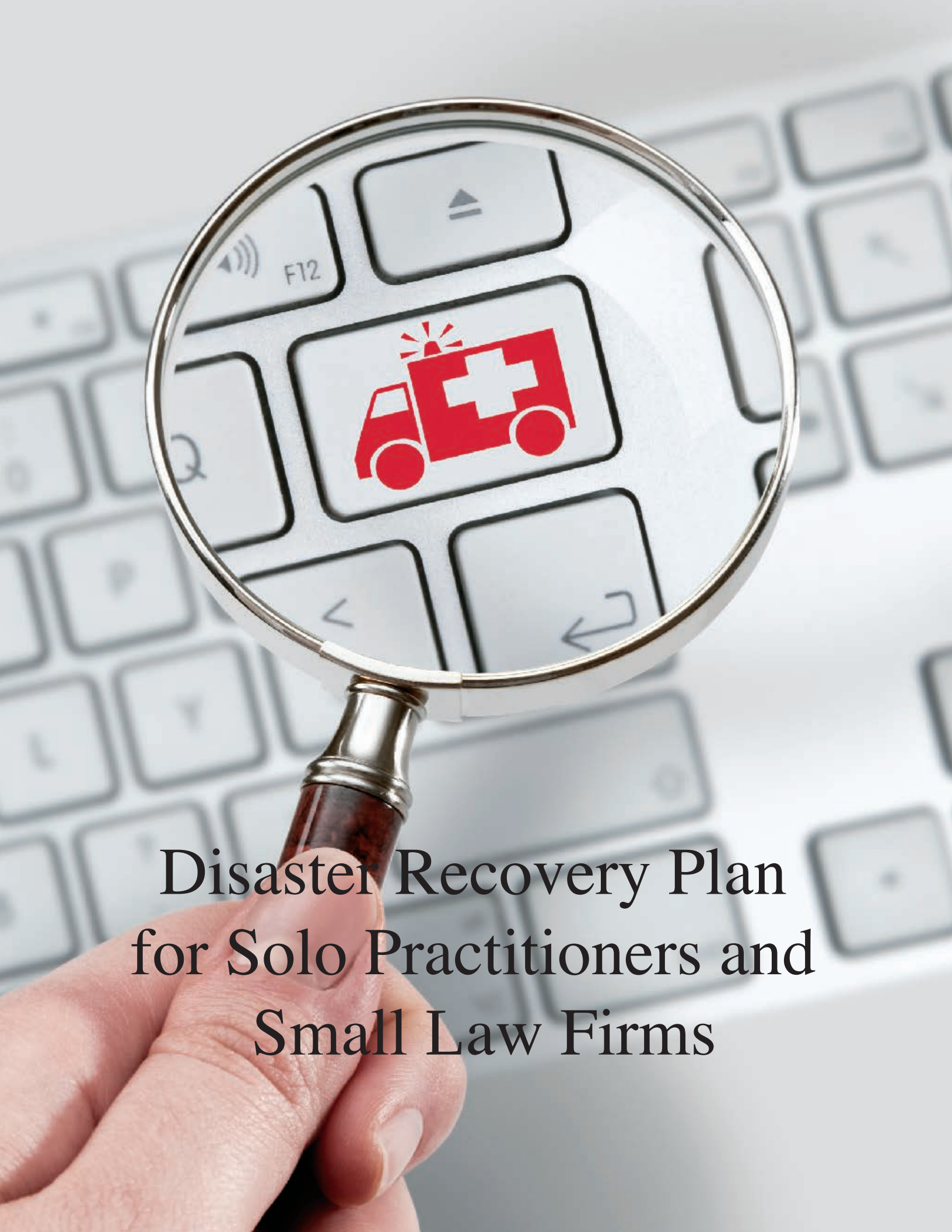


Disaster Recovery Plan for Solo Practitioners and Small Law Firms

[LAW FIRM NAME]

Disaster Recovery Plan for Solo Practitioners and Small Law Firms

Table of Contents

Information Technology Statement of Intent

This document delineates our policies and procedures for technology disaster recovery, as well as our process-level plans for recovering critical technology platforms and the telecommunications infrastructure. This document summarizes our recommended procedures. In the event of an actual emergency situation, modifications to this document may be made to ensure physical safety of our people, our systems, and our data.

