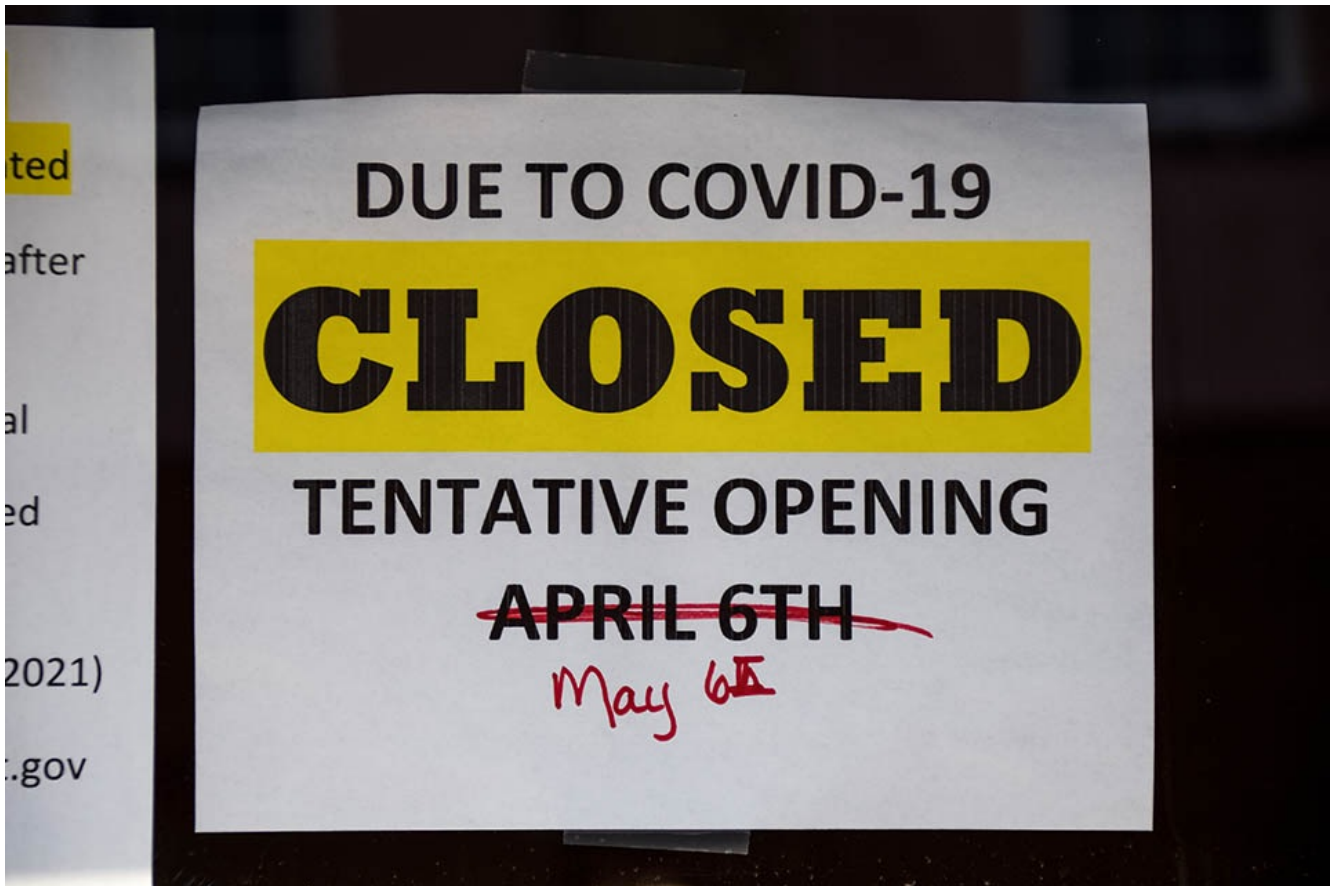


New York State Bar Releases Law Firm Reopening Plan



Testing employees, installing signage on social distancing, one-way traffic in the hallways, installing barriers for receptionists, and attendance sheets to monitor contact—this is just part of what going back to law firms would look like, according to the New York State Bar Association’s model [reopening plan](#).

