



A Law Firm's Guide to Disaster Recovery

White Paper: A Law Firm’s Guide to Disaster Recovery

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FEMA reports that more than 40% of businesses are affected following a serious storm such as a large earthquake, flood or hurricane – especially in large cities. After Superstorm Sandy, many businesses found that they were not adequately prepared for continuity. Due to this lack of preparation, 31% of the businesses affected were still unable to operate even six months after the storm. Some of the businesses affected were also well-established law firms. However, Fried, Frank, Harris, Shriver and Jacobson LLP was able to continue its services immediately after the storm, thanks to the Disaster Recovery Plan it had in place.

Like Jacobson LLP,, many law firms have recognized the importance of pre-planning for an emergency situation. Even events of a smaller magnitude such as computer glitches or minor flooding can cause valuable data to be lost and the premise to be deemed inoperable. A Disaster Recovery Plan outlines the potential risks your law firm faces, what to do in case one of these risks materializes,

and how long to execute this plan. This guide will explore every aspect of Disaster Recovery for law firms to assist you in creating one that works best for you.

The Real Costs of Downtime

A Disaster Recovery Plan gives your law firm the cushion it needs to bounce back from any eventuality that could deem vital processes inoperable. These processes include data storage and retrieval, Internet and phone access, and availability for court appearances. Without a plan in place, a glitch, disaster or accident could grind these processes to a halt, resulting in:

- Missed court appearances
- Loss of hourly and daily income
- The irreversible loss of vital client and firm data

Perhaps the biggest loss of all is the loss of valuable clients. Once a client loses contact with their legal rep and they have to attend a court date without him or her, the firm will

most certainly lose the client. On top of this, they also stand grounds to be pursued legally for technically “forfeiting” an agreement and for not appearing in court – an offense that always ends in a hefty fine on top of a generous refund.

Aside from the physical punishments of not being adequately prepared, there are the financial implications. Mike Robbins of “Attorney at Law Magazine” states that just one hour of network downtime per month costs your firm \$60,000 in lost billable opportunities. This figure is the most common for law firms that have 25

timekeepers and an average billing rate of \$200 per hour – your results will differ if you have more or less. However, without a business continuity plan in place to ensure that the firm can continue running – even during the event – even the most lucrative law firm would have trouble bouncing back from these kinds of losses.



FAST FACTS

- 31% of the businesses affected by Superstorm Sandy were still unable to operate six months later.
- Just one hour of network downtime per month costs your firm \$60,000 in lost billable opportunities.

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Creating the Plan

When crafting your Disaster Recovery Plan, don’t only focus on processes that could lose your firm money or clients — you must also focus on processes that could affect your employees.

To determine the risk factors and recovery options for each item, you will first have to perform a BIA (Business Impact Analysis) and RA (Risk Assessment).

Practicing your Disaster Recovery Plan is one of the most important steps to take after creating it. Make sure everyone is familiar with the plan and that the authorized executors have a copy of it. Additional copies should be stored and easily retrieved.

A typical plan is separated into sections that detail each of the following items:



Functions and Processes:

What do you do day-in and day-out?



Authorized Executors:

Who will execute the plan when it’s time? Who will replace each member if he or she isn’t available?



Staff Contact Plan:

How will you account for your staff in the event of an emergency?



Secondary Location of Operations:

What other premises could you operate from?



Communication Continuity:

How will you continue communicating with your staff, legal offices and courts, and your clients?



Data Management:

How will you keep your data safe and how will you retrieve it?



Devolution Control:

What steps are necessary to transfer your operations to another location?

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Creating the Plan



Exploring Your Processes and Functions

In a BIA, you'll review your everyday practices and business processes and arrange them in order of priority. Once you do, look closely and determine how each of these items relates to the others. This is the most important step because you may find that if one of these items is inoperable, several of the others will be as well.

Determining Your Risks

The Risk Assessment Plan is the most common method that law firms use to assess their risks. In this stage of pre-planning, you'll look over the BIA and determine what risks would upset the operation of each item. You will identify how each risk would affect your law firm and what possible solutions you could employ to prevent or recover from them.

