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The Practice Resource Center of The Florida Bar

### After Disaster Strikes: A Checklist

1. Begin the assessment process. Photograph or videotape all damage for claim documentation purposes. To avoid flash fires, make certain that all containers to be examined (file cabinets, etc.) are cold to the touch and safe to open. Start a diary or log of the ways in which the office has been affected by the disaster.
2. Contact all employees to provide them with a status report and assign tasks. As needed, appoint liaisons from your office to work with each of the following entities:
  - Building management
  - Fire department
  - Police department
  - Health department
  - Emergency management agencies
  - Other governmental agencies
  - Utility companies, including electric, gas, water, phone
  - Insurance agent
  - Banker
  - Key vendors
  - Post office
  - Other vital services
3. Establish an emergency communication system to help the firm communicate with the courts, other lawyers, staff, clients, and vendors. This could involve setting up an emergency hotline and recorded message or arranging for a forwarding number. Keep in mind that after a disaster, it is often easier to make outgoing calls than to receive incoming ones. Therefore, it may be necessary to designate a contact outside the disaster zone who can act as a clearinghouse for information. The Florida Bar has a member benefit with Ruby Receptionists who can assist with setting up a virtual receptionist. The member benefit can be found at <https://www.ruby.com/campaign/thefloridabar/>.
4. If you cannot occupy your office, arrange for temporary office space. Depending on the size and location of your firm, possibilities include hotels, motels, trailers, recreational vehicles, space in other law firms with which you have reciprocal agreements, space in your satellite office, other suitable space in your existing building, or space in your home. Post a sign at your old office directing people to your temporary location. Consider advertising that temporary location in the local newspaper and encourage clients to contact you to touch base. Be sure that anyone answering the phone informs all callers of your new location. Contact your property manager and determine your obligations under the existing lease during the time your space cannot be accessed or used. If necessary, make arrangements for security protection for your damaged space.
5. Get office supplies for your temporary office, including stationery, business cards, legal pads, and pens.
6. Contact vendors to lease equipment or permanently replace damaged items (computers, network servers, printers, fax machines, copier, postage meter, desks, chairs, dictation equipment, typewriters, etc.)
7. Locate the off-site copy of your active client list and start contacting clients. Make appointments for those whose records you must recreate.
8. If you don't have an off-site client list, write down the names of all the clients and pending matters you can remember before too much time passes. Home computers, mobile devices, and personal calendars may help you recreate this information. Have all staff do the same thing -- and update the list as new names are



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remembered over the next few days. Start keeping a phone log of all incoming calls and use this as a source to help rebuild your client list.

9. If you can't access an off-site backup of your calendar, start a fresh one. Begin filling in important appointments and deadlines as they become known. If possible, review court dockets or sources such as Florida Courts, <http://www.flcourts.org/>, and match this information against your client list.
10. Contact the courts and opposing counsel as needed for postponements, and the like. If you have moved to a temporary location, send out postcards or similar announcements with your new address, telephone, and fax numbers. Update your member profile with The Florida Bar, <http://www.floridabar.org/>.
11. To ensure the financial health of the office, give priority to collecting outstanding accounts receivable. Until the office is fully up and running, expect to have ongoing work disrupted and to have difficulty bringing in new clients.
12. Contact the post office about an alternate delivery location.
13. Access extra checks stored off-site. Contact your bank for replacement checks.
14. Contact your payroll service.
15. If your computer systems had their data stored locally, get immediate professional assistance to help in the recovery and repair of your systems. Make it clear that your top priority is the data, not the equipment itself. A reputable repair shop can clean and test the system and, if necessary, use a package such as Norton Utilities to recover your data. Keep in mind that while motors and circuitry in your system may have been damaged by the elements, the hard drive itself is vacuum-sealed. More likely than not, the data stored on the drive can be recovered. If the above efforts are not sufficient, it may be necessary to send your drive to a data recovery company, such as Kroll Ontrack Data Recovery, <https://www.krollontrack.com/services/data-recovery/>, 833-827-3225, or DriveSavers DataRecovery, <http://www.drivesaversdatarecovery.com/>, 800-440-1904. If you can recover your data, transfer it to a new system as soon as possible.
16. Gather up all available paper records and begin the process of assessing damage, sorting, and prioritizing restoration. Paper records damaged by water will begin to deteriorate within two to three hours; mold, fungal, and bacterial growth will occur within 24 hours. Specific procedures must be followed in order to properly dry or freeze documents. (Freezing will preserve paper for up to six years for later drying.) For help with document reclamation procedures, contact your insurance agent, who can refer you to a professional service. Consider bypassing restoration if back-up records are available.
17. Keep an inventory of anything that must be destroyed or removed from the premises for drying by a commercial service. For client documents, track:
  - Client/matter name
  - Client/matter number
  - Items destroyed
  - Inclusive dates
  - Reason destroyed
18. Begin replacing lost paper records and client documents. Besides clients, other sources for reconstructing records include the courts, opposing counsel, administrative agencies, and the firm's CPA and payroll service.

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19. Repair, sterilize, and dry the areas where records are to be stored -- shelving, cabinets, desks. (Carpet, carpet padding, or liners must be dried and treated for mold and mildew or replaced.) Investigate tile or other flooring for similar damage. Continue inspecting damaged areas for mold, mildew, and other damage for at least one year.
20. Rebuild your form library. The Practice Resource Center has over 100 forms on line on our website, <http://legalfuel.com>. If you do not have Internet access as a result of the disaster, call our office at 850-561-5616 or 866-730-2020 for assistance. First on your priority list should be an intake or new client information form, which can be used in recreating existing client files or interviewing new clients who need your help as a result of a problem that arose from the disaster. The data on the forms can then be used for reestablishing conflict and other office systems.
21. Rebuild your law library. Assess the damage and determine the cost of repairing or replacing books and materials. Identify the items to be replaced as soon as possible. Get sources for legal research on the Internet (Lexis, WestLaw, etc.) up and running. All members of The Florida Bar have free access to FastCase for legal research. The member benefit can be found at <https://www.floridabar.org/member/benefits/legalresearch/>.
22. Exercise case and client control. Resist the urge to take on all new matters that may come to you until you can adequately screen for conflicts.
23. Submit an insurance claim for the damages your office sustained.
24. Determine your eligibility for other forms of emergency relief and submit a claim if appropriate.
25. Identify counseling and support resources for employees.

### Resources for Disaster Recovery

The American Bar Association Committee on Disaster Response and Preparedness at <http://www.americanbar.org/groups/committees/disaster.html>.

The Association for Information Management Professionals. Visit <https://www.arma.org/store/default.aspx> for resources to purchase including Emergency Management for Records and Information Programs, The Disaster Recovery Yellow Pages, Manager's Guide to Contingency Planning for Disasters, Trial by Tornado, and Disasters Come in All Sizes. Free resource materials to help organizations recover business records and information can be downloaded from <http://www.arma.org/>.

The Association of Legal Administrators (ALA) at <http://www.alanet.org/>. (Articles and materials on disaster recovery. Some materials limited to members only.)

The Federal Emergency Management Agency at <http://www.fema.gov/>.

The Florida Division of Emergency Management at <https://www.floridadisaster.org/>.

The Red Cross at <http://www.redcross.org/>.

The Florida Bar at <http://www.floridabar.org/>.

The Florida Bar Practice Resource Center at <http://legalfuel.com>.

Florida Courts at [www.flcourts.org](http://www.flcourts.org).