

MARYLAND STATE BAR ASSOCIATION

Reopening Business Considerations for the Legal Community



Introduction

In March, the COVID-19 pandemic forced many Maryland businesses, including law firms, to move from an office setting to largely remote work. During this time, the MSBA provided and continues to provide resources and information through dozens of [webinars](#), articles in our eWeekly newsletters, Bar Bulletin and Bar Journal, and numerous other resources on our comprehensive web page at msba.org/Covid-19. As the Maryland economy begins its phased reopening, attorneys, law firms, corporate employers, the judiciary, and governmental entities are preparing their offices for a return of attorneys, staff, clients, vendors, and members of the public. The purpose of this guide is to provide the legal community with a list of considerations and resources for developing an integrated reopening plan, and to provide useful tips and checklists as the world seeks to return to what will clearly be a “new normal.”

Operating conditions have varied among organizations during the early months of the COVID-19 pandemic. Many solo and small firm practitioners with few employees, for example, have been going into their offices all along, as they found it easier to maintain appropriately safe distances from others. At the other extreme, many larger firms completely shuttered their offices, requiring all but a few employees to work remotely and avoid interpersonal contact altogether. Therefore, reopening plans will necessarily vary from entity to entity and office to office. Although there is no “one size fits all” plan for resuming more normal levels of operation, there are some considerations common to all to help ensure a safe return, consistent with federal, state, and local orders and directives, all of which must be tailored to fit individual circumstances.

This advisory focuses on the specific rules for offices seeking to reopen and should be applied in the context of other applicable local, state, and federal laws and guidance, such as the U.S. Occupational Safety and Health Administration (OSHA) and the Centers for Disease Control (CDC).

The MSBA is focused on assisting its members during these difficult times, we hope you’re able to use this resource, in conjunction with others, including some referenced, as you transition back. We wish you the best as you endeavor to move forward safely and successfully.

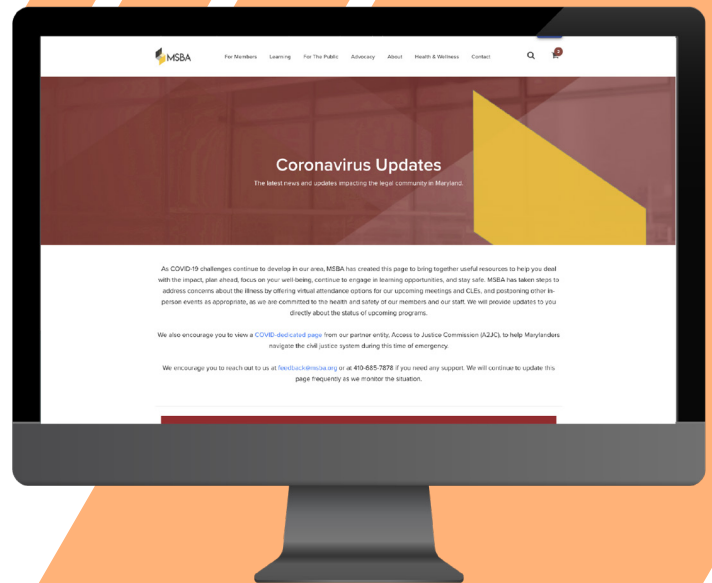


Table of Contents

4	Before Reopening
6	Building & Office Protocols
9	Employee Occupied Offices & Spaces
11	Employee Policies
14	Client Meetings & Visitors
17	Navigating Changing Space Needs
19	Insurance & Liability
21	Employee Questions & Concerns Upon Returning to Work
23	Contact Tracing
25	Resources and Tools for Reopening
27	Resources for Practitioners
30	APPENDIX I - COVID-19 Screening Questionnaire
31	APPENDIX II - Sample Questions for an Employee Survey to Determine Areas of Concern
32	APPENDIX III - Sample Communication for Employees Returning to Work
33	APPENDIX IV - Sample In-Person Guidelines
33	Sample Language for In-Person Client Meeting Policy / Guidelines
33	Sample In-Person Meeting Guidelines
34	Sample In-Person Meeting Protocols/Checklist:
35	APPENDIX V - Downloadable & Printable Resources
35	APPENDIX VI - COVID-19 Webinars



Overview



Overview

Returning to the workplace will require employers and employees to adjust to a new way of office life. New protocols and guidelines should be adopted to protect the health and safety of the community. Key considerations include the following:

