Stuff Happens: Be Prepared

National Association of Bar Executives
2013 Annual Meeting
Thursday, August 8
11:30 a.m. – 12:30 p.m.

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Lessons We Learned the Hard Way

- **Redundancy** – Financial records and data should be maintained using multiple back-up systems so important information can be accessed in the event of displacement.

- **Disaster Communications Plan** – There should be a plan for contacting and informing employees, key volunteers, the courts, members, suppliers and the public during and after the disaster. This includes maintaining back-up contact information (cell phone numbers, alternate email addresses, evacuation plans, etc.) for all staff members and key volunteers. Because many traditional communications systems are compromised during disasters, web-based check-in or blog options should be considered.

- **Computer System Back-Up** – Plan for a system back up and/or transport of essential items to a secure place, if applicable.

- **Disaster Response Team** – There should be a staff disaster response team comprised of several key members. These individuals have responsibility for closing and securing the office and for initial recovery duties following the disaster.

- **Payroll** – The disaster plan should include a provision which specifies the period of time that employee salaries and benefits will be continued in the event that employees are not able to report to work. Further, there should be a contingency plan in place for making salary payments to employees (this is easily handled if payroll is made via direct deposit).

- **Web Hosting** – Web site must be protected as a prime communication resource. This means either transferring the website server (if in-house) to a remote location, ensuring that off-site location is secure and/or ensuring redundancy.

- **Insurance** – The organization should have a policy with regard to which types of insurance it maintains. Further, these policies should be reviewed periodically to ensure that sufficient coverage is in place.

- **Removal of Equipment** – There should be a policy which identifies critical equipment and specifies plans for safeguarding or transporting it prior to the onset of the disaster. This should be limited to only those items essential to business operations.

- **Recovery Plan** – Develop a recovery plan that includes steps for re-staffing the original business location and resuming business functions.

- **Communication with Courts** – The bar and courts should share their disaster response plans. A component of the plans should be provisions for communicating with one another in the event of a disaster. Contact information for key personnel should be shared.

- **Initiative** – Take initiative by identifying problems and offering solutions. With a widespread disaster (such as Katrina), every entity was overwhelmed with its recovery efforts. Sharing information assists all entities in addressing issues both timely and effectively.
LSBA IT Disaster Response Plan

Background

The LSBA technology landscape consists of local services and remote services designed to mitigate the loss of vital services associated with natural disasters like Hurricane Katrina, as well as, protecting systems and data regardless of location. The design strategy includes servers located at the Bar Center, servers located at a secure hosting facility in Dallas, and third party vendors and software with specific functionality. All servers utilize RAID technologies that protect against catastrophic disk failure.

Services

Email – The new Email system is now a “Cloud” based email system hosted by InterMedia. As part of the service, InterMedia provides regular backups. InterMedia also replicates Exchange 2010 data in real time from one set of premium hardware to another. This protects the critical information within Exchange, even in the event of hardware failure or database corruption. It also enables InterMedia to rapidly restore the full functionality of your Exchange environment should an issue occur.

The hosting facilities consist of five premium datacenters (four US-based, one UK-based) and is closely monitored and guarded 24 X 7 X 365 with sophisticated pan/tilt closed-circuit TVs. Secure access is strictly enforced using the very latest technology, including electronic man-trap devices between lobby and datacenter, motion sensors, and controlled ID key-cards. Security guards are stationed at every entrance to the site.

Files – The LSBA main file server is located at the Bar Center. This server is backed up daily and all files are replicated in real time to the Dallas Data Center. In the event of a catastrophic server failure, staff will be pointed at the replicated server until the failure is resolved.

Web – The LSBA web site resides in the Dallas Data Center along with the database server that runs our membership software. Both servers are real-time replicated back to the Bar Center, as well as, imaged daily. The database itself is also pushed to Core Vault, our third party “Cloud” backup provider. In the event of a catastrophic server failure of either server, both will be “failed over” to the replicated servers at the Bar Center.

Microsoft Dynamics – This is our accounting package and is located in the Dallas Data Center. This server is backed up and imaged daily and database itself is also pushed to Core Vault. A copy on the image is stored at the Bar Center to facilitate recovery.

