



Jim Halpert

Partner

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Jim Halpert is rated as a *Legal 500* "Hall of Fame" practitioner, as a "Superstar" Tier 1 lawyer by *Chambers & Partners* and as a BTI "client service all-star." Jim has helped to draft almost all the state privacy, security and breach notice laws enacted over the past 15 years, the National Association of Corporate Directors Cyber Risk Handbook, and two major US federal privacy laws.

Jim advises clients regarding compliance, crisis management, corporate governance, and risk management strategies relating to transnational, federal and state security and privacy regulation, industry best practices and self-regulatory initiatives, and has represented clients in numerous transactions and major security and privacy cases in federal courts and before the Federal Trade Commission and State Attorneys General. He has helped clients through more than 650 cybersecurity incidents, including several of the most high-profile breaches in the world, and has helped over a hundred clients shape their preventive cybersecurity and privacy programs.

Jim has defended clients in many FTC and State AG investigations and in major privacy cases in federal and state courts.

In the course of his 25 years in these fields, Jim has extensive experience helping clients on the full range of data risk issues domestically and internationally and across most sectors. Jim has extensive experience with European, Asian and Latin American privacy regimes, and regularly leads teams across DLA Piper's highly ranked global network advising on complex international security and privacy matters.

- International Trade, Regulatory and Government Affairs
- Litigation, Arbitration and Investigations
- Finance
- Cybersecurity
- State Attorneys General

- Healthcare
- Technology

French

LANGUAGES SPOKEN

- French

Representing a coalition of Fortune 500 companies, Jim has helped to draft more than two hundred US state privacy, data security, security breach notification laws and consumer protection laws. He has also helped to draft many of the United States' Internet privacy laws, including the Children's Online Privacy Protection Act, CAN-SPAM Act of 2003, the USA Patriot Act of 2001, the Digital Millennium

Copyright Act and Communications Decency Act.

He has personally counseled clients regarding responses to more than 390 data security breaches since 2005, and advised many clients on global privacy and security requirements.

Jim has defended clients in numerous FTC investigations and enforcement actions, and has litigated major privacy cases in federal courts, including *Maine Newspaper Association v. Mills*, *Parker v. Time Warner Cable*, and *Los Angeles Police Department v. United Reporting Co.*

CREDENTIALS

Admissions

- District of Columbia

Clerk Experience

- Law clerk to the Honorable H. Lee Sarokin, former judge on the US District Court for the District of New Jersey

Prior Experience

Jim served as the legal advisor for a report of l'Autorita per la Garanzie nelle Comunicazione (the Italian Communications Regulator) to the Italian Parliament regarding revisions to Italy's Internet laws.

Recognitions

Jim has recently been named to the *National Law Journal's* second annual list of "Cyber Security Trailblazers."

Cybersecurity Docket named Jim on the "Incident Response 30," a list of the 30 best and brightest data breach response lawyers.

Jim was recently named as one of The National Law Journal's 2015 Regulatory & Compliance Trailblazers honorees, and as a Top Lawyer in Cybersecurity by Washingtonian Magazine in 2015 and 2017.

Jim has repeatedly been named by both legal research publishers, Chambers & Partners and The Legal 500 as one of the leading data protection lawyers in the US. *Chambers USA* has recognized that he is "outstanding—his knowledge of the legal and political landscape is second to none." The directory also noted that Jim is "'right at the forefront' of legislative innovations in the privacy and data security space and is respected by peers for his influence and shaping of policy." "He is greatly valued by his clients for his inside knowledge of the political process and his 'technically excellent written work.'"

The Legal 500 United States has recognized that he is "renowned for his 'excellent judgment and awareness of the pressures a modern business faces," and "for being 'pro-active and impressively hands-on for such a well-respected lawyer." Jim "is said to be 'head and shoulders above anyone else in the privacy space."

Jim is ranked Band 1 in Chambers USA for his Privacy & Data Security work. The highly regarded legal directory states "Superstar" James Halpert chairs the department and handles a range of regulatory and compliance issues in the privacy field, in addition to data breaches. "He has a great reputation as one of the leaders of the Bar," says a commentator, noting that "he is thought of as a go-to person on privacy counseling issues."

