

Disaster Response Plan

SETTING UP A DISASTER PREPARATION, PROTECTION AND RECOVERY PROGRAM FOR YOUR LAW FIRM

By the LOMAS staff

GOAL: To protect personnel (both staff and clients), vital records such as client files and business data, as well as the physical facilities of the office and equipment from perils that could cause the possible closure, bankruptcy, or failure of the law firm.

I. Listed below are some simple steps that can be followed in preparation of a disaster contingency plan.

- A Assign Program Responsibility – If a contingency plan is ever to be completed someone must be specifically designated as being responsible for results. The individual must be able to command respect and have available the necessary time to produce results.

- B Conduct a Risk Analysis - One of the first tasks of disaster planning is to conduct a survey of your building and its environment. The objective is to identify potential problems that:
 - 1 Could cause a disaster or in the event of a disaster, could make matter worse.
 - 2 Conduct an Analysis and Classification
 - 3 Select Protection Method
 - 4 Establish Operating Procedures
 - 5 Educate Staff
 - 6 Test Program
 - 7 Constantly Monitor and Update Program

- C Conduct a Security Analysis - Prior to the establishment of any new system or refurbishing of an old one it is important to carefully examine and analyze a number of factors, and interrelationships and their impact on the reduction of a security risk. The design and sophistication of security measures for any given building will involve many considerations. A significant feature of many of these measures is their deterrent value. If the system has high visibility, in the form of either guards or monitoring devices, the potential thief or vandal may reconsider his/her plans.
 - 1 Building type, size and date of structure
 - (a) Physical features of the building

- (b) number and use of entrance/exit doors.
- (c) Loading docks
- (d) Windows
- 2 Protection provisions.
 - (a) Access controlled by guard
 - (b) Access controlled by electronic systems
 - (c) Security service
 - (d) Intrusion detection system
 - (e) Automated monitoring and alarm system
- 3 Vandalism/theft experiences
 - (a) Nature of vandalism
 - (b) Nature of thefts
 - (c) Action taken

II. Disaster Preparedness Planning - Personal Safety

- A. Appoint and train your Emergency Response Team.
- B. Publish Emergency Response procedures for evacuation as part of the firm's office manual.
- C. Develop and maintain a telephone tree in order to contact staff if a disaster occurs after normal working hours. One or two individuals with cellular telephones should agree to allow individuals to call them in case there is no phone service available.
- D. Assign one person to be responsible for assisting anyone on the floor who may need assistance in the event of an emergency.
- E. Educate all staff about Emergency Response responsibilities.
 - 1. Hold periodic fire drills.
 - 2. Have fire and police to do safety checks and educational presentations.
 - 3. Contact crisis professionals to assist after any disaster with emotional trauma
 - 4. Post appropriate safety notices where needed

- F. Designate a location outside of the building as a pre-arranged meeting spot in case of evacuation for purposes of doing a head count.

III. Safety and Protection of Building, Equipment and Data

A Fire Safety

- 1 The majority of fires take place during off-hours when few people are present to sound an alarm or extinguish them while still in their initial stages. It has been reported that better than 70% of all office fires occur between the hours of 9 p.m. and 9 a.m. Thus, these fires happen after most, or all of the law office staff have left for the day. This fact underlies the importance of having an automatic fire detection system.
- 2 Either heat or smoke activates fire detectors. A heat detector is preferred because a fire produces heat before any appreciable rise in temperature produces smoke. The best type is the ionization detector which can sense invisible products of combustion even before smoke appears.
- 3 In addition to an automatic detection system, ideally the building should have an automatic fire extinguishing system that can put out or limit the spread of fires and eliminate the delays involved in calling the fire department. Regardless of the sophistication of the system used the fire department should always be called.

B Fire Safety Procedures

- 1 Have fire extinguisher, halon and/or any other type of fire suppressor systems professionally serviced on a regular basis.
- 2 Restrict smoking to a designated area within the building.
- 3 Store cleaning solvents or other combustibles in fire rated cabinets if kept on premises.
- 4 Ensure that all electrical appliances, coffeepots, computers etc. are turned off when not in use. Appoint individuals to turn off all equipment before leaving the premises at night. Common-use items such as coffeepots and photocopiers should be on clock timers to automatically turn off during non-standard use times.