- **Leadership:** Consider creating a “new operating model” or “Transition Back” committee to plan and manage the reopening with representatives from human resources, technology, marketing, administration and other key areas. For smaller organizations, think through these components and engage online resources provided by the MSBA and the links to resources within this guide.
- **Key Roles:** Key roles should be identified and those roles should be communicated to all employees.
- **Review & Revisit Policies:** Prior to, or in the early stages of, reopening is an optimal time to implement new policies related to telecommuting, attendance, social distancing, and traveling.
- **Ongoing Remote Work:** Employees with duties conducive to remote work should continue to work remotely, either full-time or several days per week. Focus on bringing back employees whose physical presence in the workplace is necessary while allowing others to continue to work remotely.
- **Limit Capacity:** Firms should explore various ways to limit the number of employees onsite at any given time while still allowing the business to function. In addition to remote work, consider shift rotations or staggered schedules to help reduce the number of employees onsite at any given time.
- **Consider the Physical Work Environment:** Reopening plans will vary by employer and by the type of facility. A firm located in a large office building that relies on shared elevator usage will likely have a different approach than a firm within a flat campus. Additionally, consider factors such as the number and proximity of shared work and break spaces, the ability of restroom facilities to accommodate social distancing, and the number of shared equipment, doors, and other high-touch points.
- **Make Employees Feel Safe:** Many employees may have reservations about returning to work due to the increased risk of virus transmission. It will be important to keep employees informed of all mitigation efforts in place to limit the spread of the virus.
- **Plan for Refusals:** Employees with strong reservations about returning to work may refuse to return when asked. Firms should identify the reason for the employee’s objection and consider whether the employee’s refusal is a protected action under OSHA, the National Labor Relations Act, the Americans with Disabilities Act, or any other relevant state and local law. Companies should also work with the employee and identify any alternatives or compromises, such as permitting the employee to use paid or unpaid leave instead of returning.

- **Increase Sanitation:** Consider increasing sanitation procedures, especially for shared spaces and touch points such as restrooms, breakrooms, door knobs, copy equipment, and elevator buttons.
- **Provide PPE and Other Items:** Their use should be encouraged, or mandated, though employers must be wary of protective gear that interferes with an employee's duties or employees who may have a medical reason for being unable to use certain items such as masks. Firms should also stock adequate amounts of soap, hand sanitizer, and disinfecting cleaner.
- **Implement Protective Measures:** Protective measures may help limit the spread of the virus within the workplace and include the installation of high-efficiency air filters, increased ventilation rates, assigning tools and supplies to specific employees, and the addition of physical barriers to separate employees. Protective measures also include social measures such as maintaining distances of at least six feet, limiting shared elevators and room usage, and canceling certain employee gatherings and events.
- **Implement Testing:** Some firms may wish to take employees' temperatures at the start of each shift to determine whether they have a fever. While testing and monitoring of COVID-19 is permissible right now, such testing could be restricted in the future. It is important to review and keep up to date on testing guidelines and protocols from OSHA, EEOC and the CDC.
- **Create Documents for Employees:** Returning employees may have questions about new policies, benefit eligibility, and the overall plan for the reopening of the business. Consider creating a written resource for employees to reference.
- **Document and Retain Guidance:** Create and retain any policies created for your planned reopening, and create checklists to ensure policies are being followed.
- **Positive Test Response:** Finally, firms should be prepared for an employee who tests positive for COVID-19 in the future. Be prepared to follow the CDC exposure guidance, also adopted by OSHA, including the cleaning and disinfecting of any space occupied by the employee within 48 hours of the positive test. Consider implementing new cleaning policies and training sessions or working with your environmental services provider to create an action plan for cleaning and disinfecting after future positive tests.

Each business will have a unique reopening plan which may include specialized factors not outlined above. It will be important to discuss any potential opening plan with internal leadership as well as external counsel.

Before Reopening



Before Reopening

BEFORE REOPENING CHECKLIST

- Consult with the landlord and other tenants about pre-established protocols and requirements
 - Seek guidance on enhancing touchless protocols for common areas, including bathrooms, doors, elevators and other touch/contact considerations
- Consult with existing cleaning contractors about their disinfecting procedures
- Assemble an internal committee or appoint an individual to establish and review your firm's COVID-19 response
 - For larger firms, the committee should include staff from various departments, including human resources, IT, and administration
- Place recurring orders for hand sanitizer and dispensers for all common areas and offices (Touchless hand sanitizer dispensers are preferred)
- Place recurring orders for PPE items
 - Face masks
 - Single use disposable gloves
 - Hand sanitizer

POSTING OF NEW GUIDELINES

Once established, written guidelines should be posted for all employees and visitors to see. Consider providing each employee with a written copy of the new guidelines. As guidelines are updated, consider notifying the entire staff via email of changes to established guidelines, and replacing any outdated posted printed guidelines.

