

What If a Border Agent Seeks Your Smartphone That Includes Client Secrets?

JD Supra discusses what an attorney is “to do if a customs agent asks to peruse the attorney’s smart phone? Or if a customs agent asks the attorney to identify the clients that attorney is meeting or working on behalf of in the foreign country? Such questions can create a tension for attorneys between their duty to comply with international travel directives and their duty to preserve confidential or privileged client information in their possession.”

“Trips abroad are becoming more common across various practices.”

“Notably, attorneys are not required by the rules of professional conduct to comply with” ABA recommendations. “Whether attorneys adopt these recommendations in their own practices will depend on the type of information attorneys have in their possession, as well as the reasonableness of taking certain precautions.”

Read this article for some traveling tips.