C Fire Evacuation Procedures - Upon discovery of a fire

- 1 Evacuate personnel out of the immediate area of danger. Use stairwells. Do not use any elevator.
- 2 Sound the alarm. Go to the nearest fire alarm/pull station and pull the handle (many fires have spread due to delayed alarms). Make sure a designated individual or position is responsible for calling the fire department (911).

- 3 Extinguish or contain the fire. If the fire is small enough and you have had training in the use of the fire extinguisher and are confident that you can operate it effectively, then and only then should you attempt to extinguish the fire.
- 4 Confine the fire. If unable to extinguish, confine the fire by closing the door to the fire area and evacuate to the nearest safe exit.

D When the fire alarm sounds

- 1 Immediately leave your work area, closing the door behind you.
- 2 Go to the nearest exit or stairwell and proceed to the outside. DO NOT USE THE ELEVATOR.
- 3 If the exit or stairwell is blocked due to heat or smoke, use an alternate exit.
- 4 If you are caught in smoke, crawl. Fresher air is nearer the floor.
- 5 Have a designated meeting place to insure everyone is out.
- 6 Remember: A fire can be lethal. Get out and stay out. Never go back inside until the Fire Department gives an all clear.

IV IMPORTANT FACTS ALL EMPLOYEE'S SHOULD KNOW

- A LOCATION OF FIRE ALARMS
- B LOCATIONS AND TYPE OF FIRE EXTINGUISHER
- C EXITS AND EVACUATION ROUTES

V Fight a fire only if all of the following are true:

- A Everyone is evacuated from the immediate area of danger.
- B The Fire Department has been called.
- C The fire is small and confined to the immediate area where it started (wastebasket, cushions, etc.)
- D You can fight the fire with your back to a safe escape route.
- E Your extinguisher is rated for the type of fire you are fighting and is in good working order.
- F You have had training in the use of the fire extinguisher and are confident that you can operate it effectively.
- G If you have the slightest doubt about whether or not to fight the fire - don't, instead get out, closing the door behind you.

VI Procedure for usage of a fire extinguisher

- A Hold upright and remember the acronym P.A.S.S.
- P** - Pull the pin
- A** - Aim the nozzle
- S** - Squeeze the handle
- S** - Sweep at the base of the fire

VII BASIC SECURITY AND SAFETY

- A Personal safety - The refrain "It can't happen here" has a hollow ring to those who may have seen how a chance accident or minor oversight had catastrophic consequences. An Emergency Response Plan, therefore, must not only outline how a disaster is to be prevented, but also how, if one arises, its impact can be contained and minimized.
- B Clearly mark staff-only areas as closed to the public.
- C Escort visitors in non-public access areas.
- D Ensure that a staff member is always present in the Reception area.
- E Be aware that terminated employees may pose security risks. Ensure that terminated employees, before leaving, turn in all relevant identification and keys.
- F Ensure that all outside windows, doors, loading docks or other entry points are secure.
- G Ensure that all access control systems, intrusion and automated alarm systems are maintained on a regular basis.
- H Establish procedures that will be followed in the event of theft and vandalism.
- I Ensure that all staff and outside service employees are aware of the firm's security systems.
- J Ensure that all employees have a place to lock any valuable possessions, e.g., purses, lap-top computers etc.
- K Ensure that employees who work overtime or late nights are escorted to their vehicle or driven home in a taxi.
- L Do not lock or block access to any exit door.
- M Maintain an appropriate sized and stocked first aid kit.

