

AGENDA

9:00a **Registration**
9:30 **The Erosion of Privacy and the Importance of the 4th Amendment**
What *are* our privacy rights? Is privacy actually defined anywhere, or is a good deal of privacy simply perceived because of circumstances such as remoteness? What protections are accorded by the Vermont and U.S. constitutions? Should records once defined in the paper age as “public” be reclassified because of new access capabilities created in the computer age? Why has privacy become such a topic of interest?
Barry Steinhardt
10:15 **Data Aggregation**
What is data aggregation, why is it so lucrative, and should the government be regulating private aggregators? Might the government itself violate privacy rights by obtaining information about citizens from private aggregators (bank records, airline records, credit card records, etc.)? What is data mining? Identity theft? Should government do more to prevent and fight identity theft?
Bruce Schneier
11:00 **Coffee break**
11:15 **Internet Privacy Panel**
When someone goes online, who knows what about whom and how? What access does government have to e-mails and records of an individual’s online browsing? What access do service providers themselves, or other third parties, have?
Zachary Chambers, Gary Kessler, Robin Lane
Noon **Lunch (provided)**
12:45p **The Wild, the Whacky, the Future**
What’s ahead? Will technological advances lead to radio chips implanted in our bodies for identity purposes? Will our cars carry on-board computers that monitor our driving habits, and the information sent to our insurance company to deter-

1:30

mine an individualized rate for us? Will we soon all carry national identity cards with magnetized strips containing personal information that verify we are who we say we are?

Bruce Schneier

Real ID Panel

Last year Congress created standards that all states must soon meet when issuing drivers’ licenses. Some feel this is the first step toward a national identity card. What are the implications of such a document? Would standardized drivers’ licenses be effective security measures, protecting identity? Or could they have unintended consequences that might actually threaten security and invade privacy? How will data on the licenses be shared, to whom will it be available, and for what purposes will it be used?

Barry Steinhardt (additional panelists to be determined)

2:15

Medical Records Privacy Panel

Recent Vermont health care measures include a provision for pilot programs to build aggregated medical records databases. Do such databases enhance medical services but risk invading privacy? This year the Legislature considered a bill that would gather all prescription records for certain drugs in one electronic database. Is such a database justified within the context of regulated drugs, or is it an invasion of individuals’ privacy rights?

Anne Cramer, Donna Sutton Fay (additional panelist to be determined)

3:00

Break

3:15

Attorney-Client Privilege (ethics unit)

What practical and ethical considerations must attorneys deal with in protecting the privacy of attorney-client privilege? What liability is incurred when records are compromised? What file disposal methods best protect privacy?

John Shullenberger

4:15

Safe trip home

About the American Civil Liberties Union Foundation of Vermont:

The American Civil Liberties Union Foundation of Vermont (ACLUF-VT) is the tax-deductible arm of ACLU-VT, an organization of Vermonters dedicated to the defense of individual rights guaranteed by the Bill of Rights and the Vermont Constitution through litigation and public education.

While the rest of the U.S. Constitution authorizes the government to act, the Bill of Rights sets limits on what the government may do. Even a democratically elected government is not permitted to take away from the people inherent rights -- rights such as freedom of expression, belief and association, procedural fairness, equal treatment before the law, and privacy.

The sole mission of the American Civil Liberties Union is to protect citizens' constitutional rights and to enforce the Constitution's limits on government. Without legal guarantees of individual liberty, even American democracy can revert to acts of tyranny, to a despotism of the majority.

The ACLU is often asked of a particular case, "Why are you defending that person?" The answer is always the same: "Our only client is the Bill of Rights." In defending a cause or a person, the ACLU is defending the civil liberties of all Americans.

DIRECTIONS:

From I-89, take the Montpelier exit, Exit 8. Turn left at the second light onto Bailey Avenue. From there, turn right onto State Street. The Capitol Plaza Hotel is just beyond the Shell gas station on the right.

Metered parking is available along State Street. Complimentary parking at the rear of the hotel is offered on a “space available” basis provided that a permit (available at the front desk of the hotel) is displayed in your car.

REGISTRATION FORM

PRIVACY :

How Much is Left?