Our mission is to ensure information system uptime, data integrity and availability, and business continuity.

Policy Statement

Corporate management has approved the following policy statement:

- The company shall develop a comprehensive IT disaster recovery plan.
- A formal risk assessment shall be undertaken to determine the requirements for the disaster recovery plan.
- The disaster recovery plan should cover all essential and critical infrastructure elements, systems and networks, in accordance with key business activities.
- The disaster recovery plan should be periodically tested in a simulated environment to ensure that it can be implemented in emergency situations and that the management and staff understand how it is to be executed.
- All staff must be made aware of the disaster recovery plan and their own respective roles.
- The disaster recovery plan is to be kept up to date to take into account changing circumstances.

Objectives

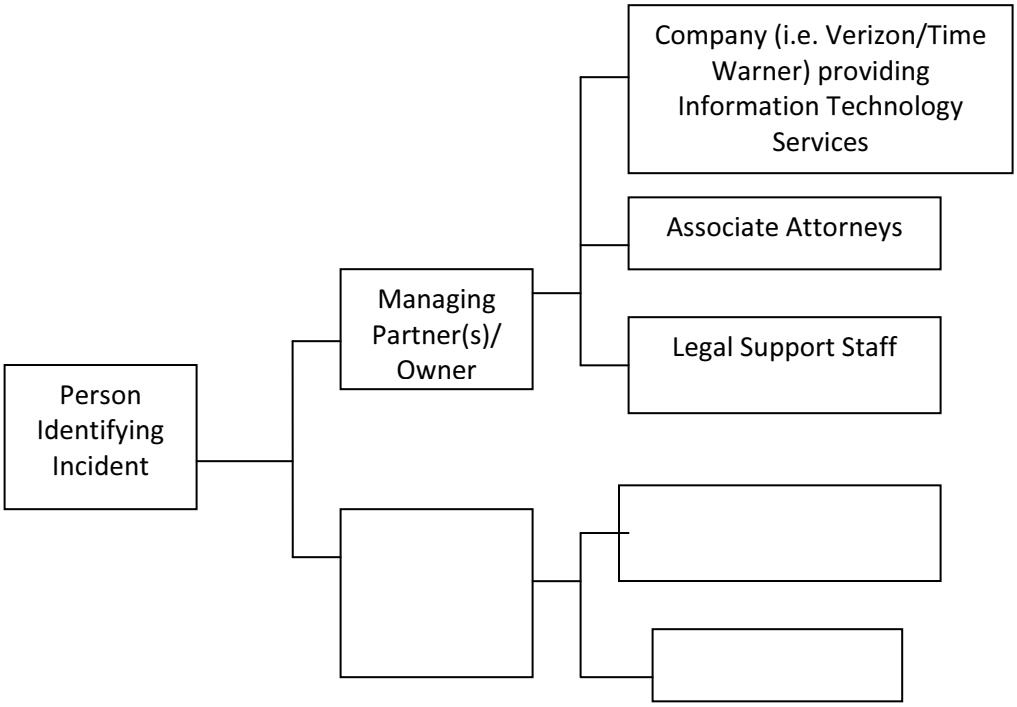
The principal objective of the disaster recovery plan is to develop, test and document a well-structured and easily understood plan which will help the company recover as quickly and effectively as possible from an unforeseen disaster or emergency which interrupts information systems and business operations. Additional objectives include the following:

- The need to ensure that all employees fully understand their duties in implementing such a plan
- The need to ensure that operational policies are adhered to within all planned activities
- The need to ensure that proposed contingency arrangements are cost-effective
- The need to consider implications on other company sites
- Disaster recovery capabilities as applicable to key customers, vendors and others

Key Personnel Contact Info

Name, Title	Contact Option	Contact Number
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	
	Work	
	Alternate	
	Mobile	
	Home	
	Email Address	
	Alternate Email	