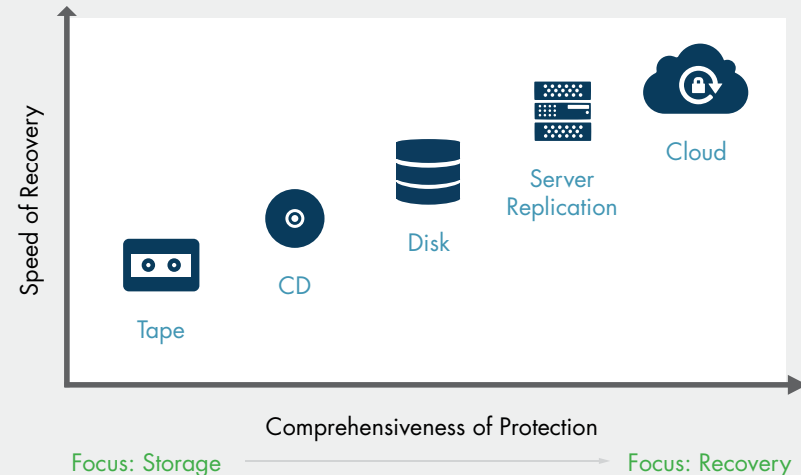
Special Information About Data Management

Law firms often overlook the importance of data protection during the Risk Assessment portion of the plan. In some cases, the hardware or servers could become so damaged that the data is virtually irretrievable. One of the best ways to prevent this is to focus on how your firm currently handles data protection. Do you perform a simple 'save' to the database? Do you backup your data onto a separate hard drive? And if so, where do you store it? Is

it safe from damage? Or is your firm using a cloud-based disaster recovery solution that ensures all your data and applications are protected and can be accessed from the cloud? These are the questions you must ask yourself before putting a check next to network processes.

Levels of Data Protection

How protected is your practice? There are many options available for ensuring your firm is not affected by a disaster. Consider the one that is aligned to your business needs.



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As a rule of thumb, law offices should have local data protection (backing up data to a local backup server or appliance) as well as the ability to send data offsite on a daily basis for added protection. In addition, law firms should look for a solution that goes beyond backup and protects not just the data being changed, but the systems and applications as well. This means that in a disaster scenario you can continue working on your case management software out of a local backup appliance or, preferably, from the cloud.

The best protection against interruption of operations for the firm is one that allows employees to keep working on the data and systems they need in case a server is down or the whole office is affected. Providing a way for the staff and partners to work remotely is the best option for business continuity.



PROTECTING CRITICAL APPLICATIONS

The software and applications used to run your practice should be protected as part of your DR plan. For example:

- Email server(s)
- Document management solution
- File server(s)
- Digital dictation software
- Case management application
- Practice management software
- Financial system
- PDF generation software
- Version comparison software
- CRM system
- Resource management application

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Disaster Coordination and Plan Execution

Unfortunately, the day will come when you'll actually need to execute your plan – here's where it gets hectic. If your staff was well-trained, everything should automatically start. However, you can't plan for the psychological toll that the disaster may have on you or your staff. After a large-scaled event, your staff members may become anxious, depressed or even suffer from post-traumatic stress. These situations require a bit of understanding and flexibility. Some staff members will need time away from work, while others will be eager to get back to normalcy as soon as possible. This is why it's important to have backup personnel in the event that this happens. Virtual assistants can provide help while these employees are away, or you may choose to let your staff work remotely for a short while.

The most important thing at this stage is to make sure every aspect of your plan goes accordingly. This means checking in on key members who are responsible for executing certain processes, making insurance claims in a timely manner, finding out when

your location will become operable again, and contacting clients by email to alert them to any changes in your operation.

Post-Event Recovery

Getting back to normal after a disaster isn't easy. It's going to take some time, patience and a lot of diligence. After the event, you may have to face a few unforeseen losses and, in some cases, you may have to relocate for good. A Disaster Recovery Plan will help you to see some of these eventualities in time enough to map out your plan of action. This will allow you to continue your operations when the event occurs while starting the necessary steps to move your office.

