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What do you do?

I am a member of Hunton Andrews Kurth's privacy and cybersecurity practice. I advise clients on global privacy and information security issues.

There's rarely a "typical" day, which is part of what I love about this field. I get to juggle a lot of different hats and help clients tackle a variety of issues, including compliance with US and international privacy and data security laws, developing information governance programs, negotiating commercial agreements, and managing and responding to cybersecurity incidents and regulatory inquiries. I work with a diverse range of clients, although much of my work recently has focused on helping technology and financial services companies with managing emerging privacy and cybersecurity risks and issues. This is a hot button area for most companies. The field has developed exponentially over the last decade, but it's still very much an evolving space that is constantly in flux. A big part of my job is helping clients navigate through the complex panoply of issues and manage different, and often competing, risks on a practical level. It's what makes my job challenging and exciting.

Why data?

While I was in law school, I also was pursuing a graduate degree in security studies. I had the opportunity to study a number of different legal and policy issues in this area, which really sparked my interest. Even just 10 years ago, "data privacy and cybersecurity" was considered a niche area of the law, so coming out of law school, it didn't feel like a realistic career path. But after about a year in commercial litigation, I decided that if I could do something that was truly interesting and meaningful to me, it was worth the shot. So I started pushing for it, and it has been one of the best decisions I've ever made.



What's keeping you busy?

Right now, I'm spending a significant amount of time helping clients manage global data breaches and other high-stakes cybersecurity events. Data breach response has always been a large part of my practice, but it seems like, for a variety of different reasons (including cybercriminals taking advantage of the pandemic and the transition to a remote workforce), the number, scope and variety of security incidents have risen as of late. But things can change rapidly on a day-to-day basis. Tomorrow, it will be helping clients prepare for compliance with the California Rights Privacy Act and the Virginia Consumer Data Protection Act.

What mentors or other influential figures have helped you get where you are today?

I've been fortunate enough to learn from the best. My colleagues Lisa Sotto, Aaron Simpson and Brittany Bacon have been, and continue to be, incredible mentors and influences. They're also great people and I'm lucky to work with them.

If you could change one data-related law, how and why would you change it?

I could probably pick on a few different laws here, but the truth is, it's difficult to craft comprehensive privacy and data security legislation in an environment where technology is constantly evolving and the scale of data generation and connected devices continues to grow exponentially. I remember reading a Brookings article that compared it to that "I Love Lucy" episode at the candy factory where the assembly line keeps getting faster and faster and she can't keep up.

One area I'd like to see change is the rise in data localisation laws and data transfer restrictions, which has had a kind of Balkanisation effect on data flows that seems problematic for both businesses and consumers. At a more general level, I also think we need to rethink the notice and opt-out consent model, which is still the foundation for most privacy laws and legislative proposals. Notice and consent still serves a useful purpose but by itself, it places the onus for privacy protection on the individual. In an environment where everyone is struggling to keep up, it's becoming more difficult to argue that notice and consent is the right foundation for effectively protecting individual privacy. I'm not sure anyone reads privacy notices anymore other than people like me, and that's only because we drafted them. It seems like we should be exploring alternative solutions for incentivizing organisational accountability in ways that don't make individual privacy and business innovation mutually exclusive. But that's easier said than done.

How has covid-19 affected what you do?

I've actually been amazed at how much hasn't changed in many respects. I'm happy with the way we've been able to effectively transition to remote work. At the same time, the pandemic has brought a number of new issues to the forefront, including data security concerns associated with the shift to remote work and privacy and surveillance issues related to preventing the spread of the virus, such as geolocation and proximity tracking, thermal imaging and other health screening initiatives at the workplace, and disclosures of potentially sensitive health information.

What's the next big thing – what data opportunities are companies now looking at?

I think companies have barely begun to scratch the surface with machine learning. It also will be interesting to see how the digital advertising ecosystem responds as third-party cookies are phased out and limits continue to be imposed on online tracking technologies.



What's keeping companies worried at the moment – what are some key data risks?

Breaches continue to be what keeps people up at night. But companies also are worried about the growing patchwork of federal, state and international data protection laws. Particularly for multinational companies, it's difficult to build compliance programmes that address the complex web of changing legal obligations, especially when laws are applied inconsistently across jurisdictions or impose conflicting requirements. In the US, with California and Virginia passing comprehensive privacy laws, and other states considering similar legislation, everyone is wondering when (or if) there will be a federal privacy law.

What do you do to relax?

Pre-covid? Catching up with friends and family, going out to eat, going to concerts, getting out of the city to hike or just be outside. I also grew up playing a lot of hockey so I've tried to keep that pipe dream going in between increasingly predictable injuries. During covid? (Re)Watching something on Netflix (apparently is no limit to the amount of times a person can watch the same Parks and Rec episodes over and over) or staring longingly out my window. I'm only kidding on that last part. Kind of.