Internal Notification Calling Tree



External Contacts (if applicable):

Name, Title	Contact Option	Contact Number
Landlord / Property Manager		
Account Number		
	Work	
	Mobile	
	Home	
	Email Address	
Power Company		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Telecom Carrier I		
Account Number	Work	
	Mobile	
	Fax	
	Home	
	Email Address	
Telecom Carrier 2		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Hardware Supplier 1 ["**Hardware**" refers to the physical components comprising computer system, including the Motherboard and Central Processing Unit (CPU)]		
Account Number	Work	
	Mobile	
	Emergency Reporting	
	Email Address	
Server Supplier 1		
Account Number	Work	
	Mobile	
	Fax	
	Email Address	
Workstation Supplier 1	Work	
Account Number	Mobile	
	Home	
	Email Address	

Name, Title	Contact Option	Contact Number
Office Supplies 1		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Insurance - Name		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Site Security -		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Off –Site Storage 1	Worl	
Account Number	Mobile	
	Home	
	Email Address	
Off –Site Storage 2	Worl	
Account Number	Mobile	
	Home	
	Email Address	
HVAC -		
Account Number	User ID	
	Password	
	Home	
	Email Address	
Power Generator -		
Account Number	Work	
	Mobile	
	Home	
	Email Address	
Other		
Account Number	Work	
	Mobile	
	Home	
	Email Address	

1 Plan Overview

1.1 Plan Updating

It is necessary for the disaster recovery plan updating process to be properly structured and controlled. Whenever changes are made to the plan they are to be fully tested and appropriate amendments should be made to the training materials. This will involve the use of formalized change control procedures under the control of the IT Director.

1.2 Plan Documentation Storage

Copies of this Plan, CD, and hard copies will be stored in secure locations to be defined by the company. Each member of senior management will be issued a CD and hard copy of this plan to be filed at home. Each member of the Disaster Recovery Team and the Business Recovery Team will be issued a CD and hard copy of this plan. A master protected copy will be stored on specific resources established for this purpose.

1.3 Backup Strategy

Backup strategies are as follows:
Law Firm will periodically (e.g. once a month) back up all the contents of its network server utilizing an external hard drive;
Law firm will utilize a commercial data backup service, such as Carbonite Online Backup;
Law firm will utilize "Cloud" computing backup service, which will automatically backup a law firm's documents and information daily; or
Other backup options.

1.4 Risk Management

There are many potential disruptive threats which can occur at any time and affect the normal business process. We have considered a wide range of potential threats and the results of our deliberations are included in this section. Each potential environmental disaster or emergency situation has been examined. The focus here is on the level of business disruption which could arise from each type of disaster.

Potential disasters have been assessed as follows:

Potential Disaster	Probability Rating	Impact Rating	Brief Description Of Potential Consequences & Remedial Actions
Flood	3	4	Server Room could potentially flood due to internal plumbing failure.
Fire	3	4	[Type] of Fire Suppression System installed at business premises. Fire and smoke detectors on all floors.
Electrical power failure	3	4	Back Up power source: Auto standby generator; Frequency of testing of such alternate power sources; Remote monitoring of electrical power system.
Loss of communications network services	4	4	Back-up power source; Auto standby generator; Frequency of testing of such alternate power sources; Remote monitoring of electrical power system.
“Hacking” of information technology network	3	4	Exposure of client/firm confidential information, such as personal information, research, business strategies and financial reports; "Hacking" causing network failure; Remote 24/7 monitoring of information technology network to discover "hacking" or potential "hacking" threats.
Heating, ventilation and air conditioning (HVAC) failure	4	4	Failure of HVAC system causing loss of temperature control in Server rooms — High temperatures can cause servers to overheat and go into protective shutdown.

Probability: 1=Very High, 5=Very Low Impact: 1=Total destruction, 5=Minor annoyance

2 Emergency Response

2.1 Alert, escalation and plan invocation

2.1.1 Plan Triggering Events

Key trigger issues at headquarters that would lead to activation of the disaster recovery plan are:

- Total loss of all communications
- Total loss of power
- Flooding of the premises
- Loss of the building

2.2 Emergency Alert, Escalation and DRP Activation

This policy and procedure has been established to ensure that in the event of a disaster or crisis, personnel will have a clear understanding of who should be contacted. Procedures have been addressed to ensure that communications can be quickly established while activating disaster recovery.