VIII Water Leak and Flood Prevention Checklist

- A Avoid below ground storage. When flooding occurs, water seeks the lowest level.
 - B Avoid storage in an area through which water or sewage pipes pass.
 - C Have the water sprinkler system checked periodically.
 - D Inspect the roof regularly for leaks, especially in the case of flat roofs.
 - E Store more valuable materials on upper shelves or upper floors.
 - F Action to be taken in the event of a flood:
 - G Determine the location and cause of the flooding.
 - H Call immediately all persons who can help to stop the flood or water break and minimize its damage.
 - I Contact the Emergency Response Coordinator.
 - J Make sure all electrical circuits in the affected area are turned off. No one should walk through any water until the electrician has been called in and has pronounced the area safe.
 - K When safe to do so, remove the contents from the affected area in order of priority.
- IX Bomb Threat Guidelines - The importance of keeping calm and obtaining as much information as possible in a bomb threat situation is crucial. The importance of not touching any suspicious package or article cannot be stressed too much. Explosive devices may appear in a recognizable form, or they may be very sophisticated designed to not be easily discernible.
- X Emergency Response Plan Coordinator - The responsibility for the overall allocation of resources and decision-making rests with the coordinator. This individual alone must have the authority to select and implement courses of action. The disaster plan must, of course, provide for alternate coordinators should the emergency coordinator be unavailable.
- A Advance preparation
 - 1 Assembles team members to design and implement disaster plan.
 - 2 Decides on mustering place
 - 3 Issues authorized permit badges
 - 4 Obtains necessary local permission for re-entry
 - 5 Relays decisions to team members and other personnel

- 6 Contacts outside agencies for assistance
- B Prepare a disaster action plan.
 - 1 Organization charts
 - 2 Establishes "hotline" or nerve center
 - 3 Assemble communication teams
 - 4 Procedures for securing office space
 - 5 Arrange alternative work area
 - 6 Assign individual responsibilities
- C Duplicate and maintain off-site personnel records.
 - 1 Employee names, addresses, phone numbers, hospitals
 - 2 Assembles copies of insurance policies, claim forms
 - 3 Back-up copies of computerized personnel, payroll histories etc.
- D Communicate policies regarding office closure, paid time off, cash advances, alternate work assignments or hours, etc.
- E Establish disaster preparedness and re-entry procedures.
- F Educate personnel concerning disaster procedures and policies.
- XI Disaster Supply and equipment checklist.
 - A Some of the supplies may be stored on-site in emergency storage. However, an on-site depot will be of little use if the disaster renders it inaccessible. For this reason, some supplies ought to be stored off-site as well.
 - B Tarpaulins and plastic sheeting to protect materials from water, to insulate windows and to cover tables during salvage operations.
 - C Interlocking plastic crates to pack materials in. Cardboard cartons may be used although moisture from the materials will weaken the cardboard.
 - D Fans and dehumidifiers to promote drying of the materials and reconditioning of the environment.
 - E Pumps to remove water.
 - F Generators to power equipment such as emergency lights, air conditioners, fans etc.
 - G Wet and dry vacuum cleaners to clean up mud and debris.

- H Waterproof and grounded heavy duty extension cords.
- I Washing tanks or large plastic garbage containers.
- J Sponges, brushes, hoses to wash materials.
- K Wheeled carts to move materials.
- L Absorbent paper such as blank newsprint to absorb moisture.
- M Freezer paper, wax paper to keep items from adhering to each other in a freezer.
- N Mobile telephones or portable radios to coordinate the disaster team.
- O Portable battery operated radios.
- P Petty cash, ATM's may not operate for some time.
- Q Emergency water and food supplies.
- R Wet weather clothing such as boots, hats, gloves etc.
- S Toiletries
- T Essential items needed for any emergency.

XII Information the Emergency Response Coordinator should have available at all times at work as well as at home.

- A Your office disaster plan
- B Employee telephone numbers, addresses
- C Building management key personnel phone numbers (work and home)
- D Vendor contact list
- E Petty cash
- F Copies of insurance policies and information regarding coverage
- G Office lease
- H Client contact information
- I Floor plans
- J Master docket/calendar for firm
- K Client file index and offsite storage index

- L Safe deposit keys
- M Banking account numbers
- N Clerk of Courts and key Court personnel contact information

XIII Initial responses to a disaster

- A The plan should provide guidelines to the recovery of the operation and include provisions for any type of disaster ranging from water to fire or contaminants.
- B Determine that the disaster is over and the possibility of further danger to personnel has been eliminated from such objects as falling materials, loose wires, running water or toxic gases.
- C Begin assessment of the damage as soon as authorities allow. Ensure that all metal cabinets or other containers that are to be opened are not hot. If fire was involved, flash fires may occur upon opening a warm cabinet. If electricity has been restored, extreme caution may be necessary in wet or damp conditions.
- D Contact the building owner/management, insurance company representative regarding steps to be taken to mitigate damage and obtain authorization for immediate salvage and repairs.

