

Cloud Computing Due Diligence Checklist

Terms of Service

- Does the cloud computing provider have a clear and accessible Terms of Service and Privacy Policy?
- What uptime does the vendor guarantee as part of their Service Level Agreement?
- Is there an initial setup fee?
- Is there a cap or limitation on the cloud provider's ability of service? (bandwidth caps, storage limits, etc)
- Are there additional usage or bandwidth fees?

Confidentiality

- Does the cloud provider recognize and agree to abide by the duties of lawyer/client confidentiality?
- Does the cloud computing provider explicitly recognize your ownership of any intellectual property stored with the provider?
- Does the cloud provider have a strong contractual obligation to notify you of any demands for client information in time for you to intervene?
- Are features available to provide user authentication and prevent unauthorized access? (Ex: Two-factor authentication, IP monitoring, strong password requirements)

Backup of Data

- Are you able to easily retrieve your data from the cloud computing provider?
- Are you able to maintain a local backup of your data?
- Is the retrieved data in a usable, non-proprietary format?

Reasonable Security

- Does the cloud provider have technology built to withstand a reasonably foreseeable attempt to infiltrate data, including penetration testing?
- Does the cloud provider employ encryption during transmission of your data?
- How often does the cloud provider have their security audited?
- Will the provider allow the law firm to obtain copies of any security audits performed?
- Does the cloud provider offer remedies in the event of data breaches and service availability failure?

Geolocation

- Where are the cloud provider's servers located?
- Does the cloud provider have multiple storage locations—and if so, how often are they synced?

Termination of Services

- Are there any additional costs or penalties for terminating the cloud computing service?
- Can your data be sanitized from the cloud provider in the event of termination?

Additional Considerations

- Does the cloud provider integrate with your other office systems?
- Have you evaluated the cloud provider's history, including how long the provider has been in business, and funding and stability?

Have more questions about evaluating cloud solutions for your law firm?

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