

Rebuilding Your Practice

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	<h2>Rebuilding Your Practice Following a Disaster</h2>
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<h3>What Will We Accomplish Today</h3>
<ul style="list-style-type: none">■ Develop a Basic Understanding of Disaster Recovery■ Discuss The Challenges Your Firm Faces When it Comes To Disaster Recovery■ Learn How Disasters Impacted Other Firms■ Share Success Stories and Heartaches

<h3>Fallacies</h3>
<ul style="list-style-type: none">■ <u>No. 1</u> An emergency response plan is a recovery plan. False - An emergency response plan cannot, and will not, recover your business. A full and complete disaster recovery plan is needed■ <u>No. 2</u> Outside assistance will recover your business. Wrong - Once the pumps stop, the Red Cross serves you food, and you hold your insurance check, the recovery is all yours.

<h3>Where, oh where do I begin?</h3>
<p>GOALS*</p> <ul style="list-style-type: none">■ Recovery or resurrection of firm as it was.■ Business Continuation <p>*You will unfortunately need to work on both at the same time.</p>

<h3>Prioritize which needs to be done First</h3>
<ul style="list-style-type: none">■ 1. Critical Functions<ul style="list-style-type: none">- Examples: Temporary location and ability to communicate■ 2. Essential Functions<ul style="list-style-type: none">- Example: Computer, Photocopier■ 3. Necessary Functions<ul style="list-style-type: none">- Example: Staff■ 4. Desirable Functions<ul style="list-style-type: none">- Example: Everything you had before the storm.

<h3>Critical Functions</h3>
<ul style="list-style-type: none">■ Prepare an Inventory of:<ul style="list-style-type: none">- Equipment... Who has a computer at home, cell phones, printers, fans, PDA's- In other words what do we have to work with NOW.- Consider temporarily relocating to other space provided by Partner, Staff

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	Communication Needs
	<ul style="list-style-type: none">■ Reestablish communications by phone, in person or by written communication, when and where possible■ With Partners and Staff■ With Clients■ With Court and other attorneys and colleagues

	Communication continued
	<ul style="list-style-type: none">■ Post a large sign on damaged former property giving information as to where and how clients can reach you.■ Notify Post Office to forward mail to temporary address or to hold for pick up.■ Post new contact information on webpage.■ Advertise contact information in newspaper or radio.■ Send announcement of resumption to clients at last known address

	If you have client contact information or client files
	<ul style="list-style-type: none">■ Begin contacting colleagues and the court regarding your ability to share information they may need.■ This may include:<ul style="list-style-type: none">– Insurance companies, Realtors, Adjustors, Investigators Clerk of Court, Opposing Counsel, etc.

	To Do List
	<ul style="list-style-type: none">■ Determine Potential Impact/Damages<ul style="list-style-type: none">– Take photographs/video of damage.■ Identify Resources to Reduce Impact<ul style="list-style-type: none">– Tarps, buckets, other supplies from list■ Identify Who Is In Charge<ul style="list-style-type: none">– Prioritize and delegate... you can't do it all.■ Minimize Disruption of Services<ul style="list-style-type: none">– Establish a temporary location ASAP

	Plan Must Be Tailored and Flexible
	<ul style="list-style-type: none">■ Based on Size of Operation<ul style="list-style-type: none">– You may need to scale down temporarily.■ Types of Services Offered<ul style="list-style-type: none">– May be somewhat limited■ Location of Office(s)■ Be prepared to Meet Client's Needs<ul style="list-style-type: none">– Client will need answers to today's problems■ All Plans Will Differ

	Plan Needs to Identify/Ensure
	<ul style="list-style-type: none">■ Identify Responsibilities – Owners/Staff■ Identify Facility – Temporary Space Needs■ Identify Equipment and Supply Needs■ Identify Personnel & Vital Business Information<ul style="list-style-type: none">– A/Rs, WIP, Calendar, Payroll & Insurance■ Ensure Minimal Disruption of Services■ Ensure Timely Resumption of Operations