XIV Assessment procedures

- A Priorities must be assigned to the firm's records so that materials may be protected from further damage. The assessment of priorities will separate those files that are of critical importance or are salvageable from those that must wait.
- B Assemble the Emergency Recovery Team as soon as possible to begin the recovery operation. Freezing, if available, is the most convenient method of preserving documents until an orderly assessment or restore operation can be undertaken.
- C A color coded system can be used to designate the status of materials that should be frozen or restored according to degree of importance.
 - 1 Beyond hope of recovery
 - 2 To be restored first and of greatest importance
 - 3 To be frozen for recovery as soon as conditions permit
 - 4 To be frozen and restored only if needed
 - 5 Undamaged and useable immediately

- D Destruction documentation should be cataloged for any materials destroyed. This log may be needed for insurance or legal considerations. The documentation should indicate what was beyond recovery, why.
- E Restoration to working conditions. Hidden water damage may not show up immediately. Mold and mildew are the results of hidden water damage and when found should result in additional disinfectant steps being taken.

XV Forewarned Disaster Planning

- A Disasters are not always unforeseen. In the event of a hurricane, nature flooding, fire in a nearby building or civil disorder, the Emergency Response team may have time to take precautionary measures. In all cases, however, the safe evacuation of all personnel must be the first consideration.
- B Forewarning checklist:
 - 1 Alert the Emergency Response Coordinator.
 - 2 Close off master electrical switches.
 - 3 Turn off gas.
 - 4 Move valuables to a "safe room:" on the interior of the building, or if possible to a safe place outside.
 - 5 Cover valuable materials that cannot be moved with heavy grade plastic and wrap them securely.
 - 6 Secure loose objects and move them away from windows or glassed-in areas.
 - 7 Keep materials off the floor.
 - 8 Back-up and take with you as much computer data as time permits.
 - 9 Re-check supplies purchased for coping with disasters as outlined in the firm's disaster contingency plan.
 - 10 Don't forget to take the plan with you when you depart.
 - 11 Tape windows to reduce danger of flying glass.
 - 12 Close the doors to all rooms.
 - 13 Listen to a radio or television for instructions.

XVI Post Disaster Priorities

- A Listen to a battery operated radio for instructions.
- B Notify the fire department if any fires have broken out

- C Assist those who have been injured by falling debris, glass, smoke etc.
- D Evacuate the building if safe to do so. Do not re-enter, until the building has been declared structurally sound by the safety department.
- E Do NOT use the telephone, except in a real emergency. The lines should be kept free for government rescue operations.
- F Check for broken water pipes, shorted electrical circuits, or leaking fuel. Do not use a match or candle to find your way, since there may be flammable gas in the air. Shut off utilities at main valves or meter boxes. Turn off all equipment.
- G Ensure that sewage lines are working before running water or flushing toilets.
- H Institute security measures to take the place of any automatic security systems.

XVII Power Failure

- A Power failures are generally without warning. Interruptions may occur during summer thunderstorms or from accidents to nearby transformers. If the power failure appears to be of short duration, little will need to be done beyond protecting sensitive equipment by turning it off. In Florida because frequent power outages do occur, all computer equipment should be protected by having surge protectors and uninterruptable power sources. If these are unavailable frequent back-ups are crucial.
- B Power outage checklist
 - 1 Check to see if anyone is trapped in elevators stopped between floors. Contact the fire department or the building superintendent to free any trapped people.
 - 2 Notify the electric utility. Telephone lines will probable still be operational.
 - 3 Check to see if neighboring buildings are affected.
 - 4 Institute security measures to take the place of any automatic security systems unless they are battery operated.