

# **Don't Be a Target: Practical Tips for Security in a Law Office**

**AAML Midwinter Seminar**

**DANIEL P. BESTUL  
DUXSTAD & BESTUL, S.C.  
Monroe, Wisconsin**

1. **Acknowledgment:** This outline draws on ideas and suggestions from several sources. Two are cited at the end of this outline.
2. **Lawyerly disclaimer #1: Total safety is an illusion.** The purpose of this outline is to give some suggestions on how you can make things safer, not to ensure safety.
3. **Lawyerly disclaimer #2: Your mileage may vary** This outline and discussion will not be an exhaustive list of safety tips, and the tips included may not be applicable or effective in all circumstances or situations.
4. **Have a plan.** No two offices are alike; assess your own needs and adapt a plan that is right for you. Here are some things to consider:
  - a. **Floor Plan** – Have a detailed floor plan of the office or building, with emergency exits and evacuation paths clearly marked, at every workstation and in other commonly occupied spaces, providing staff and visitors with a detailed explanation of evacuation procedures in the event of an emergency.
  - b. **Train all attorneys and staff how to handle angry clients.** Listening skills, redirecting negative behaviors, setting boundaries and assault awareness are all acquired skills that do not require specialized technical training.
  - c. **Establish emergency response procedures.** Emergency response procedures help prevent a bad situation from getting worse. Have a system to notify all employees of an emergency, perform emergency procedures and notify emergency response personnel.
5. **Communicate with your co-workers**
  - a. **A good plan is worthless if no one knows about it**
  - b. **Forewarned is forearmed** Concerns about any individuals should be shared. In particular, front desk personnel should be aware of potential problems and should be given clear instructions about how to deal with them

- c. **Establish a workplace violence policy and procedures.** These should include clear instructions on how employees can report concerns. Make all employees feel safe and supported.
  - d. **Domestic violence can happen in any workplace, including law offices**  
Anyone facing domestic violence threats must feel comfortable enough to speak up in the office, for their own protection and the protection of their co-workers.
6. **Physical layout** Because the practice of law typically means meeting with clients – current and prospective – creating a safety oriented physical plant can be difficult, but there are a few practical steps that anyone can implement.
- a. **Home court advantage** A little thought as to what you would like to have handy in your office in an emergency can provide a powerful advantage. The arrangement of the furniture, which doors you would like to have locked, where you would like to be able to easily go in an emergency are all things you can put in place long before any need arises.
  - b. **The reception area deserves special attention**
    - i. **Create a safe work environment for receptionists.** Receptionists need a clear view of the office entry. The ideal reception desk is not a desk, but rather a waist high counter that separates the reception area from the entrance to the interior office. The front desk should provide a barrier between receptionists and people entering the office but allow easy escape. Remove objects from the front desk that are potential weapons and keep them stored in drawers or cabinets - staplers, scissors and letter openers. Keep computer screens and family photos out of public view.
    - ii. **Be Vigilant** – The reception area of your office should never be left empty; from the moment the office is opened for the day until the moment the office is closed for the night, someone always at the front desk. This adds another layer of security to your office and ensures that customers and clients are met with a human face every time they enter your office.
    - iii. **Walk them in, walk them out** Institute a practice of having someone escort guests to their destination in the interior office and (just as important) escort them back to the front door. There should not be any unescorted visitors wandering the halls of your office.
  - c. **Install security technology.**
    - i. Consider installing buzzer doors that allow access to the inner office only after verification of the visitor.

- ii. Provide panic buttons for attorneys, receptionists and other staff to discreetly notify others of a risky situation before it escalates.
- d. **Telephone Access** – Every regularly occupied room in your office should have a telephone; this includes storage areas and workrooms. This provides access to emergency services should someone need to take shelter in these areas.
- e. **Establish safe meeting places and practices** Always meet clients in a safe place, preferably with other people nearby. Scheduling appointments in your office during regular business hours – when other people are around – is the best practice. Regardless of the location of the meeting, always have an exit plan in case the situation becomes dangerous.
  - i. **Safe meeting areas for clients and attorneys.**

### 1. Meeting in the office

- a. Safe meeting areas include windows to allow co-workers to see what is occurring inside but still maintain confidentiality.
- b. Meeting areas should have two entrances so attorneys and staff can avoid being cornered. Pay attention to the way doors open; doors that sweep out facilitate a quick exit.
- c. Pay attention to seating arrangements; keep yourself between the client and the door and keep at least a portion of the conference table between you and the client.
- d. Have a room set up that allows you to move about; quickly, if necessary.
- e. Before entering meeting rooms other than your own, take inventory:
  - i. What are the seating arrangements?
  - ii. How are the doors set up?
  - iii. What are the exit routes?
- f. If there is a reasonable concern of aggression or violence, remove potential weapons from the meeting room.