Building & Office Protocols



Building & Office Protocols

BUILDING & OFFICE CHECKLIST

- Consult with existing cleaning and maintenance crews on cleaning and disinfecting schedule and products to ensure they adhere to CDC guidelines.
- For buildings that have not been occupied, do a safety and wellness walkthrough, including but not limited to checking HVAC system, changing filters, flushing the water system, inspecting windows and doors, and looking for evidence of damage.
- Establish and maintain a cleaning and disinfecting schedule of the office, including but not limited to:
 - Common areas
 - Entry ways
 - Shared office space
 - Office equipment
 - Bathrooms
 - Doors and handles
 - Elevators/Escalators
- Inventory access points into the office and maintain a list of employees and persons who have access. Consider altering traffic flow and designating doors for ingress and egress.
- Inventory the number of common areas, shared spaces, and desks in the office. Limit the amount of shared space and equipment usage by employees. If equipment must be used by multiple employees, disinfect before and after each use.

CLEANING GUIDELINES

- Prior to reopening, complete a thorough office cleaning, including, but not limited to: common spaces, bathrooms, individual offices, shared spaces, elevators/escalators, hallways, and all desk and office equipment.
- [Adopt the Center for Disease Control Guidelines for Cleaning and Disinfecting](#)
- Frequently clean and disinfect the office and office equipment. Increase the frequency of cleanings as usage increases.
- Make hand soap and hand sanitizer available throughout the office and encourage employees to continue to wash their hands often.
- Consider keeping disinfectant near shared copiers, printers, and fax machines.

DISTANCING PROTOCOLS

Access Points: Reduce the number of access points into the office, and, if possible, have separate doors for ingress and egress. Limit the number of employees, clients and visitors that can be inside the office at one time to allow for physical distancing.

Traffic Flow: Consider limiting or modifying foot traffic around the office to allow employees to keep a safe distance while walking around. For example, consider one-way hallways when feasible and utilize signage or floor markings to conduct traffic flow.

Congregation Points: Identify places in the office where employees, clients, and/or visitors would typically congregate. Examples of places where employees, clients, and/or visitors may congregate are:

- Coat rooms
- Supply closets
- Kitchens, lunch rooms, and break areas/coffee stations
- Copy rooms/areas
- Conference rooms
- Waiting areas

Consider restricting or staggering access to congregation points (e.g. staggered lunch breaks or coffee breaks) or arranging the area to allow access while maintaining physical distance (e.g. positioning waiting area or lunch room furniture six feet apart.)

Social/Physical Distancing: Encourage employees and visitors to practice physical distancing by staying at least six feet (about two arms' length) from other people and not gathering in groups.

Maximum people allowed in the office: Inventory the number of desks, offices, and common areas and establish a maximum number of people allowed in the office that would still allow for physical distancing. This may require employees to alternate days and times in the office.

Screening: Routinely screen employees. Screen ALL people who enter your workplace before the start of each work shift. Confirm employees have not experienced COVID-19 symptoms (on the basis of the [CDC's defined criteria](#))¹ in the last 14 days. Encourage employees to monitor for symptoms, such as cough, shortness of breath, etc. (See COVID-19 Screening Questionnaire Appendix 1; page 30.)

Personal Protective Equipment: CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain.² Require employees in the office to wear PPE especially when coming into contact with other employees and visitors. Consider supplying PPE to employees in the office. Employers should have the following PPE items on hand:

- Face masks
- Face Shields
- Gloves

¹ [Symptoms of Coronavirus](#)

² [Recommendation Regarding the Use of Cloth Face Coverings, Especially in Areas of Significant Community-Based Transmission](#)

Employee Occupied Offices & Spaces



Employee Occupied Offices & Spaces

EMPLOYEE OCCUPIED OFFICES & SPACES CHECKLIST

- Ensure hand sanitizer is available to all employees/clients/visitors. If possible, place in each office and at each workstation. Hand sanitizer should also be available at key locations within the office, including at copy machines, in conference rooms, and in the reception area.
- Rearrange furniture in conference rooms to maintain physical distance.
- Reduce common area furniture to maintain physical distance.
- Provide disinfectant near all office equipment that is shared by employees.
- Have employees provide feedback about office space. See Appendix II, page 31: Sample Questions for an Employee Survey to Determine Areas of Concern.

