

NEWSLETTER

President's Message

Spring time is upon us ! On March 11, 2010, we will hold our Annual Judges Appreciation Luncheon to honor the Judges of Fulton and Cobb Counties and the Sandy Springs Municipal Court. If the weather permits we will be in Five Season's garden patio area. Please come and enjoy lunch and conversations with the Judges.



Former Congressman Bob Barr will be our guest speaker on April 8, 2010.

MARCH MONTHLY MEETING

Special Event:



JUSTICE

Annual Judges Appreciation Luncheon

DATE

March 11th, 2010

LOCATION

[Click For Map](#)

Five Seasons at the Prado
11:45 to 1:00 - \$15.00



Thank You!!

A very special thank you to **Doug McGinnitie** for a most insightful and entertaining speech at our February 11th luncheon meeting.

MEMBERSHIP DUES/INQUIRIES

DUES SHOULD BE SENT TO:

Mr. Joe Nagel

6100 Lake Forest Drive
Suite 300
Atlanta, GA 30328



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BLACKBERRY SPYWARE AND DETECTION

by Niall Cronnolly

The Blackberry is one of the most popular smartphones on the market today, and I've noticed it to be particularly popular with attorneys. The ease with which documents can be reviewed and email can be retrieved make it a wise choice of communication tool for attorneys who are on the move.

As with most popular electronic devices there are devious folks out there looking for ways to compromise them. The Blackberry is no exception.

Recent changes to the operating system and architecture of the Blackberry have made it particularly susceptible to spyware and malicious software.

In particular, a company called Etisalat in the Middle East released spyware that infected millions of Blackberrys stealing private and confidential data in the process. To think there aren't others producing this kind of software threat on a daily basis is naive.

So how do you protect yourself? There are a few easy steps to keeping your Blackberry free from harm. Watch out for the following:

NEVER LOAN YOUR BLACKBERRY

This might seem obvious, but just giving your blackberry to someone to "quickly check something" would automatically



open your device up to having malicious software installed. Also, leaving your device unattended and unlocked is asking for trouble.

WATCH YOUR TEXT MESSAGE VOLUME

This might not seem so obvious, but if you check your volume of sent text messages and it seems high for the amount you feel you actually text, then you might need to take action. If you have a number of sent text messages and you never text, then your device is sending out information without your knowledge.

WATCH THE BATTERY

If you notice that your battery seems to drain more quickly than it used to, then there may be some program running that's causing the battery to drain. Batteries do age so if your battery is draining it might need replacing. Once replaced it should not lose charge quickly.

WATCH FOR SCREEN FLASHES

Certain Blackberry spyware, such as FlexiSpy has the ability to activate your phone (remotely) and listen to whatever the Blackberry itself hears. When it does this, the screen will flash. If you see your screen light up and there's no apparent reason - you may have spyware installed.

WATCH FOR STRANGE SOUNDS

When call-intercepting spyware is installed on your Blackberry and someone intercepts or listens in on an ongoing call you will hear a click or other strange sound on the line.

So, are any of these situations familiar to you? If so, you may in fact have an infected Blackberry and any conversations or text messages you send could be intercepted by a third-party.

My company Eagle has two software applications - one to detect hidden programs on a Blackberry and one to remove spyware. As a bonus to all Sandy Spring Bar members we would be pleased to instruct you on how to remove any spyware using this program. Simply email us at info@eaglepiservices.com with "Blackberry" in the Subject Line.

Niall Cronnolly is the lead Computer Forensics Examiner at Eagle Investigative Services, Inc. He can be reached at (800) 867-3930. Eagle's website is located at:

<http://www.eaglepiservices.com>

Big Brother wants to track cell phones

6:00 am February 22, 2010, by Bob Barr

Americans own nearly 300 million cell phones. These ubiquitous electronic devices are used billions of times every day to make phone calls, place orders, locate destinations, pay bills, text messages, read emails, and browse the web. In a single generation, phone books, road maps, and pay phones have been rendered virtually extinct.

Recognizing the treasure trove of information that can be revealed by or retrieved from these devices, the federal government now wants to use our cell phones and other personal communication devices for something quite different from the purposes for which we purchase and employ these now-essential tools.

In arguments earlier this month before a federal appeals court in Philadelphia, lawyers for President Barack Obama made the case that the government should be able to easily track the location of cell phone users without first securing a warrant. In making this argument, the Obama Administration mimics the position taken by its predecessor.

The government's reasoning rests largely on two pillars — one legal, the other practical — but both of which ought to be rejected by the court.

Bad guys use cell phones to communicate with each other to arrange drug deals, rob banks, and commit all manner of other crimes. The government wants to know where these lawbreakers are — or where they have been — and one of the easiest ways to do that is to be able to track the places where they used their cell phones. While we all want the police to apprehend those who would do us harm; there is more to the equation than simply making that often difficult task as easy as possible.

