."

That is why Marseille spearheaded a team to select and test a secure document delivery system. "We needed a field-tested service from a reliable and trusted supplier. We turned to PosteCS from Canada Post."

PosteCS is a Web-based secure document delivery and e-messaging solution offering high-speed transmission combined with robust encryption and real-time tracking. It allows customized applications to be built and integrated with existing corporate e-business systems and legacy applications.

Beyond the confidentiality of email, Marseille says the exclusive Canada Post 'Electronic Postmark' - that validates the existence of a document at a certain date and time and ensures its integrity – was

especially appealing to the firm. "We tend to think of PosteCS as providing a kind of certified mail – something all lawyers use," says Marseille.

## Steps to Success

In a profession where time is money, the firm had to be sure that implementing PosteCS would be transparent to users. "In fact, my first requirement was that a new secure email system not be intrusive," says Jean-Claude De Halla, the firm's director of IT. "Furthermore, lawyers don't have the time to undergo tutorials. It has to be user-friendly."

De Halla began with a pilot project. "Ultimately, the challenge was to make PosteCS fully integrate with our networking environment and current email system. Basically, PosteCS was to be an extension and enhancement of our current email capabilities."

## Send Secure with Cost Recovery

The implementation team examined various software designs with a core requirement of establishing complete 'cost recovery'. "In a law firm, most disbursements are billed," says De Halla,

\* 'An Act to establish a legal framework for information technology' came into force on November 1, 2001. The main object of the Act is to ensure the "legal security" of communications... The problem for lawyers... is that they are required by law to respect the confidentiality of privileged client information... Canada Post offers 'PosteCS' which provides for the encryption of email messages... Such encryption measures... are definitely sufficient in our view to satisfy the criteria..."

- Loss Prevention Bulletin. Professional Liability Insurance Fund of the Barreau du Québec. April 2002.

"and that includes secure email services. So the design had to incorporate this function, just as you would record and bill if sending a fax or making a long distance phone call."

Through exploiting the open source features of Lotus® Notes®, the team was able to write custom codes, developing email templates and creating a new 'Send Secure' button.

"The functionality is very basic," De Halla explains. "PosteCS users are prompted for a 'Client Matter' number (linking a client to a disbursement), drawing a query from a corresponding database. Once the user selects a Client Matter, it creates an attachment/routing slip – which in turn is detected at a SMTP gateway." The firm has established an administrative rule that if the routing slip exists, then the message is automatically and securely delivered to PosteCS.

**"A very efficient system"**

An internal alpha test was deployed across eight users in the firm's Montreal office. "We were pleased with the results," says De Halla, "and then took the time to refine the process."

De Halla's initial objective of complete user transparency has been achieved. "The lawyers just use Lotus Notes as they did previously. Now they can track their mail – and they are able to see the content of the routing slip that contains the Client Matter number. I think it's a very efficient system."

**PosteCS and Brand Marketing**

As a value-added service, PosteCS offers clients the opportunity to extend their branding. An optional Application Programming Interface (API) helps to automate deliveries and build a customized Web front end. When a mail recipient is notified that a message has arrived, they are directed to a page that can feature corporate logos and slogans. "This reinforces branding in a very specific way," says Elaine Luk, product manager, Canada Post. "A law firm, such as Fasken, can truly associate and integrate itself with the notion of leading-edge security and encryption features. It is especially appealing for organizations handling highly confidential information."



PosteCS provides Fasken Martineau DuMoulin with a unique branding opportunity

**PosteCS & the Future of Email Security**

As concerns over the confidentiality of email continue to impact all professions, PosteCS stands poised for further success, offering custom, tested solutions, ensuring complete confidentiality and trust.

**More Information**

Discover now how PosteCS will save you time and money. Get a free trial account! Contact:

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