The New York State Bar Association issued the guidance on Wednesday on how law firms can safely reopen their offices once the state relaxes the shutdown measures in place to limit the risk of coronavirus infection.

Law firms are advised not to rush to reopen, particularly in the country’s most populous city, which is a major Biglaw hub and coronavirus epicenter.

The bar group’s “[model reopening plan](#)” encourages New York law firms to stay on the side of caution when reopening their offices. Employees who can effectively work from home should do so until the threat of the coronavirus has completely receded, the State Bar Association said in the new guidance.

Once law firm employees are allowed to return to the office, they should only do so “as necessary,” and otherwise stay home, [the New York Bar’s working group recommends](#).

The New York State Bar Association formed the “Restarting the Economy Working Group” to recommend how to bring lawyers and staff back to the offices quickly and safely.

The eight-member group includes David M. Schrader, of counsel at Nixon Peabody and past president of NYSBA, and Martin I. Kaminsky, Greenberg Traurig’s chief legal officer and general counsel.

The bar [group’s guidance](#), which is likely to be revised as facts on the ground change, aims to assist law firms with the reopening process so the legal workforce can get back to the office as quickly as possible.

“This is driven first and foremost, and in every way, by public health considerations,” said [NYSBA President Hank Greenberg](#), an Albany, New York-based shareholder with Greenberg Traurig. “Lawyers are not public health experts, nobody should guess their way through this process. They should be looking at the best available information,” he added.

According to the guidance, once law firms reopen, they should emphasize social distancing—meaning they need to forbid in-person meetings in the office among attorneys and support staff “for at least a specified time,” the guidance said.

The guidance recommends law firms form an office reopening transition team, which would supervise the reopening plan and implementation. The reopening transition team should also develop a plan for testing employees for the virus and implement “strict rules” regarding sick or at-risk personnel staff.

The group’s recommendations for preparing the workplace include installing barriers for receptionists or other employees at high foot-traffic locations, developing one-way foot traffic patterns if the area allows for it, staggering workstations and occupied offices to increase the distance between people, developing cleaning and sanitizing protocol in line with public health guidelines, and installing signs to remind staff of proper social distancing and hygiene measures.

The bar’s guidance also recommends firms coordinate with landlords and other tenants on procedures in common areas and elevators.

The working group also recommends that firms:

- Encourage the use of technology for remote mediation, hearings, arguments, and depositions;
- Urge employees to wear masks—both while at work and when traveling to and from the office;
- Discourage the use of mass transit; and

- Decide which workers will return to the office and encourage those who can continue to work effectively remotely to do so until the government announces that the threat has sufficiently passed

Finally, the bar group's guidance discourages travel by mass transit in the absence of enforced social distancing and the use of personal protective equipment. If mass transit is unavoidable, the guidance says, educate employees on best practices for minimizing risk.

Before firms ask their employees to return to the office, "they'll need to consider to what degree [they] will allow attorneys/employees to continue to work at home, even if the firm opens up," Segal said via email. Letting each partner make those decisions for groups within a firm "creates legal and cultural risks," said Jonathan Segal, a [partner](#) with Duane Morris's employment, labor, benefits, and immigration practice group.

"Law firms around the state are thinking about planning for reopening," Greenberg said. "Large law firms have task forces and committees and general counsel of firms that are working in real-time on reopening," including getting supplies of personal protective equipment.

In most regions of the state, it's still unclear when law offices will be able to reopen. According to NY Gov. Andrew Cuomo's economic reopening plan, law firms are in Phase **II**, with Phase I scheduled to start on May 15, in three regions of the state (Southern Tier, the Finger Lakes, and Mohawk Valley regions). There will be two-week pauses between each phase, to monitor any unwanted resurgence of the virus.

New York City is the epicenter of the COVID-19 outbreak in the United States, and will stay closed at least until June, state leaders said Monday.

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