Individual Offices: Clean and disinfect individual offices regularly. Ensure that trash receptacles and hand sanitizer or hand washing stations are available and easily accessible to all individual offices. Encourage employees to disinfect door handles after each use.

Open Offices: Stagger desks to avoid employees sitting directly across from each other. Limit the sharing and transfer of office supplies.

Shared Desks: Eliminate any shared desks and equipment. If desk sharing is unavoidable, employers should do a thorough disinfecting of all surfaces and equipment after each use (following CDC guidelines).

Conference Rooms: Clean and disinfect conference rooms before and after each use. Pre-arrange furniture to allow for physical distance between meeting attendees.

Common Spaces: Ensure physical distance can be maintained in all common spaces (waiting areas, break rooms, vending machines, water coolers, etc). If distance can be maintained provide employees with disinfectant and hand sanitizer. If distance cannot be maintained consider closing off or staggering common space usage.

HIGHLIGHTS - RECOMMENDED OFFICE MODIFICATIONS

- Separate desks and workstations;
- Modify open floor plans by, for example, adding partitions;
- Make only certain workstations available (e.g., every other or every third workstation, or every other cubicle area);
- Close or modify common/conference rooms and break rooms/cafeterias;
- Modify high-touch surfaces, such as replacing latch-based door knobs or handles with doors that can be easily pushed open or closed; and
- Display markings or signs reminding customers and employees to
 - maintain social distancing in areas where people congregate;
 - avoid touching surfaces unnecessarily;
 - wash hands properly and regularly;
 - wear a face covering where social distancing is not possible or unlikely to be effective.

Employee Policies

A person wearing a grey sweater and a white collared shirt is sitting at a table. They are pointing their right hand towards a document on the table. Their left hand is resting on the table near a laptop. The background is a light blue wall. The entire image has a blue tint.

Employee Policies

EMPLOYEE POLICY CHECKLIST

- Review and update sick-leave policies, allowing employees flexibility during the pandemic.
- Review and update telecommute policies. Allow employees whose work is conducive to telecommuting to work from home as often as possible.
- For staff that needs to be in the office to support the firm, consider reviewing and staggering work schedules to reduce the number of employees that are onsite at any given time.
- Establish an employee screening system (See: Appendix I, page 30: COVID-19 Screening Questionnaire).
- Provide employees with written COVID-19 office policies. Set expectations for the employees role in ensuring written policies and protocols are executed. (See: Appendix III, page X: Sample Communication for Employees Returning to Work)

Screening Policies: Employers are encouraged to screen employees for COVID-19. The EEOC states that because of the community spread of COVID-19, employers may measure their employees' body temperature without violating the ADA. (EEOC-Pandemic Preparedness In The Workplace And The Americans With Disabilities Act, March 21, 2020).

Sick Leave Policies: Sick leave policies should allow employees the flexibility to stay home or work remotely when exhibiting any symptoms of COVID-19. If an employee shows signs of illness during the screening process they should return home immediately. Ensure policies and practices are consistent with public health recommendations and are consistent with existing state and federal workplace laws.

Sick Employee Protocol: The CDC recommends³ a return to work after:

- At least three days (72 hours) have passed since recovery, which is defined as resolution of fever without the use of fever-reducing medications
- Improvement in respiratory symptoms (e.g., cough, shortness of breath)
- At least seven days have passed since symptoms first appeared, or two consecutive negative tests

Remote Work Policies: establish clear work-from-home policies including, but not limited to: equipment permitted usage and inventory, time keeping protocols, availability expectations and schedule.

COVID-19 Policies: As employees return, it is important to educate them with new policies and procedures including: screening for symptoms, hygiene etiquette, social distancing, personal protective equipment, sick policies, and reporting on potential COVID-19 related issues.

Additional Resources for Employees: Connect employees to employee assistance program (EAP) resources, if available, and community resources as needed. Employees may need additional social, behavioral, and other services.

- Contact your EAP provider for any counseling, webinars, and guides they may have created for employees.
- Communicate the availability of the Lawyers Assistance Program from the Maryland State Bar Association, which provides free and confidential counseling anywhere in the State of Maryland. The contact number is 1-888-388-5459.
- Review MSBA's COVID-19 and Health & Wellness portal for additional resources at msba.org/Covid-19/wellness.