PBX Phone System – Our phone system consists of a Nortel PBX that resides at the Bar Center; our service provider is Windstream. Calls are routed to and from the Bar Center over a 1.5 Megabyte VoIP (Voice over Internet Protocol) line through the PBX to the phones. The PBX is remotely monitored 7/24 by Continuant, our maintenance provider. In the event of a catastrophic PBX failure, we can re-route incoming phones to cell phones using the Windstream portal.
Support – Our entire server farm is equipped with Dell servers contracted with four-hour “Pro Support”. Our Cisco firewalls are under four-hour support with the manufacturer. Our “Core Network Switches” are located at the Bar Center and the Dallas Data Center. We have pre-configured spare Switches at each site.

Natural Disaster – Hurricane Evacuation

This type of event typically has a warning period of 36-72 hours with a much longer watch period.

When a watch is issued we will take the following steps:
- IT staff will make reservations at a hotel in Chattanooga TN.
- Review and update the staff cell phone list.
- Review the internal phone extensions and the Windstream Portal passwords.
- Disseminate the updated cell phone list to staff.
- Review Instructions with staff on call forwarding.
- Determine staff member responsible for offsite switchboard.

When a warning is issued we will take the following steps:
- We will shut down access the local file server at the Bar Center.
- We will throttle up the replication bandwidth to upload all file changes to the Dallas data center.
- Power off all PCs.
- Staff will evacuate to locations of their choice. Critical staff have will leave with laptops.
- IT Staff will relocate to the DR site.
- Assigned staff will activate call forwarding to a land or cell line at their location.

When landfall appears inevitable we will take the following steps:
- IT staff will access all Bar Center and remotely power all servers except the domain controller and PBX.
- IT will monitor the state of the infrastructure by monitoring the domain controller.
- Staff will have internet access to email, files, and the web site over any available broadband connection.

When the storm has abated we will take the following steps:
- IT will determine the state of power and connectivity to the Bar Center.
- Assigned staff will determine the viability of returning to the Bar Center.
- IT will remotely “power up” all server equipment.
- Assigned staff will determine the condition of the computer equipment.
- IT will order replacement equipment as required.
- IT staff will return to the Bar Center.
- IT will install replacement equipment.
Disaster – Bar Center Disabled

This type of event will happen without warning and this process will be a reaction to the event. The assumption is that the disability could be as small as isolated to the server room to as large the entire building.

If this type of event happens we will take the following steps:
- IT will determine the damage to IT systems.
- Assigned staff will determine the viability of returning to the Bar Center.
- IT will alert vendors of the systems status.

The status of the building/Equipment will dictate the appropriate response, but any event that disables the communications infrastructure will be critical. This infrastructure is located in the 1st floor phone room, 2nd floor phone room, and the 2nd floor data room. This equipment is owned by ATT and replacement must be addressed by them. If this type of event happens the assumption is that the event is major (fire, flood etc.). The loss of this infrastructure will leave the Bar Center without phones, internet or data access.

If this type of event happens we will take the following steps:
- IT will work with the infrastructure vendors to facilitate repairs.
- IT will order replacement LSBA equipment as required.
- As directed, department heads will communicate status to staff.
- Main phone number and staff extensions to be forwarded via Windstream Portal.
- The LSBA webmaster will maintain the WEB site from a remote location.
- Critical staff will work from a remote location via VPN.
- IT will open staff access to the replicated fileserver in Dallas.
- Email access will be available via remote access to the hosted Email System.
- Clear Vantage will be available via VPN in Dallas.
- Return to the Bar Center when repairs are completed.

Disaster – Dallas Data Center Disabled

This type of event will happen without warning and this process will be a reaction to the event. The assumption is that the disability could be as small as isolated to the server room to as large the entire building.

If this type of event happens we will take the following steps:
- IT will determine the damage to IT systems.
- The LSBA Web and database failover servers will be activated.
- IT will turn up a Virtual Microsoft Dynamics server and attach the last database from backup.
- IT will order replacement LSBA equipment as required.
- If applicable, IT will investigate a suitable replacement site based on our pre-qualified vendor list.
- If applicable, IT will build out a replacement site.
- IT will replicate the new site with current data.
- The new site will be activated.
KEY FACTS

Hurricane Katrina made landfall in Louisiana on August 29 as a Category 3 hurricane with sustained winds of 125 miles per hour, with hurricane-force winds extending 120 miles outward.