The disaster recovery plan will rely principally on members of management and staff who will provide the technical and management skills necessary to achieve a smooth technology and business recovery. Suppliers of critical goods and services will continue to support recovery of business operations as the company returns to normal operating mode.

2.3 Emergency Alert

The person discovering the emergency incident calls in the order listed: Partner/Owner of Law Firm:

Partner/Owner of Law Firm:

- _____
- _____
- _____

If not available try:

- _____
- _____

The Partner/Owner of law firm is responsible for activating the DRP for disasters identified in this plan, as well as in the event of any other occurrence that affects the company's capability to perform normally.

One of the tasks during the early stages of the emergency is to notify the other members of the law firm that an emergency has occurred. The notification will request that law firm members assemble at the site of the problem and will involve sufficient information to have this request effectively communicated. The Partner/Owner of law firm, along with senior partners (if applicable) will comprise the Business Recovery Team (BRT) The BRT will be responsible

for taking overall charge of the process and ensuring that the company returns to normal working operations as early as possible.

2.3.1 Disaster Recovery Procedures for Management

The Managing Partner/Owner of law firm will keep a hard copy of the names and contact numbers of each employee in the law firm. In addition, the Managing Partner/Owner of law firm will have a hard copy of the company's disaster recovery and business continuity plans on file in their homes in the event that the headquarters building is inaccessible, unusable, or destroyed.

2.3.2 Contact with Employees

The Managing Partner/Owner of law firm will serve as the focal points for their departments, while designated employees will call other employees to discuss the crisis/disaster and the company's immediate plans. Employees who cannot reach staff on their call list are advised to call the staff member's emergency contact to relay information on the disaster.

2.3.3 Personnel and Family Notification

If the incident has resulted in a situation which would cause concern to an employee's immediate family such as hospitalization of injured persons, it will be necessary to notify their immediate family members quickly.

3 Media

3.1 Media Contact

Assigned staff will coordinate with the media, working according to guidelines that have been previously approved and issued for dealing with post-disaster communications.

3.2 Media Strategies

1. Avoiding adverse publicity
2. Take advantage of opportunities for useful publicity
3. Have answers to the following basic questions:
    - What happened?
    - How did it happen?
    - What are you going to do about it?

3.3 Media Team

- _____
- _____
- _____

3.4 Rules for Dealing with Media

Only the media team is permitted direct contact with the media; anyone else contacted should refer callers or in-person media representatives to the media team.

4 Insurance

As part of the company's disaster recovery and business continuity strategies a number of insurance policies have been put in place. These include general liability, business interruption insurance, flood insurance, etc.

If insurance-related assistance is required following an emergency out of normal business hours, please contact: _____

Policy Name	Coverage Type	Coverage Period	Amount of Coverage	Person Responsible for Coverage	Next Renewal Date

5 Financial and Legal Issues

5.1 Financial Assessment

The BRT shall prepare an initial assessment of the impact of the incident on the financial affairs of the company. The assessment should include:

- Loss of financial documents
- Loss of revenue
- Loss of cash

5.2 Financial Requirements

The immediate financial needs of the company must be addressed. These can include:

- Cash flow position
- Temporary borrowing capability
- Upcoming payments for taxes, payroll taxes, Social Security, etc.
- Availability of company credit cards to pay for supplies and services required post-disaster

5.3 Legal Actions

The BRT will jointly review the aftermath of the incident and decide whether there may be legal actions resulting from the event; in particular, the possibility of claims against the law firm for legal malpractice, etc.

6 DRP Exercising

Disaster recovery plan exercises are an essential part of the plan development process. In a DRP exercise no one passes or fails; everyone who participates learns from exercises — what needs to be improved, and how the improvements can be implemented. Plan exercising ensures that emergency teams are familiar with their assignments and, more importantly, are confident in their capabilities.

