

dbr DAILY BUSINESS REVIEW

NOT FOR REPRINT

[Click to print](#) or Select 'Print' in your browser menu to print this document.

Page printed from: <https://www.law.com/dailybusinessreview/2020/05/18/practical-suggestions-for-reopening-small-midsize-firms-in-covid-19-era/>

Practical Suggestions for Reopening Small, Midsize Firms in COVID-19 Era

As South Florida slowly begins to reopen, law firms should remember that this does not mean they may go back to business as usual. Not only were law firms not included in Phase One of Florida's reopening plan, but reopening will require businesses to adhere to enhanced safety protocols.

By **Karina Rodrigues and Harlan Wald** | May 18, 2020



Karina Rodrigues, Trial attorney, and Harlan Wald, Attorney, Kelley | Uustal, Fort Lauderdale

The coronavirus outbreak hit Florida's three most populous counties—Miami-Dade, Broward and Palm Beach—substantially worse than the rest of the state. While these counties hold approximately 30% of the state's population, over half of the confirmed coronavirus cases were here. Thus, it came as no surprise that South Florida was excluded from Phase One of Gov. Ron DeSantis' reopening plan issued on April 29.

As South Florida slowly begins to reopen, law firms should remember that this does not mean they may go back to business as usual. Not only were law firms not included in Phase One of Florida's reopening plan, but reopening will require businesses to adhere to enhanced safety protocols. After all, the goal of the plan is to

promote business operation and economic recovery while maintaining focus on core safety principles.

Currently, midsize law firms may remain open for the limited purposes of facilitating remote operation and performing tasks necessary to accomplish legally mandated activities. Access to courthouses also remains limited. On May 4, the Florida Supreme Court issued a new administrative order that suspended jury trials through July 2 and extended the limits on in-person hearings until May 29.

If the sequence of events leading to stay-at-home orders taught us anything, it is likely that midsize law firms will be able to reopen sooner than larger offices. As such, boutique and midsize firms should start preparing now for reopening. This will require thoughtful consideration of how and when they should further open their physical offices once more restrictions are lifted.

Compared to other industries, law firms are in a decent position to operate either fully or partially remotely. However, a physical office is helpful when it comes to things like mailing, printing, collaborative projects, and client meetings. The challenge then becomes establishing a workable plan that does not needlessly expose employees and clients.

There is no one-size-fits-all solution when it comes to reopening law firms. Offices will have to be flexible and adapt quickly as circumstances change. Regardless, the suggestions below may prove helpful as law firms develop their individualized enhanced safety protocols.

- **Social distancing protocols:**

- Limit office access by alternating days or weeks employees work from the office.
- Require that social distancing rules be followed within the office.
- Remove and space out seating in lunch and conference rooms.
- If in-person meetings are necessary, see clients and witnesses by appointment only, and:
 - Remove all unnecessary, frequently touched items like magazines, fliers and other unnecessary paper products and décor from visitor areas;
 - Allow time between appointments for proper disinfecting practices;
 - Require employees and visitors to wear masks for use during appointments;
 - Avoid hand-shaking and sitting too close.
- Ensure in-person interactions with high-risk individuals (attorneys, staff, clients or witnesses) only take place when absolutely necessary.
- Require the use of masks during face-to-face interactions and while walking around the office.

- **Good hygiene protocols:**

- Leave doors propped open
- Disinfect surfaces daily
- Promote frequent hand washing for all employees
- Provide hand sanitizers at workstations and shared spaces
- Provide masks for employees

- **Health protocols:**

- Check temperatures daily
- Prohibit employees with any symptoms from going to the office
- Have high-risk employees continue to work from home, including:
 - Those who are part of the high-risk population or care for such individuals
 - Those who reside with essential workers who are frequently exposed to others
 - Those who must take public transportation to go to work
- Limit travel and in-person depositions or hearings
- Have employees who travel quarantine and work remotely for 14 days

Special accommodations must also be made for high-risk individuals. The vast majority of people infected with COVID-19 recover without significant problems. However, high-risk individuals have a substantial risk of developing serious problems, including severe long-term systemic disease and death. High-risk individuals include people over the age of 65, as well as younger people with obesity, diabetes, hypertension, pulmonary disease, renal disease or compromised immune systems.

Until a safe and effective vaccine for COVID-19 is developed and deployed, or a readily available effective treatment or cure becomes available, high-risk individuals must continue to avoid nonessential social contacts. Therefore, unless absolutely necessary, attorneys, staff, clients and witnesses who are high risk should continue to rely on technology instead of in-person interactions. Programs and technology must be implemented so that those at high risk can function and be served within the legal system without unnecessary risk to their lives and health.

Law firms should also remember to maintain an open communication with their employees. Failure to provide staff with periodic updates can quickly lead to confusion, concern and dissatisfaction. Moreover, staff members may help offer creative solutions for individual firms.

Law firms should take this opportunity to remain vigilant and continue fine-tuning their enhanced safety protocols. This is especially true for firms that operate in South Florida, the epicenter of Florida's coronavirus outbreak.

Karina Rodrigues and **Harlan Wald** are attorneys with Kelley | Uustal in Fort Lauderdale. Rodrigues litigates negligence, products liability, medical malpractice, construction defects and wrongful death cases. Contact her at kdr@kulaw.com. Wald is a retired physician, and his practice areas include medical malpractice, catastrophic personal injury, and wrongful death. Contact him at hiw@kulaw.com.

Copyright 2020. ALM Media Properties, LLC. All rights reserved.