

When Disaster Strikes!!!

Will you and your computer systems be ready?

By Jeremy Cherny, President, Tobin Solutions Inc.

How do you define a disaster? This is not a rhetorical question. Your answer to the question dictates your organization's approach to disaster prevention and recovery (DPR). Your answer is important because DPR is not a matter of technology. It is a matter of policy. The policy is driven by risk tolerance and cost-benefit analysis.

In all but the rarest of cases, technology exists to support an organization's DPR policy. The technology itself is essentially a non-issue. In nearly every instance, the cost of technology versus the benefits gained becomes the horse that pulls the cart. The cart, in this case, is the risk tolerance of the decision makers and thus the policy on DPR.

Many decision makers say, with simultaneous desperation and mandate in their voice, things such as "We're dead without the Internet," or "If the server goes down, we're out of business," or "If the network or email is down, I might as well send everyone home." But once the people in charge hear about the true dollar cost of achieving such lofty goals, reality sets in as cost-benefit analysis takes over and greater risk is tolerated.

The Risks

What risks should be considered and what are the associated potential costs? Keep in mind that the right (or should I say wrong) disaster could adversely impact you in multiple ways. What can you tolerate? Be realistic. Recognize that your estimates for the potential cost of disaster will be used to justify and weigh the cost of technology used to minimize the impact of a disaster or prevent it from occurring in the first place. The most common risks associated with business and information technology are:

- Downtime – Lost productivity and an idle workforce. What if you are down for a day or two or three? What if you are down

for a week or two or three?

- Data loss – Irretrievable data and information that must, if even possible, be re-entered in the system. What if you lose the entire day's data? What if you lost a week or month or year of data?
- Legal liability – The inability to fulfill a contract or violation of a legal statute that might bring penalties or civil or criminal actions. Do you have contracts that state penalties for missing deadlines? Do you have a fiduciary responsibility to your client?
- Reputation – Losing face with customers and people in your organization. What is the cost of embarrassment or of actually losing a customer?
- Recovery cost – If unprepared, recovering from a disaster can be very expensive. What does it cost you to re-enter a month's worth of data? How much does your information technology consultant charge per hour and how many hours will it take for full recovery?

The Disasters

What should you worry about? What events can lead to a disaster as you've defined it? This will vary depending on the configuration and management of your information technology systems and your physical environment. Some of the most

common causes are:

- Hardware – A faulty hard drive, blown power supply or burnt out motherboard is a common occurrence.
- Software – All software has bugs. Some are more serious than others.
- Power – All computers need lots and lots of good and clean power.
- Acts of God and Man – Fire, flood, hurricanes, tornados, earthquakes, lightning and terrorist attacks are some examples..
- End-users – Who accidentally deleted all of the accounting data?
- System administrator – Sys admins have complete control over all of computers. Are best practices followed?
- Security – Accidental or intentional attacks from outside or within. Hackers, crackers, virus writers, and disgruntled employees are working overtime to wreak havoc on your systems.
- Neglect – Do you provide all the care and feeding your computers need?
- Disaster prevention and recovery policy – The very act of having an inadequate policy may lead to disaster.

Prevention and Recovery Planning

Many common disasters are easily prevented or minimized. Certainly, inexpensive and common technologies such as redundant hard drive storage systems, uninterruptible power (via battery), magnetic tape backup (with off-site storage of tapes), and anti-virus software are within the budgetary reach of

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State Bar Relations

by Lori Kannenberg, Lawton & Cates, S.C.
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The Wisconsin Association of Legal Administrators is continuing efforts to maintain the strong relationship we have with the State Bar of Wisconsin.

Law Office Management Assistance Program (LOMAP)

The LOMAP Committee met on October 25, 2004. The committee discussed how to best inform State Bar members of the LOMAP program. A coordinator will be hired in January 2005. Members reviewed job description and credentials essential to the position. They agreed that a person with experience in legal management would be the best candidate for the job. Measures to continually grow the LOMAP program will be put in place. Alliances with other entities such as ALA, professional liability insurance carriers, library services, law schools and in-house CLE Books will be developed to enhance the benefits of the LOMAP program. The committee will meet again in December for goal planning.



Member Relations Committee

The Member Relations Committee met on October 1, 2004. Several new benefit programs were reviewed, including various technology resources and discount office supplies. The CoreComm Residential Voice Service and enhanced dial-up internet became available in June. A DSL service is being tested now as a possible addition to that program. An entire list of the member benefits are advertised to members in the *Wisconsin Lawyer Directory*, on the WISBAR website, and on an insert enclosed with the annual dues statement. The committee is exploring new ways to market the benefit programs.

The Legal Career Center Career Development Conference, held August 17 in Milwaukee, was a success. The

conference was promoted by the State Bar and sponsored by Legal Staff, the State Bar endorsed online career center. Five hundred people registered for the event.

Career counseling was requested by participants at future conferences. This event will take place annually.

The Member Relations committee will meet again on March 11, 2005.

State Bar of Wisconsin 2005 Annual Convention

The 2005 Annual Bench and Bar Conference will be held May 4-6 at the Midwest Airlines Center in Milwaukee. A *Building for Success* program will be held in conjunction with the Conference at the Hilton on Wednesday, May 6. This program is intended to provide business skills training, and practice management skill development, for attorneys.

Client/Staff Education

Cecelia Vanderlip is working with Liza Gillespie at the State Bar to coordinate the Time Mastery for Assistants seminar, scheduled for May 26, 2005. Frank Sanitate, the presenter, regularly conducts time management seminars to lawyers across the nation. He is an author of several books, including, *"Don't Go To Work, Unless It's Fun."* The seminar will take place in Milwaukee, and will be videotaped for viewing at other locations around the State.

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nearly all organizations. But is this really enough for you?

Since all of this begins and ends with policy, key decision makers must get together with their system administrators and any outside information technology consultants to form the disaster prevention and recovery team. The DPR team is responsible for identifying the vulnerabilities and overall risk tolerance policy. The team is also in charge of reviewing and budgeting for the technology and manpower that supports the policy. Finally, the team is in charge of preparing a recovery plan in support of the policy. The motto of the DPR team is "Always be prepared." The DPR plan is extremely important and it's something that should be reviewed periodically and tested to ensure that it actually works. Another aspect of many DPR plans is the idea of business continuation. Business continuation planning covers how you'll keep your business running during the period between the disaster and the recovery.

With a sound, workable plan that supports your policies, you should find your self prepared for disaster..