Successful DR plans launch into action smoothly and effectively when they are needed. This will only happen if everyone with a role to play in the plan has rehearsed the role one or more times. The plan should also be validated by simulating the circumstances within which it has to work and seeing what happens.

Appendix A — Technology Disaster Recovery Plan Templates

Disaster Recovery Plan for <System One>

SYSTEM	

OVERVIEW	
PRODUCTION SERVER	Location: Server Model: Operating System: CPUs: Memory: Total Disk: System Handle System Serial #: DNS Entry IP Address Other:
ALTERNATE RECOVERY FACILITY/HOT SITE SERVER (IF APPLICABLE)	
APPLICATIONS (Use bold for Hot Site)	
ASSOCIATED SERVERS	

KEY CONTACTS	
Hardware Vendor	
System Owners	
Database Owner	
Application Owners	
Software Vendors	
Offsite Storage	

BACKUP STRATEGY FOR SYSTEM ONE	
Daily	
Monthly	
Quarterly	

SYSTEM ONE DISASTER RECOVERY	
Scenario 1	
Total Loss of Data	
Scenario 2	
Total Loss of Hardware	

ADDENDUM

CONTACTS	

File Systems

File System as of Minimal file systems to be created and restored from backup:	**Filesystem kbytes Used Avail %used Mounted on**
Other critical files to modify	
Necessary directories to create	
Critical files to restore	
Secondary files to restore	
Other files to restore	

Appendix B – Suggested Forms

Damage Assessment Form

Key Business Process Affected	Description Of Problem	Extent Of Damage

Management of Disaster Recovery Activities Form

- During the disaster recovery process all activities will be determined using a standard structure;
- Where practical, this plan will need to be updated on a regular basis throughout the disaster recovery period;
- All actions that occur during this phase will need to be recorded.

Activity Name:
Reference Number:
Brief Description:

Commencement Date/Time	Completion Date/Time	Resources Involved	In Charge

Disaster Recovery Event Recording Form

- All key events that occur during the disaster recovery phase must be recorded.
- An event log shall be maintained by the disaster recovery team leader. This event log should be started at the commencement of the emergency and a copy of the log passed on to the business recovery team once the initial dangers have been controlled.
- The following event log should be completed by the disaster recovery team leader to record all key events during disaster recovery, until such time as responsibility is handed over to the business recovery team.

Description of Disaster:
Commencement Date:
Date/Time DR Team Mobilized:

Activities Undertaken by DR Team	Date and Time	Outcome	Follow-On Action Required

Disaster Recovery Team's Work Completed:
Event Log Passed to Business Recovery Team:

Disaster Recovery Activity Report Form

- On completion of the initial disaster recovery response the Managing Partner/Owner of law firm should prepare a report on the activities undertaken.
- The report should contain information on the emergency, who was notified and when, action taken by members of the firm together with outcomes arising from those actions.
- The report will also contain an assessment of the impact to normal business operations.
- The report should be given to BRT, with a copy to every employee of the law firm, as appropriate.
- A disaster recovery report will be prepared by the Managing Partner/Owner of law firm on completion of the initial disaster recovery response.

The report will include:

- A description of the emergency or incident
- Those people notified of the emergency (including dates)
- Action taken by members of the BRT
- Outcomes arising from actions taken
- An assessment of the impact to normal business operations
- Assessment of the effectiveness of the DRP and lessons learned
- Lessons learned

Mobilizing the Disaster Recovery Team Form

- Following an emergency requiring recovery of technology infrastructure assets, the disaster recovery team should be notified of the situation and placed on standby.
- The format shown below can be used for recording the activation of the DRP team once the work of the damage assessment and emergency response teams has been completed.

Description of Emergency:
Date Occurred:
Date Work of Disaster Recovery Team Completed:

Name of Team Member	Contact Details	Contacted On (Time / Date)	By Whom	Response	Start Date Required
Relevant Comments (e.g., Specific Instructions Issued)					

Mobilizing the Business Recovery Team Form

- Following an emergency requiring activation of the disaster recovery team, the business recovery team should be notified of the situation and placed on standby.
- The format shown below will be used for recording the activation of the business recovery team once the work of the disaster recovery team has been completed.