Tuesday, June 13, 2006

Please return form with payment to:

ACLUF-VT
137 Elm Street
Montpelier, Vermont 05602

Registration Fee (includes coffee & lunch):

- CLE Rate for Attorneys* \$135
- CLE Rate for ACLU Member Attorneys. . \$110
- Lay Person Rate \$40
- Students, Seniors, or Limited Income . . . \$30

- *Will pay \$20 ACLU membership fee at door
(please write separate checks for CLE fee and membership fee)

Name: _____

Firm: _____


Address: _____

Phone: _____

E-Mail: _____

Registration deadline: Friday, June 9

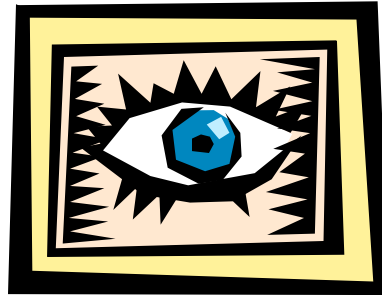
For more information, call the ACLU at (802) 223-6304, or e-mail us at info@acluvt.org.

 The ACLUF is committed to making this program accessible to all individuals regardless of disability. Please let us know of any special needs.

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The American Civil Liberties Union
Foundation of Vermont Presents:

PRIVACY: How Much is Left?



A day-long conference for anyone interested in the changing landscape of privacy rights and how they are affected by technological advances and evolving government and business policies

Tuesday, June 13, 2006
Montpelier Room
Capitol Plaza Hotel
100 Main Street
Montpelier

Continuing Legal Education
credits available for lawyers:
4.5 hours of CLE credits plus
1 hour of ethics credit

PRIVACY: How Much is Left?

Tuesday, June 13, 2006

We're asked to give our Social Security number to get a cell phone. Make an online purchase and we're prompted to verify past addresses to prove who we are. The federal government mandates new standards that could move us towards a national ID card.

We cherish the feeling of anonymity and being left alone, but we want the convenience of a credit card or the easy retrieval of personal financial information. And we want protection against identity theft, and general security.

Protecting privacy rights has become a thorny challenge.

Technology has opened a world of quick, nearly instantaneous access to records that before enjoyed a privacy of obscurity simply because of how they were kept.

Join the ACLU of Vermont and leading national and state experts as we explore privacy issues in a tech-driven world. We'll explore the constitutional basis of privacy, and learn about data aggregation. How much privacy do we enjoy when navigating the Internet? What's the purpose of the new federal Real ID standards, and how will they be implemented? To many people, medical records deserve the highest levels of privacy – yet Vermont is embarking on several medical records database projects. How do attorneys deal with privacy challenges? And finally, what's ahead for all of us in this new privacy landscape?

Who Should Attend?

The conference is designed for citizens, legislators, policy-makers, law enforcement officers, academics, doctors, techies, librarians, business people, and attorneys – in short, anyone with an interest in privacy issues and how the issues are affected by technology and evolving government and business policies.

Lawyers may earn 4.5 hours of continuing legal education credits, plus 1.0 hour of ethics credit, by attending the conference.

SPEAKERS INCLUDE:

Zachary Chambers, owner of ClearBearing technology consultancy and Internet service provider, and former chief technical officer of Together Networks.

Anne Cramer, Esq., counsel to numerous Vermont health care interests, and expert on HIPAA privacy regulations.

Donna Sutton Fay, Esq., Director of the Office of Vermont State Health Care Ombudsman, a project of Vermont Legal Aid.

Gary Kessler, director of Champlain College's Computer and Digital Forensics program and director of its Center for Digital Investigation.

Robin Lane, faculty in the e-Business Management program at Champlain College, and former chief operating officer of Together Networks.

Bruce Schneier, internationally known expert in security technology, cryptography, and privacy, and author of *Beyond Fear: Thinking Sensibly about Security in an Uncertain World*.

John Shullenberger, Esq., member of the Vermont Bar Association's Professional Responsibility Committee since 1988, and past president of the ACLU of Vermont.

Barry Steinhardt, Esq., director of the national ACLU's Program on Technology and Liberty, past president of the Electronic Frontier Foundation, and former ACLU-VT executive director.

MODERATED BY:

Allen Gilbert, executive director, ACLU-VT

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