³ [Criteria for Return to Work for Healthcare Personnel with Suspected or Confirmed COVID-19 \(Interim Guidance\)](#)

Client Meetings & Visitors



Client Meetings & Visitors

Although your firm may be reopening, it is still important to limit client visits. Utilize video conferencing and/or phone conferencing for client consultations and meetings, and discourage in-person client meetings. Consider developing a policy that dictates when an in-person client meeting will be permitted. For instance, you may choose to only allow clients in the office for certain activities such as trial preparation and/or signing of documents.

In the event you will have clients visiting the office, consider these guidelines.

- Create a written client/visitor policy that describes when an in-person client meeting will be permitted. Encourage employees to exhaust virtual options, including video and telephone conferencing before scheduling in-person meetings.
- Limit the number of in-person client meetings that can occur each day, and consider specifying days/times of the week for in-person client meetings.
- Ensure the number of expected visitors and staff attendees are consistent with the available meeting space, and allows for appropriate social distancing.
- Appoint a single point of contact (e.g. firm receptionist or office manager) or create a shared calendar accessible to all employees to track in-person client meetings. Retain information on clients and/or visitors that attend in-person meetings, including which employees attended the meetings for contact tracing purposes.
- Institute a liberal work-from-home policy during scheduled in-person meetings for those that are not necessary for the in-person meeting.
- Create a written client/visitor protocol that employees must follow when scheduling in-person meetings.
- Develop written guidelines for in-person meetings, and share these guidelines with the client/visitor at least 48 hours in advance of the in-person meeting.

CHECKLIST FOR COMMUNICATION TO CLIENTS (DURING TRANSITION PHASE)

- Create a general “update” email for client distribution indicating that you are operating on a “modified” or “new normal” basis to handle client matters.
- If you are using a phased approach, ONLY communicate the relevant client-facing details that allow them to understand what you can do for them, how and when (i.e. limit overly procedural communications—you are both informing them of status and marketing your services being available on whatever basis you’re making them available).
- Emphasize the efforts undertaken to ensure the health of your employees, as that will be important to clients.
- Stress your firm’s technology capabilities in general terms, indicating that you are fully prepared to function however the client’s interests will best be served.
- Note the efforts around continuous monitoring of the situation and that you are adhering to best or prevalent practices (if that is the case).
- Consider a check-in call focused on the wellbeing and general situation of your client (i.e. not specifically about current projects or case related matters).
- Express appreciation for their use of your firm, and convey what that means to the firm.

OTHER CONSIDERATIONS FOR CLIENT MEETINGS & VISITORS:

Prohibit drop in visits: To limit the number of visitors and control community spread, clients should be seen only by appointment and follow all physical distancing rules when present in the office.

Intake Procedures: Have all clients call an office line to be screened and to request access to the office. Develop a no-contact or low-contact entryway. Immediately sanitize any door handle and surface touched.

Screening: Screen all clients and visitors before they enter the facility. Ask visitors if they have experienced COVID-19 symptoms (on the basis of the CDC’s defined criteria as cough, shortness of breath, etc.) in the past 14 days. (See Appendix I, page 30: COVID-19 Screening Questionnaire)

Physical Distancing: Arrange the office so that visitors are able to maintain a minimum six-foot distancing space while in the office at all times, including in common areas as well as offices. Require clients to wear masks if six-foot distancing is not possible.

Personal Protective Equipment: If you choose to require visitors to wear a mask at all times in the office, make PPE available to visitors upon entry into the office.

Sanitation Centers: Make hand sanitizer and hand-washing stations available to visitors upon entry and throughout their office visit.

Navigating Changing Space Needs



Navigating Changing Space Needs

As you consider the reopening and the first months back, a key consideration for business performance involves real estate footprint and associated costs.

CHECKLIST:

- Do current revenue projections allow the firm to maintain the current rent expense level for 12 months or through the end of the lease term, whichever is lesser?
- Have you considered space design plans that would allow for lessened density, including common areas and conference spaces?
- Have you reviewed the lease and provisions for changes in lease terms/conditions?
- Is the current real estate model in place for the firm appropriate if a material percentage of staff will work remotely for some portion, if not all, of the time during the next 18 months?
- What additional technology is needed to convert physical space into studios and conferencing “home base” for a largely distributed workforce?
- Have you contacted the landlord and indicated an interest in discussing rent, rent abatement, space “giveback” or other elements of modifying the expense associated with real estate? (ie. take advantage of what they may proactively offer)
- Depending on the size of your real estate footprint, it may be advisable to contact an Interior Architect or Designer to help establish preliminary plans for reconfiguration which would be needed for any renegotiation of space.