Description of Emergency:
Date Occurred:
Date Work of Business Recovery Team Completed:

Name of Team Member	Contact Details	Contacted On (Time / Date)	By Whom	Response	Start Date Required
					05/05/2015
Relevant Comments (e.g., Specific Instructions Issued)					

Monitoring Business Recovery Task Progress Form

- The progress of technology and business recovery tasks must be closely monitored during this period of time.
- Since difficulties experienced by one group could significantly affect other dependent tasks it is important to ensure that each task is adequately resourced and that the efforts required to restore normal business operations have not been underestimated.

Note: A priority sequence must be identified although, where possible, activities will be carried out simultaneously.

Recovery Tasks (*Order of Priority)*	Person(s) Responsible	Completion Date		Milestones Identified	Other Relevant Information
		Estimated	Actual		
1.					
2.					
3.					
4.					
5.					
6.					
7.					

Preparing the Business Recovery Report Form

- On completion of business recovery activities the BRT leader should prepare a report on the activities undertaken and completed.
- The report should contain information on the disruptive event, who was notified and when, action taken by members of the BRT together with outcomes arising from those actions.
- The report will also contain an assessment of the impact to normal business operations.
- The report should be distributed to senior management, as appropriate.

The contents of the report shall include:

- A description of the incident
- People notified of the emergency (including dates)
- Action taken by the business recovery team
- Outcomes arising from actions taken
- An assessment of the impact to normal business operations
- Problems identified
- Suggestions for enhancing the disaster recovery and/or business continuity plan
- Lessons learned

Communications Form

- It is very important during the disaster recovery and business recovery activities that all affected persons and organizations are kept properly informed.
- The information given to all parties must be accurate and timely.
- In particular, any estimate of the timing to return to normal working operations should be announced with care.
- It is also very important that only authorized personnel deal with media queries.

Groups of Persons or Organizations Affected by Disruption	Persons Selected To Coordinate Communications to Affected Persons / Organizations		
	Name	Position	Contact Details
Clients			
Management & Staff			
Vendors			
Media			
Partners			
Others			

Returning Recovered Business Operations to Business Unit Leadership

- Once normal business operations have been restored it will be necessary to return the responsibility for specific operations to the appropriate business unit leader.
- This process should be formalized in order to ensure that all parties understand the change in overall responsibility, and the transition to business-as-usual.
- It is likely that during the recovery process, overall responsibility may have been assigned to the business recovery process lead.
- It is assumed that business unit management will be fully involved throughout the recovery, but in order for the recovery process to be fully effective, overall responsibility during the recovery period should probably be with a business recovery process team.

Business Process/Function Recovery Completion Form

The following transition form should be completed and signed by the business recovery team leader and the responsible business unit leader, for each process recovered.

A separate form should be used for each recovered business process.

Name of Business Process	
Completion Date of Work Provided by Business Recovery Team	
Date of Transition Back to Business Unit Management *(if different than completion date)*	

I confirm that the work of the business recovery team has been completed in accordance with the disaster recovery plan for the above process, and that normal business operations have been effectively restored.

Business Recovery Team Leader Name: _____

Signature: _____

Date: _____

(Any relevant comments by the BRT leader in connection with the return of this

business process should be made here.)

I confirm that above business process is now acceptable for normal working conditions.

Name: _____

Title: _____

Signature: _____

Date: _____

Any disaster preparedness plan should have two goals. First, it should be designed to protect the people in your office, both attorneys, staff and clients, as well as your vital business records. Second, it should protect your clients and your future livelihood by providing a framework within which to replicate your office and have you back in operation, in a new location if necessary, as quickly as possible.

If you hope for the best but plan for the worst, you will be able to take a disaster in stride and continue to provide the highest level of service for your clients.

BAR ASSOCIATION
OF ERIE COUNTY

438 Main Street, Sixth Floor
Buffalo, NY 14202
(716) 852-8687
www.eriebar.org