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Where To Start Planning	
	<ul style="list-style-type: none">■ Your Plan Should Strive to accomplish the following:<ul style="list-style-type: none">■ Minimize Disruption of Service■ Minimize Financial Loss■ Minimize Client Inconvenience■ Ease of Implementation■ Staff Involvement

Additional Key Issues To Consider	
	<ul style="list-style-type: none">■ Communication Is Key, maintain a current telephone listing in an accessible location■ Include current telephone, URL's & Cell number listings for Owners, Employees, Clients, Courts■ Inventory and Videotape/Photograph All Building/Contents■ Don't Underestimate Your Needs for \$

Supply Checklist	
	<ul style="list-style-type: none">■ A. Tarpaulins and plastic sheeting to protect materials from water, to insulate windows and to cover tables during salvage operations.B. Interlocking plastic crates to pack materials in. Cardboard cartons may be used although moisture from the materials will weaken the cardboard.C. Fans and dehumidifiers to promote drying of the materials and reconditioning of the environment.D. Pumps to remove water.E. Generators to power equipment such as emergency lights, air conditioners, fans etc.F. Wet and dry vacuum cleaners to clean up mud and debris.G. Waterproof and grounded heavy duty extension cords.H. Washing tanks or large plastic garbage containers.I. Sponges, brushes, hoses to wash materials.

Supply List continued	
	<ul style="list-style-type: none">■ J. Wheeled carts to move materials.K. Absorbent paper such as blank newsprint to absorb moisture.L. Freezer paper, wax paper to keep items from adhering to each other in a freezer.M. Cellular or satellite telephones or "walkie-talkie" radios to coordinate the disaster team.N. Portable battery operated 2-way radios.O. Petty cash, ATM's may not operate for some time.P. Emergency water and food supplies.Q. Wet weather clothing such as boots, hats, gloves etc.

Insurance Tips View insurance policies as a critical tool for business survival!!!	
	<ul style="list-style-type: none">■ Assign one person to coordinate with the firm's insurance carrier.■ Take photographs of damage■ Maintain detailed records of destroyed property (including files) thrown away.■ Maintain receipts for repairs and replacement items.

Business Interruption Insurance	
	<ul style="list-style-type: none">■ Business interruption insurance...compensates for income lost during the restoration period or the time necessary to repair the physical damage to the covered property.■ Extended business interruption insurance... provides coverage for the income lost after the property is repaired but before a pre-loss level of income is reached.■ Extra expense insurance... reimburses for money spent, over and above normal operating expenses, during any restoration period.

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Check Other Insurance	
	<ul style="list-style-type: none">■ Flood... Property insurance does not cover damage from flood waters, whether from rivers, bays, offshore water or other bodies of water. The National Flood Insurance Program provides most of the flood insurance nationwide.■ Windstorm... Type of construction, size of structure, proximity to water and location determine the cost of windstorm insurance. If coverage is not available from your private carrier, policies are provided through Citizens Property Insurance Corporation. Citizens offers wind-only policies in areas that qualify – primarily coastal areas in southeast and west central Florida.

Checklist for Getting Back to Work	
	<ul style="list-style-type: none">■ Premises<ul style="list-style-type: none">– Assign one person to maintain contact with<ul style="list-style-type: none">■ Building Management/Landlord/Owner■ Fire Department■ Police Department■ Health Department■ Building Inspector/Architect

Resuming Operations	
	<ul style="list-style-type: none">■ Assign one person to make arrangements with<ul style="list-style-type: none">– Local electric power company– Water department– Sanitation department– Post Office– Make arrangements for security of premises.

