

## **Appendix D Sample Disaster Plan**

Last Update: \_\_\_\_\_

### **DISASTER PREPAREDNESS AND BUSINESS RECOVERY PLAN**

#### **Introduction**

The following plan is designed to—

- ☐ provide a framework for a base-line level of disaster preparedness for our firm and
- ☐ give the firm options in the event of a disaster affecting the building and/or our firm's ability to function.

Incident Response team members: John Doe, Jane Doe, Jack Doe

Business Continuity team members: Sarah Doe, Sam Doe

To give our firm the necessary flexibility in times of disaster, we should strive to—

- ☐ have all attorneys take their laptops home every night;
- ☐ have at least two paralegals take their laptops home every night (specific paralegals can be designated to do this every night or the responsibility can be rotated on a daily or weekly basis); and
- ☐ make sure that all files ready to be returned to the file cabinets are in fact returned every night and that the cabinet drawers are closed to prevent potential water, wind, or fire damage to those files.

#### **Before a Severe Weather Event**

Before leaving the office in anticipation of severe weather or some other disruption, we should—

- ☐ record an outgoing voicemail message that includes a cell phone number;
- ☐ take laptops home;
- ☐ take work home to perform should the office not be open the next day; and
- ☐ turn on our e-mail out-of-office message to alert others that staff is not in the building due to inclement weather.

## **Possible Disaster Scenarios and Our Response**

After a disaster, the incident response and business continuity team members will contact managing partner Becky Barrister or her backup, partner Barry Backup, as soon as possible to assess team member availability and to begin assigning recovery tasks. The team may elect to have a conference call immediately after the disaster to strategize and formulate the team's response.

Here are two potential disasters and how we would react to them:

### **Scenario I: Substantial or Total Loss of the Office**

In the event the office is lost due to fire, storm, or other disaster, our firm could potentially relocate to the Austin office of Large Law Firm. It is located at 412 Perfection Drive in Suite 310. The phone number is 512-555-1212. The business continuity team will attempt to contact fellow staff members to let them know where we will be meeting.

***IMPORTANT: Do not report to Large Law Firm until arrangements have been made to use their space.***

If Large Law Firm's office becomes our temporary home, we will need to—

1. work out a schedule for employees to come to the office, since Large Law Firm's office may not accommodate everyone in our office;
2. notify the court clerk's office and opposing counsel of our whereabouts;
3. work out a schedule for someone to remain at our office to accept mail and coordinate access for repair teams;
4. consider posting a sign disclosing "hours of service" and our alternate office location;
5. file for continuances and create supporting affidavits, if necessary;
6. obtain the requisite office supplies Large Law Firm does not have;
7. inform clients of our new address and phone numbers;
8. determine procedure to recreate existing files, if necessary; and
9. continue to answer outstanding discovery.

### **Scenario II: Catastrophic Damage to Our Office and to Other Buildings in the Area**

In this scenario, Large Law Firm has also been affected by the disaster and is not an option for our firm's temporary relocation. This presents an incredible logistic scenario. However, for the first week or two, we will follow this procedure:

1. Scott will set up a make-shift law office at his home. Scott's home phone number is 512-555-7894.
2. Scott will notify as many opposing counsel and clients as he can about an alternative telephone number—preferably a dedicated cell phone—and a new P.O. box.
3. Scott will also notify the local court clerk of our plan and whereabouts.
4. The attorneys will work out a schedule so that someone is available to regularly check the mail box and be available to take calls from clients. Suit papers and subpoenas will be faxed and/or scanned and e-mailed to the appropriate attorney for handling.
5. We will need to work out a schedule for the staff to rotate days they will spend at Scott's make-shift law office.
6. Scott will assign files to the attorneys and paralegals, which they will work on from their homes using laptops.

## **Solutions to Possible Problems**

### **Communication**

We will establish a telephone tree to quickly inform all employees about new office hours, locations, and other necessary information.

In the event that we all need to meet in person at a central location, potential venues include—

- ☐ another law firm's offices or
- ☐ a mall or shopping center.

Should we have a catastrophic failure of the telephone system, we will use the telephone tree to develop plans for the recovery team to drive to everyone's home to inform them how the recovery plan will take shape. Provided we can access the building, we will also use a "message board" system for people to check in at the office to see when and where to report for work.

If need be, we can use professional copying services to fax documents to opposing counsel, courts, and clients.

### **Receiving Suit Papers and Subpoenas**

After a disaster, we will need to have an attorney available to accept and review suit papers and subpoenas. The attorneys should work out a schedule to rotate that duty among themselves.

We will post a sign disclosing the “hours of service” and alternate service locations where papers will be accepted if full-time staffing is not available at any make-shift office.

### **Considerations for Initial Group Meeting**

If the group must meet off-site to get organized, the business continuity team must accomplish several tasks. Suggested items to discuss include:

1. The physical and mental well-being of the group. Does anyone need basic items such as food or water? Have child-care obligations been met? Assisting with the most basic needs of the group will engender goodwill and will enable everyone to focus on business operations more quickly.
2. Personnel accountability. Have we heard from everyone? Is anyone missing? Do we need to go to someone’s house to check on a staff member?
3. Establishing a workflow and schedule for off-site operations. Some employees may not be able to travel very far. The business continuity team needs to evaluate who is able to help and who is not.
4. Establishing a method to accept suit papers and subpoenas. Generally, one of the attorneys should be at the office for this purpose, unless other arrangements have been made.
5. Whether office supplies need to be purchased. Depending on where we elect to house our operations, this may not be necessary.
6. Creating a team to work with office management and computer service technicians to get backed-up items burned to CD or in some other electronic format for our use.

### **Personal Protection**

Each employee should consider keeping basic necessities in his or her desk or vehicle. These might include—

- ☐ prescription medications;
- ☐ basic toiletries; and
- ☐ high energy snacks.

Also, employees should discuss with their child-care providers and older children a contingency plan in the event that a disaster prevents us from picking up our kids from school or daycare.