### 2. Meeting outside the office

- a. If you operate out of your home, try to identify a location to meet that provides a good mix of safety and privacy.

Courthouses and public libraries often have meeting rooms that fit the bill, and may even have security in place. However, there is a risk of confidentiality being compromised in these settings.

- b. Avoid meeting with clients in their home.
- c. If the client can't arrange for transportation to a suitable meeting location, then, consider meeting on the phone and handling things by mail.

ii. **Keep the meetings safe**

1. **Screen callers before setting up an appointment.** If the caller is a prospective new client, get full contact information, as well as the details of the matter that needs your attention. In addition to allowing you to screen for potential conflicts, this can help defuse or divert a confrontation.
2. **Discourage walk-ins.** If someone – including a client -- stops by without an appointment, make them wait (even if it's only for a few minutes; asking them to come back later is even better). This may be enough to deter or scare off a possible problem encounter.
3. **Don't go it alone** Have a staff member meet with the client, even if only briefly.
4. **Control the meeting.** Have a plan for what is going to happen in the meeting, in particular how it will begin and how it will end.

f. **Dealing with the challenging client**

1. Maintain a high degree of professionalism.
2. Protect the client's self-esteem without compromising your own; this isn't a zero-sum game.
3. Educate the client regarding expectations and the attorney's and the client's responsibilities.

7. **Safety at the personal level**

a. **Don't be an easy target**

- i. Get your private information off the internet.

1. Change your privacy settings on social media to the highest setting available.
  2. Remove any identifying information such as date of birth, address, phone number, place of employment, etc.
- b. **Be prepared** Situational awareness is the most powerful self-defense weapon.
- i. Trust your “creep meter;” if something doesn’t feel right, it probably isn’t.
  - ii. Know where the escape routes are, and how you’ll get to them. This is true whether you are in your office, at the courthouse or walking down the street.
- c. **Be vigilant**
- i. Take time to take stock. It only takes a second to scan a room; even if you have been there a thousand times before, look around to see if anything seems off.
  - ii. Keep detailed records regarding difficult client interactions.
    1. Monitor the client’s level of anger or agitation at each meeting.
    2. Assess your immediate risk based on the client’s demeanor, level of anger, and responses.
- d. **Be mobile**
- i. Don’t get cut off from the escape routes.
  - ii. Keep some distance between you and any potentially aggressive person, about two arm lengths.
  - iii. Do not stand facing this person squarely. Take a half step back with one foot, so that you are at an angle. This appears less confrontational, improves your balance and allows you to easily move in any direction.

## 8. Managing aggression

### a. Control yourself and control the situation

- i. **If the incident occurs in your office, you have the advantage.** You know the layout and have thought through what you would like to have happen in this situation. Put that plan to work.

- ii. **Do not let the aggressor's anger make you angry.**
  - iii. **Remain someone worthy of respect by giving respect.** Maintain the high ground in every sense. Try to speak calmly and distinctly.
- b. **Words and logic are weapons. Use them wisely.** The objective is to get out of the situation intact.
- i. Ask questions aimed at getting the aggressor to explain specifically what the issues are, what can be done to address them.
  - ii. Use open ended questions. Do not "cross-examine" the aggressor, ask leading questions or yes or no questions. This is "direct examination."
  - iii. Ask questions to get the aggressor thinking of something other than doing harm.
  - iv. Use active and empathetic listening.
    - 1. Restate the wrong or injustice as the aggressor has described it.
    - 2. Show you understand the aggressor's view. You don't have to agree with it to understand it.
    - 3. **Try to negotiate a solution.**
    - 4. **Fight or flight:** Knowing when to attack or when to retreat are very difficult things to gauge. But if you must attack, attack viciously and relentlessly.

## **REFERENCES**

*Law Office Safety Recommendations For Creating & Maintaining A Safe Work Environment*, published by the New Hampshire Bar Association

<https://www.nhbar.org/uploads/pdf/LawOfficeSafety.pdf>

*The Angry Client: Keeping Yourself and Your Staff Safe*, Dana L. Cogan, MD, published in the American Bar Associations in GP Solo, Volume 30, Number 3 and Family Advocate, Spring 2012.

[https://www.americanbar.org/publications/gp\\_solo/2013/may\\_june/family\\_law\\_angry\\_client\\_keeping\\_yourself\\_and\\_your\\_staff\\_safe.html](https://www.americanbar.org/publications/gp_solo/2013/may_june/family_law_angry_client_keeping_yourself_and_your_staff_safe.html)