The government also relies on the legal fiction that simply by using a cell phone, a person “consents” to a third party (their telecommunications carrier) having information from which their location can be determined. The government then argues that the users have no “expectation of privacy” such as might entitle them to have the government obtain a warrant from a judge *before* it can access records of where the individuals have used, or are using, their cell phones.

Ask any group of American citizens if they consider that simply by using cell phones they are consenting to let Uncle Sam track their every movement, and the resounding “NO” would be heard from Atlanta to Capitol Hill. Fortunately, the federal magistrate who issued the order which the administration is appealing in Philadelphia agreed with that common sense view. The magistrate's ruling against the government also happens to be in accord with the clear intention of our Founding Fathers, who crafted the Fourth Amendment to our Constitution. That all-important provision protects each of us against any unreasonable search or seizure, and requires that in most instances the government first obtain a warrant based on probable cause.

These protections against the privacy-invasive position being staked out by the Department of

Justice, would be rendered largely devoid of meaning if, by simply using an electronic device to communicate privately, the user opens himself to surreptitious tracking of his whereabouts by government agents.

As noted by at least one of the appellate judges before whom the government lawyer argued, permitting the government to easily and without restraint track the location of cell phone users, would reveal far more than the geographic coordinates from which a call was placed. It might reveal the person was at an anti-government protest, or was attending a political or religious event hoping to be free from government snooping. The person might even have been visiting a paramour with the intent not to reveal that fact to prying electronic eyes.

Uncle Sam should not be privy to such information without a darn good reason – even if this makes its job of catching criminals slightly less easy.

This article was originally posted on the Atlanta Journal Constitution Blog & Opinion Page.

It is reprinted here with permission.



Highlights from the February Luncheon



GAWL Announcement

The Georgia Association for Woman Lawyers (GAWL) is currently accepting applications for the 2010 Leadership Academy. The GAWL Leadership Academy is now in its third year. This highly acclaimed program provides women attorneys with mentoring and training that will equip them to be leaders in their firms and communities. In addition, the Leadership Academy provides opportunities for participants to network with other rising stars and leaders within the Georgia State Bar.

The 2010 Leadership Academy is now accepting applications from women attorneys with at least six years of legal experience. From the applicants, GAWL will select sixteen attorneys to participate in the 2010 Leadership Academy. Our ideal candidate has demonstrated leadership potential and would like to transition to a more active leadership role.

More information about the 2010 Leadership Academy and applications are available at www.gawl.org.

Please contact Kelly Morrison (kmorrison@fmglaw.com), Jen Coalson (jcoalson@carltonfields.com) or Cassandra Kirk (sami1908@yahoo.com) if you have any questions.

A link to the application form can be found [here](#).

Member Announcement

AVAILABLE FOR IMMEDIATE OCCUPANCY

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ASSOCIATE OFFICE

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ATLANTA, GA 30346

Two Ravinia is a full service Class A office space with covered parking and convenient access to the Ravinia Club. Amenities include reception area, receptionist, telephone, high speed internet, two conference rooms, access to fax, printers, copiers, postage meter and fully stocked kitchen.

FOR MORE INFORMATION CONTACT:
Glenda Sullivan at 770-481-7100 or gsullivan@gsullivan.com

Multi-Bar Leadership Council

Open for discussion. Please let an SSBA Officer or Director know your individual thoughts.

The Sandy Springs Bar is a member of the Multi-Bar Leadership Council. The MBLC has drafted an amendment to its by-laws that will allow the MBLC to make resolutions that will be supported unanimously by each member association. Please read below:

RESOLUTIONS

- (a) From time to time the duly appointed representatives of bar associations comprising the Multi Bar Leadership Council may wish to express their opinion in a “Sense of the Council” resolution supporting or advocating a position in relation to the promotion of diversity, civility or fellowship within or among members of the legal profession, to enhance the reputation and interests of the bar and/or to promote public confidence in the judicial system. Such a “Sense of the Council” resolution will be nonbinding on the said bar associations comprising same and shall be enacted upon the passage of a vote of three quarters of said representatives at a regularly scheduled meeting upon a minimum seven day notice of same and a motion with a second to adopt said resolution by the council;
- (b) Should the said council wish to adopt a full resolution described hereinabove that shall be binding as the opinion of both said council and said bar associations a motion shall be made and seconded at a regularly scheduled meeting to adopt same, and should three quarters of the said respective bar associations report back to the council by and through their said representatives at the next regularly scheduled meeting that they have approved same with their respective memberships, said full resolution shall be adopted;
- (c) Once a “Sense of the Council” resolution or full resolution is adopted, it shall be the duty of the Secretary to timely distribute and publish said resolution at the direction of the Chair.

SO DRAFTED AND SUBMITTED this the 30th day of January, 2010.

PATRICK G. LONGHI, Representative

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