

After a Disaster Strikes Checklist

D N/A

LEGEND: (D)Done=Task Completed N/A=Not Applicable

<p>1. Prioritize the safety and well-being of yourself, your family and your staff and follow the latest guidance from EmergencyInfoBC regarding evacuation orders and alerts.</p> <p>The Law Society provides free confidential personal counselling and referral services for BC lawyers, articulated students and their immediate families through Telus Health One (previously called LifeWorks). These services are available 24/7 toll-free at 1.888.307.0590 . Log in to their website to access their Natural Disasters Toolkit for information on coping with a disaster.</p>		
<p>2. Report to your property insurers immediately. Property insurers may also be able to provide assistance in dealing with the disaster. If you have cyber liability insurance (or something similar) in the event of a security breach, you may also be able to receive additional assistance from security breach consultants.</p>		
<p>3. Execute your disaster recovery plan. If you do not have a plan, create a response team, assign responsibilities and priorities, including a communication plan for staff and clients.</p>		
<p>4. Have you contacted all employees with a status report, and do all employees know their role and tasks to aid in the disaster recovery effort? The Emergency Response Team (ERT) should address:</p>		
<p>i. coordinating with building management;</p>		
<p>ii. coordinating with outside personnel such as the police, fire department, hospitals, local government, utility companies, etc.; and</p>		
<p>iii. looking at the immediate financial needs of the firm and coordinating with banks, suppliers, and clients (to ensure financial health of the firm, give priority to outstanding accounts receivable).</p>		
<p>5. Contact your IT professionals to identify the problems, contain damage (they may have immediate tips) and to ask for advice as to whether any client or banking records are compromised. Make it clear that your top priority are the records and confidentiality of client information.</p>		
<p>6. If laptops or other mobile devices have been lost in the disaster, consult your IT professional for advice with respect to ensuring the security of the records. (See the Law Society’s Practice Resource What to do if your laptop or briefcase is stolen).</p>		
<p>7. Report to the Law Society’s Executive Director c/o Manager, Intake and Early Resolution in writing at professionalconduct@lsbc.org under 10-4 (Security of Records). Do not use your work email unless you know that it is safe. You may need confirmation from your IT professional.</p>		

<p>8. Contact a Law Society Practice Advisor if you have questions regarding your professional responsibilities (604.443.5797 or practiceadvice@lsbc.org). Read the Lawyers Indemnity Fund's reporting guidelines to see if you should also be making a written report to them.</p>		
<p>9. Figure out your legal obligations, including any obligations to third parties (e.g. other counsel, parties, the court). If you can't access a backup of your calendar, start a fresh one. Begin filling in important deadlines and appointments as they become known and have all your staff do the same.</p>		
<p>10. Contact other counsel and the courts as needed for postponements and adjournments.</p>		
<p>11. Locate the off-site client list and start contacting clients. If you don't have an off-site client list, write down the names of all clients and pending matters you can remember before too much time passes. Have your staff also create a list of important pending matters and key client information that needs to be addressed immediately. Recreate client files as best as possible if information is missing. Keep a phone log of all incoming calls and use this as a source to help rebuild your client list.</p>		
<p>12. Contact your payroll service or implement other banking services to pay your employees.</p>		
<p>13. Consider implementing an emergency communications system to communicate with the courts, opposing counsel, staff, clients and suppliers. Suggestions for implementing this system include:</p>		
<p>i. establishing an emergency hotline and voicemail;</p>		
<p>ii. designating a contact outside the disaster zone to act as a clearinghouse for information (it may be easier to make outgoing calls than to receive incoming ones);</p>		
<p>iii. contacting clients immediately;</p>		
<p>iv. contacting the courts and opposing counsel as needed for adjournments, etc. and counsel on the other side of closings and settlement negotiations; and</p>		
<p>v. setting up a telephone hotline to answer questions or a voicemail message.</p>		
<p>14. Have you moved to the designated temporary space outlined in your disaster preparation plan? If no plan is in place, consider finding a temporary space that:</p>		
<p>i. can adequately protect confidential client information. If you are considering sharing space, see the practice resource Lawyers Sharing Space under Support and Resources;</p>		
<p>ii. has the equipment required to perform key functions of your firm (consider contacting suppliers to lease equipment and replace permanently damaged items);</p>		

iii. is stocked with office supplies including stationery, business cards, legal pads and pens; and		
iv. has an address that can be used as an alternative address for mail and deliveries.		
15. Keep an inventory of anything that must be removed from the premises. For client files or documents keep a record of the client name, contact information and file number.		
16. Have you assessed the damages to your firm? When it is safe to do so, consider:		
i. photographing and videotaping all damage for insurance purposes;		
ii. recording the ways in which the office has been impacted by the disaster;		
iii. investigating tile or other flooring for water damage, and inspect for mold, mildew and other damage; and		
iv. gathering all available paper records, assess damages, and follow specific procedures for document restoration (contact LIF).		
17. Refrain from taking on new matters until you can adequately screen for conflicts.		
18. Take care of yourself. Recovery from a disaster is a marathon not a sprint. Disaster brings on an enormous amount of stress. After the dust settles, redesign or design your disaster response plan from what you have learned.		