

NEW JERSEY STATE BAR ASSOCIATION

DISASTER PREPAREDNESS GUIDE

NJSBA



A natural or man-made disaster raises a number of practical and logistic challenges for law firms. Here is some guidance, practical tips and checklists to help you think about what you need to do now to be prepared should a disaster interrupt your business.

PLAN AHEAD

Form a disaster team, consisting of those individuals who will be taking charge in the event of a disaster.

Designate one person to be in command in the event of a disaster and designate an alternate.

Determine what each person on the disaster team will be responsible for *i.e.*, section of a building, department, contacting staff, contacting clients, recovering documents, etc.

Prepare staff contact lists in case of emergency, including cell phone numbers and distribute to appropriate staff.



BACKUP SOLUTIONS

It is no longer enough to rely solely on tape (or other media) backups of key computer systems and vital files. However, as new solutions have emerged, a wide range of new considerations regarding technology have come with them.

Here is what you need to consider now:



THE CLOUD

Cloud computing essentially allows attorneys to store data and access programs via the internet instead of on a computer hard drive. It allows small firms to use computers like a resource (much like water and electricity) and to pay for what they need as they need it instead of having to purchase and maintain expensive machines.

Cloud technology also places the burden of updates, most security issues, and backup and recovery on the provider as opposed to the attorney or law firm, offering far greater resiliency in the event of a disaster.

While cloud-based software may be helpful for maintaining your office software, it is still important to make sure all of your files are backed up regularly to the cloud so

they can be accessed from anywhere at any time, should you need to do so. While traditional tape (or other media) backup systems can provide daily copies of an office environment, modern cloud backup solutions offer far more flexibility in scheduling while increasing resiliency by removing the need to have a person physically manage backup media. Also, much like cloud-based software, cloud-based backups can potentially be accessed from any location at any time, further increasing resiliency.



PROTECT YOUR PHYSICAL SPACE

Evaluate potential hazards and minimize risk. Evaluate the potential hazards for which you are at risk, such as fire, terrorism, inclement weather, energy/power interruption, or other natural disasters, such as hurricane, flood or earthquake. Take steps to minimize damage associated with such disasters, such

as purchasing fire and waterproof filing cabinets, ensuring there are alternative power sources or at least flashlights or other battery-powered necessities available, etc. Also examine your office space, building and grounds and address any foundation cracks, electrical hazards, roof leaks, plumbing problems, etc. Finally, conduct a fire safety evaluation, make sure all sprinkler and alarm systems are working properly and all important documents are in fireproof cabinets. Conduct evaluations annually.

Develop evacuation routes.

Distribute to all staff and post in appropriate places around your building.

Prepare an emergency equipment list, including locations of equipment and attaching floor plans, as well as emergency kits. The list should include the location of such things as utility cut-off switches and fire extinguishers. Each emergency kit should include supplies like flashlights, batteries, battery operated radios, tool kits, portable fans, rubber boots, gloves, etc. The kits should be checked periodically to ensure everything is working properly.



THINK NOW ABOUT HOW TO GET WORK DONE

In addition to personal injury and safety issues, you need to plan for business interruption/economic issues as a result of any disaster. Think about how long you can sustain your practice in light of each potential disaster, what are the consequences of a potential loss of client base, how difficult would it be to move your office, temporarily or permanently. If possible, you should make arrangements for alternative work space in advance of actually needing it. Make sure enough funding is accessible to sustain your business for a particular period of time, including enough petty cash in case banks are temporarily inaccessible.

Establish potential alternate work locations. Think about where an alternate work location should be established in another county or region of the state. Establish a plan to let employees know where the alternate work location is and how

and when they are expected to report there.

Determine in advance if the designated alternate work locations can be made permanent if necessary. If the alternate location is only temporary, determine in advance what the limitations are: how long can you stay, what is the cost, etc.

INVENTORY

Create an inventory list of all office supplies and other valuables. Photograph, videotape or computer scan as necessary. Store copies of all lists, photos, videos, etc. in multiple ways.

Review all of your insurance policies. Make sure acts of God are covered and the amount of insurance coverage is adequate to meet your needs in the event of a worst-case scenario.

NJSBA

The preceding is information only and should not be considered legal advice.

In the event of large-scale disasters, the NJSBA will attempt to provide critical information to members, the profession and community through NJSBA.com and its social media outlets.

DISASTER PLAN CHECKLIST

Disaster Team

- Name and contact information of the person in charge
- Name and contact information of the alternate person in charge

Evacuation Plan

- Name of person in charge of evacuation
- Meeting location/assembly area (attach a visual or written instructions for evacuation)

Known Persons in Need of Special Assistance

- Name of person, location, type of assistance required

Alternative Work Location

- New location or work at home

Crucial Contacts

- Vendor/service provider and contact information
- Client and contact information

Critical documents

List the location and backup for the following:

- Incorporation papers
- Contracts
- Partnership agreements
- Stocks and bonds
- Insurance policies
- Bank account information
- Accounting records
- Virtual backup and access
- Lists of passwords
- Equipment inventory
- Deeds
- Leases
- Wills
- Client lists
- Client records

Insurance Information

- Policy type, number, agent and contact information