Chambers & Partners has stated that Jim "is praised for his cyber security expertise at a national and international level." Therefore, they have also recognized him in *Chambers Global* for his US Privacy & Data Security work. His "'robust, international practice' attracts strong praise from the market, with sources also noting that he is 'very well connected in this field, with a lot of information about what's going on.'"

Jim was named a BTI Client Service All-Star for 2019.

Jim was named a Top-Rated Lawyer in 2019 by Avvo.com.

Education

- J.D., Harvard Law School 1989
cum laude
- D.E.A., École de Hautes Etudes en Sciences Sociales / École Normale Supérieure 1986
- B.A., Yale University 1985
magna cum laude

INSIGHTS

Jim is a frequent speaker on international and US privacy developments for the International Association of Privacy Professionals, and is on the Editorial Board of the Bloomberg BNA Privacy and Data Security Report.

Publications

California Privacy Protection Agency begins an important rulemaking in an accelerated process that is likely to impose AI regulations

2 November 2021

AI Outlook

The CPPA hopes to issue final rules in May 2022, with the rules taking effect in 2023.

US and EU pledge to promote “innovative and trustworthy” AI

19 October 2021

AI Outlook

Key details and recommendations.

Ransomware preparedness: NYDFS announces additional expectations of regulated entities' cybersecurity programs

7 July 2021

As regulatees address their vulnerabilities to ransomware, NYDFS raises its expectations.

Out with the old, in with the new: Five members join California Privacy Protection Agency board; California AG Xavier Becerra moves to HHS

22 March 2021

Recent days have seen significant changes in the lineup of officials responsible for important privacy rights oversight in California.

What the Virginia Consumer Data Protection Act means for your privacy program

9 March 2021

Already, privacy bills introduced and likely to receive serious consideration in several blue states resemble this Virginia law.

As expected, California ballot initiative passes, significantly altering the California Consumer Privacy Act

5 November 2020

The California Privacy Rights Act adds new obligations on both businesses and service providers, adds some important new definitions and creates new liability risks.

California on the verge of instituting new deidentification requirements, broader research exemptions for health data

23 September 2020

AB 713 has an emergency clause that means it will go into immediate effect once the governor signs it.

CCPA regulations take effect with a few minor changes

19 August 2020

The final approved CCPA regulations take effect immediately.

Online platform immunity under Section 230 teed up for FCC

31 July 2020

The NTIA petition invites the FCC to enter into uncharted territory.

Contact tracing apps: the promise and perils of automated tracking of COVID-19 exposure

18 June 2020

Privacy and anti-discrimination concerns, as well as technological limitations, may affect a company's approach to contact tracing.

The CCPA is a moving target

18 June 2020

What is a Chief Privacy Officer to do about CCPA compliance amid this uncertainty?

California AG posts final proposed CCPA Regulations and offers insights ahead of July 1 enforcement deadline

4 June 2020

With this final statement from the AG's Office, businesses can proceed to finalize their CCPA compliance programs.

President Trump's online platform Executive Order: Practical implications

3 June 2020

It is too early to tell if the EO initiatives will move forward or if instead their pendency operates as a sword of Damocles for large social media platforms.

Coronavirus testing and contact tracing: House Democrats' HEROES Act provides US\$75 billion to support testing and tracing to monitor and suppress COVID-19 transmission

21 May 2020

A major element for a successful, large-scale contact tracing program is data management and technology, and technology partners will play a major role in modifying existing systems as well as developing new data interfaces.

CPRA initiative moves to sampling, CCPA regs likely delayed

20 May 2020

The effort to qualify the California Privacy Rights Act initiative for the November ballot has met its first threshold.

CPRA analysis: The "good" and "bad" news for CCPA-regulated "businesses"

11 May 2020

How might the CPRA change the CCPA? Highlights.

In Washington State's landmark facial recognition law, public sector practices come under scrutiny and regulation

22 April 2020

Washington State's public sector facial recognition privacy bill places significant controls on public sector use of facial recognition technology.

Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

Version 3.0 of the CCPA: Major Implications

18 March 2020

On March 11, 2020, the California Attorney General's Office issued a third version of its draft CCPA rules. While the quick turnaround of Version 3.0 suggests that the AG's Office may be close to finalizing its regulations, there are several significant issues raised by the changes in Version 3.0.