Katrina caused 53 different levee breaches in Greater New Orleans, submerging 80 percent of the city.

Because New Orleans is below sea level and is basically a bowl, in many areas it was weeks before floodwaters receded.

The Louisiana Bar Center sustained minimal damage from Hurricane Katrina (roof damage and some windows blown out) and no flooding. However, with no services and no potable water, we were unable to resume operations in our building until two months after the storm.

Of our 32 employees, many lived in areas which were completely devastated by floodwaters.

THE GOOD

Within a week after Katrina hit, the LSBA established a temporary office 150 miles west of New Orleans and operated from that office until late October 2005.

- Nine employees reported to the temporary site within the first week.
- Two others were working remotely almost immediately.
- We assisted employees in finding temporary housing and paid mileage for them to travel back and forth to New Orleans when necessary.

All employees were fully compensated through the end of September, whether or not they had reported to work.

After we returned to New Orleans and staff members were living in New Orleans and surrounding areas, many of which were barely functioning, we began to see the human toll the storm had taken on our employees:

- Many were living in FEMA trailers or other makeshift housing;
- Others were living with extended family members, because those whose homes were undamaged housed as many extra people as possible;
- Traffic was horrific for months, as most people were living west of the city because so much of what was east of the city was uninhabitable;
• There was limited access to groceries, gas and other necessities in some parts of the city.

To assist employees we brought in counselors and mental health professionals.
• We sometimes came together as a staff simply to allow staff members to share what they were going through.
• We held our first ever staff retreat in early 2006, and this has become an annual event designed to address wellness and quality of life issues for staff members.

In cooperation with the Louisiana Bar Foundation and the Baton Rouge Bar Foundation, we established a Disaster Relief Fund to assist attorneys and the legal system.
• Ultimately received $1.2 million in donations from
  o Individuals - $59,908
  o Law Firms - $90,279
  o Bar Associations - $255,536
  o Bar Foundations - $449,154
  o Other Foundations - $289,775
  o Corporations - $10,000
  o Miscellaneous - $20,684

LSBA and LBF distributed these funds as follows:
• Cash grants to Attorneys - $437,500
• Business Centers for Attorneys - $40,000
• Legal Assistance Call Center - $270,694
• Infrastructure Recovery and Rebuilding
  o NLADA Study on Indigent Defense - $35,000
  o Orleans Indigent Defender Program - $85,000
  o Indigent Defense Attorneys - $70,000

Several large firms from across the country donated furniture and its transport to New Orleans.
• LSBA secured donated warehouse space and set up a system to distribute the furniture to attorneys and the local LSCs.

Worked with the Governor, the Legislature and/or the Louisiana Supreme Court to:
• Suspend prescription, peremption and other legal deadlines
• Ensure adoption of Emergency Pro Bono Civil Legal Assistance Rule
• Ensure adoption of Emergency Pro Bono Criminal Legal Assistance Rule
• Suspend MCLE requirements for calendar year 2005

Our website became THE source for information on the legal system in Louisiana, as most other sites were not operational in the aftermath of Katrina.
Lawyers, bar associations and bar foundations could not have been better to us. They provided staff support, financial assistance, office space, housing, furniture and equipment.

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**THE BAD**

The Association had no real disaster plan when Katrina hit. We literally made it up as we went along.

Many employees likewise were ill-prepared, evacuating with only a few necessities because they thought they would return home in a few days as they had in the past (New Orleanians are unfortunately used to evacuating for hurricanes and had become complacent about it).

At the beginning of October, we made the difficult decision to reduce staff because it was clear our operations would be limited and our income would be severely impacted. We laid off 12 staff members, which represented a 38 percent workforce reduction.

9,000 lawyers (more than 50% of our in-state members) had offices in areas most significantly impacted by storms.
- Many lost files in floodwaters.

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**THE UGLY**

At the end of FY 2005/2006, income was down almost $1 million due to the loss of non-dues revenue.

Local bar associations outside of the New Orleans area were negatively impacted by the suspension of MCLE requirements and were unhappy with the LSBA’s decision to ask the Supreme Court for the suspension.