

# Legal Connections



Lawyers take a deep dive into election law in this edition of Columbus Lawyers Quarterly: [www.cbalaw.org](http://www.cbalaw.org)

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LEGAL EXPERTISE FOR THE BUSINESS COMMUNITY

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## MAKING SUCCESSION PLANS A PRIORITY

In the midst of this national pandemic, we wish that we would have had the personal foresight to plan for certain things - like a major downturn in the economy, home schooling and toilet paper. For businesses, succession planning and planning for the unexpected crisis is essential to ensure the continuity of the business and protection of the interests of clients and customers. This can be a daunting task, and one often put on the back burner. However, there are a number of reasons that succession planning should be a priority, since it serves as a form of insurance for your business.

Succession planning is a preventative tool that both protects client and customer interests and ensures business continuity. Failing to plan for an unexpected crisis can result in



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harm to clients, customers, the business and the business owner's family. The benefit of developing a plan is that it allows for the orderly transfer of power & proper handling of pending matters and satisfies fiduciary and professional obligations. The goals of succession planning are to prepare, respond and recover from an unexpected crisis.

**Prepare.** The unexpected crisis can take many forms, including an accident, illness or death, a natural disaster, sudden departure of key employees, an adverse publicity event, or a data breach. Any one of these can have devastating effects on the business and, importantly, its clients and customers. Without a sufficient plan in place, businesses risk exposing confidential data, which could result in harm to clients and customers and end a

meaningful relationship with business constituents. Also at risk are a multitude of other interrelated duties and services to clients and customers. Therefore, businesses should take adequate, preventative measures to ensure that client and customer interests are protected.

**Respond.** All businesses should have a transition plan in place to ensure business continuity, to ensure the continuation of superior services and to address progressive business and talent growth. This requires the business to prepare in advance and develop a plan by evaluating risks to the business, while accounting for client and customer concerns and needs. The plan should be thorough, yet flexible enough to adapt to a variety of issues that may arise both inside and outside of the business.

**Recover.** The current pandemic and economic downturn in which we find

ourselves, has brought to light the difficulties of maintaining a business or firm during a crisis. Resources are scarce, courts have closed, clients may have difficulty paying bills, and businesses may not have a sustainable business model (or cash reserves) to continue paying employees. These challenges become exponentially more difficult without a plan in place, and where reactive decisions are being made spontaneously. As daunting as this time may be, it can be an opportunity for businesses to be creative and generate new business, as well as to reassess and adapt, which may leave the business more agile in the ever changing business, legal and consumer marketplace. After all, necessity is the mother of invention, and some of the best ideas and inventions have come out of crisis. ■

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## COVID-19: AN IMPACT ON TRAVEL

Those who celebrated New Year's Eve and uncorked the champagne bottle at midnight would have never imagined 2020 would be such a burden on all of us. Travelling is one of the businesses that has been impacted tremendously by the virus. Countries are protecting their own citizens and trying to reduce the spread of infection, implementing several travel restrictions. The United States issued its own restrictions, and travelers across the globe were impacted

Proclamation 9994, on March 13, suspended and limited the entry of immigrants in certain jurisdictions including People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau),



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the Islamic Republic of Iran, the Schengen Area, the United Kingdom (excluding overseas territories outside of Europe) and the Republic of Ireland.

The proclamation does not apply to the following categories of people:

- any lawful permanent resident of the United States;
- a spouse of a U.S. citizen or lawful permanent resident;
- a parent or legal guardian of a U.S. citizen or lawful permanent resident, provided that the U.S. citizen or lawful permanent resident is unmarried and under the age of 21;
- a sibling of a U.S. citizen or lawful permanent resident, provided that both are unmarried and under the age of 21;
- an H-1B or H-2B visa, and any nonimmigrant accompanying or following to join them;
- a J visa, to the extent the nonimmigrant is participating in an intern, trainee, teacher program, and anyone accompanying or following to join them;
- an L visa, and anyone accompanying or following to join them.

Due to cancellations of visa interviews, both employment- and family- based, many intended immigrants and nonimmigrants were unable to travel to the U.S. This caused hardship to employers who already filed a Petition on behalf of their potential employees and had the petition approved, as the visa interview could not take place. The matter is complicated, because no new work visas are being issued at this time. Unless one already has an approved visa, no one is able to travel to the U.S. As of July 26, the U.S. Embassies reopened and scheduling certain routine immigrant and nonimmigrant visa interviews. For detailed information about visa interviews, and how they may impact any of your business' employees or interns, refer to the U.S. Embassy's website in the given country. ■



📅 Thursday, August 13, 2020

🕒 12:00pm—1:00pm on Zoom

### Working with a Professional Genealogist

Do you know the difference between a forensic genealogist and an heir searcher? Why would you need a professional genealogist? This program explains how such a person can deliver valuable information to help attorneys deliver top notch services to their clients. **1.0 CLE Hour.**

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