

California Consumer Privacy Act (CCPA)

Legility's comprehensive contract review, negotiation and data abstraction services create efficiencies and drive results. Our lawyers assist leading legal departments in some of the largest companies in the world with the implementation of their regulatory compliance programs. The CCPA is a comprehensive privacy law that requires a shift in the way that businesses process personal information (PI). Preparing for CCPA compliance requires a plan, a process, and the resources to make it happen. Legility has the attorneys, the technology, and the processes to help your team analyze, assess, and implement your vendor management/CCPA compliance program.

Vendor Management Under the CCPA

Most organizations have a large network of vendor relationships that may be impacted by the CCPA and other privacy laws. In addition to the privacy rights the CCPA gives to California residents, and the corresponding obligations on businesses that are processing California consumers' personally identifiable information (PII), businesses that engage vendors that handle PII are also obligated to execute written agreements with specific criteria if they do not want to be liable for vendor violations of the CCPA.

It is imperative that companies take time to identify vendors that are handling PII and assess the status of their contractual language.

The Solution

Includes risk mitigation through the review and implementation of policies and procedures that include not only the vetting and management of your vendors but also the review and amendment of your contractual relationships with vendors that handle PI. Legility attorneys help clients evaluate and transition their contracts to be CCPA compliant in a consistent manner, typically with a two-step process:

Step 1: Review & Summarize Existing Agreements

- Summarize and categorize contracts and privacy amendments
- Audit existing agreements for CCPA compliance or deficiency gaps

Step 2: Repaper Third-Party Contracts

- Draft and redline contracts and amendments
- Assist clients with remediation and negotiation

Track and Monitor Your Negotiation Process

Legility’s proprietary review tool tracks your project process from start to finish. Multiple parties can access the information they need at the same time, including the abstraction of pertinent privacy language from each contract, as well as the stage of the negotiation or amendment of a contract with a vendor.



The Result

Standardized processes and experienced attorney resources provide a consistent, quality driven product that gives Legility clients a reliable work process and reduces the drain on internal resources.

Legility is here to assist with:

- The development of a plan to:
 - Assess your vendor relationships
 - Categorize your key vendors, and;
 - Facilitate the determination of whether new CCPA/Privacy language is needed.

Once you know the status of your contractual agreements, our subject matter experts can also assist with:

- Vendor negotiations to ensure your contracts include the needed language to shift liability to your vendors under the CCPA

Some Potential General Business Defenses

- Business is not covered under the CCPA
- Vendor not processing PI
- Business falls under an applicable exemption
 - Relevant data is governed by the Confidentiality of Medical Information Act or the Health Insurance and Portability Act
 - Data falls under the purview of the Gramm-Leach-Bliley Act or the California Financial Information Privacy Act

California Civil Code Section 1798.140 & 145