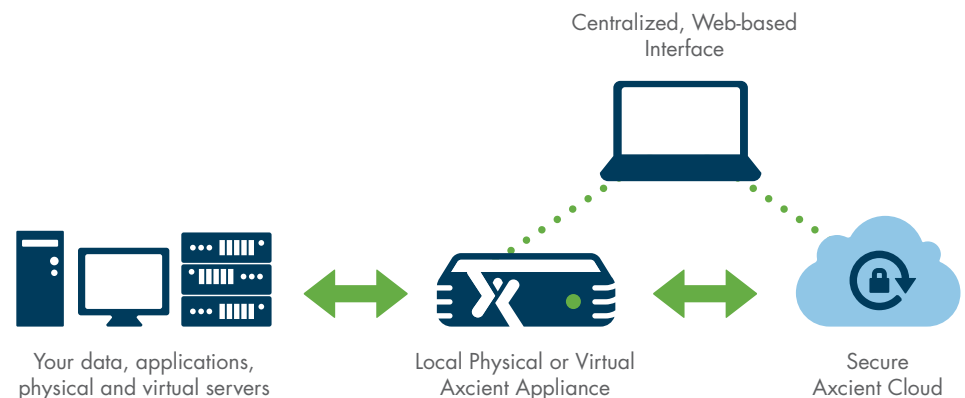
Once you're there, or back at your own premises, assess your losses, your staff and any damage your plan didn't outline – then, create a new one. After any disaster, change to your law firm or identification of a new risk, you must create a new plan to account for it. By doing this, your law firm will remain consistently protected.

AXCIENT SOLUTION SNAPSHOT

Axcient is an entirely new type of cloud platform that eliminates data loss, keeps applications up and running, and makes sure that IT infrastructures never go down. Axcient replaces legacy backup, business continuity, and disaster recovery products with a single integrated platform that mirrors an entire business in the cloud, making it simple to restore data, failover servers, and virtualize your entire office with a click.

Law offices of all sizes rely on Axcient to protect case management, practice management, discovery and other critical legal applications, and to ensure they continue working even in the event of a power outage or major disaster. By leveraging Axcient, legal practices can ensure its systems are always on so it can provide clients with the data protection they come to expect.

For more information on how to avoid practice interruption and eliminate application downtime, contact Axcient today.





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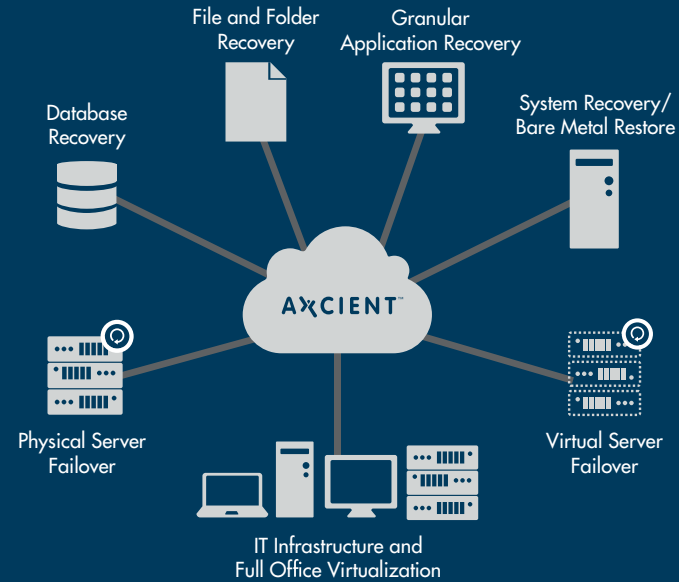


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The Axcient Solution

Axcient's Recovery-as-a-Service cloud eliminates data loss, keeps applications up and running, and makes sure that IT infrastructures never go down. Axcient replaces legacy backup, business continuity, disaster recovery and archiving products, with a single integrated platform that mirrors an entire business in the cloud, making it simple to restore data, failover applications, and virtualize servers or an entire office with a click. Thousands of businesses trust Axcient to keep their applications running and employees productive. Learn more at www.axcient.com.