Insurance & Liability



Insurance & Liability

If an employee or visitor to your premises becomes infected by COVID-19, this could have implications on your firm's insurance policies, including both your general liability insurance policy and workers' compensation policy. Prior to reopening, find your insurance policies, and review both your general liability insurance policy and workers' compensation policy for applicable provisions.

WHAT IF AN EMPLOYEE TESTS POSITIVE FOR COVID-19?

- If the employee has been on the firm's premises or has otherwise interacted with employees or clients, contact your local health department and the CDC for guidance as to how to proceed and properly contact trace.
- If the employee is alleging that they contracted the virus from work, report the claim immediately to your workers' compensation carrier (Any claims of work-related exposure should be reported immediately to your workers' compensation carrier even before the employee tests positive for the virus).⁴

WHAT IF A CLIENT OR VISITOR TESTS POSITIVE FOR COVID-19 AND CLAIMS IT WAS CONTRACTED AT OUR OFFICE?

In many cases, general insurance policies contain a liability provision similar to the provision below:

"...We will pay damages which an insured party becomes legally obligated to pay for bodily injury or property damage arising from an occurrence to which this policy applies, and is covered ... and if the insured party is sued for these damages, we will provide a defense at our expense...."

"We do not cover any ... intentional or criminal acts or omissions of an insured party."

Coverage decisions may hinge on having written policies and procedures in place geared toward preventing the spread of COVID-19 to employees, clients, and visitors. Ensuring these policies and procedures are followed will also be important. Document your firm's policies, and create daily, weekly, and monthly checklists for employees to ensure policies are being followed.

INSURANCE CHECKLIST:

- Locate and review insurance policies for applicable provisions.
- Create and store written COVID-19 policies and procedures.
- Create daily, weekly and/or monthly checklists for you or your staff to complete to ensure COVID-19 policies and procedures are followed.

Retain completed checklists.

⁴ *Workers' Compensation Guidance for COVID-19*, Lockton Affinity, April 2020.

Employee Questions & Concerns Upon Returning to Work



Employee Questions & Concerns Upon Returning to Work

Employers should anticipate and think through one or more of the following questions from employees prior to reopening:

- Will I be required to wear and work in a face mask and gloves?
- Will PPE, such as face masks and gloves, be provided to me?
- What is the screening process for employees and visitors?
- Will I be provided hand sanitizer and disinfectant in the office?
- What are the cleaning and disinfecting policies in the office?
- If someone in the office gets sick will I be notified?
- Are there updated telework and sick leave policies?
- Can I just stay home if I'm concerned about my health and safety?
- Will my performance be judged differently if I avail myself of work from home?
- If I continue to work from home, will I be unfavorably compared to peers who go into the office?
- I feel that a colleague isn't being careful. What will you do about it?
- How should we handle client meetings? What if the client only wants to meet in-person/virtually?
- My family members are elderly/vulnerable, can I have extended time away versus whatever norms are now?
- Can my position be permanently shifted to full-time remote?
- Are there guidelines or policies that are posted on the firm website to which we can refer clients?
- Someone I came into contact with may have COVID-19, what should I do?
- I am exhibiting symptoms of COVID-19, what should I do?
- Can you provide enhanced equipment for my use at home above and beyond what's already been issued?
- What is the firm going to do if there's a "second wave" of the novel coronavirus?

Contact Tracing

Contact Tracing

If exposure to COVID-19 in the workplace is suspected, employers should inform employees and instruct them on how to proceed based on the following CDC Public Health Recommendations for Community-Related Exposure.⁵

If an employee had been exposed to a person with COVID-19 symptoms follow the below guidance from the CDC.

Person	Exposure to	Recommended Precautions for the Public
<ul style="list-style-type: none"> Household member Intimate partner Individual providing care in a household without using infection control precautions Individual who has had close contact (< 6 feet)** for a prolonged period of time *** 	<ul style="list-style-type: none"> Person with symptomatic COVID-19 during period from 48 hours before symptoms onset until meets criteria for discontinuing home isolation (can be a laboratory-confirmed disease or a clinically compatible illness in a state or territory with widespread community transmission) 	<ul style="list-style-type: none"> Stay home until 14 days after last exposure and maintain social distance (at least 6 feet) from others at all times Self-monitor for symptoms Check temperature twice a day Watch for fever*, cough, or shortness of breath Avoid contact with people at higher risk for severe illness (unless they live in the same home and had same exposure) Follow CDC guidance if symptoms develop

⁵ [Public Health Recommendations for Community-Related Exposure.](#)

A person in a dark suit and white shirt is holding a large, dark apple. The person's face is in profile, looking towards the right. The background is a blurred, light blue-grey color. The overall image has a teal overlay.

