

# ANNOUNCEMENT

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Date: February 9, 2017  
From: Sean Broderick  
To: CJA Panel Attorney Representatives  
CC: Federal Public and Community Defenders, Case Budgeting Attorneys, CJA Panel Administrators, Defender Automated Working Group (DAWG)  
Re: *Box.com Available to CJA Panel Attorneys for Short Term Storage and Transfer of Data in Multi-Defendant Cases*

To assist CJA panel attorneys who need to share and transfer e-discovery in their multi-defendant CJA cases, the National Litigation Support Team (NLST) has obtained web-hosted repository (“cloud”) space from Box.com. There is no cost to panel attorneys for using this service.

Box.com is a simple cloud-based collaboration program that allows users to store, access, share, and transfer electronic files and documents. The service encrypts all data and has additional security features. Users can store an unlimited number of files, for their own use or to share with others, without having to use remote access to office computers. Defense teams can use different devices (such as computers, tablets, or smartphones) to access case data anywhere they can connect to the internet. This allows CJA panel attorneys to share discovery and work product easily and efficiently in a secure environment.

Box.com is being used by the Department of Justice (DOJ) as their cloud service to distribute e-discovery to the defense. DOJ evaluated it against other similar products and concluded it best met their security standards.

Box.com is committed to ensuring that your data will remain as secure as possible, and providing strong customer support. They have worked closely with the NLST in designing a cloud service that effectively addresses CJA counsels’ growing problem of moving and sharing large volumes of data. The NLST will work directly with each defense team to set up their cloud case folders, and to provide ongoing support of their use of Box.com.

The NLST will manage:

1. creating case folders to hold electronic information on a case in the cloud,
2. inviting team members (“collaborators”) to help them get access to the cloud data, and,
3. granting rights of different team members to get into specific folders.

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Because cloud contracts like this store case information on servers owned by Box.com, attorneys remain ultimately responsible for the use of this service. Before using it, CJA members should review their local bar opinions regarding the use of cloud computing and storage.<sup>1</sup>

Once approved, the NLST will send you a form asking for the case details including who will serve as the “point of contact” for each defense team, and who on the team should be given access to the what files that have been stored on the cloud. Note that additional team members can be added later. The NLST will set up a short session to show all those who will use this cloud service how to navigate the system, and how to upload and download data. The NLST will be the team’s first point of contact if there are any questions about using Box.com, technical questions, or any concerns regarding using this cloud-based case information repository.

Please note that Box.com does not offer advanced e-discovery features found in online document review programs such as Relativity, Summation, or Catalyst. It does not have a database and other advanced tools for organizing, reviewing, and analyzing e-discovery. Rather, its purpose is for short-term storage and transfer of information in the “cloud.”

When the case has concluded, (or sooner if counsel no longer needs this service), the CJA lawyer must delete all case materials from Box.com. The NLST will help ensure the case files are deleted, and the case is properly closed. Counsel should always maintain a copy of all files on their office computer system (besides the information stored in the cloud), as only duplicate files should be stored on Box.com.

If you are interested in using Box.com for a multi-defendant case, or have further questions, please contact:

Kalei Achiu (kalei\_achiu@fd.org or 510-250-6310) or,  
Alex Roberts (alex\_roberts@fd.org or 510-637-1955) or,  
Kelly Scribner (kelly\_scribner@fd.org or 510-637-1952.

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<sup>1</sup> At least 19 state bar associations have written ethics opinions on its member’s responsibilities while using cloud computing services. Each of the 19 opinions permit using cloud computing but hold attorneys to a duty of “reasonable care,” with the specific requirements of reasonable care varying with each state.

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