



Managing your organization's digital transformation challenges

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Overview

- Definitions and perspectives on digital transformation
- Privacy & litigation considerations in online applications
- Commercial contracting risk mitigation
- Best practices for in-house counsel

Definitions and perspectives on digital transformation

- Digital alternative to analog process or digital-only process/product?
- Form of proof of agreement – signatures, audit trails, witnesses
- Counterparty/consumer attention spans and navigation behaviour
- Volume and nature of data collected

Privacy & litigation considerations in online applications

- Presentation & detail of disclosure
- Information & consent overload
- Access to disclosures post-application
- Privacy by design/default
- Plain language vs boilerplate
- Enforceability of risk limiting terms in consumer contracts

Commercial contracting risk mitigation

- Cost, time, deliverables scope and failures
- Indemnities, limitations of liability
- Reliance on vendor technology post-implementation
- Privacy audit rights and breach response terms
- Dispute resolution mechanisms

Best practices for in-house counsel

- Scope and evolution of role of in-house counsel
- Timing and depth of involvement
- Quantifying privacy/litigation risk in design & build phase
- Managing litigation/investigations

Q&A