Resources & Tools for Reopening

Resources & Tools for Reopening

[Maryland Department of Commerce Best Practices for Businesses to Reopen](#)

[Center for Disease Control and Prevention Workplace Decision Tool](#)

[When You Can be Around Others After You Had or Likely Had COVID-19](#)

<https://www.whitehouse.gov/openingamerica/>

[OSHA Guidance on Preparing Workplaces for COVID-19](#)

[Frequently Asked Questions About COVID-19 and Maryland's Unemployment Insurance](#)

[Johns Hopkins Center for Health Security Operational Toolkit for Businesses Considering Reopening or Expanding Operations During COVID-19](#)



Resources for Practitioners

Resources for Practitioners

[MSBA COVID-19 Page](#)

[Maryland Judiciary COVID-19 Updates](#)

[Administrative Orders](#)

[Local Orders and Closure Notices \(Appellate, Circuit, and District Courts\)](#)

[Court of Appeals](#)

[Court of Special Appeals](#)

[District of Columbia Courts COVID-19 Page](#)

[Maryland Office of the Attorney General](#)

[Maryland State Board of Contract Appeals](#)

[Maryland Department of Assessments and Taxation](#)

[Workers' Compensation Commission](#)

[Maryland State Employees COVID-19 Page](#)

[Maryland General Assembly](#)

[Office of Administrative Hearings](#)

[Governor Hogan's Executive Orders and Interpretive Guidance](#)

[Maryland Association of Counties COVID-19 Resource Page \(Reopening Status by County\)](#)

[U.S. District Court, District of Maryland](#)

[U.S. Bankruptcy Court, District of Maryland](#)

[U.S. Department of Justice – Executive Office of Immigration Review COVID-19 Status](#)

[U.S. Citizenship and Immigration Services Covid-19 Response](#)

[USCIS Office Closings Page](#)

[USCIS Baltimore Field Office](#)

[U.S. Department of Veterans Affairs](#)

[U.S. Tax Court](#)

[U.S. Office of Personnel Management COVID-19 Guidance](#)

[Access to Justice Commission COVID-19 Page](#)

Appendices



APPENDIX I

COVID-19 Screening Questionnaire

Screen ALL who enter your workplace:

- All staff before the start of each work shift
- All visitors

ASK THESE QUESTIONS TO EVERYONE:

Since your last day of work, or last visit here, have you had any of these symptoms?

- Cough
- Shortness of breath or difficulty breathing
- **OR** at least two of these symptoms:
 - Fever
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore throat
 - New loss of taste or smell

If the answer is YES to any of these questions, use your work's COVID-19 emergency plan right away.

The person who screens may want to:

- Review the results
- Not let the staff or visitor enter
- Share where to get medical help

APPENDIX II

Sample Questions for an Employee Survey to Determine Areas of Concern

What are your most significant concerns in relation to the pandemic? Please rate your level of concern for each (scale 1–5, with 1 being not at all concerned and 5 being extremely concerned)

- Safety
- Work/Life Balance
- Childcare
- Homeschooling
- Managing Stress
- Family Finances
- Overall Adjusting to the “new normal”
- Other

What resources or tools would be most helpful to you right now?

- Support Group
- Counseling
- Articles and Tips on Managing Homeschooling
- Articles and Tips on Managing Stress
- Articles and Tips on Managing Financial Struggles
- Other

What challenges are you facing in your work?

- Access to files (i.e. remote desktop, servers, etc.)
- Technology issues when working from home
- Communicating with colleagues
- Work/Life Balance
- Managing Interruptions
- Understanding deadlines and various court orders

APPENDIX III

Sample Communication for Employees Returning to Work

Our firm has spent (time period) reviewing the information available on a federal, state and from resources supporting our profession. There is no “playbook” for this situation, but we do know that a measured and responsible approach to reopening is important.