Resuming Operations continued	
	<ul style="list-style-type: none">■ As possible, coordinate contact with clients<ul style="list-style-type: none">– Assure them re your situation and attention to their pending matter(s)– Inform how to contact firm– Advise of any relocation

Resuming Operations continued	
	<ul style="list-style-type: none">■ Coordinate contacts with Courts, Agencies and Other Counsel<ul style="list-style-type: none">– Arrange continuances and extensions– Obtain copies of destroyed documents– Notify State Bar authority of resumption and alternate location

Recovery Summary	
	<ul style="list-style-type: none">■ Determine if building is safe for occupancy.<ul style="list-style-type: none">– Choose alternate location, if necessary ASAP■ Contact Insurance Companies■ Contact staff as conditions permit.■ Establish a check in point for everyone and hold a staff meeting.■ If safe and possible, begin removing water and clearing debris.■ Keep detailed records of water logged records and destroy as necessary.■ Do NOT plug in water damaged equipment.

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	Resources
	<ul style="list-style-type: none">■ Disaster Recovery Planning■ www.drplanning.org■ Federal Emergency Management Agency (FEMA)■ www.fema.gov/nfip■ Red Cross■ www.redcross.org■ Institute for Business & Home Safety■ www.ibhs.org

	Disaster Business Loans
	<ul style="list-style-type: none">■ U.S. Small Business Administration (SBA) backs loans of up to \$1.5 million for businesses in a declared disaster area that have suffered physical damage. Funds can be used for repair or replacement of real property, equipment, fixtures and inventory.

	Data Recovery Resources
	<ul style="list-style-type: none">■ Computer Conversions 1-800-DATA-911 www.computer-conversions.com■ DriverSavers for Document Recovery 800-440-1904 www.drivesavers.com■ Document Reprocessors 800-4-Drying www.documentreprocessors.com■ dtidata.com file recovery 866-438-6932 www.dtidata.com

Tax Relief:

Taxpayers eligible for the following tax relief include individuals and businesses located within a declared Presidential Disaster Area.

IRS has granted an automatic extension until 2/28/2006 to individuals and businesses for filing tax returns and making certain tax payments, such as income tax, estimated tax, gift tax and estate tax that would have been due on or after 10/23/2005. This postponement of deadlines includes the October 31 deadline for filing quarterly federal employment and excise tax returns, the December 15 due date for corporate estimated tax payments; and the January 15 due date for individual estimated tax payments.

This extension of time to file and pay until 2/28/2006 does not apply for information returns in the W-2, 1098, 1099 or 5498 series, or to payroll and excise tax deposits. However IRS will abate penalties on such deposits provided payment is made by 11/4/2005.

IRS will abate the interest and any late filing or late payment penalties that would otherwise accrue for the period that the due date for filing a tax return and paying a tax is postponed.

Affected taxpayers in a Presidential Disaster Area have the option of claiming disaster related casualty losses on their federal income tax returns for 2004 or 2005. Claiming the loss on an original or amended return for 2004 will get you an earlier refund, but waiting to claim the loss on a 2005 return could result in a greater tax savings, depending on other income factors.

Affected taxpayers who are contacted by the IRS on a collection or examination matter should explain how the disaster impacts them so that IRS can provide appropriate consideration to their case.

Financial Relief:

The following agencies provide financial assistance to help individuals and small companies recover from hurricane damage.

The Federal Emergency Management Agency (FEMA) provides eligible individuals and households, who suffered uninsured damage from the storm, federal aid that can include grants to help pay for temporary housing and home repairs as well as medical, dental, funeral, personal property, transportation moving and storage.

FEMA may cover certain expenses for insured victims, such as expenses for renting a hotel room while a home is inaccessible or uninhabitable if not covered by insurance, items that are uninsurable, such as wells, septic tanks or access to one's home. In some cases where insurance settlements are delayed more than 30 days, cash may be advanced, which victims must pay back later from their settlements.

The Small Business Administration (SBA) disaster assistance loan program offers up to \$1.5 million to businesses of all sizes and nonprofit organizations to repair damage to real estate, machinery, equipment, and inventory as well as to provide necessary working capital until normal operations resume after the disaster.

Homeowners can borrow up to \$40,000 from SBA to repair/replace damaged personal property. A maximum of \$200,000 can be borrowed to repair/replace real estate.

SBA loans are provided at low interest rates with repayment terms up to 30 years based upon the borrower's ability to repay.