

The Sedona Conference *Incident Response Guide* (January 2020)

The Sedona Conference Working Group on Data Security and Privacy Liability (WG11) developed the *Incident Response Guide* to provide a comprehensive but practical guide to help practitioners and organizations deal with the multitude of legal, technical, and policy issues that arise whenever a data breach occurs. The *Incident Response Guide* is intended to help organizations prepare and implement an incident response plan and, more generally, to understand the information that drives the development of such a plan.

Nothing contained in the *Incident Response Guide* is intended to establish a legal standard or a yardstick against which to measure compliance with legal obligations. A reader should neither assume that following the guidance in the *Incident Response Guide* will insulate it from potential liability, nor that failure to adhere to the guidance will give rise to liability. Rather, the purpose is to identify in detail issues that should be considered when addressing the preparation and implementation of an incident response that is suitable to his or her organization.

The target audience for the *Incident Response Guide* is small- to medium-sized organizations, which will not have unlimited resources to devote to incident responses. However, it is anticipated that the breadth of topics covered and the chronological sequence of the material will prove a useful reference for even the most experienced cybersecurity lawyer and sophisticated organization.

The *Incident Response Guide* is organized into the following sections:

- (1) Pre-Incident Planning
- (2) The Incident Response Plan
- (3) Executing the Incident Response Plan
- (4) Key Collateral Issues
- (5) Basic Notification Requirements
- (6) After-Action Reviews

The appendices of the *Incident Response Guide* include the following items that will be of particular practical benefit to practitioners and organizations:

- (1) Model Incident Response Plan
- (2) Model Notification Letters
- (3) Model Attorney General Breach Notification Letters

The full text of The Sedona Conference *Incident Response Guide* is available free for individual download from The Sedona Conference website at

https://thesedonaconference.org/publication/Incident_Response_Guide.

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