Our first focus is the safety of our employees and of our clients/visitors. To that end, we have established a phased approach to reopening our office as follows:

Phase 1: Voluntary Return & Limited In-Office Activities

Phase 2: Resume In-Office Activities for Z, Y & Z functions

Phase 3: Full resumption of our “COVID-19 Reset” new operating model (includes routine work from home, virtual activities as well as in-office)

Physical: The requirements for use of PPP and distancing measures are outlined in our 1-page approach/checklist.

Communication & Workplace Expectations: The communications and work from home expectations are outlined in our one-page summary of how/when/why remote work makes sense within our new operating model. This can be found in our employee handbook updated as of (date & version).

The most important consideration is our ability to balance health and safety considerations with the successful functioning of our business. We will host a virtual discussion on these considerations before we begin our phased transition back to the office. Thanks in advance for being part of the success of this transition back to our new operating model.

APPENDIX IV

Sample In-Person Guidelines

SAMPLE LANGUAGE FOR IN-PERSON CLIENT MEETING POLICY / GUIDELINES

Client meetings shall be conducted virtually by video or phone conferencing whenever possible. In-person client meetings will only be allowed if the nature of the client meeting is one that cannot feasibly be conducted by virtual means. Examples include, but are not limited to:

- Final Trial, Hearing, or Deposition preparation of client or material expert or fact witnesses to the extent that the trial, hearing, or deposition will be taking place in-person. Preparation for virtual or video hearings shall be conducted virtually.
- Meetings with clients or visitors that are necessary for a particular matter, but the client and/or visitor does not have access to phone or video conferencing capabilities.
- Obtaining signatures from clients where remote signing is not feasible or accessible.

If an in-person client meeting is necessary, please adhere to the following guidelines and utilize the checklist to ensure all protocols are met.

SAMPLE IN-PERSON MEETING GUIDELINES:

- In-person meetings may only be scheduled if they meet the In-Person Client Meeting policy and must be pre-scheduled at least 48-hours in advance. Drop in meetings/visits will not be allowed.
- Only the minimum number of people necessary to conduct the meeting are allowed to attend the in-person meeting.
- Meeting attendees must maintain social distance of at least six feet and wear a mask or other facial covering that covers their mouth and nose. If clients and/or visitors are not able or willing to comply with this requirement, the meeting will be canceled.
- Clients and/or visitors will be directed to use the client/visitor entrance, and shall be screened for COVID-19 symptoms prior to entering the meeting room.
- Prior to the meeting, all surfaces in the meeting room, including door handles, table tops, chairs, computers, remotes and writing utensils shall be sanitized and furniture shall be pre-arranged for the number of meeting attendees to maintain six feet of separation.
- Hand sanitizer shall be available in the meeting room.
- Food and beverages will not be offered or provided to clients and/or visitors at this time, with the exception of bottled water.
- Meeting rooms shall be re-sanitized immediately following the conclusion of the meeting.

SAMPLE IN-PERSON MEETING PROTOCOLS/CHECKLIST:

- Schedule the meeting at one of the specified dates and times for in-person client meetings at least 48 hours in advance. Ensure the meeting is communicated to the firm's point of contact for in-person meetings and/or placed on the firm's shared calendar.
- Send the client/visitor an email with visitation instructions at least 48 hours before the scheduled meeting. The instructions should include:
 - A copy of the firm's in-person meeting guidelines.
 - Directions on where to enter the office.
 - A copy of the firm's screening questionnaire. See page 30.
 - A note that no one other than the planned attendees may enter the building.
 - An explicit statement explaining that if a client or visitor is exhibiting symptoms or believes they have been exposed to COVID-19, they should not come to the firm's office and should contact the firm for details on how to reschedule the meeting or avail themselves of virtual alternatives.
- Post a copy of the meeting guidelines in the reception area and conference room where the meeting is to take place.
- Have face masks available for the number of attendees scheduled to attend the meeting.
- Prearrange the furniture in the meeting room for the number of scheduled attendees to maintain six feet of physical space.
- Sanitize the meeting room surfaces including door handles, table tops, computers, chairs, remotes and writing utensils.
- Place hand sanitizer in the meeting room for use by the meeting attendees.
- Sanitize the meeting room following the conclusion of the in-person meeting.

APPENDIX V

Downloadable & Printable Resources

[Stop the Spread Downloadable Poster](#)

[Hand Washing Posters from the CDC](#)

[Maryland Department of Health Social Distancing Poster](#)

[Maryland Department of Health If You're Sick Poster](#)

APPENDIX VI

COVID-19 Webinars

View recordings of all COVID-19 Webinars [MSBA's YouTube channel](#) for free.