California issues CCPA proposed modified regulations 2.0

12 February 2020

Version 2.0 adds clarity to the proposed California Consumer Privacy Act regulations.

Landmark privacy ruling in Europe on the right to be forgotten

26 JUN 2014

European Court of Justice: search engines must remove the link between search results and a web page if it contains information an individual deems should be "forgotten"

NYDFS announces final cybersecurity rules for financial services sector: key takeaways

22 FEB 2017

The Final Rule's reach is very broad and presents operational challenges. It may prompt other states to enact their own rules.

The Cybersecurity Framework: Administration, Congress move to incentivize private-sector cooperation, strengthen federal acquisition process

12 SEP 2013

EU releases cybersecurity strategy

15 FEB 2013

What companies need to know about the Obama Administration's Cybersecurity Order

14 FEB 2013

Privacy and your business

5 Sep 2012

Privacy has become an issue that 21st century business leaders and GCs cannot ignore or leave to the engineers. In the information age, personal data is a key asset for many businesses and a centerpiece of business opportunities.

- "The CCPA "Moving Target" One Month Before Privacy Enforcement Begins," *CPO Magazine*, June 16, 2020
- "Insurance Sector Trends: Forecast for 2018 and 2017 Year End Review," Insurance Update, February 5, 2018
- "NIST issues draft update to US cybersecurity framework," February 2017 (co-author)
This article was first published in *PL&B International Report*, issue 145, www.privacylaws.com
- "States Continue Leading the Way on Privacy: An Overview of 2014 State Privacy Legislation," *Bloomberg BNA*, August 8, 2014 (co-author)
- *Data Protection Laws of the World*, March 2012

Events

Previous

Ransomware and missing wire payments: Managing cyber threats in the commodities sector

28 October 2021 | 12:00 pm - 1:00 pm EDT
Commodities webinar series

Webinar

The privacy and security law landscape series

May 2021

The privacy and security law landscape series

Webinar

Mitigating cross-border cyber risk in the age of LGPD

19 November 2020 | 9:00 - 10:00 EST

Webinar

Schrems II: What next for EU-US data transfers?

11 September 2020 | 10:00 - 11:00 EDT

Webinar

The ransomware threat is changing – sectoral implications

17 June 2020 | 11:30 – 12:30 ET

Webinar

Risk Management Essentials: The Imperative for Proactive Cyber Risk Management

2 April 2020

Webinar

- "Cybersecurity Risk Governance," Association of Corporate Counsel - Baltimore Chapter, September 24, 2014
- Practicing Law Institute, "Conducting eCommerce With California Consumers: Complying with California's New Online Privacy Protection Act"

NEWS

DLA Piper team wins preliminary injunction blocking Florida's social media "deplatforming" law

1 July 2021

DLA Piper obtained a preliminary injunction yesterday blocking enforcement of Florida's social media "deplatforming" law.

MEDIA MENTIONS

- "California data-privacy law may become the model for Congress," *Washington Examiner*, July 22, 2019
- "Industry Plays Whack-a-Mole to Fight Slew of State Privacy Bills," *Advertising Age*, February 16, 2017
- "U.S. Promotes Risk-Based Data Breach Response Model," *Bloomberg BNA*, January 11, 2017
- "Jim Halpert of DLA Piper named a Cybersecurity Trailblazer by the National Law Journal," *DLA Piper*, October 31, 2016
- "In real life, Jim Halpert of 'The Office' fame is a DC lawyer," *The Washington Post*, January 4, 2015
- "No US Action, So States Move on Privacy Law," *The New York Times*, October 30, 2013
- "FTC Updates COPPA for the Age of Social Media, Mobile Apps," *Corporate Counsel*, December 21, 2012 and *Texas Lawyer*, December 26, 2012
- "House Cybersecurity Bill Backs Off On IP Theft Provisions," *Law360*, April 16, 2012
- "Transatlantic Privacy War," *Corporate Counsel*, April 1, 2012
- "Conflicts Arise When Complying With EU Data Privacy Laws," *Law Technology News*, February 24, 2012
- "White House Puts 'Consumer Privacy Bill of Rights' on Regulatory Agenda," *Corporate Counsel*, February 24, 2012
- "Conflicts Arise When Complying With US and EU Laws," *Corporate Counsel*, February 22, 2012