

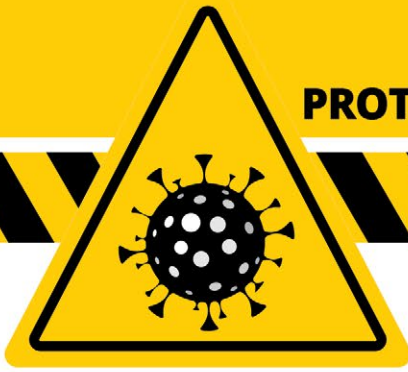
# PROTECT YOUR FIRM

During These Extraordinary Times

## Is your firm at risk for a future legal malpractice claim?



- Use this time to review the firm’s practices and procedures. Check that the firm has the appropriate policies in place regarding intake procedures, pleading templates and conflict checking systems.
- Maintaining thorough documentation regarding instructions received from clients and work performed on a file may help in defending a potential legal malpractice claim in the future.
- If you are considering expanding your area of practice, register for CLE courses to educate yourself with the laws and procedures in that field. There are a lot of discounted or free CLE programs right now, so take advantage!

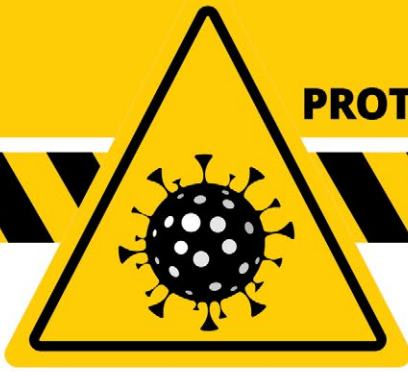


## Is your firm protected against cyber-attacks while operating in remote environments?

Coronavirus-related phishing and malware attacks have been on the rise.

Hackers are expected to take advantage of vulnerable remote connections from employee home networks to their corporate networks.

- Consider deploying external message flagging, so that users are alerted that a message is from an external source.
- Do not click on suspicious attachments or links.
- Consider utilizing multi-factor authentication which, as well as a user name and a password, requires additional information to access the email account.
- Look into providing employees access to a virtual private network (VPN) so they can establish a secure connection to Wi-Fi from home.
- Find more security tips in the [latest edition of AttPro Ally](#)

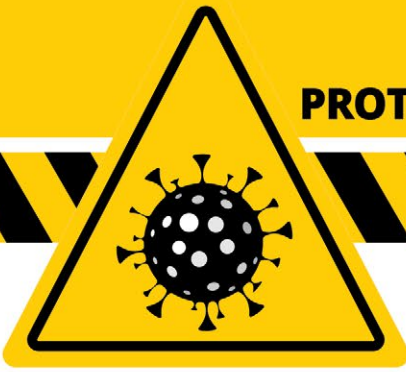


## Is your firm considering the security and confidentiality of client data while working remotely?

An attorney working from home is under the same obligations to maintain client confidentiality as when working within a traditional physical office.

Attorneys working remotely are obligated to protect computer systems and physical files, and to ensure client conversations and communications remain protected.

- Conduct communications, including telephone calls, text messages, email, and video conferencing in a manner that minimizes the risk of inadvertent disclosure of confidential information.
- Employees' remote workspaces should be designed to prevent the disclosure of confidential information in both paper and electronic form.
- Consider the use of encryption to assure that information sent by electronic mail is protected from unauthorized disclosure.
- A written work-from-home protocol specifying how to safeguard confidential business and personal information can be beneficial.
- For more guidance on ethically providing legal services from a home office see [PBA Formal Opinion](#).



## Are your firm's calendaring and scheduling processes up-to-date in light of COVID-19?

Missing court appearances and overlooking filing deadlines can happen to otherwise diligent lawyers, even in the best of times.

During a pandemic, when court restrictions are implemented and routines get interrupted, there may be an increased risk of calendaring issues.

- Review with clients whether, in light of COVID-19, it is in their interest to defer decisions or activity.
- Confirm whether pending matters fall within the confines of any court continuances.
- If transitioning from an e-calendar on your work device to a home device, check for gaps in data and print a hard copy of the calendar as well.
- If working from home, it is important that you have secure access to any data or information you may need to meet any e-filing deadlines.
- For more information visit [AttPro's COVID-19 risk management resource page](#)



## Does your firm have a written Business Continuity Plan (BCM) in place?

Lawyers have an ethical duty to safeguard their clients' interests in the event of incapacity or an unexpected event like COVID-19.

Only 41% of lawyers (21% of solo practitioners) say their law firms have BCM plan.

Without a plan in place, unexpected events can make it difficult for a firm to preserve client relationships.

- Firms should create a BCP designed to respond to any type of disaster, from a hard drive failure to a sudden illness.
- Determine when the plan should be put into action, identify key players, and what to do if those essential personnel aren't available.
- Utilize guides such as the ABA's GUIDE TO DEVELOPING AND CONDUCTING BUSINESS CONTINUITY EXERCISES to help your firm establish an effective plan.